

**Advisory Neighborhood Commission (ANC) 6A  
Minutes  
Miner Elementary School  
September 12, 2019**

Present: Commissioners Amber Gove (Chairwoman), Phil Toomajian, Mike Soderman, Ruth Ann Hudson, Marie Claire Brown, Brian Alcorn and Sondra Phillips-Gilbert.

The meeting convened at 7:00 pm.

Chairwoman Amber Gove called the roll and announced the presence of a quorum.

The minutes for the ANC July 2019 meeting were accepted, and the agenda for the September 2019 meeting was accepted without changes or objection.

**Community Presentations**

**Metropolitan Police Department 1D Lieutenant Dyn and 5D Sergeant Rosa**

MPD 1D Lieutenant Daniel Dyn shared that violent crime is down 40% and property crimes are down 17% within the ANC. Thefts from cars are up across the city. Lt. Dyn strongly encouraged residents to take all valuables out of their cars. He continued with updates on some recent police matters including the closure of the smoke shop at 504 H Street NE and the current effort between DCRA and MPD to close the Up N Down Smoke Shop located at 508 H Street NE. Additionally, an establishment at 1428 H Street NE was robbed; the owner was able to stop the perpetrator who was subsequently arrested by MPD.

Commissioner Mike Soderman commented on the seeming increased public use of drugs, specifically marijuana, on Barracks Row.

Commissioner Brian Alcorn asked for updates on the shooting that occurred on August 29, 2019 on the 1400 block of A Street SE. Lt. Dyn was not able to share any new information; the investigation is ongoing.

Commissioner Marie-Claire Brown added that the area around the Sherwood Recreation Center has also seen increased drug use and asked that MPD therefore pay closer attention to this neighborhood. She also noted that as the weather begins to cool, the combination of homelessness and drug use can create very dangerous, possibly fatal, situations.

Chairwoman Gove asked Lt. Dyn to summarize a recent community meeting with ANC 6B regarding the shootings in the area. Lt. Dyn said residents in ANC 6B had similar concerns to those of ANC 6A and that MPD has stationed a unit to a three-block radius of the recent shooting in an effort to curb drug use. Chairwoman Gove also asked if MPD was implementing any targeted traffic enforcement and if so, where? According to Lt. Dyn, MPD has 3 cars out in various areas looking for traffic violations. They are specifically targeting bike lane and stop sign violations around schools. Residents are welcome to e-mail Lt. Dyn at [daniel.dyn@dc.gov](mailto:daniel.dyn@dc.gov) with requests for increased enforcement in a particular area.

Sergeant Rosa of MPD 5D reported that though the Summer Crime Initiative has ended for the year, the 5D will not lose the resources that were assigned through the Initiative including patrols on the 1500-2100 blocks of Benning Road NE with specific attention paid to the Pentacle Apartment complex, the 1700 block of Gales Street NE and the 1500-1600 blocks of Isherwood Street NE. Additionally, 1-2 cars will be assigned to traffic enforcement.

Commissioner Sondra Phillips-Gilbert asked if Captain Rosenthal will continue to lead despite the end of the Summer Crimes Initiative. Sgt. Rosa was unsure; final staffing has not yet been assigned. In reference to a concern Commissioner Phillips-Gilbert raised at a past ANC meeting, Sgt. Rosa shared that an additional mountain bike unit has been assigned to patrol to the area in question. Commissioner Phillips-Gilbert continued to express concern for this area as well as the Pentacle Apartment Complex.

### **The Honorable Eleanor Holmes Norton**

Congresswoman Eleanor Holmes Norton began by discussing the current status of her fight for DC Statehood. She asked residents to fill the House Chamber during the upcoming hearing at the Rayburn Building. The Congresswoman predicted that H.R. 51, establishing Washington DC as a state, will pass the House. She also believes that the Senate is more amenable to considering the bill than public opinion expects. Congresswoman Norton cited a Gallup Poll regarding DC statehood finding 2/3 of Americans believe DC residents already have the same rights and representation as those living in states, or they do not know what rights or representation DC residents have in Congress. The Congresswoman further expressed reasons for her confidence for passage this session: Speaker Nancy Pelosi has expressed strong support for H.R. 51, Congresswoman Norton has a number of co-sponsors on the bill as well, H.R. 1, the Omnibus Democracy Bill that passed the House, included language in support of statehood for DC and Minority Leader Chuck Schumer similarly included H.R. 51 into his first bill brought before the Senate.

