



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for January 14, 2016**



Second (2nd) Thursdays at 7:00 pm, Miner Elementary, 601 Fifteenth (15th) Street NE
Public Meeting - All Are Welcome to Attend

- 7:00 pm **Call to order, Organizational actions**
1. Call of the roll and announce the presence of a quorum
 2. Motion to adopt the Commission Rules
 3. The Commission will consider the nomination and election of its officers in the following order:
 - a. Chair
 - b. Vice Chair
 - c. Secretary
 - d. Treasurer
 4. Motion to elect members of the permanent Committees for 2016
Economic Development and Zoning Committee - Brad Greenfield, Dan Golden, Andrew Hysell, Laura Gentile, Missy Boyette, Brian Carlson, Justin Thornton, Michael Hoenig, Matt Turkstra, Stephanie Zimny.
Transportation and Public Safety Committee - Todd Sloves, Omar Mahmud, Jeff Fletcher, Andrea Adleman, Lara Levison, Hassan Christian, Elizabeth Nelson.
Alcohol Beverage Licensing Committee- Jay Williams, Christopher Seagle, David Oberting, Michael Herman, Roger Caruth, Justin Rzepka, Mark Samburg
Community Outreach Committee- Dana Wyckoff, Raphael Marshall, Roni Hollmon, Gladys Mack, Joyce West.
 5. Motion to elect Committee Chairs for 2016
 6. Motion to adopt a schedule of monthly meetings, on the second Thursday of each month, for 2016 (except August): February 11, March 10, April 14, May 12, June 9, July 14, September 8, October 13, November 10, and December 8
 7. Motion to participate in and to authorize the Treasurer to write a check to participate in the ANC Security Fund - \$25.00.
- 7:15 pm **Approve Previous Meeting's Minutes, Adopt Agenda**
- 7:16 pm **Community Presentations**
Update from Mayor Bowser's Office (5 minutes)
Department of Human Services Director Laura Zeilinger (20 minutes)
- 7:40 pm **Officer Reports**
Chair
Vice-Chair
Secretary
Treasurer *pg. 16*
 1. Approve Treasurer's Report
 2. Approve FY15 Fourth (4th) Quarter Financial Report
- 7:45 pm **Standing Committee Reports:**
Community Outreach pg. 21
 1. No meeting in December 2015.
 2. Next meeting - 7:00 pm, January 25, 2016 (4th Monday)



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Second (2nd) Thursdays at 7:00 pm, Miner Elementary, 601 Fifteenth (15th) Street NE
Public Meeting - All Are Welcome to Attend

- 7:46 pm **Alcohol Beverage Licensing pg. 22**
1. Approve December 2015 committee report.
 2. **Report** (nonvoting item): The ABL Committee reviewed and approved Ocopa's plans for its Entertainment Endorsement. Per the vote taken at the November 2015 ANC meeting, the ANC's protest of Ocopa's Entertainment Endorsement request has been withdrawn.
 3. **Recommendation:** The ANC protest the request by Sally's Middle Name for a Substantial Change to its license unless the ANC and Sally's Middle Name can reach a Settlement Agreement amendment that includes language related to noise mitigation on the establishment's outdoor space. Note: a Settlement Agreement has been reached and the applicant now seeks a stipulated license. **Suggested amendment to motion:** The ANC approve the Settlement Agreement and support a stipulated license.
 4. **Recommendation:** The ANC protest the license application for Rosato, LLC t/a Sospeso unless a signed Settlement Agreement is submitted prior to the protest date. Note: a Settlement Agreement has been reached and the applicant now seeks a stipulated license. **Suggested amendment to motion:** The ANC approve the Settlement Agreement and support a stipulated license.
 5. Next meeting - 7:00 pm, January 19, 2016 (3rd Tuesday)
- 8:00 pm **Transportation and Public Space Committee pg. 32**
1. No meeting in December 2015.
 2. **Suggested Motion:** The ANC write the Department of Transportation requesting that once operational and providing passenger service, the streetcar's hours be extended to include Sunday service, so as to provide passenger service 7 days per week.
 3. Next meeting - 7:00 pm, January 25, 2016 (4th Monday - delayed due to MLK holiday)
- 8:05 pm **Economic Development and Zoning pg. 35**
1. Approve December 2015 committee report.
 2. **Recommendation:** The ANC write a letter to the Board of Zoning Adjustment (BZA) in support of the application for variances from the off-street parking requirements under § 2101.1, the parking aisle width requirements under § 2117.5, and the loading berth requirements under § 2201.1, and a special exception from the H Street Overlay requirements under § 1320.4(f), to convert a vacant church at 1301 H Street NE into a new four (4) story, mixed-use commercial and residential building in the HS-A/C-2-A District with the following conditions: Residential Parking Permit (RPP) restrictions will be in place; the building will use the H Street address; and the developers will use a consistent design on the side of the Thirteenth (13th) Street side of the building that faces rowhouses.
 3. **Recommendation:** The ANC write a letter to ANC 6C that supports in principle changes to the H Street Overlay to clarify preservation requirements and remove other ambiguities.
 4. **Recommendation:** The ANC write a letter to ANC 6C that supports in principle a change of the definition of building area in the DC zoning regulations.
 5. Next meeting - 7:00 pm, January 20, 2016 (3rd Wednesday)



**District of Columbia Government
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Agenda for January 14, 2016**



Second (2nd) Thursdays at 7:00 pm, Miner Elementary, 601 Fifteenth (15th) Street NE
Public Meeting - All Are Welcome to Attend

- 8:45 pm **Single Member District reports (1 minute each)**
- 8:55 pm **Community Comments (2 minutes each)**
- 9:00 pm **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes of December 10, 2015



Advisory Neighborhood Commission (ANC) 6A Minutes Miner Elementary School December 10, 2015

Present: Commissioners Phil Toomajian (Chair), Matt Levy, J. Omar Mahmud, Patrick Malone, Sondra-Phillips-Gilbert, Calvin Ward, Stephanie Zimny

The meeting convened at 7:01 pm.

The minutes for the ANC November 2015 meeting and the agenda for the December 2015 meeting were accepted without changes or objection.

Community Presentations

Representatives from Mayor Bowser's Office

Mr. Frank Maduro, Ward 6 Outreach Service Specialist and Mr. Gerard Brown, Program Manager, DC Department of Health (DOH) spoke at length about the rodent situation around H Street NE. Both took questions from the Commission and community members. Mr. Brown advised that both a walk through and an inspection was conducted on H Street NE and that abatement was conducted in the area between the 700 and 1100 blocks of H Street NE where the situation was most severe. Mr. Brown advised that the basis of the rodent problem appears to be a closed restaurant and adjacent fenced vacant lot located on the 900 block of H Street NE. Mr. Brown further advised that the DOH does not usually bait commercial properties, but that DOH representatives will check the affected area every week for the foreseeable future, in addition to inspecting the exteriors of private residences in the area (yards and alley ways). Mr. Brown also indicated that if a rodent issue stems from a private residence, individuals must first contact the DC Department of Consumer and Regulatory Affairs (DCRA), which will refer the complaint to the DOH after a privacy release is obtained from the property owner referenced in the complaint. DOH will conduct ongoing abatement in the coming weeks until the problems have subsided. Individuals wishing to report a rodent control issue will want to call the DC 311 Call Center and should receive a response within three (3) business days.

DC Department of Transportation (DDOT)

Mr. Sean Moore of the Streetcar Outreach Team gave a brief overview of the progress of the proposed streetcar service operations. Mr. Moore spoke with Commissioners regarding the pace at which the streetcar program was currently operating and mentioned that safety outreach with the public was being conducted on Third (3rd), Eighth (8th) and Seventeenth (17th) and H Streets NE. Mr. Moore advised that the Hopscotch Bridge must be worked on before the streetcar route can be expanded to the northwest (NW) section of the city, but did not have a timeline for that work. Mr. Toomajian requested that DDOT provide an update on that issue.

Mr. Gregg Steverson, Supervisory General Engineer in response to questions regarding the Tenth (10th) Street and Maryland Avenue signal and other traffic calming requests:

- Tenth (10th) Street and Maryland Avenue NE pedestrian crossing signal assessment: The requested adjustments have been made on a temporary basis so that the pedestrian crossing signal will work on a pre-timed as opposed to a manual basis between the hours of 7:00 am to 7:00 pm. Additional adjustments will be made after further study early next year.



Advisory Neighborhood Commission 6A Meeting Minutes of December 10, 2015



- 400 block of Nineteenth (19th) Street NE traffic calming assessment: The matter is currently being evaluated and the evaluation should be completed in mid-January 2016. Mr. Steverson indicated that evaluations usually take between 90–120 days.
- 1200 and 1300 blocks of Constitution Avenue NE traffic calming assessment: This matter is currently under evaluation with a final response due to be issued mid-March 2016.
- Sixteenth (16th) Street and North Carolina Avenue NE traffic calming assessment: DDOT is requesting additional detail in the form of an application. The Transportation and Public Space Committee will follow up.
- Fourteenth (14th) and Fifteenth (15th) Streets and Tennessee Avenue NE request for a four (4) way stop: More information is needed before an evaluation can be completed.
- Thirteenth (13th) and I Streets NE request for a (4) four way stop. This request is pending evaluation.
- Fifteenth (15th) and A Streets NE traffic calming assessment. The application is pending evaluation.

