



District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for March 9, 2022



Second (2nd) Thursdays at 7:00 pm

Virtual Meeting via Zoom

For those attending via Zoom: use this link: <https://us06web.zoom.us/j/89034373584>

Call-in Number: +1 301 715 8592

Webinar ID (access code): 890 3437 3584

One tap mobile: +13017158592,,89034373584#

Public Meeting - All are welcome

- 7:00 pm Call to order
- 7:01 pm Adoption of Agenda and Approval of Minutes
- 7:02 pm Community Presentations
- DPR Update - Christopher Dyer, Community Engagement Manager, Department of Parks and Recreation
 - Ward 6 Councilmember Charles Allen
- 7:45 pm Consent Agenda pg. 53
Community Outreach (COC)
Recommendation: ANC 6A send a letter to Councilmember Charles Allen requesting the DC Council offer a resolution honoring the late Mr. William Outlaw honoring his long-time service to the Capitol Hill community.
- Transportation and Public Space (TPS)
Recommendation: ANC 6A send a letter of support to HSEMA for the 2023 Capitol Hill Classic Races.
Recommendation: ANC 6A send a letter of support to DDOT Public Space Committee to enclose a second floor balcony at 207 14th Place NE. (Public Space Permit #B2107610)
Recommendation: ANC 6A send a letter to DDOT regarding **sidewalk repairs, sidewalk gaps, and pedestrian infrastructure**.
Recommendation: ANC 6A send a letter of support to the DC Council for the Automated Traffic Enforcement Effectiveness Amendment Act of 2022 (<https://lms.dccouncil.gov/downloads/LIMS/51272/Introduction/B24-0998-Introduction.pdf>) and the Reckless Driver Accountability Act of 2022 (<https://lms.dccouncil.gov/downloads/LIMS/51379/Introduction/B24-1027-Introduction.pdf>).
- 7:50 pm Officer Reports pg. 82
1. **Accept Treasurer's Report**
- 7:55 pm Standing Committee Reports:
Community Outreach (COC) pg. 83
1. Accept February 2023 committee report.



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2. Next meeting - 7:00 pm, March 27, 2023 (4th Monday)

8:00 pm Alcohol Beverage Licensing (ABL) pg. 85
1. No report. ABL did not meet in February 2023.
2. Next meeting - 7:00 pm, March 28, 2023 (4th Tuesday)

8:02 pm Transportation and Public Space (TPS) pg. 86
1. Accept February 2023 committee report.
2. Next meeting - 7:00 pm, March 20, 2023 (3rd Monday)

8:10 pm Economic Development and Zoning (EDZ) pg. 91
1. Accept February 2023 committee report.
2. Recommendation: ANC 6A send letters of support to BZA for a request for area variance relief pursuant to Subtitle X § 1002 from the lot occupancy requirements of Subtitle E § 304.1, special exception relief pursuant to Subtitle E § 5201 and Subtitle X § 901.2 from the rear yard requirements of Subtitle E § 5004.1, special exception relief pursuant to Subtitle U § 301.1(g) and Subtitle X § 901.2 from the matter-of-right uses of Subtitle U § 301, and to HPRB for historic review of a project to construct a second story accessory dwelling unit addition to an existing detached, accessory garage in the rear of an existing, attached, three-story principal dwelling unit at 915 Maryland Avenue NE (HPA #23-104/BZA #20891) in the RF-1 zone in the Capitol Hill Historic District. Both letters will state that support is on the condition that the plans be updated so that the access to the upper unit is only available from the rear yard and not the alley.
3. Recommendation: ANC 6A send a letter of support for Special Exception relief pursuant to Subtitle C § 703 and Subtitle X § 901.2 from the minimum vehicle parking requirements of Subtitle C § 701.5, special exception relief pursuant to Subtitle C § 909 and Subtitle X § 901.2 from the access requirements of Subtitle C § 904.5, and special exception relief pursuant to Subtitle H §§ 910.1 and 1202; and Subtitle X § 901.2 from the development standards of Subtitle H § 901 to construct a new, detached, five-story with cellar and penthouse, 80-unit apartment addition, to existing mixed-use buildings in the NC-16 Zone at 1000-1016 H Street NE (BZA #20880) on condition that the residential units on the ground floor be designated as artist space/studios, and this would be written into the condominium bylaws, and that the developer make best efforts not to include natural gas in the building, and that if these conditions are not met, ANC 6A should oppose the request.
4. Next meeting - 7:00 pm, March 15, 2023 (3rd Wednesday)

8:30 pm New Business pg. 118
• Suggested Motion: ANC 6A approve Mark Sussman (6A04) and Paul Angelone (6A05) to and remove Hassan Christian from the membership of the TPS Committee. (Gove and Gentile).
• Suggested Motion: ANC 6A send a resolution to President Joseph Biden condemning his indication that he plans to sign a bill passed by Congress that would overturn the



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Revised Criminal Code Act, a law passed unanimously by the Council of the District of Columbia (Chatterjee).

- 8:35 pm Single Member District reports (2 minute each)
- 8:50 pm Community Comments (2 minutes each)
- 9:00 pm Adjourn



Advisory Neighborhood Commission 6A Meeting Minutes of February 9, 2023



Minutes

Advisory Neighborhood Commission (ANC) 6A Virtual Meeting via Zoom February 9, 2023

Present: Commissioners Keya Chatterjee, Robb Dooling, Mike Velasquez, Roberta Shapiro, and Steve Moilanen were present. Commissioners Amber Gove and Laura Gentile were absent.

The meeting convened virtually via Zoom at 7:00 pm.

Vice-Chair Keya Chatterjee called the meeting to order and noted the presence of a quorum. The minutes for the ANC January 2023 meeting were accepted. The agenda for the February 2023 meeting was accepted by unanimous consent.

Community Presentations

Vacant/Blighted Properties in ANC 6A - Mark-Anthony Tynes, Account Manager, Office of the Director, The Department of Buildings; Hazle Crawford, Ward 6 Account Manager
Mr. Hazle Crawford, Ward Account Manager at the newly formed Department of Buildings (DOB), gave an overview of the Department, noting that it is responsible for the administration and enforcement of construction compliance, rental housing safety, and residential property maintenance activities. The DOB began functioning in October 2022. Mr. Crawford reviewed common Service Level Agreements (SLAs) and response times, including 3 business days to respond to customer inquiries, 2 business days to complete permit application pre-screening, 30 business days to complete first-round plan reviews, and 30 days to complete initial inspection of vacant properties. 90% of the SLAs have been met, and all statuses can be viewed at the public dashboard at www.dob.dc.gov. DOB has several resources to help residents and businesses, such as the insurance education center, a contractor rating system, Tertius (one-stop shop for construction inspections), and Scout (online consolidated database of permitting, licensing, and compliance information). The DOB office is located at 1100 4th Street SW and can be reached at (202) 671-3500 or [dob\[at\]dc.gov](mailto:dob[at]dc.gov). There is a live chat option at www.dob.dc.gov between the hours of 8:30 AM - 4:30 PM Monday through Friday. Mr. Crawford can be reached directly at [Hazle.crawford\[at\]dc.gov](mailto:Hazle.crawford[at]dc.gov) or (202) 733-8766.

Housing Inspection and Property Maintenance Request Form:

<https://dcra.kustomer.help/contact/request-for-inspection-form-SkHyBRJBv>

Illegal Construction Inspection Request Form: <https://dcra.kustomer.help/contact/illegal-construction-inspection-request-form-SJLMTS2PD>

Vacant Property Inspection Request Form: <https://dcra.kustomer.help/contact/vacant-property-inspection-BkyNeYleO>

February 16th Open House flyer:

<https://content.govdelivery.com/accounts/DCWASH/bulletins/346b626>

Consent Agenda

The following items were adopted by unanimous consent:

Community Outreach (COC)



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- ANC 6A appoint Angelique Dorazio-Sanders and Clare Dougherty (Gentile), Elizabeth Corinth (Shapiro), Stephanie Myers (Gove) and Gail Sullivan (Chatterjee) as members of the Community Outreach Committee (COC).
- ANC 6A send a letter to the Department of Public Works (DPW) in support of curbside composting and additional compost drop off facilities.

Alcohol Beverage Licensing (ABL)

- ANC 6A take no action with regard to the application of Naomi's Ladder II, LLC t/a Smokin' Pig at 1208 H Street NE (ABRA-104866) for renewal of its Class C Tavern License.