Congresswoman Norton shared that, despite that she is a non-voting member of Congress, she was still ranked as the most effective House Democrat in the last Congress by the Center for Effective Lawmaking. She referenced a number of bills she has been able to pass over her time in Congress including legislation that allowed residents of Washington DC to attend any state school in the country at in-state tuition rates and a bill to provide back pay for government contract workers.

When asked how awareness is being raised about the current fight for DC Statehood, the Congresswoman directed residents to social media and DCVote.org. She explained that while constituent attendance is not absolutely necessary, public support will help as obtaining statehood is a complex issue. The Congresswoman explained that DC used to be insolvent and she had to introduce legislation to have some state-level responsibilities and expenses removed from DC as it is a city, not a state and therefore cannot be expected to afford all that the states can. This has eventually led to the current budget surplus but still, no one can be sure how much becoming a state will actually cost the District.

Commissioner Soderman recommended the city consider instituting a commuter tax, much like New York City. Congresswoman Norton reminded the ANC that it would be residents of Virginia and Maryland most directly affected by such a tax and she needs

the support of the Senators and Representatives from both states to pass H.R. 51 meaning she feels DC would have to strike a deal possibly limiting the effectiveness of such a tax.

Commissioner Alcorn thanked the Congresswoman for her advocacy for resolving the future use of the RFK Stadium site and asked her for updates. The Congresswoman noted that Mayor Bowser has mostly stopped discussing RFK Stadium or the return of the Redskins and the Chair of the Commission that will ultimately make a decision on the stadium has indicated that he will follow the Mayor's direction.

Chairwoman Gove interjected saying ANC6A has long been in opposition to rebuilding the stadium and has in the past sent letters to this effect to the Congresswoman's office. She then asked about lax maintenance in and around Lincoln Park, a park controlled by the National Park Service. The Congresswoman explained that the National Parks Service is very underfunded so is struggling with resource allocation. She mentioned that the National Parks Service holds a public meeting every 4 months so residents can attend and raise these or other concerns.

#### **Officer Reports**

Commissioner Alcorn presented the Treasurer's Report covering July and August 2019. Disbursements totaled \$1,246.78: \$731.78 to Irene Dworakowski (check 1880) for agenda/webmaster services; \$200.00 (check 1881) for the July 2019 Minutes, \$300.00 to Stephen Kukoy (check 1882) and a \$15.00 bank fee. There is a balance of \$3,643.90 in the checking account. There is a balance of \$13,733.06 after two interest payments of \$.23 each in the savings account. The report was approved by unanimous consent.

#### **Committee Reports**

##### **Community Outreach Committee (COC)**

The Community Outreach Committee did not meet in July or August 2019.

Chairwoman Gove reminded residents that applications for grants can be downloaded from the website, ANC6A.org, at Other Documents/Grant Programs.

Next meeting - 7:00 p.m., September 23, 2019. (4th Monday)

#### **Alcohol Beverage Licensing**

1. The July and August 2019 committee reports were accepted by unanimous consent.
2. The Committee recommended and Commissioner Ruth Ann Hudson seconded the recommendation that ANC 6A approve the proposed Settlement Agreement with KitchenCray H, LLC t/a Kitchen Cray (1301 H Street NE) in lieu of a protest of its license application. The recommendation passed 6-0.
3. The Committee recommended and Commissioner Brown seconded the recommendation that ANC 6A take no action concerning the substantial change application of Mythology, LLC t/a Mythology & Lore/Dirty Water (816 H Street NE) regarding the addition of Sports Wagering to its operations.

Commissioner Brown asked if the Committee considered whether allowing Sports Wagering at this location might somehow add to the number of noise complaints

already lodged against this establishment. Mr. Williams shared the Committee's expectation that Sports Wagering would not greatly change the clientele of the establishment and therefore would not create issues regarding excessive noise in the future.

The recommendation passed 6-0.