Mr. Steverson can be contacted at: Gregg.Steverson [at] dc.gov.

Mr. Evian Patterson, Citywide Program Support Manager, took questions regarding the Residential Permit Parking (RPP) program. He advised that in response to resident concerns, several studies have been conducted, and that DDOT may soon publish new guidelines pertaining to the application of the RPP program. The City Administrator is currently reviewing the proposed regulations and has requested that applications come from ANCs rather than on a block-by-block basis.

Mr. Robert Horton, Project Engineer responded to questions regarding three longstanding requests. Mr. Horton advised that work had already been scheduled for the next week for the H Street NE requests and promised to follow up with Commissioners about other outstanding requests.

Mr. Steve McKindley-Ward indicated that new trees had been planted between Second (2nd) and Fifteenth (15th) and H Streets NE and acknowledged that numerous trees had died on H Street this year. Currently, approximately one half of vacant spots for new trees will be planted between now and April 2016. In response to a Commissioner's question about the spraying or removal of ginkgo trees, Mr. McKindley-Ward indicated that female ginkgo trees can be removed only if sixty percent (60%) of the affected residents formally petition the city for the tree's removal. More detailed information can be obtained by calling DDOT at 202-671-5233.

Officer Reports

Vice Chairman Mahmud announced a DC Council Public Roundtable on December 16, 2015. The public is invited to discuss the concept of the ANC's "Great Weight" provision of the DC Code. Additionally, the public will be given the opportunity to comment on the improving the ANCs responsiveness to the concerns of city residents. Further information can be obtained by calling 202-724-8900, or by e-mail at [omontiel \[at\] dccouncil.us](mailto:omontiel@dccouncil.us).

Treasurer's Report. Ms. Stephanie Zimny presented Treasurer's Report. The opening balance in the checking account was \$9,048.55, with a forwarding balance of \$17,224.95 (including Q1 and Q2 District Allotments of \$4,481.70 each). There were disbursements of \$450.00 to Irene Dworakowski for agenda/web master services (Check 1717) and \$200.00 for November 2015 minutes; (Check 1718); \$137.00 to FedEx (Check 1719); leaving a balance of \$17,224.95 in the checking account and \$13,720.98, including a \$.021 interest deposit in the savings account. A Petty Cash Summary was included in the report showing a forwarding balance of \$25.00. The report was accepted without objection.



Advisory Neighborhood Commission 6A Meeting Minutes of December 10, 2015



Motion: Ms. Zimny moved and Chairman Toomajian seconded a disbursement of \$3,561.46, to the Hill Rag newspaper. The motion passed by unanimous consent.

Committee Reports:

Community Outreach Committee (COC)

The November 2015 COC Committee report was accepted without objection.

Motion: Ms. Zimny moved, and Ms. Sondra Phillips-Gilbert seconded a request that ANC 6A approve a grant application from the Miner Elementary School PTO in the amount of \$760.00. The motion passed (6-0) with Mr. Omar Mahmud not participating.

Next meeting - 7:00 pm, December 21, 2015 (4th Monday)

Alcohol Beverage Licensing (ABL)

The November 2015 ABL Committee report was accepted without objection.

Motion: The Committee moved and Mr. Patrick Malone seconded a motion that the ANC protest the request by Sol Mexican Grill for an extension of its hours for operation, alcoholic beverage sales and consumption, and live entertainment, unless the ANC and Sol can reach an acceptable agreement regarding Sol's management of garbage in its alley. The motion passed (7-0).

Motion: Commissioner Phillips-Gilbert moved and Chairman Toomajian seconded a motion that the ANC approve the addition of Mr. Mark Samburg to the ABL Committee. The motion passed (7-0).

Next meeting - 7:00 pm, December 15, 2015 (3rd Tuesday)

Transportation and Public Space Committee (T&PS)

The November 2015 T&PS Committee report was accepted without objection.

Motion: The Committee moved and Chairman Toomajian seconded a motion that the ANC send a letter of support for the 2016 Rock and Roll DC Marathon (RNRDC), scheduled to take place on Saturday, March 12, 2016, from 7:00 am to 2:00 pm, contingent on the provision of the following:

- A summary and description of the usage and location of Traffic Control Officers (TCOs) in and adjacent to ANC 6A;
- The summary provided to ANC 6B addressing their concerns about movement of participants out of the RFK area after the event and information about where to cross East Capitol Street;
- A description of the door hangers, including a quality control program to ensure the door hangers are not left in front yards;
- An update regarding efforts to find a C Street NE crossing;
- A description of the bus stop and/or bus notification campaign for X2, 90 and 92 buses;
- Confirmation that the Tenth (10th) Street NE checkpoint will be open to allow Capitol Hill Towers residents to access the building's parking lot entrance on Tenth (10th) Street NE between G and H Streets NE; and
- Notification regarding any other ANCs that express opposition to the event and the reasons for opposition.

Ms. Diane Romo Thomas, Community Relations, RNRDC addressed the conditions and answered questions. She advised that in response to the concerns expressed after the 2015 RNRDC event, there will be



Advisory Neighborhood Commission 6A Meeting Minutes of December 10, 2015



increased presence by the Metropolitan Police Department (MPD) on Fourth (4th), Sixth (6th), Eighth (8th), and Tenth (10th) Streets NE for more efficient traffic control.

The motion passed (7-0).

Motion: The Committee moved and Chairman Toomajian seconded a motion that the ANC send a letter to the District Department of Transportation (DDOT) requesting traffic and pedestrian safety improvements at the intersection of Florida Avenue and K Streets NE, such as a stop sign, and the extension of parking for the entire length of the 1200 block of Florida Avenue, NE, with the elimination of curb cuts and addition of appropriate signage. The motion passed (7-0).

Motion: The Committee moved and Mr. Calvin Ward seconded, a motion that the ANC send a letter to DDOT requesting the installation of a crosswalk and pedestrian crossing signs on the east side of Ninth (9th) Street NE where L Street and West Virginia Avenue NE intersect. The motion passed (7-0).

Motion: The Committee moved and Chairman Toomajian seconded a motion that the ANC send a letter to DDOT requesting that the traffic light at Tenth (10th) Street and Maryland Avenue NE be retimed so the pedestrian walk signal automatically comes on when the light turns green, and removal of the push-to-walk ("beg") button. The motion passed (7-0).

The December 21, 2015 TPS meeting has been cancelled, and the T&PS meeting, scheduled for January 18, 2016, has been moved to the fourth (4th) Monday due to the Martin Luther King (MLK) Holiday.

Next meeting - 7:00 pm, January 25, 2016 (4th Monday)

Economic Development and Zoning (ED&Z)

The November 2015 ED&Z Committee report was accepted without objection.

Motion: The Committee moved and Mr. Mahmud seconded a motion that the ANC write a letter to the Board of Zoning Authority (BZA) in support for the request for variances from the FAR requirements under § 771, the lot occupancy requirements under § 772, the rear yard requirements under § 774, the nonconforming structure requirements under § 2003, and the height requirements under § 2507.4 at 1313-1323 Linden Court NE (BZA 19145), to allow the construction of five (5) one-family dwellings and a neighborhood-serving retail establishment in the C -2 -A District, and include a Residential Permit Parking (RPP) restriction for all five (5) of the units. The motion passed (7-0).

Motion: The Committee moved and Mr. Mahmud seconded a motion that the ANC write a letter to BZA in support of a special exception under § 223 to permit an addition to an existing, nonconforming one (1) family dwelling that exceeds the maximum lot occupancy and rear yard setback of § 403 and the minimum rear yard setback requirement of § 404 at 916 K Street NE (BZA FY-16-02-Z) in the R-4 residence zone. The motion passed (7-0).

Next meeting - 7:00 pm, December 16, 2015 (3rd Wednesday).

Single Member District (SMD) Reports

Chairman Toomajian advised that a new playground will be constructed at the Ludlow-Taylor Elementary School this summer and thanked Mayor Bowser and Councilmember Allen for their leadership in securing the funding.



Advisory Neighborhood Commission 6A Meeting Minutes of December 10, 2015



Ms. Zimny mentioned that a parent survey will be conducted regarding the Miner Elementary School, and a community meeting will be held concerning rodent abatement in the area around Thirteenth (13th) and Emerald Streets NE.

Mr. Mahmud indicated that all tenants have been removed from the H Street NE Connection and that demolition has been scheduled to begin by the end of this month. The 7-Eleven store has been relocated to Eighth (8th) and H Streets NE.