Officer Reports:

1. **The February 2022 Treasurer's report by Commissioner Steve Moilanen reviewed the** six expenditures accrued in January 2022 and December 2023: \$765.89 December webmaster services, \$765.89 for January webmaster services, \$250.00 for December notetaking, \$250.00 for January notetaking, \$58.29 for Zoom Pro/Webinar, and \$50.00 for the security fund payment. The opening uncommitted funds available were \$35,931. After disbursements totaling \$2,140.07, the closing available checking balance is \$33,890.98. The savings account opened at \$100.05, gained no interest, and closed at \$100.05. **The Treasurer's report was approved by unanimous consent.**
2. Commissioner Moilanen presented the 2023 Q1 report, noting the ending balance of \$37,322.44 after quarterly disbursements of \$8,610.84 and a district allotment of \$6,235.48. Commissioner Roberta Shapiro moved and Commissioner Robb Dooling seconded the motion to approve the 2023 Q1 Quarterly Report. The motion passed 5-0.

Standing Committee Reports:

Community Outreach

3. The January 2023 committee report was accepted by unanimous consent.
4. Next meeting - 7:00 pm, February 27, 2023 (4th Monday)

Alcohol Beverage Licensing

1. The January 2023 committee report was accepted by unanimous consent.
2. The Committee recommended and Commissioner Dooling seconded the motion that ANC 6A oppose the application of VYB Enterprises, LLC t/a Vybrations Restaurant and Lounge at 1123 H Street NE (ABRA-123389) for a Class C Restaurant License unless a settlement agreement is entered into prior to the protest date, and that the Chair of the ABL Committee, the Chair and Vice Chair of the ANC, and Commissioner Mike Velasquez represent the ANC in this matter.

Several neighbors voiced their concerns about noise, trash pickup, traffic and parking, rodents and pests and cited previous establishments at this location as examples of having a negative effect on the neighborhood. The new owners plan on the following mitigation measures: no live entertainment outdoors, only pre-recorded music; enforcing a reasonable capacity restriction; posted signage about noise; maximizing soundproofing; a robust system of cameras available to law enforcement; commercial trash pickup 2-3 times per week. The applicants want to abide by any precedent and current standards of businesses in the area,



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such as Pie Shop, about noise and hours. The new owners and the establishment have no connections to the previous owner and are willing to make public a list of investors and stakeholders in VYB Enterprises, LLC. The previous owner/establishment was a club, whereas this is a restaurant/lounge concept with a healthy, fun atmosphere. Owners and representatives can be reached at Vybrationenterprises[at]gmail.com, STM[at]morrisesq.com, and (301) 654-6570. The motion passed 4-1, Commissioner Velasquez opposed; he has lasting concerns that match those of his constituents.

3. Next meeting - 7:00 pm, February 28, 2023 (4th Tuesday)

Transportation and Public Space

1. The January 2023 committee report was accepted by unanimous consent.
2. Next meeting - 7:00 pm, February 21, 2022 (3rd Tuesday; usually 3rd Monday)

Economic Development and Zoning

1. The January 2023 committee report was accepted by unanimous consent.
2. Next meeting - 7:00 pm, February 15, 2023 (3rd Wednesday)

New Business

- Commissioners Chatterjee and Roberta Shapiro moved and Commissioner Velasquez seconded the motion that ANC 6A authorizes Commissioners Gove, Chatterjee or Shapiro to testify at the District Department of Transportation (DDOT) performance oversight hearing, requesting: 1) improved responses to rising traffic violence, 2) increased transparency in the traffic safety investigation process, and 3) increased automated traffic enforcement and—through the Department of Public Works (DPW)--booting and towing of chronically violating vehicles.

Commissioner Shapiro moved and Commissioner Robb Dooling seconded the motion of amending the original motion to include a separate and focused letter to DDOT Director Everett Lott, detailing the inaccuracies of TSI dashboards and requesting specific alterations and transparency and availability of the information presented. Both motions passed 5-0.

- Commissioner Velasquez moved that ANC 6A appoint Erin Blumenthal (6A02) as a member of the Alcohol Beverage Licensing (ABL) Committee. Ms. Blumenthal is a long-time H Street resident with a history of volunteering and community involvement and has attended an ABL meeting. The motion passed 5-0.
- Commissioners Chatterjee and Dooling moved and Commissioner Shapiro seconded the motion that ANC 6A appoint Ayisha Lockett (6A06), Jeremiah Foxwell and Joal Mendonsa (6A01) as members of the Economic Development and Zoning (EDZ) Committee. The motion passed 5-0.

Single Member District Reports

Commissioner Shapiro (6A03) is grateful to DPR, who responded to complaints about several issues at Sherwood including garbage, rats, and broken fences. There are composting concerns among her constituents, who believe it may be the cause of rats although there are no signs of burrows. There is also concern about what the tax lot conversion means. Sasha Bruce, which got



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its zoning status changed, agreed to reach out to the neighborhood and set up a liaison committee.

Commissioner Dooling (6A06) reported new speed bumps at 14th Place NE and a budget engagement forum at Eastern High School on February 11, 2023 with Mayor Bowser. The MOCRS representative was unavailable for this ANC meeting but shared his contact information: (202) 341-3659. The DC Streetcar is looking for models for a photoshoot next week, especially families. Ward 6 Councilmember Charles Allen is hosting office hours at Maketto on H Street NE from 9-10:30 am on Friday, February 10, 2023.

Commissioner Moilanen (6A07) thanks Celeste Duffy from DPW for helping resolve trash collection issues and is grateful for the Commission in their efforts in making the streets safer.

Commissioner Chatterjee (6A01) reported that a lit stop sign was finally installed at the intersection of 9th and K Streets NE. There are still a lot of complaints about traffic safety at J.O. Wilson Elementary, which is just outside the boundaries of ANC 6A, but zoned for students within the ANC boundaries.

Commissioner Velasquez (6A02) met with Commander Bryant from MPD and did a ride along with new Captain Sherrelle Williams. The Commissioner spoke with the managers of Avec Apartments as well as with Congressman Allen and neighbors about public safety concerns about the corner of 8th and H Streets. After submitting a TSI, there were traffic calming measures installed on G Street. The Commissioner did a neighborhood walkthrough with a MOCRS representative and met with Mr. Miller and representatives from the 1200 Linden Association and is pleased with the design although there could be more IZ units.

The meeting adjourned at 8:55 pm.



Advisory Neighborhood Commission 6A Community Presentations





Commission Correspondence of February 9, 2023 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
PO Box 15020
Washington, DC 20003



February 25, 2023

Timothy W. Spriggs
Acting Director Department of Public Works
Frank D. Reeves Municipal Center
2000 14th Street, NW
Washington, DC 20009

Re: ANC 6A Support for Zero Waste, Curbside Composting and Additional Staffed Composting Drop-Off sites

Dear Director Spriggs,

At a regularly scheduled and properly noticed meeting¹ on February 9, 2023 our Commission voted 5-0-0 (with 4 Commissioners required for a quorum) to support the District's efforts to achieve Zero Waste, including curbside composting and additional staffed compost drop-off sites. These environmentally-friendly initiatives provide residents with a convenient and efficient way to reduce waste, while also helping to combat climate change.

Due to the long waiting list to join the volunteer composting site run at Lovejoy Park in ANC 6A and the distance to the Eastern Market drop-off point, ANC 6A considered applying to the Department of Public Works (DPW) for an additional drop-off compost site at the H Street farmers market. We ran into a few obstacles, however, including the requirement for an all-volunteer operation, the requirement to store equipment year-round, and the need for a year-round permit. Since the farmers market is closed for three months in the winter, the new all-volunteer composting program was not feasible for us.

We were excited, however, to learn during our discussions that DPW will pilot a curbside composting program soon for 12k households. We also learned that there are ten sites in DC where DC pays contractors to run drop-off sites for composting. We are writing to support both of these programs and to urge DPW to increase the number of contractor-supported compost drop-off sites and expand to DC-wide curbside composting as soon as possible. By diverting food scraps and yard waste from landfills and incinerators, we can reduce the emissions of methane and other greenhouse gases that contribute to climate change. Additionally, the compost

¹ ANC 6A meetings are advertised electronically on anc-6a@googlegroups.com, and newhilleast@groups.io, at www.anc6a.org, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.



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created through this process should be used to help improve soil health and fertility, which in turn can support local agriculture and food security.

Curbside composting would make it easy for residents to participate in this beneficial process. With a simple collection service, we can ensure that compostable materials are properly handled and processed without the need for residents to travel to Eastern Market, join the year-long waitlist to compost at Lovejoy Park, or invest in their own composting equipment.

Another benefit of more curbside composting and compost drop-off sites would be addressing the rodent epidemic, which is partly due to food waste and partly due to the impacts of climate change on extending the rat breeding season. Expanding composting programs will divert food waste away from landfills and allow for more rodent-proof handling of food waste than the default of having it combined with other trash in bags and bins. Finally, we hope that the curbside composting program can be implemented alongside educational efforts to explain how composting works, why it is beneficial, and to reinforce the rules around trash and recycling.