4. Commissioner Soderman moved and Commissioner Brown seconded the amended motion that ANC 6A approve the proposed Settlement Agreement with T and A, LLC t/a Montana Liquors (710 H Street NE) in lieu of a protest of its license application, and send a letter to ABRA supporting a stipulated license. The motion passed 6-0.
5. The Committee recommended and Commissioner Soderman seconded the recommendation that the ANC protest the license transfer application of Naomi's Ladder II, LLC t/a Smokin' Pig (1208 H Street NE) unless a signed settlement agreement is submitted before the protest deadline that includes language (1) requiring that the kitchen stay open and operational until at least one hour prior to closing; and (2) the establishment not host events where a cover charge is required for entry, and appoint the ABL Co-Chairs, the ANC Chair, and the ANC Vice Chair to represent the ANC in the matter. The recommendation passed 6-0.
6. Commissioner Hudson moved and Commissioner Brown seconded the motion that ANC 6A approve the proposed Settlement Agreement with the Gold Room Bar Lounge, LLC t/a The Gold Room Bar/Lounge (1370 H Street NE) in lieu of a protest of its license application, and send a letter to ABRA supporting a stipulated license. The motion passed 6-0.
7. Commissioner Soderman moved and Commissioner Brown seconded the motion that ANC 6A take no action concerning the substantial change application of Callister Technology and Entertainment, LLC t/a Duffy's Irish Pub (1016 H Street NE) regarding the addition of Sports Wagering to its operations. The motion passed 6-0.
8. Commissioner Alcorn moved and Commissioner Soderman seconded the motion that ANC 6A approve the following changes to the ABL Committee: Remove Jay Williams, Reuben Baris and Ramin Taheri; add Nicholas Alberti (as Co-Chair with Mark Samburg) and Laura Gentile. The motion passed 6-0.

Next meeting - 7:00 pm, September 17, 2019 (3rd Tuesday)

#### **Transportation and Public Space**

1. The August 2019 committee report was accepted by unanimous consent.
2. The Committee recommended and Commissioner Alcorn seconded the recommendation that ANC 6A send a letter to DDOT in support of an addition of a gate to access parking spaces in the rear of 1519 Constitution Ave NE at such time as an application is filed, on the condition that either Brian Alcorn or Elizabeth Nelson verifies that it is consistent with the plans as reviewed by the TPS. The recommendation passed 6-0.

3. Commissioner Brown moved and Commissioner Alcorn seconded the motion for ANC6A to name Todd Sloves as the Co-Chair of the Transportation and Public Space Committee. The motion passed 6-0.

Next meeting - 7:00 pm, September 16, 2019 (3rd Monday)

### **Economic Development and Zoning**

1. The July 2019 committee report was accepted by unanimous consent.
2. The Committee recommended and Commissioner Alcorn seconded the recommendation that ANC 6A send a letter of support to BZA for special exceptions under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, from the rear yard requirements of Subtitle E § 306.1, and from the nonconforming structure requirements of Subtitle C § 202.2, to construct a two-story rear addition to an existing, attached principal dwelling unit in the RF-1 Zone at 114 15th Street NE (BZA #20101). The recommendation passed 6-0.

Commissioner Phil Toomajian joins the meeting at 8:15 pm.

3. The Committee recommended and Commissioner Toomajian seconded the recommendation that ANC 6A send a letter of support to BZA for special exception relief from Subtitle H §1101.4(g)(1)(c) of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations (“DCMR”) for a Modification of Consequence to an approved PUD Z.C. Case #10-03, Square 912, Lot 55 to permit veterinary hospital use in the ground floor of the approved mixed-use residential building on the property at 901 H Street NE (BZA # Pending).

Commissioner Brown inquired if the soundproofing used at other veterinary offices run by this business will be sufficient enough for use at 901 H Street NE given the building is mixed use. The owner explained they use a minimum Sound Transmission Class (STC) rating of 55.

Chairwoman Gove asked the business owner if he felt the area can support another veterinary office given the new location’s proximity to an existing veterinary. Citing the large number of pet-friendly apartments that have been added to the H-Street corridor and surrounding neighborhood, he believes there is more than enough demand for veterinary services to sustain multiple, competing businesses. Commissioner Toomajian mentioned that this new business will also be offering pet grooming and other services not necessarily provided by the existing businesses.

Commissioner Brown offered and Commissioner Phillips-Gilbert seconded the friendly amendment to waive a 35-day waiting period on an application for zoning relief to use this property as a veterinary clinic.

The recommendation passed 7-0.