Ms. Phillips-Gilbert advised of a great turnout for the Halloween event at the Rosedale Recreation Center and said that the event will be repeated next year. Ms. Phillip-Gilbert also advised that the Trinidad Baptist Church has been sold, and that an SMD meeting with the developer will be held soon.

Mr. Levy shared that he is participating in the School Improvement Team at Maury Elementary where discussion relating to the school's expected renovation are occurring.

Mr. Malone relayed that in response to community concerns, the Mayor's Office relocated individuals residing in an abandoned property.

Community Comments

Mr. Bob Schlehuder from the Atlas Theatre provided information on the holiday season and other upcoming events at the Atlas Theatre, specifically a community conversation event scheduled for Wednesday, December 23, 2015 at 8:00 pm.

The meeting adjourned at 9:00 pm.



Advisory Neighborhood Commission 6A Community Presentations





Commission Letters of December 10, 2015 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



December 11, 2015

Ms. Tanya Mitchell
District of Columbia Homeland Security and Emergency Management Agency (HSEMA)
2720 Martin Luther King, Jr. Avenue SE
Washington, DC 20032

Re: ANC 6A Support for the 2016 Rock and Roll Marathon

Dear Ms. Mitchell:

At a regularly scheduled and properly noticed meeting¹ on December 10, 2015, our Commission voted 7-0 (with 5 Commissioners required for a quorum) to support the 2015 Rock 'n' Roll USA Marathon & Half Marathon.

We are pleased that organizers have committed to an extensive community notification plan, which includes posting road closure signs all along and near the race route, as well as leaving door-hangers at residences along and near the route. We understand that a notice will also be placed in our local community newspaper, the Hill Rag. We are also pleased that they have undergone an effort to find ways to ensure residents around the C Street NE portion of the course are not prevented from movement from their neighborhood during the race for as little time as possible.

In years past, members of the community expressed concerns regarding pickup of trash, clothing and signs, as well as exhaust fumes of many trucks waiting to clean up the course. After meeting with race organizers, we have been assured that clean-up trucks will not be permitted to idle and that staging of these trucks will occur away from homes in the RFK Stadium complex area. Our ANC has also been assured that trash pick-up will occur immediately following the event and all posted signs will be removed the day after.

Finally, we are also encouraged that that no amplified music or performances will occur in Lincoln Park this year.

Given the race organizers' responsiveness and their commitment to meeting the above conditions, ANC 6A is pleased to support this event.

On behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoogroups.com, anc6a@yahoogroups.com, and newhilleast@yahoogroups.com, at www.anc6a.org, and through print advertisements in the Hill Rag.



Commission Letters of December 10, 2015 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



December 11, 2015

Mr. Clifford Moy
Secretary of the Board of Zoning Adjustment
Board of Zoning Adjustment
441 4th St. NW, Suite 210
Washington, DC 20001

Re: BZA Case No. 19145 (1313-1323 Linden Court, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on December 10, 2015,¹ our Commission voted 7-0 (with 5 Commissioners required for a quorum) to support the Applicant's request for variances from the FAR requirements under § 771, the lot occupancy requirements under § 772, the rear yard requirements under § 774, the nonconforming structure requirements under § 2003, and the height requirements under § 2507.4, to allow the construction of five one-family dwellings and a neighborhood-servicing retail establishment in the C-2-A District.

The Commission supports granting the requested variances because strict application of the above-referenced zoning requirements would result in peculiar and exceptional practical difficulties and hardship to the applicant and because granting the requested relief will not result in substantial detriment to the public good or substantially impair the intent, purpose, and integrity of the zoning plan, provided that certain conditions are met. Specifically, the Commission supports granting the requested relief only on the condition that a covenant be recorded in the land records for each of the properties prohibiting the owner or resident of the property from obtaining a residential parking permit.

Please be advised that Brad Greenfield and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at philanc6a@gmail.com and Mr. Greenfield can be contacted at brad.greenfield@gmail.com.

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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Commission Letters of December 10, 2015 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



December 11, 2015

Mr. Leif A. Dormsjo
Director, District Department of Transportation
55 M Street SE, Suite 400
Washington, DC 20003

Re: Pedestrian crossing signals at 10th Street NE and Maryland Avenue NE

Dear Director Dormsjo:

At a regularly scheduled and properly noticed¹ meeting on December 10, 2015, our Commission voted 7-0 (with 5 Commissioners required for a quorum) to request that the District Department of Transportation (DDOT) make changes to the timing and activation of the pedestrian crossing signals at the newly installed traffic lights at 10th Street NE and Maryland Avenue NE.

The Commission believes the current pedestrian walk signal configuration at this intersection makes it unnecessarily difficult and sometimes dangerous for pedestrians and cyclists to cross the street. As currently configured, the pedestrian walk signal is not activated unless a pedestrian pushes a “beg” button requesting the light. At most other intersections around the District and within our ANC, the walk signal is activated as soon as the corresponding traffic light turns green. We see no need to have a different walk signal configuration at this particular intersection and have serious concerns that its current status poses an unnecessary danger due to the high likelihood that pedestrians will cross without a signal given that they have been conditioned to expect cross walk signals to come on automatically at all other nearby intersections. We therefore request the traffic light at Tenth (10th) Street and Maryland Avenue NE be retimed so the pedestrian walk signal automatically comes on when the light turns green, and reconfiguration of the beg button so that it is need not be push to activate the walk signal when the corresponding traffic light has turned green.

Thank you for giving great weight to the recommendation of ANC 6A. Should you wish to discuss this letter, please feel free to reach out to me at philanc6a@gmail.com.

On behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A

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Commission Letters of December 10, 2015 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



December 11, 2015

Mr. Clifford Moy
Secretary of the Board of Zoning Adjustment
Board of Zoning Adjustment
441 4th St. NW, Suite 210
Washington, DC 20001

Re: BZA Case No. FY-16-02-Z (916 K Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on December 10, 2015,¹ our Commission voted 7-0 (with 5 Commissioners required for a quorum) to support the Applicant’s request for a special exception under § 223 to permit an addition to an existing nonconforming One-Family Dwelling that exceeds the maximum lot occupancy and rear yard setback of § 403 and the minimum rear yard setback requirement of § 404 in the R-4 residence zone.

The Commission supports granting the requested special exception because the proposed two-story addition has a smaller footprint than the existing addition and therefore yields a small lot occupancy, (68%), within the allowable 70% for zoning relief. Additionally, the proposed additional projects 10.5” less into the rear yard, lessening the impact of the existing rear yard setback.

Please be advised that Brad Greenfield and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at philanc6a@gmail.com and Mr. Greenfield can be contacted at brad.greenfield@gmail.com.

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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Commission Letters of December 10, 2015 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
P. O. Box 75115
Washington, DC 20013



December 16, 2015

Mr. Donovan Anderson, Chairperson
Alcoholic Beverage Control Board
2000 14th Street, NW, Suite 400S
Washington, DC 20009

Re: ABRA-088102 (Chicken Tortilla, Inc. t/a Ocopa), 1324 H Street NE

Dear Mr. Anderson,

Please be advised that ANC 6A hereby withdraws its protest of the request for an Entertainment Endorsement by Ocopa, ABRA #088102. At the November 12, 2015 meeting of Advisory Neighborhood Commission 6A, with a quorum present, the Commission voted (6-0) to protest this request unless the ABL Committee voted that it was satisfied that Ocopa's plans for the entertainment endorsement would not cause issues related to peace, order, and quiet. This vote took place at the ANC's regular and publicly announced meeting.¹ On December 15, the ANC 6A ABL Committee voted unanimously that it was satisfied with Ocopa's plans and to withdraw the protest. Therefore, ANC 6A hereby withdraws its protest.

Please do not hesitate to contact me if you have any questions or require additional information. I can be reached at 202-906-0657 or WilliamsANC6A05@gmail.com.

On behalf of the Commission,

Jay Williams
Commissioner, ANC 6A05
Co-Chair, ANC 6A ABL Committee

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Commission Letters of December 10, 2015 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
P. O. Box 75115
Washington, DC 20013



December 28, 2015

Mr. Donovan Anderson, Chairperson
Alcoholic Beverage Control Board
2000 14th Street, NW, Suite 400S
Washington, DC 20009

Re: ABRA-092192 (Sol Mexican Grill), 1251 H Street NE

Dear Mr. Anderson,

Please be advised that at the December 10, 2015 meeting of Advisory Neighborhood Commission 6A, with a quorum present, the Commission voted (7-0) to protest the request for a Substantial Change to the license of Sol Mexican Grill, ABRA #092192. This vote took place at our regular and publicly announced meeting.¹ The grounds for the protest are disturbance to peace, order, and quiet, and adverse impact to property values.