Many neighbors do not know their correct trash collection location and need a reminder that trash should be bagged in a closed bin and only put out the night before pick-up and that recycling should NOT be bagged. The initiation of a popular new curbside program is a great opportunity to clarify the correct trash, recycling, and composting locations and procedures. DPW should require anyone applying to be in the curbside compost program to self-certify that they understand where their trash collection point is, that they only put out bins the night before and that they bag their trash but not their recycling.

Thank you for giving great weight to the recommendations of this Commission. I can be contacted at 6A04@anc.dc.gov and Commissioner Chatterjee can be contacted at 6A01@anc.dc.gov.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A



Commission Correspondence of February 9, 2023 Meeting



District of Columbia Government
Advisory Neighborhood Commission 6A
PO Box 15020
Washington, DC 20003



February 27, 2023

Councilmember Charles Allen
Chair, Committee on Transportation and the Environment

Via email and the ANC resolutions website

Dear Councilmember Allen,

At a regularly scheduled and properly noticed meeting¹ on February 9, 2023 our Commission voted 5-0-0 (with 4 Commissioners required for a quorum) to authorize Commissioner Gove, Chatterjee, or Shapiro to deliver the following testimony to the DDOT Performance Oversight Hearing of the Committee on Transportation and the Environment. Commissioner Gove delivered an abbreviated version of the below testimony to the Committee on Monday, February 27, 2023.

Members of the Council and representatives of the District Department of Transportation (DDOT), my name is Amber Gove and I represent Single Member District 6A04. Today I am testifying on behalf of ANC 6A, located in northeast Capitol Hill.

We thank you for this opportunity and also want to express our gratitude to DDOT for their work on several traffic calming initiatives in our area, including the C Street NE project, which has dramatically slowed drivers and improved safety for people walking, rolling, and driving. We invite you to visit this transformational project, which we expect will become a standard by which other DDOT traffic calming initiatives are measured.

Our testimony today consists of three requests. In your oversight of DDOT and their updated [Vision Zero](#) plan, we ask that you seek: 1) improved responses to rising traffic violence; 2) increased transparency in the traffic safety input (TSI) process; and 3) increased automated traffic enforcement and--through the Department of Public Works (DPW)--booting and towing of chronically violating vehicles.

- 1) **Improved and Expedited Measures to Mitigate Traffic Violence.** Our ANC is bounded by Florida Avenue NE and includes H Street NE. As shown in DDOT's

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[Vision Zero Dashboard](#) (see attached exhibit 1), these streets have been [identified](#) as High Injury Network Corridors. Since 2017, more than 225 crashes resulting in injuries have been recorded in our portion of H Street, accounting for nearly a third of the incidents in our Commission area. Furthermore, many more crashes go unreported and never make it into the database.

While DDOT has initiated projects to improve safety on both the H Street and Florida Avenue corridors, those projects are moving extremely slowly. [According to DDOT](#), these corridors “were evaluated in 2015, continue to see high rates of injury, and are funded in the FY2023 budget to receive safety treatments *in the next few years.*” **The next few years is not soon enough.** We urgently request that DDOT increase the pace of implementation on the Florida Avenue traffic calming project and the H Street NE transit lane. On top of crashes on these two streets, our ANC also lost a constituent and neighbor to traffic violence, on the Friday after Thanksgiving 2022, on K Street NE, two blocks from J.O. Wilson Elementary School. After the crash, we were promised a stop sign camera at the nearest intersection and requested speed bumps. To date, only a flashing stop sign has been installed.

2) **Increased Transparency in the TSI Process.** Prior to January 2023, residents could file Traffic Safety Investigation requests through 311 and receive specific follow-up from DDOT including study results and planned mitigation efforts. On January 6, without resident or ANC input, DDOT implemented a new system in which Traffic Safety Investigation requests were renamed to Traffic Safety *Inputs* with 200 to be selected each quarter using a multivariate priority setting model. While we applaud a more data- and [equity-driven approach](#) to priority setting, we have several significant concerns with the new DDOT process:

- First, the criteria and the process for setting these priorities are only superficially transparent; that is, the specifics of the formula underlying the conceptual criteria are not provided.
- Second, the TSI dashboard and response process is misleading and confusing to residents. New TSIs are automatically and immediately “closed” following submission.² We were also unable to locate several TSIs on the dashboard, despite having the Service Request Number.
- And, finally and most significantly, the DDOT prioritization and investigation process excludes the concerns of the ANCs, despite a statutory mandate to consider the ANC’s input with “Great Weight.”

² The email response received seconds after filing a TSI reads: “Your input will be part of DDOT’s quarterly prioritization model which will be used to identify locations to advance through traffic study, design, and construction.”



Commission Correspondence of February 9, 2023 Meeting



Accordingly, we consider the new DDOT process to be flawed and needing revision. Specifically, DDOT's process needs to be revised to clearly lay out a process for notification and inclusion of ANC concerns throughout the selection and investigation process. This should be in addition to any required Notice of Intent processes.

- 3) **Increased Automated Traffic Enforcement (ATE).** In addition to the design-based safety improvements resulting from DDOT's own actions and those in response to TSIs, we request improvements to the Automated Traffic Enforcement program that is now under the purview of DDOT.
- **Speed cameras work...** [Research](#) indicates that enforcement and fines for speeding changes driver behavior. A research [review](#) conducted by the CDC indicates that speed cameras are "effective in reducing speed and speed-related crashes".
 - **...but only if drivers are assured of swift, certain and fair enforcement.** While DPW has increased the rate at which eligible vehicles are booted and towed, there are still a large number of chronically violating vehicles that are operated by drivers with impunity. We request increased enforcement and impoundment of these vehicles before their drivers can further endanger vulnerable road users.
 - **Chronically violating vehicles have also been linked to gun violence.** The lookout vehicle in the shooting death of 15 year-old [Andre Robertson Jr.](#) had \$11,470 in speeding citations (see Exhibit 2) at the time of his murder; while the vehicle linked to the non-fatal shooting of [another 15 year-old](#) in the 1600 block of East Capitol St NE had \$2,800 in speeding tickets (see Exhibit 3). Both of these incidents occurred in school zones, during the day with other children present. We know where the bad drivers are--how many more deaths will it take to get their vehicles off of our streets?
 - **DDOT has largely ignored our ATE requests.** Our Commission has previously [requested](#) additional locations for automated traffic enforcement-- of the 13 locations requested, only one camera has been installed (1300 block of H St NE). We request systematic deployment of ATE, particularly in high-injury corridors, school zones, and near parks, senior and recreation centers.
 - **ATE relies on valid license plates.** Drivers who use fake temporary, intentionally defaced, or obscured tags are a menace to vulnerable road users as they can act without repercussions. These drivers seek to selfishly exempt themselves from the rules that keep us all safe. We ask that DPW increase their booting and towing of these vehicles and that MPD be



Commission Correspondence of February 9, 2023 Meeting



authorized to call DPW for booting and towing when they ticket a chronically violating vehicle.

- **Let's innovate-- again.** We applaud the Council for increasing [registration fees](#) for heavier (and therefore more deadly) vehicles. We encourage the Council to think creatively about other mechanisms for improving safety, including mandatory speed limiters for chronically violating vehicles, similar to how ignition locks with breathalyzers are used for repeat drunk driving offenders. As of 2022, the European Union [requires](#) speed limiters in all new vehicles, a measure anticipated to save over 25,000 lives and avoid at least 140,000 serious injuries by 2038. A pilot program that would require the installation of a speed-limiting device on chronically violating vehicles could go a long way toward improving safety for all users and helping us to get closer to achieving the goal of zero road deaths.

Thank you for your time and consideration and for giving great weight to the testimony and recommendations of ANC 6A.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

CC:

Committee on Transportation and the Environment Members

Ward 3 Councilmember Matthew Frumin

Ward 4 Councilmember Janeese Lewis George

Ward 5 Councilmember Zachary Parker

At-Large Councilmember Christina Henderson

Ward 2 Councilmember Brooke Pinto,

Chair, Committee on Judiciary and Public Safety

Ward 1 Councilmember Brianne Nadeau

Chair, Committee on Public Works and Operations



Commission Correspondence of February 9, 2023 Meeting



Exhibit 1. Injury crashes in ANC6A, including Florida Avenue NE and H Street NE

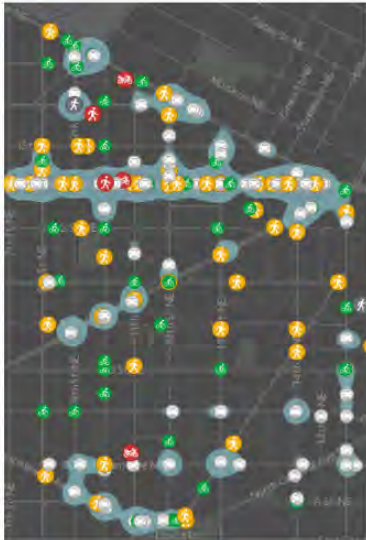


Exhibit 2. Unpaid speeding violations for the lookout vehicle tied to the murder of Andre Robertson, Jr.; screen capture from February 27, 2023.