4. The Committee recommended and Commissioner Toomajian seconded the recommendation that ANC 6A send a letter of support to BZA for an application to rezone the five properties along the south side of the 1100 block of H Street

- NE from NC-16 to NC-17. 1101 - 1107 H Street NE (Case # Pending) on condition that the developer look into increasing the number of affordable units, add an amendment to their condo bylaws to enforce Residential Parking Permit restrictions, make design changes to bring it into conformance with H Street design guidelines, and make best efforts to get letters of support from neighbors on 11th, 12th and G Streets. The recommendation passed 7-0.
5. The Committee recommended and Commissioner Hudson seconded the recommendation that ANC 6A send letters of support to HPRB and BZA for special exceptions under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, from the rear yard requirements of Subtitle E § 306.1, and from the nonconforming structure requirements of Subtitle C § 202.2, to construct a one-story rear addition to an existing, attached principal dwelling unit in the RF-1 Zone at 1356 North Carolina Avenue NE (HPRB Case #HPA#19-44, BZA Case #20100 with the caveat that the applicant consider potential drainage issue. The recommendation passed 7-0.

Next meeting - 7:00 pm, September 19, 2019 (3rd Thursday)

#### **New Business**

1. Commissioner Hudson moved and Commissioner Phillips-Gilbert seconded the motion that ANC 6A send a letter of support to DDOT for the Notice of Intent (NOI 19-210-TOA) to remove parking at the intersection of C and 15th Streets NE. The motion passed 7-0.

#### **Single Member District Report**

Commissioner Brown (6A01) met with representatives from DDOT regarding traffic and parking around the Avec building, 901 H Street NE as this intersection has the potential to become blocked with the increased entering and exiting traffic from the new building.

Commissioner Toomajian (6A02), echoing Commissioner Brown's comments, said he had mentioned these concerns to the owners of 901 H Street NE in the hopes that they will take action to alleviate potential traffic congestion. He was dubious that DDOT will take preventative measures and suggested the ANC write a pre-emptive letter supporting DDOT perform a traffic calming study. Additionally, Commissioner Toomajian shared details from his SMD walk-through with Tyler Williams, the Ward 6 Liaison from the Office of the Mayor. Though invited, no representative from DGS joined the Commissioner and Ms. Taylor as they identified issues such as a broken gate at a DC public school. Commissioner Toomajian also suggested bringing in the director of DGS to speak and answer questions at a future ANC meeting.

Commissioner Alcorn (6A08) continues to hear complaints of speeding and traffic infractions from his constituents. He announced Mount Moriah Baptist Church (1636 East Capitol Street NE) will host a family fun day on Saturday, September 14, 2019 from 11 am to 3 pm, and that his immediate neighbors will be hosting a block party on September 14, 2019 as well.

Commissioner Hudson (6A05) shared constituent complaints regarding trash citations that she has passed on to DPW.

Commissioner Soderman (6A03) celebrated the new 4-way stop at the intersection of 10th and East Capitol Streets NE. He suggested working with DDOT to establish stricter guidelines for where scooters are allowed to be deployed and parked. The Commissioner has been attempting to get a list of completed and pending sidewalk grindings from DDOT or the Office of the Mayor. Lastly, he has inquired with DDOT regarding whether or not the regulation requiring a 25-foot parking set-back from intersections will again be renewed or if it will change to requiring a 40-foot set-back in the future.

Chairwoman Gove (6A04) thanked the community at large for putting up with the Maury Elementary School construction. She also thanked DDOT for installing flex-posts and extending a bike lane before the first day of school. There are ongoing efforts to add another crossing guard at Maury Elementary. Chairwoman Gove also reminded the ANC of the Litter Clean-Ups on the first Saturdays of each month.

### **Community Comments**

Elizabeth Nelson announced a concert on the front lawn of Eastern High School of the Eastern High School band and National Symphony Orchestra to be held on Monday, September 16. The Capitol Hill Restoration Society is hosting a talk with the Ward 6 Arborists on proper care of trees, both on the street and on personal property. Lastly, Ms. Nelson reminded the ANC of the upcoming Barracks Row Fall Festival.

Tyler Williams, the Ward 6 Liaison for the Office of the Mayor announced a bulk-trash drop off at 5th and K Streets NW. She also shared that Mayor Bowser will be marching in the Congress Heights Parade (Ward 8). In response to concerns raised by Commissioner Phillips-Gilbert, Ms. Williams explained that plain-clothes officers have been stationed in the area around the 1600 block of Benning Road NE, targeting the sales of narcotics. She also asked for suggestions of locations that would make good candidates to become micromobility drop-off spaces.

The meeting adjourned at 9:00 p.m.