I, as the Co-Chair of the ANC 6A Alcohol Beverage Licensing Committee, will be the primary representative of the ANC in this matter. The ANC's Chair (Phil Toomajian) and the ABL Committee's Co-Chair (Christopher Seagle) are also authorized to represent the ANC before the Board with respect to this application. I can be reached at 202-906-0657 or WilliamsANC6A05@gmail.com.

On behalf of the Commission,

Jay Williams
Commissioner, ANC 6A05
Co-Chair, ANC 6A ABL Committee

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Officer Reports - Treasurer



ANC 6A Treasurer's Report December 2015

Period Covered 12/1/2015-12/30/2015

Checking Account:

Balance Forwarded		\$	13,573.49
Receipts:	Q2 District Allotment	\$	4,481.70
	Q3 District Allotment	\$	1,746.23

Total Receipts		\$	6,227.93
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Total Funds Available		\$	19,801.42
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Disbursements:

Irene Dworakowski (Agenda/Web Master Services Nov	CK#1723	\$	450.00
Note Taking (Nov 2015 Minutes)	CK#1724	\$	200.00
Fed Ex	CK#1725	\$	183.50
Cab Receipts for Jay Williams (ABL Committee)		\$	36.78
Total Disbursements			

\$ 833.50

Ending Balance		\$	18,967.92
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Savings Account:

Balance Forwarded		\$	13,720.77
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Receipts: Interest	12/28/15	\$	0.23
Deposit -			
Transfers from Checking Account			

Total Receipts		\$	0.23
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Total Funds Available		\$	13,721.00
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Disbursements		\$	-
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Ending Balance		\$	13,721.00
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PETTY CASH SUMMARY

Balance Forwarded	\$	25.00
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Deposit to Petty Cash	\$	-
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Total Funds Available	\$	25.00
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Disburser		
Total Disbursements	\$	-

Ending Balance	\$	25.00
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Officer Reports - Treasurer



Quarterly Report - ANC 6A, 2015 Q4

Balance Forward \$20,096.03

Receipts

District Allotment	\$4,535.77
Interest	\$0.00
Other	\$0.00
Transfer From Savings	\$0.00

Total Receipts \$4,535.77

Total Funds Available \$24,631.80

Disbursements

1.	Net Salary & Wages	\$0.00
2a.	Health Insurance	\$0.00
2b.	Casualty/Property Insurance	\$0.00
3.	Total Federal Wage Taxes Paid (Income and Soc. Sec.)	\$0.00
4.	State and Local Income Taxes Paid (DC, MD, VA)	\$0.00
5.	Unemployment Insurance Contributions	\$0.00
6.	Tax Penalties Paid	\$0.00
7.	Local Transportation	\$0.00
8.	Office Rent	\$0.00
9a.	Landline Telephone	\$0.00
9b.	Cellular Telephone	\$0.00
9c.	Cable/Internet Services	\$0.00
10.	Postage and Delivery	\$0.00
11.	Utilities	\$0.00
12.	Printing and Copying	\$210.30
13.	Flyer Distribution	\$0.00
14.	Purchase of Service	\$1,800.00
15.	Office Supplies	\$0.00
16a.	Rental	\$0.00
16b.	Purchase	\$0.00
17.	Grants	\$0.00
18.	Training	\$0.00
19.	Petty Cash Reimbursement	\$0.00
20.	Transfer(s) to Savings Account	\$0.00
<hr/>		
21.	Bank Service Charges	\$0.00
22.	Website/Webhosting	\$0.00
23.	Other	\$1,012.80

Total Disbursements \$3,023.10

Ending Balance \$21,608.70

Approval Date By Commission: _____

Treasurer: _____

Chairperson: _____

Secretary Certification: _____

Date: _____

I hereby certify that the above noted quarterly financial report has been approved by a majority of Commissioners during a public meeting in which there existed a quorum.



Officer Reports - Treasurer



2015 Budget - ANC 6A

Balance Forward (from "Ending Balance" of Previous Fiscal Year)

\$38,022.36

Budget Receipts

Cat	Amount	Q1	Q2	Q3	Q4	YTD	Diff
D-AL District Allotment	\$0.00	\$4,962.76	\$4,481.70	\$4,535.77	\$4,535.77	\$18,516.00	\$18,516.00
D-Int Deposit Interest	\$0.00	\$0.46	\$0.67	0.00	0.00	\$1.13	\$1.13
D-O Deposit Other	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
D-T Deposit Transfer - Transfer from Savings	\$0.00	\$4,607.82	0.00	0.00	0.00	\$4,607.82	\$4,607.82
Total Receipts	\$0.00	\$9,571.04	\$4,482.37	\$4,535.77	\$4,535.77	\$23,124.95	\$23,124.95
Total Funds Available:		\$27,593.20	\$22,474.34	\$22,958.29	\$24,632.47		

Budget Disbursements

Cat	Amount	Q1	Q2	Q3	Q4	YTD	Diff
1 Net Salary & Wages	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
2a Health Insurance	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
2b Casualty/Property Insurance	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
3 Total Federal Wage Taxes Paid (Income and Soc. Sec.)	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
4 State and Local Income Taxes Paid (DC, MD, VA)	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
5 Unemployment Insurance Contributions	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
6 Tax Penalties Paid	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
7 Local Transportation	\$0.00	\$14.26	\$43.62	0.00	0.00	\$57.88	(\$57.88)
8 Office Rent	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
9a Landline Telephone	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
9b Cellular Telephone	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
9c Cable/Internet Services	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
10 Postage and Delivery	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
11 Utilities	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
12 Printing and Copying	\$0.00	\$840.75	\$741.20	\$461.59	\$210.30	\$2,253.84	(\$2,253.84)
13 Flyer Distribution	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
14 Purchase of Service	\$0.00	\$6,509.00	\$2,900.00	\$2,400.00	\$1,800.00	\$13,609.00	(\$13,609.00)
15 Office Supplies	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
16a Rental	\$0.00	0.00	\$342.00	0.00	0.00	\$342.00	(\$342.00)
16b Purchase	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
17 Grants	\$0.00	\$2,237.22	0.00	0.00	0.00	\$2,237.22	(\$2,237.22)
18 Training	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
19 Petty Cash Reimbursement	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
20 Transfer(s) to Savings Account	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
21 Bank Service Charges	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
22 Website/Webhosting	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00
23 Other	\$0.00	0.00	\$25.00	\$0.00	\$1,012.80	\$1,037.80	(\$1,037.80)
Total Expenditures	\$0.00	\$9,601.23	\$4,051.82	\$2,861.59	\$3,023.10	\$19,537.74	\$-19,537.74
Ending Balance:		\$17,991.97	\$18,422.52	\$20,096.70	\$21,609.37		



Officer Reports - Treasurer



Expenditure Listing - ANC 6A, 2015 Q4

Cid	Check	Date	Payee	Cat	Amount	Purpose	Date Approved
	1707	2015-07-09	Irene Dworakowski	17	450.00	Web Site and Notes	7/9/2015
	1708	2015-07-09	Gail John	17	200.00	Meeting Notes	7/9/2015
	1709	2015-07-09	FedEx	15	210.30	Meeting Materials	7/9/2015
	1710	2015-07-09	Irene Dworakowski	17	450.00	Web Site and Notes	7/9/2015
	1711	2015-09-10	Irene Dworakowski	17	500.00	Web Site	09/10/2015
	1712	2015-09-10	Gail John	17	200.00	Meeting Notes	09/10/2015
	1713	2015-09-10	DC Government	27	1012.80	Security for Meeting at Miner Elementary	09/10/2015

Note:

Income Report

Balance Forward (from "Ending Balance" of Previous Quarterly Report)		\$9,112.49
Receipts:		
Transfer(s) from Checking Account	\$0.00	
Other (Interest Earning, etc.)	\$0.00	
Total Receipts		\$0.00
Total Funds Available:		\$9,112.49
Disbursements:		
Transfer(s) to Checking Account	\$0.00	
Other	\$0.00	
Total Disbursements		\$0.00
Ending Balance:		\$9,112.49

Checking

Deposit Type	Payer	Amount	Date
District Allotment	District Allotment	4535.77	2015-07-22

Savings

Deposit Type	Payer	Amount	Date
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Note:



Officer Reports - Treasurer



Reconciliation Report - ANC 6A, 2015 Q4

Date of Bank Statement:	9/30/2015	
Ending balance on bank statement:		\$19698.69
+ Total Outstanding Deposits:		\$4,535.77
- Total Outstanding Checks/Charges for this Quarter:		\$3,023.30
- Total Outstanding Checks/Charges for Previous Quarters:		\$0.00
Reconciled Bank Balance:		\$21,211.36
QRA Ledger Balance:		\$21,609.37
Bank Statement/QRA Difference:		\$-398.01

Deposits Not on Statement

Source	Date	Amount
1 District Allotment	07/22/2015	\$4,535.77

Outstanding Checks

Check	Payee	Date	Amount
1 1707	Irene Dworakowz	07/09/2015	\$450.00
2 1708	Gail John	07/09/2015	\$200.00
3 1709	FedEx	07/09/2015	\$210.30
4 1710	Irene Dworakowz	07/09/2015	\$450.00
5 1711	Irene Dworakowz	09/10/2015	\$500.00
6 1712	Gail John	09/10/2015	\$200.00
7 1713	DC Government	09/10/2015	\$1,012.80

Note:



Committee Reports
Community Outreach Committee (COC)



No report. Committee did not meet in December 2015.