You have a total of **47** citation(s) on your vehicle.
The first 30 citations are listed below.
The total of all your citations and fees is: **\$11510.00**

<u>Ticket Number</u>	<u>Issue Date</u>	<u>Violation</u>	<u>Location</u>	<u>Amount</u>
**F151067552	10/13/2022	SPEED 21-25 OVR LIMIT	800 BLK EASTERN AVE NE E/B	\$200.00
**F151063562	10/13/2022	SPEED 11-15 OVR LIMIT	4200 BLK SOUTHERN AVE SE SW/B	\$100.00
**F151052216	10/13/2022	SPEED 16-20 OVR LIMIT	1300 BLK H ST NE E/B	\$150.00
**F151064217	10/13/2022	OVER 25 MPH NON CONT	4200 BLK SOUTHERN AVE SE NE/B	\$500.00
**F151046123	10/12/2022	SPEED 16-20 OVR LIMIT	600 BLK KENILWORTH AVE NE S/B	\$150.00
**F151050493	10/12/2022	SPEED 21-25 OVR LIMIT	3700 BLK SOUTHERN AVE SE SW/B	\$200.00
**F151026274	10/12/2022	SPEED 16-20 OVR LIMIT	3700 BLK SOUTHERN AVE SE SW/B	\$150.00
**F151026241	10/12/2022	SPEED 11-15 OVR LIMIT	4200 BLK SOUTHERN AVE SE SW/B	\$100.00
F148924367	08/12/2022	SPEED 11-15 OVR LIMIT	1600 BLK BENNING RD NE W/B	\$240.00
F148580280	08/03/2022	SPEED 11-15 OVR LIMIT	1600 BLK BENNING RD NE W/B	\$240.00
F148399596	07/29/2022	SPEED 11-15 OVR LIMIT	1600 BLK BENNING RD NE W/B	\$240.00
F148360815	07/28/2022	SPEED 11-15 OVR LIMIT	1600 BLK BENNING RD NE W/B	\$240.00
F146175261	06/09/2022	SPEED 11-15 OVR LIMIT	2300 BLK GOOD HOPE RD SE NW/B	\$240.00
F139348528	12/01/2021	SPEED 11-15 OVR LIMIT	5500 BLK E CAPITOL ST SE E/B	\$240.00
F138797342	11/09/2021	SPEED 11-15 OVR LIMIT	800 BLK EASTERN AVE NE E/B	\$240.00
F138400483	10/26/2021	SPEED 11-15 OVR LIMIT	DC295 NE AT BENNING RD EXIT N/B	\$240.00
F137332396	09/20/2021	SPEED 11-15 OVR LIMIT	4000 BLK EAST CAPITOL ST NE W/B	\$240.00
F137087062	09/13/2021	SPEED 11-15 OVR LIMIT	2500 BLK INDEPENDENCE AVE SE NE/B	\$240.00
F136371599	08/27/2021	SPEED 11-15 OVR LIMIT	2500 BLK INDEPENDENCE AVE SE NE/B	\$240.00
F135585386	08/08/2021	SPEED 11-15 OVR LIMIT	2500 BLK INDEPENDENCE AVE SE NE/B	\$240.00
F135216250	07/31/2021	SPEED 11-15 OVR LIMIT	800 BLK EASTERN AVE NE E/B	\$240.00
F134121248	07/08/2021	SPEED 11-15 OVR LIMIT	4000 BLK EAST CAPITOL ST NE W/B	\$240.00
F133769454	07/02/2021	SPEED 16-20 OVR LIMIT	1400 BLK SOUTHERN AVE SE SW/B	\$360.00
F133685072	06/30/2021	SPEED 11-15 OVR LIMIT	800 BLK EASTERN AVE NE E/B	\$240.00
F132689585	06/11/2021	SPEED 16-20 OVR LIMIT	2500 BLK INDEPENDENCE AVE SE NE/B	\$360.00
F125349539	12/12/2020	SPEED 11-15 OVR LIMIT	3100 BLK ALABAMA AVE SE NE/B	\$240.00
F123083270	10/10/2020	SPEED 11-15 OVR LIMIT	2500 BLK INDEPENDENCE AVE SE NE/B	\$240.00
F117134974	06/09/2020	SPEED 11-15 OVR LIMIT	600 BLK KENILWORTH AVE NE S/B	\$240.00
F117009178	06/05/2020	SPEED 11-15 OVR LIMIT	600 BLK KENILWORTH AVE NE S/B	\$240.00



Commission Correspondence of February 9, 2023 Meeting



Exhibit 3. Unpaid speeding violations for lookout vehicle tied to the shooting of a 15 year-old in the 1600 block of East Capitol NE; screen capture from February 27, 2023.

The following tickets issued to this vehicle plate are due:

<u>Ticket Number</u>	<u>Issue Date</u>	<u>Violation</u>	<u>Location</u>	<u>Amount</u>
F151521222	10/26/2022	SPEED 11-15 OVR LIMIT	2300 BLK GOOD HOPE RD SE NW/B	\$200.00
F149453026	08/25/2022	SPEED 11-15 OVR LIMIT	3400 BLK MLK JR. AVE SE SW/B	\$240.00
F147081571	06/29/2022	SPEED 16-20 OVR LIMIT	3700 BLK MASSACHUSETTS AVE SE NW/B	\$360.00
F146426411	06/15/2022	SPEED 16-20 OVR LIMIT	3400 BLK MLK JR. AVE SE SW/B	\$360.00
F145146180	05/15/2022	SPEED 16-20 OVR LIMIT	3400 BLK MLK JR. AVE SE SW/B	\$360.00
F143853862	04/14/2022	SPEED 16-20 OVR LIMIT	3400 BLK MLK JR. AVE SE SW/B	\$360.00
F124353318	11/13/2020	SPEED 11-15 OVR LIMIT	3100 BLK ALABAMA AVE SE NE/B	\$240.00
F124334147	11/12/2020	SPEED 11-15 OVR LIMIT	3100 BLK ALABAMA AVE SE NE/B	\$240.00
F111155251	01/08/2020	SPEED 11-15 OVR LIMIT	DC295 SW .05 MILE S/O EXIT 1 N/B	\$240.00
F104436672	08/04/2019	SPEED 11-15 OVR LIMIT	SUITLAND PK W/B @ STANTON RD SE	\$240.00
8201729443	06/06/2019	NO PKG STREET CLNING	1100 BLOCK 5TH ST NW WEST SIDE	\$108.00
8194571302	08/30/2018	STOP SIGN IN 25 FT	2100 BLOCK SAVANNAH TER SE SOUTH*	\$120.00
8189866705	06/22/2018	NO PARKING ANYTIME	2100 BLOCK RIDGECREST CT SE SOUT*	\$72.00



Commission Correspondence of February 9, 2023 Meeting



THE DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:

The Pug, LLC
t/a The Pug/Toki Underground

Applicant for a New
Retailer's Class CT License

at premises
1234 H Street, NE
Washington, D.C. 20002

License No.: ABRA-073166
Order No.: 2023-025

The Pug, LLC, t/a The Pug/Toki Underground, Applicant

Erin Sullivan, on behalf of Advisory Neighborhood Commission (ANC) 6A ABL Committee

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that The Pug, LLC, t/a The Pug/Toki Underground (Applicant), Applicant for a new Retailer's Class CT License and ANC 6A have entered into a Settlement Agreement (Agreement), dated December 13, 2022, that governs the operations of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Erin Sullivan, on behalf of ANC 6A, are signatories to the Agreement.



Commission Correspondence of February 9, 2023 Meeting



Accordingly, it is this 11th day of January 2023, **ORDERED** that:

1. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
2. Copies of this Order shall be sent to the Applicant and ANC 6A.



Commission Correspondence of February 9, 2023 Meeting



District of Columbia Alcoholic Beverage Control Board

eSigned via SeamlssDocs.com
Donovan Anderson
Key: 2c43730202060c811032a2949c

Donovan Anderson, Chairperson

eSigned via SeamlssDocs.com
James Short
Key: 5470c370202060c811032a2949c

James Short, Member

eSigned via SeamlssDocs.com
Bobby Cato
Key: 2c43730202060c811032a2949c

Bobby Cato, Member

eSigned via SeamlssDocs.com
Rafi Alaya Crockett, Member
Key: 2c43730202060c811032a2949c

Rafi Crockett, Member

eSigned via SeamlssDocs.com
Jeni Hansen, Member
Key: 2c43730202060c811032a2949c

Jeni Hansen, Member

eSigned via SeamlssDocs.com
Edward Grandis, Member
Key: 2c43730202060c811032a2949c

Edward S. Grandis, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879- 1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).



Commission Correspondence of February 9, 2023 Meeting



Made this 13th day of December, 2022
by and between

The Pug, LLC t/a The Pug (ABRA-073166)
1234 H St. 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 is encouraged 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 establishment.

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 Class CT Liquor License at the subject premises; and,

Whereas the parties wish to state their mutual intention and commitment to promote the success, peace, order, quiet, and equity of the community. Both parties recognize the importance of commercial districts (and limited commercial operations within residential districts) and their adjacent neighborhoods that are safe, clean, and "pedestrian friendly."

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 and recycling, 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, garbage, and recycling removal service, regularly removing trash and recycling from the trash and dumpster area, and seeing that the trash and dumpster area remain clean.

Settlement Agreement between The Pug and ANC6A

Page 1 of 3



Commission Correspondence of February 9, 2023 Meeting



- c. Depositing trash, garbage, and recycling only in authorized rodent-proof dumpsters, and seeing that dumpster covers fit properly and remain fully closed except when trash, recycling, 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 and recycling, removing snow and ice from the sidewalk, and complying with all applicable D.C. laws and regulation in these respects.
- f. 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 shall bring an open container of an alcoholic beverage into the establishment from outside sources, nor shall exit the establishment with an open container of an alcoholic beverage.
- d. Applicant will not provide or sell alcoholic beverages "to go" except as authorized by DC law.
- 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 employees that are designated to serve alcoholic beverages, 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
 - v. The establishment requests that customers do not contribute to panhandlers.
- i. Applicant shall make every effort to prohibit and prevent criminal activity on or in front of the establishment premises, to include:
 - i. Calling appropriate emergency services if illegal activity is observed;
 - ii. Keeping a written record of dates and times (a "call log") when emergency services are called for assistance; and
 - iii. 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.
- k. Applicant will utilize and maintain high-intensity floodlights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn, consistent with District of Columbia light

Settlement Agreement between The Pug and ANC6A

Page 2 of 3



Commission Correspondence of February 9, 2023 Meeting



pollution regulations, 12-K DCMR § 409.

1. Applicant shall provide valet parking 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.

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,



Commission Correspondence of February 9, 2023 Meeting



- 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 AARA-accepted security plan in place.
- g. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.
4. **Cooperation with ANC 6A.** Applicant is encouraged to work with ANC 6A, the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the AHA Committee, and other Commissioners whose SMDs are adjacent to the location of the establishment to address concerns arising from violations of this agreement.
5. **Modifications.** This Agreement may be modified and such modification implemented by Applicant only by mutual agreement of the parties in writing and the subsequent approval of the modification by the ABC Board pursuant to DC Official Code § 25-416 or as required by District law.
6. **Miscellaneous.**
- a. Applicant shall retain a copy of this Settlement Agreement in the establishment and have it available for review upon request.
 - b. Applicant will operate in compliance with all applicable DC laws and regulations. Any reference to 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.
 - c. Applicant is encouraged to participate in a Business Improvement District if one exists.
 - d. If any provision of this agreement, or any portion thereof, is held to be invalid or unenforceable, the remainder of the agreement shall nevertheless remain in full force and effect.
7. **Enforcement.**
- a. If any party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant. The applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default. In cases where the defaulting Party reasonably requires more than ten (10) days to come into compliance, the defaulting Party shall, within ten (10) days, make substantial efforts toward compliance and pursue those efforts until the default is corrected.
 - b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement and fail to come into compliance or make substantial efforts toward compliance as provided by Section 7(a) of this agreement, it is understood by all parties that the ANC 6A and/or its committees, or others may immediately petition the Alcohol Beverage Regulatory Administration (ABRA) to investigate violations of this agreement and take appropriate actions per 23 D.C.M.R.
 - c. This Settlement Agreement is binding on the applicant and its successors 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:

Date:

12/13/22

Signature:

Advisory Neighborhood Commission 6A Representative:

By:

Erin Sullivan, ANC 6A ABL

Date:

12/15/2022

Signature:



Commission Correspondence of
February 9, 2023 Meeting



**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:

On the Rocks, LLC
t/a On the Rocks

Holder of a
Retailer's Class CT License

at premises
1242 H Street, NE
Washington, D.C. 20002

License No.: ABRA-106695
Order No.: 2023-027

On the Rocks, LLC, t/a On the Rocks, Licensee

Erin Sullivan, on behalf of Advisory Neighborhood Commission (ANC) 6A ABL Committee

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that On the Rocks, LLC, t/a On the Rocks (Licensee), and ANC 6A have entered into a Settlement Agreement (Agreement), dated December 18, 2022, that governs the operations of the Licensee's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Erin Sullivan, on behalf of ANC 6A, are signatories to the Agreement.



Commission Correspondence of February 9, 2023 Meeting



Accordingly, it is this 11th day of January 2023, **ORDERED** that:

1. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
2. Copies of this Order shall be sent to the Licensee and ANC 6A.



Commission Correspondence of February 9, 2023 Meeting



District of Columbia Alcoholic Beverage Control Board

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Donovan Anderson
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Donovan Anderson, Chairperson

eSigned via DocuSign
James Short
Key: 34743709022000085120000000000000

James Short, Member

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Bobby Cato
Key: 34743709022000085120000000000000

Bobby Cato, Member

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Rafi Aliya Crockett, Member
Key: 34743709022000085120000000000000

Rafi Crockett, Member

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Jeni Hansen, Member
Key: 34743709022000085120000000000000

Jeni Hansen, Member

eSigned via DocuSign
Edward Grandis, Member
Key: 34743709022000085120000000000000

Edward S. Grandis, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879- 1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).



Commission Correspondence of February 9, 2023 Meeting



Made this 18th day of December, 2022

by and between

On the Rocks, LLC t/a On the Rocks (ABRA-106695)
1242 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 is encouraged 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 establishment.

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 Class CT Liquor License at the subject premises; and,

Whereas the parties wish to state their mutual intention and commitment to promote the success, peace, order, quiet, and equity of the community. Both parties recognize the importance of commercial districts (and limited commercial operations within residential districts) and their adjacent neighborhoods that are safe, clean, and "pedestrian friendly."

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 and recycling, 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, garbage, and recycling removal service, regularly removing trash and

Settlement Agreement between On the Rocks and ANC6A

Page 1 of 4



Commission Correspondence of February 9, 2023 Meeting



- recycling from the trash and dumpster area, and seeing that the trash and dumpster area remain clean.
- c. Depositing trash, garbage, and recycling only in authorized rodent-proof dumpsters, and seeing that dumpster covers fit properly and remain fully closed except when trash, recycling, 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 and recycling, removing snow and ice from the sidewalk, and complying with all applicable D.C. laws and regulation in these respects.
- f. 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 shall bring an open container of an alcoholic beverage into the establishment from outside sources, nor shall exit the establishment with an open container of an alcoholic beverage.
- d. Applicant will not provide or sell alcoholic beverages "to go" except as authorized by DC law.
- 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 employees that are designated to serve alcoholic beverages, 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
 - v. The establishment requests that customers do not contribute to panhandlers.
- i. Applicant shall make every effort to prohibit and prevent criminal activity on or in front of the establishment premises, to include:
 - i. Calling appropriate emergency services if illegal activity is observed;
 - ii. Keeping a written record of dates and times (a "call log") when emergency services are called for assistance; and
 - iii. 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.
- k. Applicant will utilize and maintain high-intensity floodlights on the exterior of its premises so as to

Settlement Agreement between On the Rocks and ANC6A

Page 2 of 4



Commission Correspondence of February 9, 2023 Meeting



fully light any abutting alleyway from dusk until dawn, consistent with District of Columbia light pollution regulations, 12-K DCMR § 409.