Committee Reports Alcohol Beverage and Licensing (ABL)



Minutes Alcoholic Beverage Licensing (ABL) Committee Advisory Neighborhood Commission (ANC) 6A December 15, 2015

Pursuant to notice duly given, a meeting of the Alcoholic Beverage Licensing Committee ("Committee") of ANC 6A was held commencing at 7:00 pm on December 15, 2015 at Sherwood Recreation Center, 640 Tenth (10th) Street NE, Washington, DC 20002.

Committee Members Present: Jay Williams (Co-Chair), Christopher Seagle (Co-Chair), Michael Herman, Roger Caruth, and Mark Samburg.

Committee Members Absent: Michael Herman, Justin Rzepka, and David Oberting.

Commissioners Present: None.

Community Members Present: Michael Rosato (Rosato LLC), Sam Adkins (Sally's Middle Name), Jenohn Diaz (Mia's Coffeehouse), Eddie Miguez (Ocopa), Mike Whatley (DisrictCuisine.com), Yolanda Woodward (Cooper & Crickman, representing Ocopa), Brian Alcorn, Stephen Whelan (Veritas Law Firm, representing Sally's Middle Name).

I. Call to Order

Mr. Williams called the meeting to order at 7:10 pm. The meeting having been duly convened was ready to proceed with business with a quorum. There were no additions or edits to the agenda as published.

II. Community Comment

None.

III. Old Business

A. Discussion of request by Ocopa at 1324 H Street NE (License No. ABRA-088102) for an Entertainment Endorsement.

- Mr. Williams noted that this issue came up in the previous ABL meeting, and the concern that was raised was how they planned to have entertainment/dancing in the space. He explained that he felt that it likely would not be a problem, but that he wanted to hear from the owners regarding what their plans were. Mr. Williams note that the ANC had agreed and approved a protest. He noted that Mr. Miguez, the owner of Ocopa, was present to discuss the establishment's plans.
- Mr. Miguez explained that they planned to host Latin dancing certain nights with Latin music and DJs.
- Ms. Woodward, who was present on behalf of Mr. Miguez' attorneys, stated that the music would not be played on the patio. The patio would only be used for dining.
- Mr. Seagle stated that the biggest concern was to make sure that no noise would be heard by nearby neighbors.
- Mr. Williams reviewed the provisions in Ocopa's current Settlement Agreement (SA), limiting outdoor space hours and use of music on the patio.
- Mr. Miguez stated that he might want to expand his patio hours, and Mr. Williams stated that if he was interested in doing so, he should submit such a request and discuss with the ANC in the future. Mr. Miguez agreed to do so.



Committee Reports

Alcohol Beverage and Licensing (ABL)



Mr. Williams moved/seconded by Mr. Seagle that the ANC withdraw its request of the protest regarding Ocopa's request for an Entertainment Endorsement. The motion passed 4-0.

B. Update on status of request by Sol Mexican Grill at 1251 H Street NE (License No. ABRA-092192) for an extension of hours for operation, alcoholic beverage sales and consumption, and live entertainment.

- Mr. Williams reported that the ANC had agreed to protest Sol's request until Sol could present an adequate trash management plan that would take care of the issues raised by neighbors at the November 2015 ABL meeting.

IV. New Business

A. Discussion of request by Steak Ice 1310 H, LLC, t/a Sally's Middle Name at 1320 H Street NE (License No. ABRA-097355) for (1) expansion of existing premises by 60 seats on second floor; (2) addition of summer garden endorsement with 22 seats; and (3) class change from a "D" Restaurant to a "C" Restaurant.

- Mr. Williams noted that Sally's Middle Name already had a Settlement Agreement (SA) in place, which was reached when the establishment was the cheesesteak shop owned by the team behind Taylor Gourmet. Ownership of the location had changed and was now Sally's Middle Name. The licensee was not expanding the capacity of its premises, adding a summer garden, and changing to a Class C Restaurant.
- Mr. Adkins and Mr. Whelan presented on behalf of Sally's Middle Name.
- Mr. Adkins stated that the second floor used to be offices for Taylor Gourmet, and is currently a boutique shop. Their plan is to move the restaurant into the second floor area and also use a patio out back to serve food and drinks. The intention for converting to a Class C license is to be able to serve cocktails.
- Mr. Adkins stated that they did not plan to change their hours much, and would still be a food-focused restaurant. Mr. Adkins reported that currently their sales were approximately seventy-five percent (75%) food.
- Mr. Adkins and Mr. Whelan distributed plans for the expansion.
- Mr. Williams asked where the patio was located, and Mr. Adkins stated that it is located in the rear on the second (2nd) floor.
- Mr. Williams asked if the establishment had noise mitigation plans. Mr. Adkins stated that there were plants used to mitigate noise, and the structure itself was built to keep noise from getting out.
- Mr. Caruth asked Mr. Adkins if they planned to continue selling clothing on the second (2nd) floor, and Mr. Adkins said they would not.
- Mr. Seagle asked Mr. Adkins and Mr. Whelan if the establishment would be willing to agree to the ANC's standard noise mitigation language related to outdoor space. Mr. Adkins said they would be willing to discuss and asked what the provisions were. Mr. Seagle reported the standard language from the ANC Settlement Agreement.
- Mr. Williams stated that he did not have any objections to the outdoor space hours, since the patio is located on private space, is not a rooftop deck, and is well removed from the closest residence.
- Mr. Samburg asked some clarifying questions about how the structure in the back was laid out, to which Mr. Adkins responded.



Committee Reports

Alcohol Beverage and Licensing (ABL)



Mr. Williams moved/Mr. Seagle seconded that the ANC protest the request by Sally's Middle Name for a Substantial Change to its license unless the ANC and Sally's Middle Name can reach a Settlement Agreement amendment that includes language related to noise mitigation on the establishment's outdoor space. The motion passed 4-0.

B. Discussion of license application for Rosato, LLC t/a Sospeso at 1344 H Street NE (License No. ABRA100766) (Class "C" Tavern).

- Mr. Williams introduced Mr. Rosato, who was present on behalf of the establishment.
- Mr. Rosato stated that the plan for the establishment is Mediterranean-influenced dining which would be open at 7:00 am every day, and also serve food late night. There will be a bar downstairs with the kitchen upstairs. Full dinner tables would be located downstairs, with some seating upstairs.
- Mr. Seagle asked if they planned on having patio or outdoor seating. Mr. Rosato stated that they eventually wanted to have outdoor seating on the second floor, but were still working through DCRA permitting issues. Mr. Rosato stated that he submitted the endorsement request to have that ready to go when they finally get their permits ironed out.
- Mr. Williams asked what the establishment's plans were for daytime alcohol service. Mr. Rosato said he did not expect to serve much during the day, aside from mimosas and the like at brunch and some lunch alcohol service as well.
- Mr. Williams asked Mr. Rosato if he had previous restaurant/bar experience. Mr. Rosato stated that he is currently the General Manager (GM) of Sotto on Fourteenth (14th) Street NW, and has been in the DC market as a bartender, barista, manager, etc. for more than 14 years.
- Mr. Williams asked Mr. Rosato if he was willing to work out a Settlement Agreement (SA) with the ANC. Mr. Rosato said he would, and that he had no plans for music on the patio, so he would be willing to agree to language to that effect.
- Mr. Williams asked Mr. Rosato when he hoped to open and Mr. Rosato said he hoped to open in May 2016.

Mr. Seagle moved/Mr. Herman seconded that the ANC protest the license application for Rosato, LLC t/a Sospeso unless a signed Settlement Agreement is submitted prior to the protest date. The motion passed 4-0.