1. Applicant shall provide valet parking 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.
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.
 - g. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.
4. **Cooperation with ANC 6A.** Applicant is encouraged to work with ANC 6A, the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the ABL Committee, and other Commissioners whose SMDs are adjacent to the location of the establishment to address concerns arising from violations of this agreement.
5. **Modifications.** This Agreement may be modified and such modification implemented by Applicant only by mutual agreement of the parties in writing and the subsequent approval of the modification by the ABC Board pursuant to DC Official Code § 25-446 or as required by District law.
6. **Miscellaneous.**
 - a. Applicant shall retain a copy of this Settlement Agreement in the establishment and have it available for review upon request.

Settlement Agreement between On the Rocks and ANC6A
Page 3 of 4



Commission Correspondence of February 9, 2023 Meeting



- b. Applicant will operate in compliance with all applicable DC laws, regulations, and applicable ABC Board Orders. Any reference to 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.
- c. Applicant is encouraged to participate in a Business Improvement District if one exists.
- d. If any provision of this agreement, or any portion thereof, is held to be invalid or unenforceable, the remainder of the agreement shall nevertheless remain in full force and effect.

7. Enforcement.

- a. If any party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant. The applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default. In cases where the defaulting Party reasonably requires more than ten (10) days to come into compliance, the defaulting Party shall, within ten (10) days, make substantial efforts toward compliance and pursue those efforts until the default is corrected.
- b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement and fail to come into compliance or make substantial efforts toward compliance as provided by Section 7(a) of this agreement, it is understood by all parties that the ANC 6A and/or its committees, or others may immediately petition the Alcohol Beverage Regulatory Administration (ABRA) to investigate violations of this agreement and take appropriate actions per 23 D.C.M.R.
- c. This Settlement Agreement is binding on the applicant and its successors 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: Lance Steglich Date: 12/27/22

Signature: Lance Steglich

Advisory Neighborhood Commission 6A Representative:

By: _____ Date: _____

Signature: _____



Commission Correspondence of February 9, 2023 Meeting



- b. Applicant will operate in compliance with all applicable DC laws, regulations, and applicable ABC Board Orders. Any reference to 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.
- c. Applicant is encouraged to participate in a Business Improvement District if one exists.
- d. If any provision of this agreement, or any portion thereof, is held to be invalid or unenforceable, the remainder of the agreement shall nevertheless remain in full force and effect.

7. Enforcement.

- a. If any party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant. The applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default. In cases where the defaulting Party reasonably requires more than ten (10) days to come into compliance, the defaulting Party shall, within ten (10) days, make substantial efforts toward compliance and pursue those efforts until the default is corrected.
- b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement and fail to come into compliance or make substantial efforts toward compliance as provided by Section 7(a) of this agreement, it is understood by all parties that the ANC 6A and/or its committees, or others may immediately petition the Alcohol Beverage Regulatory Administration (ABRA) to investigate violations of this agreement and take appropriate actions per 23 D.C.M.R.
- c. This Settlement Agreement is binding on the applicant and its successors 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: _____ Date: _____

Signature: _____

Advisory Neighborhood Commission 6A Representative:

By: Erin Sullivan, ANC 6A Alcohol Beverage Licensing Committee Date: January 3, 2023

Signature: *Erin K. Sullivan*



Commission Correspondence of
February 9, 2023 Meeting



**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:

Noble Convenience, LLC
t/a Noble Convenience and Tobacco

Applicant for a New
Retailer's Class A License

at premises
1305 H Street, NE
Washington, D.C. 20002

License No.: ABRA-122919
Order No.: 2023-024

Noble Convenience, LLC, t/a Noble Convenience and Tobacco, Applicant

Erin Sullivan, on behalf of Advisory Neighborhood Commission (ANC) 6A ABL Committee

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Noble Convenience, LLC, t/a Noble Convenience and Tobacco (Applicant), Applicant for a new Retailer's Class A License and ANC 6A have entered into a Settlement Agreement (Agreement), dated December 12, 2022, that governs the operations of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Erin Sullivan, on behalf of ANC 6A, are signatories to the Agreement.



Commission Correspondence of February 9, 2023 Meeting



Accordingly, it is this 11th day of January 2023, **ORDERED** that:

1. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
2. Copies of this Order shall be sent to the Applicant and ANC 6A.



Commission Correspondence of February 9, 2023 Meeting



District of Columbia Alcoholic Beverage Control Board

eSigned via DocuSign Docs.com
Donovan Anderson
Key: ac42c0e2005f0b4b73a093a16c08

Donovan Anderson, Chairperson

eSigned via DocuSign Docs.com
James Short
Key: 5476c772520e0c0b1c3320a20402

James Short, Member

eSigned via DocuSign Docs.com
Bobby Cato
Key: 20b03f0e0f0a1d01f1f6a7b0d7917a208

Bobby Cato, Member

eSigned via DocuSign Docs.com
Rafi Alaya Crockett, Member
Key: 8561c0b1840a10e0b94132a0c12781e0

Rafi Crockett, Member

eSigned via DocuSign Docs.com
Jeni Hansen, Member
Key: 8272091c5104474b1506924b1805

Jeni Hansen, Member

eSigned via DocuSign Docs.com
Edward Grandis, Member
Key: 5027bda78050040e14a0db52541ce5

Edward S. Grandis, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879- 1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).



Commission Correspondence of
February 9, 2023 Meeting



Made this _____ day of December, 2022

by and between

Noble Convenience, LLC t/a Noble Convenience and Tobacco (ABRA-122919)
1305 H St, 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 is encouraged 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 establishment.

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 Class A Liquor License at the subject premises; and,

Whereas the parties wish to state their mutual intention and commitment to promote the success, peace, order, quiet, and equity of the community. Both parties recognize the importance of commercial districts (and limited commercial operations within residential districts) and their adjacent neighborhoods that are safe, clean, and "pedestrian friendly."

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 and recycling, 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, garbage, and recycling removal service, regularly removing trash and recycling from the trash and dumpster area, and seeing that the trash and dumpster area remain clean.

Settlement Agreement between Noble Convenience and Tobacco and ANC6A

Page 1 of 2



Commission Correspondence of February 9, 2023 Meeting



- c. Depositing trash, garbage, and recycling only in authorized rodent-proof dumpsters, and seeing that dumpster covers fit properly and remain fully closed except when trash, recycling, 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 and recycling, removing snow and ice from the sidewalk, and complying with all applicable D.C. laws and regulation in these respects.
- f. 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 shall bring an open container of an alcoholic beverage into the establishment from outside sources, nor shall exit the establishment with an open container of an alcoholic beverage.
- d. Applicant will not provide or sell alcoholic beverages "to go" except as authorized by DC law.
- 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 employees that are designated to serve alcoholic beverages, 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
 - v. The establishment requests that customers do not contribute to panhandlers.
- i. Applicant shall make every effort to prohibit and prevent criminal activity on or in front of the establishment premises, to include:
 - i. Calling appropriate emergency services if illegal activity is observed;
 - ii. Keeping a written record of dates and times (a "call log") when emergency services are called for assistance; and
 - iii. 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.
- k. Applicant will utilize and maintain high-intensity floodlights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn, consistent with District of Columbia light

Settlement Agreement between Noble Convenience and Tobacco and ANC6A

Page 2 of 2



Commission Correspondence of February 9, 2023 Meeting



pollution regulations, 12-K DCMR § 409.

1. Applicant shall provide valet parking 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.
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.
4. **Cooperation with ANC 6A.** Applicant is encouraged to work with ANC 6A, the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the ABL Committee, and other Commissioners whose SMDs are adjacent to the location of the establishment to address concerns arising from violations of this agreement.
5. **Modifications.** This Agreement may be modified and such modification implemented by Applicant only by mutual agreement of the parties in writing and the subsequent approval of the modification by the ABC Board pursuant to DC Official Code § 25-446 or as required by District law.
6. **Miscellaneous.**
 - a. Applicant shall retain a copy of this Settlement Agreement in the establishment and have it available for review upon request.
 - b. Applicant will operate in compliance with all applicable DC laws and regulations. Any reference to 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.
 - c. Applicant is encouraged to participate in a Business Improvement District if one exists.
 - d. If any provision of this agreement, or any portion thereof, is held to be invalid or unenforceable, the remainder of the agreement shall nevertheless remain in full force and effect.
7. **Enforcement.**
 - a. If any party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant. The applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default. In cases where the defaulting Party reasonably requires more than ten (10) days to come into compliance, the defaulting Party shall, within ten (10) days, make substantial efforts toward compliance and pursue those efforts until the default is corrected.
 - b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement and fail to come into compliance or make substantial efforts toward compliance as provided by Section 7(a) of this agreement, it is understood by all parties that the ANC 6A and/or its committees, or others may immediately petition the Alcohol Beverage Regulatory Administration (ABRA) to investigate violations of this agreement and take appropriate actions per 23 D.C.M.R.
 - c. This Settlement Agreement is binding on the applicant and its successors and will continue in force for any and all subsequent license holders at this location.



Commission Correspondence of
February 9, 2023 Meeting



In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: BEKELE G DESSIE Date: 11/30/22

Signature: *Bekele Dessie*

Advisory Neighborhood Commission 6A Representative:

By: Erin Sullivan, Chair, ABL Committee ANC 6A Date: 12/12/2022

Signature: *Erin H. Sullivan*



Commission Correspondence of February 9, 2023 Meeting



THE DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:

RMC Group Lounge, LLC
t/a Cru Lounge

Applicant for a New
Retailer's Class CR License

at premises
1360 H Street, NE
Washington, D.C. 20002

License No.: ABRA-122943
Order No.: 2023-022

RMC Group Lounge, LLC, t/a Cru Lounge, Applicant

Erin Sullivan, on behalf of Advisory Neighborhood Commission (ANC) 6A ABL Committee

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that RMC Group Lounge, LLC, t/a Cru Lounge (Applicant), Applicant for a new Retailer's Class CR License and ANC 6A have entered into a Settlement Agreement (Agreement), dated December 7, 2022, that governs the operations of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Erin Sullivan, on behalf of ANC 6A, are signatories to the Agreement.



Commission Correspondence of February 9, 2023 Meeting



Accordingly, it is this 11th day of January 2023, **ORDERED** that:

1. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
2. Copies of this Order shall be sent to the Applicant and ANC 6A.



Commission Correspondence of February 9, 2023 Meeting



District of Columbia Alcoholic Beverage Control Board

eSigned via SeamlessDocu.com
Donovan Anderson
Key: ac43006c10d8904e72000d16ac88

Donovan Anderson, Chairperson

eSigned via SeamlessDocu.com
James Short
Key: 547a372523a6c0d1c322d224b67

James Short, Member

eSigned via SeamlessDocu.com
Bobby Cato
Key: 2d5d3fca7be146176d7b0c7917d20d

Bobby Cato, Member

eSigned via SeamlessDocu.com
Rafi Moya Crockett, Member
Key: b550a91845e18a401415b65c12f1e1

Rafi Crockett, Member

eSigned via SeamlessDocu.com
Jeni Hansen, Member
Key: 821723a1550144747a55f9d2441810

Jeni Hansen, Member

eSigned via SeamlessDocu.com
Edward Grandis, Member
Key: 5027bda78f90142cc14a1eb52541ce5

Edward S. Grandis, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879- 1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).



Commission Correspondence of February 9, 2023 Meeting



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Made this 7th day of December, 2022

by and between

RMC Group Lounge, LLC t/a Cru Lounge (ABRA-122943)
1337 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 is encouraged 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 establishment.

Witneseth

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 Class CR Liquor License at the subject premises; and,

Whereas the parties wish to state their mutual intention and commitment to promote the success, peace, order, quiet, and equity of the community. Both parties recognize the importance of commercial districts (and limited commercial operations within residential districts) and their adjacent neighborhoods that are safe, clean, and "pedestrian friendly."

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 and recycling, 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, garbage, and recycling removal service, regularly removing trash and

Settlement Agreement between Cru Lounge and ANC6A

Page 1 of 4



Commission Correspondence of February 9, 2023 Meeting



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- recycling from the trash and dumpster area, and seeing that the trash and dumpster area remain clean.
- c. Depositing trash, garbage, and recycling only in authorized rodent-proof dumpsters, and seeing that dumpster covers fit properly and remain fully closed except when trash, recycling, 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 and recycling, removing snow and ice from the sidewalk, and complying with all applicable D.C. laws and regulation in these respects.
- f. 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 shall bring an open container of an alcoholic beverage into the establishment from outside sources, nor shall exit the establishment with an open container of an alcoholic beverage.
- d. Applicant will not provide or sell alcoholic beverages "to go" except as authorized by DC law.
- 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 employees that are designated to serve alcoholic beverages, 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
 - v. The establishment requests that customers do not contribute to panhandlers.
- i. Applicant shall make every effort to prohibit and prevent criminal activity on or in front of the establishment premises, to include:
 - i. Calling appropriate emergency services if illegal activity is observed;
 - ii. Keeping a written record of dates and times (a "call log") when emergency services are called for assistance; and
 - iii. 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.
- k. Applicant will utilize and maintain high-intensity floodlights on the exterior of its premises so as to

Settlement Agreement between Cru Lounge and ANC6A

Page 2 of 4



Commission Correspondence of February 9, 2023 Meeting



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fully light any abutting alleyway from dusk until dawn, consistent with District of Columbia light pollution regulations, 12-K DCMR § 409.

- l. Applicant shall provide valet parking 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.

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.
- g. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.

4. **Cooperation with ANC 6A.** Applicant is encouraged to work with ANC 6A, the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the ABL Committee, and other Commissioners whose SMDs are adjacent to the location of the establishment to address concerns arising from violations of this agreement.

5. **Modifications.** This Agreement may be modified and such modification implemented by Applicant only by mutual agreement of the parties in writing and the subsequent approval of the modification by the ABC Board pursuant to DC Official Code § 25-446 or as required by District law.

6. **Miscellaneous.**

- a. Applicant shall retain a copy of this Settlement Agreement in the establishment and have it available for review upon request.

Settlement Agreement between Cru Lounge and ANC6A

Page 3 of 4



Commission Correspondence of February 9, 2023 Meeting



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- b. Applicant will operate in compliance with all applicable DC laws and regulations. Any reference to 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.
- c. Applicant is encouraged to participate in a Business Improvement District if one exists.
- d. If any provision of this agreement, or any portion thereof, is held to be invalid or unenforceable, the remainder of the agreement shall nevertheless remain in full force and effect.

7. Enforcement.

- a. If any party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant. The applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default. In cases where the defaulting Party reasonably requires more than ten (10) days to come into compliance, the defaulting Party shall, within ten (10) days, make substantial efforts toward compliance and pursue those efforts until the default is corrected.
- b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement and fail to come into compliance or make substantial efforts toward compliance as provided by Section 7(a) of this agreement, it is understood by all parties that the ANC 6A and/or its committees, or others may immediately petition the Alcohol Beverage Regulatory Administration (ABRA) to investigate violations of this agreement and take appropriate actions per 23 D.C.M.R.
- c. This Settlement Agreement is binding on the applicant and its successors 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: Rayquan Johnson, for RMC Group Lounge, LLC

Date: 12/7/2022

Signature: _____

DocuSigned by:

#B01EPCD7A06433

Advisory Neighborhood Commission 6A Representative:

By: Erin Sullivan, Chair, ABLC Committee ANC 6A Date: 12/12/2022

Signature: _____



Commission Correspondence of
February 9, 2023 Meeting



**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:)	
)	
Bronze DC, LLC)	
t/a Bronze DC)	
)	Case No.: 22-PRO-00092
Applicant for a New)	License No.: ABRA-121843
Retailer's Class CT License)	Order No.: 2022-671
)	
at premises)	
1245 H Street, NE)	
Washington, D.C. 20002)	
)	

Bronze DC, LLC, t/a Bronze DC, Applicant

Sidon Yohannes, Counsel, on behalf of the Applicant

Michael Velasquez, on behalf of Advisory Neighborhood Commission (ANC) 6A

Cherie Mitchell and Carly Rush, Designated Representatives, on behalf of a Group of Five or More Individuals, Protestant

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Aliya Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

**ORDER ON SETTLEMENT AGREEMENT AND DISMISSAL OF
A GROUP OF FIVE OR MORE INDIVIDUALS' PROTEST**

The Application filed Bronze DC, LLC, t/a Bronze DC (Applicant), for a new Retailer's Class CT License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on September 19, 2022, in accordance with D.C. Official Code § 25-601 (2001).



Commission Correspondence of February 9, 2023 Meeting



The official records of the Board reflect that the Applicant and ANC 6A have entered into a Settlement Agreement (Agreement), dated September 8, 2022, that governs the operations of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Michael Velasquez, on behalf of ANC 6A, are signatories to the Agreement.¹

In addition, the Board dismissed the Protest of the Group of Five or More Individuals pursuant to D.C. Official Code § 25-609(b), which states that "...In the event that an affected ANC submits a settlement agreement to the Board on a protested license application, the Board, upon its approval of the settlement agreement, shall dismiss any protest of a group of no fewer than 5 residents or property owners meeting the requirements of § 25-601(2)..."