C. Discussion of license application for Mia's Coffeehouse at 101 Fifteenth (15th) Street NE (License No. TBD).

- Mr. Williams explained that Mia's is a coffeehouse located at Fifteenth (15th) and A Streets NE in a residential neighbourhood. They have been open since July 2015, and are interested in expanding their offerings to include beer and wine, and possibly other beverages.
- Ms. Diaz was present on behalf of the establishment. She explained that they were still sorting out the process with the Alcoholic Beverage Regulation Administration (ABRA), but were hoping to do more brunch-type service and also add beverages to their existing Friday/Saturday taco nights. The hope would be to serve margaritas/mimosas in addition to beer and wine.
- Ms. Diaz stated that they planned to have their hours expand in summer months until 9:00 pm on weekdays, and 10:00 pm on weekends.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Seagle asked what type of license they were planning on obtaining, and Ms. Diaz said CR.
- Mr. Williams asked Ms. Diaz for the status of their sidewalk café application. Ms. Diaz stated that the District Department of Transportation (DDOT) lost their previous application, and when they reapplied that application was also lost. They are planning to deal with those issues after the holidays.
- Mr. Williams asked if they planned on serving drinks on the patio. Ms. Diaz said that they planned to allow customers to take purchased beverages outside onto the patio.
- Mr. Caruth recommended that Ms. Diaz study the types of licenses closely, as there could be difficulty meeting the required food threshold for a restaurant license.
- Mr. Seagle asked how close the nearest neighbor is. Ms. Diaz said there is a house immediately next door and an apartment unit above the establishment. Mr. Seagle asked if they had discussed their patio plans with the closest neighbor, and Ms. Diaz said they had not yet.
- Mr. Alcorn noted that the sidewalk café application covered the area on the Fifteenth (15th) Street side, so it would come up to the property line with 105 Fifteenth (15th) Street NE.
- Mr. Williams asked if the establishment had ironed out its Certificate of Occupancy issues with the Department of Consumer and Regulatory Affairs (DCRA). Ms. Diaz stated that they had been told there was no minimum/maximum capacity, and the Board of Zoning stated that they were fine as long as they were not exceeding a capacity of fifty (50) people. Ms. Diaz stated that the plan was to keep the limit to forty (40) people. Ms. Diaz stated that they were having difficulty getting straight answers from the zoning board.
- Mr. Alcorn stated that he is a neighbor who lives across the street. He noted that the neighbors are very engaged in issues relating to the block, including recent zoning issues. He stated that neighbors made a conscious decision that the neighborhood should be representing of primary zoning, which is R-4. Mr. Alcorn acknowledged that Mia's has had challenges dealing with inconsistencies from the city, but also believes that other potential owners turned down the space when it was available because they recognized certain zoning challenges. Mr. Alcorn stated that he wanted the ANC to ensure that current zoning allowed for the establishment's plans with ABRA. The prior business, a corner store, had a retail off-premises license, and other area establishments with liquor licenses are classified as delicatessens/carry-outs, not restaurants/taverns.
- Mr. Williams noted that Mia's was in the early stages of applying for a license, so he felt the conversation should continue to a future meeting. The Committee agreed, and no action was taken.

V. Adjourn

The Committee adjourned at 7:59 pm.



Committee Reports Alcohol Beverage and Licensing (ABL)



AMENDMENT TO SETTLEMENT AGREEMENT

This Amendment to Settlement Agreement is made this ___ day of January, 2016, and is meant to amend the existing settlement agreement dated December 31, 2014 between Advisory Neighborhood Commission 6A (“ANC 6A”) and Steak Ice 1310 H, LLC, t/a Pizza Parts and Service (now t/a Sally’s Middle Name).

WHEREAS, Applicant has filed an application for a Substantial Change to the existing license for premises located at 1320 H Street, NE Washington, DC 20002 (“Establishment”);

WHEREAS, Applicant’s premises is within the boundaries of ANC 6A;

WHEREAS, the parties desire to enter into an agreement governing certain requirements and understandings regarding the Substantial Changes requested by Applicant at the subject premises; and

NOW, THEREFORE, in consideration of the premises above recited, and the covenants and agreements hereinafter set forth, the parties agree to the following amendments:

1. Music / Dancing / Entertainment.

- a. Applicant agrees to ensure that sounds originating from within the establishment are mitigated by installing adequate soundproofing.
- b. No sound, noise, music, or voices emanating from the licensed establishment shall be of such intensity that it may be heard in any premises other than the licensed establishment. This restriction does not apply to: (1) sound, noise, music, or voices heard in any premises which are located within a C-1, C-2, C-3, C-4, C-M, or M zone, as defined in the zoning regulations for the District, and (2) sound, noise, music, or voices occasioned by the normal opening of entrance and exit doors for the purpose of ingress and egress.
- c. In order to mitigate noise on a sidewalk café or summer garden the following steps will be taken:
 - i. Applicant shall not offer any type of entertainment or pre-recorded music on the summer garden and/or sidewalk café;
 - ii. A fence or other barrier will enclose the entire perimeter;
 - iii. No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume;
 - iv. Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones; and
 - v. Potted plants, trees, fountains, or other types of noise mitigation techniques will be incorporated into the decor.
- d. Applicant may offer facilities for dancing for patrons only with an entertainment endorsement and may have recorded and background music without an entertainment endorsement. “Entertainment” means live music or any other live performance by an actual person, including live bands, karaoke, comedy shows, poetry readings, and disc jockeys. The term “entertainment” shall not include the operation of a jukebox, a television, a radio, or other prerecorded music.

Amendment to Settlement Agreement between Steak Ice 1310 H, LLC and ANC6A

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Committee Reports
Alcohol Beverage and Licensing (ABL)



IN WITNESS WHEREOF, the parties have executed this Amendment as of the latest date of the signatures to this Amendment.

Steak Ice 1310 H, LLC (Applicant):

By: ARHICA ADKINS Date: 01/08/16

Signature: 

Advisory Neighborhood Commission 6A Representative:

By: _____ Date: _____

Signature: _____



Committee Reports Alcohol Beverage and Licensing (ABL)



Made this 10 day of January, 2016

by and between

Rosato, LLC t/a Sospeso (License # ABRA-100766)
1344 H Street, NE
Washington DC 20002

and

Advisory Neighborhood Commission 6A

Preamble

Through this Agreement, both parties aim to create an environment whereby Applicant may operate as a viable contributing business in the ANC 6A community, while concurrently curtailing any adverse effects a business such as Applicant's could have on the surrounding neighborhood.

Applicant agrees to work regularly with ANC 6A, neighborhood associations, and residents to ensure the business operations do not adversely affect the surrounding neighborhood. All parties believe the statements and provisions contained in this Agreement are reasonable and must become wholly integrated into the day-to-day operation of the business establishment.

The community and Applicant understand and agree that the changes imposed upon the operations of licensees within the ANC as set forth herein are important measures to protect the safety, peace, order, and quiet of the neighborhood, its residents, and businesses.

Witnesseth

Whereas, Applicant's premises is within the boundaries of ANC 6A; and,

Whereas, the parties desire to enter into an agreement governing certain requirements and understandings regarding the issuance of a Retailer's Class CT Liquor License at the subject premises; and,

The Parties Agree As Follows:

1. **Public Space Cleanliness and Maintenance.** Applicant will maintain the public space (minimally the front sidewalk up to and including the gutter in front of the subject premises, and the alleyway behind the subject premises) adjacent to the establishment in a clean and litter-free condition by:
 - a. Picking up trash, including beverage bottles and cans, and all other trash a minimum of twice daily (once immediately before business hours and again between 5:00 p.m. and 8:00 p.m.).
 - b. Maintaining regular trash and garbage removal service, regularly removing trash from the trash and dumpster area, and seeing that the trash and dumpster area remain clean.
 - c. Depositing trash and garbage only in rodent-proof dumpsters, and seeing that dumpster covers fit

Settlement Agreement between Sospeso and ANC6A

Page 1 of 4



Committee Reports

Alcohol Beverage and Licensing (ABL)



- d. properly and remain fully closed except when trash or garbage is being added or removed.
- d. Exercising due diligence to prevent and/or rid vermin infestation in and around the establishment, including following, minimally, the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
- e. Assisting in maintenance of the curbs in front of the establishment to keep them free of trash, removing snow and ice from the sidewalk, and complying with all applicable D.C. laws and regulation in these respects.
- f. Planting, watering, and generally tending to tree boxes directly in front of the subject premises, if any.
- g. Promptly removing or painting over any graffiti written on the exterior walls of the property.
- h. Requiring the owner and employees not to park on public space between the building and the curb.
- i. Not locating trash bins, chairs, tables, or other equipment on public space without a valid space permit.

2. Business Operations and Practices.

- a. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person or to any person who appears to be intoxicated.
- b. Applicant agrees to take all necessary steps to prevent patron rowdiness, including refusing admission/service to rowdy and/or unruly persons.
- c. Applicant agrees to ensure that no patron brings an open container of an alcoholic beverage into the establishment from outside sources, and at no time exits the establishment with an open container of an alcoholic beverage.
- d. Applicant will not provide or sell alcoholic beverages "to go."
- e. Applicant agrees not to promote or participate in bar or pub "crawls" or any other event of this nature unless the event has been reviewed and approved by the ABC Board.
- f. The licensed establishment will be managed in person by Applicant or a board-licensed manager.
- g. Applicant, and all managers, shall attend and complete an alcoholic beverage server training course/seminar.
- h. Applicant shall post a notice kept in good repair and visible from point of entry a sign that states:
 - i. Proper ID is required to be served and that the establishment will check IDs at all times prior to serving alcoholic beverages to patrons;
 - ii. It is illegal to sell alcohol to anyone under age 21;
 - iii. Patrons are requested not to litter, loiter, or make excessive noise in the neighborhood as they arrive or depart;
 - iv. Warning: Drinking alcoholic beverages during pregnancy can cause birth defects; and.
- i. Applicant shall make every effort to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
 - i. Asking loiterers to move on whenever they are observed outside the establishment;
 - ii. Calling the Metropolitan Police Department if illegal activity is observed;
 - iii. Keeping a written record of dates and times (a "call log") when the MPD is called for assistance; and
 - iv. Applicant will maintain a detailed incident log. An incident is defined as any activity by patrons of the establishment inside or immediately outside the establishment that could lead to an ABRA investigation. Each incident will contain the date, time, and location of each incident with a concise summary. Guests and staff involved or witnesses of the incident will be identified and listed. If there is a medical or police response, that information will also be noted.
- j. Upon request of the Board, Applicant's call log and incident log shall be provided to the Board during meetings or hearings involving future renewals or contested proceedings involving Applicant's license.
- k. Applicant will utilize and maintain high-intensity floodlights on the exterior of its premises so as to

Settlement Agreement between Sospeso and ANC6A

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Committee Reports

Alcohol Beverage and Licensing (ABL)



- fully light any abutting alleyway from dusk until dawn.
- l. If Applicant chooses to provide valet parking services, Applicant shall provide such services only with valet parking companies as defined, licensed, and in compliance with D.C. Municipal Regulations Title 24 Chapter 16. Applicant will not engage in valet parking that results in vehicles parked in residential parking spaces. This provision is not meant to obligate Applicant to offer valet services.
3. **Music / Dancing / Entertainment.**
- a. Applicant agrees to ensure that sounds originating from within the establishment are mitigated by installing adequate soundproofing.
 - b. No sound, noise, music, or voices emanating from the licensed establishment shall be of such intensity that it may be heard in any premises other than the licensed establishment. This restriction does not apply to: (1) sound, noise, music, or voices heard in any premises which are located within a C-1, C-2, C-3, C-4, C-M, or M zone, as defined in the zoning regulations for the District, and (2) sound, noise, music, or voices occasioned by the normal opening of entrance and exit doors for the purpose of ingress and egress.
 - c. In order to mitigate noise on a sidewalk café or summer garden the following steps will be taken:
 - i. Applicant shall not offer any type of entertainment or pre-recorded music on the summer garden and/or sidewalk café;
 - ii. A fence or other barrier will enclose the entire perimeter;
 - iii. No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume;
 - iv. Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones; and
 - v. Potted plants, trees, fountains, or other types of noise mitigation techniques will be incorporated into the decor.
 - d. The hours of operation for a sidewalk café and/or summer garden are limited until 11:00 pm Sunday through Thursday evenings and 12:00 am on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons and staff.
 - e. Applicant may offer facilities for dancing for patrons only with an entertainment endorsement and may have recorded and background music without an entertainment endorsement. "Entertainment" means live music or any other live performance by an actual person, including live bands, karaoke, comedy shows, poetry readings, and disc jockeys. The term "entertainment" shall not include the operation of a jukebox, a television, a radio, or other prerecorded music.
 - f. All CT license holders with an entertainment endorsement must have an ABRA-accepted security plan in place.
4. **Cooperation with ANC 6A.** Applicant agrees to work on resolving issues preventing Applicant from fulfilling its obligations under this Agreement with all of the following: the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair/Co-Chairs of the ABL Committee, and other Commissioners whose SMDs are adjacent to the location of the establishment.
5. **Modifications.** This Agreement may be modified and such modification implemented by Applicant only by mutual agreement of the parties and the subsequent approval of the modification by the ABC Board pursuant to DC Official Code Code § 25-446.
6. **Miscellaneous.**
- a. Applicant shall post a copy of this Settlement Agreement in the establishment in conjunction with the posting of its alcoholic beverage license.
 - b. Applicant will operate in compliance with all applicable DC laws and regulations. Any reference to

Settlement Agreement between Sospeso and ANC6A

Page 3 of 4



Committee Reports Alcohol Beverage and Licensing (ABL)



specific laws and regulations in this Settlement Agreement is meant for informational purposes only. ANC 6A does not intend for a violation of any DC law or regulation to also be considered a violation of this Settlement Agreement.

7. Enforcement.

- a. Applicant and ANC 6A agree to enter into this Agreement. If Applicant should breach the conditions of this Agreement, it is understood by all parties that ANC 6A and/or its committees shall immediately notify the Applicant and file a complaint with the ABC Board, which will be investigated by ABRA's Enforcement Division, and may subject Applicant to a Show Cause proceeding or any other penalty available to the Board under the law.
- b. This Settlement Agreement is binding on Applicant and its assigns and will continue in force for any and all subsequent license holders at this location.

In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: Michael Rosato Date: 1/10/16

Signature: *Michael Rosato*

Advisory Neighborhood Commission 6A Representative:

By: _____ Date: _____

Signature: _____



Committee Reports Transportation and Public Space (T&PS)



No report. Committee did not meet in December 2015.



Committee Reports Transportation and Public Space (T&PS)



January XX, 2016

Leif Dormsjo
Director, District Department of Transportation
55 M Street, SE, Suite 400
Washington, DC 20003

Re: Seven-day service for the H Street/Benning Road Streetcar line

Dear Director Dormsjo,

At a regularly scheduled and properly noticed meeting¹ on January 14, 2016, our Commission voted X-X (with 5 Commissioners required for a quorum) to send this letter to request that once open the DC Streetcar operate each of the seven days of the week.

Our Commission is concerned by recent reports that suggest the streetcar would not operate on Sundays. Given the considerable investment the District has made in establishing the H Street/Benning Road line and the tremendous revitalization our neighborhood is experiencing based on the assumption that the District will deliver on its promise to improve our community's transportation options, we would be deeply disappointed if this important form of public transit did not operate on a daily basis. Simply put, our community requires consistent, reliable public transportation and seven-day streetcar service is the best way to meet the needs of our growing neighborhood, particularly additional transportation options. Sunday is both a day of worship and a day of activity for countless DC residents; churchgoers rely on transit to get to their Sunday-morning services, and residents from far-flung parts of the District spend Sundays patronizing our local businesses, exploring our flourishing community, and commuting to an ever increasing number of jobs here.

In late 2014, DDOT adopted regulations (Rule: 18-1602) that explicitly provide for Sunday service hours. We strongly urge you to adhere to the hours of service set forth in this rule, including on Sunday service. Even a perfunctory analysis of overcrowded Sunday buses along the H Street corridor would show great demand for additional means of transportation in our neighborhood on every day of the week.²

The streetcar project has spurred an extraordinary level of investment along the H Street corridor and has given our community hope that the District will deliver on initiatives that promote economic development and improved public transit options for our historically-neglected and underserved part of the District.³ In addition, our ANC and others nearby have welcomed much new residential development, which brings with it a tremendous amount of population density and demands for residential parking and transportation, along

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² Incomplete reviews of pending development along the H Street corridor demonstrate that the need for additional public transportation here will grow dramatically over coming years, with already 1500 residential units scheduled to deliver soon. http://dc.urbanturf.com/articles/blog/1458_new_units_are_on_tap_for_the_h_street_corridor/10720

³ Recent estimates note over \$750 million in real estate investments made along the eastern portions of the H Street corridor due to the anticipated delivery of the streetcar in this otherwise transit challenged area. <http://urbanplacesandspaces.blogspot.com/2015/12/dc-and-streetcars-4-from-standpoint-of.html>



Committee Reports

Transportation and Public Space (T&PS)



the H Street corridor and surrounding areas with the understanding that the District's long-term vision is to provide a viable streetcar line for area residents.

Limiting the streetcar's service to just six days a week undercuts many assumptions built into development plans for our ANC, poses significant transportation issues for an already underserved area, and sends a poor message to our community about the streetcar's viability and this Administration's commitment to its success. We trust that you will take the necessary steps to ensure the success of the streetcar by providing seven-day service and by completing the line's long-promised extension through downtown as soon as possible.

Thank you for considering our concerns about this important matter. Please do not hesitate to contact me at philanc6a@gmail.com to discuss this matter further and to make arrangement to share your plans for the streetcar with our community. We look forward to hearing from you and to working together to ensure the successful return of streetcars in the District.

On behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

cc: Muriel Bowser, Mayor, District of Columbia
Phil Mendelson, Chair, D.C. Council
Mary Cheh, Chair, Committee on Transportation and the Environment
Charles Allen, Councilmember Ward 6
Vincent Orange, David Grosso, Anita Bonds, Elissa Silverman
Councilmembers At-large
ANC6C, ANC6E, ANC5D, ANC7D



Committee Reports Economic Development and Zoning Committee



December 2015 Report Economic Development and Zoning (EDZ) Committee of the Advisory Neighborhood Commission (ANC) 6A

The meeting convened at 7:00 pm on December 20, 2015 at Sherwood Recreation Center, 640 Tenth (10th) Street NE.

Present

Members: Brad Greenfield (co-chair), Laura Gentile, Dan Golden, Michael Hoenig
Commissioners: Stephanie Zimny

Community Comment

There were no community comments at the beginning of the meeting

Old Business

Chairman Brad Greenfield shared the resolution of the following two previously heard BZA cases: 1) 1313-1323 Linden Court, the full ANC voted 7-0 to support the Committee's recommendations for the proposed project, which include placing Residential Parking Permit (RPP) restrictions on all units; and 2) 916 K Street, the full ANC voted 7-0 to support the Committee's recommendations for the lot occupancy and rear yard special exception.

New Business

1. 1301 H Street, NE (BZA 19165): Application of 3317 16th Street LLC, pursuant to 11 DCMR §§ 3103.2 and 3104.1, for variances from the off-street parking requirements under § 2101.1, the parking aisle width requirements under § 2117.5, and the loading berth requirements under § 2201.1, and a special exception from the H Street (HS) Overlay requirements under § 1320.4(f), to convert a vacant church into a new four-story, mixed-use commercial and residential building in the HS-A/C-2-A District.

This development is composed of nine (9) condo units to be sold for residential use, two (2) parking spots for residential use, a roof deck for residential units to share, and additional space for commercial use.

Shaun Buehler, presenting for Bennett Frank McCarthy Architects, presented the project to the committee. Buehler stated that, following the last meeting, they design changes had been made, feedback was solicited from the Committee, and a new design has been developed based on those comments which will be shared at a subsequent meeting. The main changes to the design include the following: 1) the color palette has been changed to reflect more traditional colors; 2) the design of the top floor has been adjusted so that the design of the building is more compatible with that of the nearby row houses; 3) shape of the windows have been changed to be more consistent with the neighboring properties; 5) glazing around the windows to make it look more like residential property and blend in with the neighborhood; and 6) the bay on H Street no longer goes all the way down to the ground floor.

Mr. Greenfield asked whether the dumpsters, which will be located in an alcove under the building, will have doors. Mr. Buehler explained that there would be a "yard-type" gate to allow access to the dumpsters, and that loading will occur directly adjacent to the property.



Committee Reports Economic Development and Zoning Committee



A community member raised a concern regarding both the size and the enclosure of the dumpster, citing concerns related to a current rodent problem on the H Street corridor. Buehler explained that the dumpster area was 6' x 6'. Mr. Buehler also explained that the nine (9) condo units and commercial tenant(s) would both use the same dumpster. The condo association would be responsible for trash pickup. Buehler further explained that the driveway (used to access the two (2) residential parking spots) would not be used for trash trucks to access the trash area.

Another community member who lives in the rowhouse right next to the building on the Thirteenth (13th) Street side raised a concern about the material and look of the side of the building facing their rowhouse. Committee Member Mike Hoening stated that the wall facing Thirteenth (13th) Street should be designed so that it would blend in with the rowhomes on the block. Buehler agreed to adjust the design.

Another committee member asked if the tenants would be eligible for Residential Parking Permits (RPPs). Committee Member Dan Golden explained that they would not be and that the contractor had agreed to use the H Street address (versus Thirteenth (13th) Street) to ensure no residents would be able to qualify for an RPP.

Mr. Greenfield made a motion to recommend that the ANC write a letter of support to the Board of Zoning Adjustment (BZA) for the requested relief with the following conditions: Residential Parking Permit (RPP) restrictions will be in place; the building will use the H Street address; the developers will use a consistent design on the side of the Thirteenth (13th) Street side of the building that facing rowhouses; and Mr. Greenfield will respond to an email from committee members documenting thirty (30) concerns about the proposed project. The motion passed unanimously.

2. **Informational Presentation on proposed H Street Overlay regulations originating from ANC 6C.** Mark Eckenwiler, ANC 6C Commissioner, presented information on a proposed amendment that would seek to clarify preservation requirements and remove other ambiguities in the H Street Overlay. The goal is to protect buildings from being razed while still claiming preservation and to result in more consistent application of regulations. Eckenwiler agreed to share a full proposal with this Committee for review by mid-January 2016.

Mr. Greenfield made a motion to recommend that the ANC support in principle the proposed rule changes for the H Street Overlay to clarify preservations requirements and remove other ambiguities, contingent upon the Committee receiving and reviewing the full proposal, which passed unanimously. Mr. Greenfield also moved to recommend that the ANC support in principle a change of the definition of building area in the DC zoning regulations, which also passed unanimously.

3. **1120 Park St NE (HPA 16-104):** Applicant seeks Historic Preservation Review Board (HPRB) approval for the addition of a roof deck to a new garage. The applicant provided the latest versions of plans that are not yet final. The Applicant explained that they were still considering two design changes prior to finalizing the plan: 1) a potential change in the material used for the railing that would be installed on all four sides of the parapet, and 2) the parapet may be removed entirely or switched to the opposite side. The Applicant also stated there is a BZA appeal of the granted permit that will be heard in February 2016, and that the outcome of that hearing could dictate further changes to the design.



Committee Reports Economic Development and Zoning Committee



The next door neighbor to the property, Ms. Schaub, attended the meeting with her attorney and voiced objections to the project based on concerns that the proposed development would cause a loss of light, air, and privacy for her home. The Applicant stated that he had letters of support from adjacent neighbors located directly across the alley. The Committee told the Applicant he also would need to get a letter of support from the kitty corner house.

Based on several factors, including the fact that the final design is not yet available for Committee review, Mr. Golden proposed to the applicant that they withdraw their request for Committee review at this time. The Applicant agreed to do so.

The meeting was adjourned at 9:10 pm.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, January 20, 2016
7:00-9:00 pm
640 Tenth (10th) Street NE
Sherwood Recreation Center, Second (2nd) Floor**



Committee Reports Economic Development and Zoning Committee



January XX, 2016

Mr. Clifford Moy
Secretary of the Board of Zoning Adjustment
Board of Zoning Adjustment
441 4th Street NW, Suite 210
Washington, DC 20001

Re: BZA Case No. 19165 (1301 H Street, NE)

Dear Mr. Moy:

At a regularly scheduled and properly noticed meeting on January 14, 2016,¹ our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Applicant's request for variances from the off-street parking requirements under § 2101.1, the parking aisle width requirements under § 2117.5, and the loading berth requirements under § 2201.1, and a special exception from the HS Overlay requirements under § 1320.4(f), to convert a vacant church into a new four-story, mixed-use commercial and residential building in the HS-A/C-2-A District.

The Commission supports granting the requested variances because granting the requested relief will not result in substantial detriment to the public good or substantially impair the intent, purpose, and integrity of the zoning plan, provided that certain conditions are met. Specifically, the Commission supports granting the requested relief only on the condition that Residential Parking Permit restrictions will be in place; the building will use on H Street. address; the developers will use a consistent design on the side of the Thirteenth (13th) Street side of the building that face rowhouses.

Please be advised that Brad Greenfield and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at philanc6a@gmail.com and Mr. Greenfield can be contacted at Brad.Greenfield@gmail.com.

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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Committee Reports Economic Development and Zoning Committee



January XX, 2016

Mr. Mark Eckenwiler
Advisory Neighborhood Commission 6C
P.O. Box 77876
Washington, DC 20013-7787

Re: Proposed H Street Overlay Amendments

Dear Commissioner Eckenwiler:

At a regularly scheduled and properly noticed meeting on January 14, 2016,¹ our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support in principle ANC 6C's efforts to amend the H Street Overlay to clarify preservation requirements and remove other ambiguities.

This Commission's support deems the changes you are proposing as necessary and warranted to avoid future inconsistent decisions from affecting the development of this community. Our preliminary support is predicated on receiving a complete copy of the petition in support of the amendments once that is available.

Please be advised that Brad Greenfield and I are authorized to act on behalf of ANC 6A for the purposes of this issue. I can be contacted at philanc6a@gmail.com and Mr. Greenfield can be contacted at Brad.Greenfield@gmail.com.

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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Committee Reports Economic Development and Zoning Committee



January XX, 2016

Mr. Mark Eckenwiler
Advisory Neighborhood Commission 6C
P.O. Box 77876
Washington, DC 20013-7787

Re: Proposed H Street Overlay Amendments

Dear Commissioner Eckenwiler:

At a regularly scheduled and properly noticed meeting on January 14, 2016,¹ our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support in principle ANC 6C's efforts to change the definition of building area in the DC zoning regulations.

This Commission's support deems the changes you are proposing as necessary and warranted to avoid future inconsistent decisions from affecting the development of this community. Our preliminary support is predicated on receiving a complete copy of the petition in support of the amendments once that is available.

Please be advised that Brad Greenfield and I are authorized to act on behalf of ANC 6A for the purposes of this issue. I can be contacted at philanc6a@gmail.com and Mr. Greenfield can be contacted at Brad.Greenfield@gmail.com.

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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New Business