Accordingly, it is this 21st day of September 2022, **ORDERED** that:

1. The Application filed by Bronze DC, LLC, t/a Bronze DC, for a new Retailer's Class CT License, located at 1245 H Street, NE, Washington, D.C., is **GRANTED**;
2. The above-referenced Settlement Agreement submitted by the Applicant and ANC 6A to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
3. The Protest of the Group of Five or More Individuals is **DISMISSED**; and
4. Copies of this Order shall be sent to the Parties.

¹ The Board received an emergency petition, dated September 20, 2022, from the dismissed group. Nevertheless, there is no evidence of proper service on the other parties pursuant to 23 DCMR §§ 1703.1 and 1703.7, and no certificate of service pursuant to 23 DCMR § 1703.6 was included. Therefore, it is not currently eligible for consideration by the Board.



Commission Correspondence of February 9, 2023 Meeting



District of Columbia Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: 4c33061249d105e4b723003180c08

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 5474a3738205d6a081303542040c0

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256c3fc0d0a146d774b75b07817d20d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: 5550e91845a159e401d155e5c128b1c2

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 8217291850944743150812a41805

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda780f0040ec14adeb52541ca5

Edward S. Grandis, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879- 1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).



Commission Correspondence of February 9, 2023 Meeting



Made this 8th day of Sept, 2022

by and between

Bronze DC (ABRA - 121813)
1245 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 is encouraged 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 establishment.

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 Class CT Liquor License at the subject premises; and,

Whereas the parties wish to state their mutual intention and commitment to promote the success, peace, order, quiet, and equity of the community. Both parties recognize the importance of commercial districts (and limited commercial operations within residential districts) and their adjacent neighborhoods that are safe, clean, and "pedestrian friendly."

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. Having employees pick up trash and recycling, including beverage bottles and cans, and all other trash a minimum of twice daily
 - b. Maintaining regular trash, garbage, and recycling removal service, regularly removing trash and recycling from the trash and dumpster area and seeing that the trash and dumpster area remain clean.
 - c. Depositing trash, garbage, and recycling only in rodent-proof dumpsters, and making reasonable efforts to see that dumpster covers fit properly and remain fully closed except when trash, recycling,

Settlement Agreement between Bronze DC and ANC6A

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Commission Correspondence of February 9, 2023 Meeting



- 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. Making best efforts to assist in maintenance of the curbs in front of the establishment to keep them free of trash and recycling, removing snow and ice from the sidewalk, and complying with all applicable D.C. laws and regulation in these respects.
 - f. 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. Advising 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 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 shall not knowingly permit patrons to bring an open container of an alcoholic beverage into the establishment from outside sources and shall not knowingly permit any patron exit the establishment with an open container of an alcoholic beverage.
 - d. Applicant will not provide or sell alcoholic beverages “to go” except as authorized by DC law.
 - 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 agrees to post signage stating the current legal drinking age, requirement to produce valid identification, and warning about the consumption of alcoholic beverages during pregnancy, in accordance with DC Code §25-712 and §25-713. Applicant shall take reasonable measures to ensure that security staff/personnel are properly trained to address potential safety and security issues that may arise. Applicant shall make every effort to prohibit and prevent criminal activity on or in front of the establishment premises, including, calling appropriate emergency services if illegal activity is observed.
 - h. Applicant will utilize and maintain high-intensity floodlights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn, consistent with District of Columbia light pollution regulations, 12-K DCMR § 409.
- 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 in the summer garden, Applicant agrees that the outdoor space will remain fully enclosed, except for normal use of windows for regular ventilation.
 - i. Applicant shall inform its patrons by signage and other means that residences are in proximity to the Establishment and urge quiet and decorum by patrons upon exiting the Establishment.
 - d. The enclosed summer garden shall close at 2:00am Sunday through Thursday evenings and 3:00am on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that

Settlement Agreement between Bronze DC and ANC6A

Page 2 of 4



Commission Correspondence of February 9, 2023 Meeting



- time and the patio must be cleared of all patrons and staff.
- e. If the summer garden is not enclosed, any entertainment in the summer garden shall end at 8:00pm Sunday through Saturday.
4. **Cooperation with ANC 6A.** Applicant is encouraged to work with ANC 6A, the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the ABL Committee, and other Commissioners whose SMDs are adjacent to the location of the establishment to address concerns arising from violations of this agreement.
5. **Modifications.** This Agreement may be modified, and such modification implemented by Applicant only by mutual agreement of the parties in writing and the subsequent approval of the modification by the ABC Board pursuant to DC Official Code§ 25-446 or as required by District law.
6. **Miscellaneous.**
- a. Applicant shall retain a copy of this Settlement Agreement in the establishment and have it available for review upon request.
 - b. Applicant will operate in compliance with all applicable DC laws and regulations. Any reference to 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.
 - c. Applicant is encouraged to participate in a Business Improvement District if one exists.
 - d. If any provision of this agreement, or any portion thereof, is held to be invalid or unenforceable, the remainder of the agreement shall nevertheless remain in full force and effect.
7. **Enforcement.**
- a. If any party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant. The applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default. In cases where the defaulting Party reasonably requires more than ten (10) days to come into compliance, the defaulting Party shall, within ten (10) days, make substantial efforts toward compliance and pursue those efforts until the default is corrected.
 - b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement and fail to come into compliance or make substantial efforts toward compliance as provided by Section 7(a) of this agreement, it is understood by all parties that the ANC 6A and/or its committees, or others may immediately petition the Alcohol Beverage Regulatory Administration (ABRA) to investigate violations of this agreement and take appropriate actions per 23 D.C.M.R.
 - c. This Settlement Agreement is binding on the applicant and its successors 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: Jordan "Keem" Hughley Date: 09/08/2022

Signature: 

Settlement Agreement between Bronze DC and ANC6A
Page 3 of 4



Commission Correspondence of
February 9, 2023 Meeting



Advisory Neighborhood Commission 6A Representative:

By: _____

Michael Velazquez

Date: _____

9/8/22

Signature: _____

[Handwritten signature]



Consent Agenda



Community Outreach (COC)

Recommendation: ANC 6A send a letter to Councilmember Charles Allen requesting the DC Council offer a resolution honoring the late Mr. William Outlaw honoring his long-time service to the Capitol Hill community.

Transportation and Public Space (TPS)

Recommendation: ANC 6A send a letter of support to HSEMA for the 2023 Capitol Hill Classic Races.

Recommendation: ANC 6A send a letter of support to DDOT Public Space Committee to enclose a second floor balcony at 207 14th Place NE. (Public Space Permit #B2107610)

Recommendation: ANC 6A send a letter to DDOT regarding **sidewalk repairs, sidewalk gaps, and pedestrian infrastructure**.

Recommendation: ANC 6A send a letter of support to the DC Council for the Automated Traffic Enforcement Effectiveness Amendment Act of 2022

(<https://lms.dccouncil.gov/downloads/LIMS/51272/Introduction/B24-0998-Introduction.pdf>) and the Reckless Driver Accountability Act of 2022

(<https://lms.dccouncil.gov/downloads/LIMS/51379/Introduction/B24-1027-Introduction.pdf>).



Consent Agenda



March XX, 2023

The Honorable Charles Allen
Council of the District of Columbia
1350 Pennsylvania Avenue NW, Suite 110
Washington DC 20004

Dear Councilmember Allen:

At a regularly scheduled and properly noticed meeting¹ on March 9, 2023, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to request that the DC Council issue a ceremonial resolution mourning Mr. Outlaw's death, celebrating his contributions to our neighborhood, and reaffirming his relationship with the Outlaw Way street sign.

On January 9, 2023, we lost one of the true giants of the Capitol Hill neighborhood. William Outlaw—or, as he was affectionately known to his neighbors, Mr. Outlaw—passed away that day at the age of 95, after decades of service to his community.

Most neighbors who met Mr. Outlaw in recent years knew him a one-man mailroom. Fearful that his neighbors would have their packages stolen from their stoop, Mr. Outlaw took it upon himself to have the neighborhood's packages delivered to his home. Having done so, evenings on the 200-block of 10th Street NE featured a steady stream of visitors to Mr. Outlaw's home, with neighbors coming by to pick up their parcels, catch up on the day's news, and take a lollipop on the way out.

But that was just one of many entries in Mr. Outlaw's record of service. William was drafted into the Army in 1952 and fought in the Korean War until being honorably discharged in 1960, after eight years of distinguished service. Following his retirement from government service in 1982, Mr. Outlaw and his late wife Pocahontas opened a diner on U Street NW named Outlaw's Kitchen—a restaurant that they viewed as a way to nourish the body and soul of their community.

In recent years, the DC Council took initial steps to recognize these contributions. In October of 2018, the DC Council voted to designate the 200-block of 10th Street as Outlaw Way in honor of Mrs. Outlaw and, indirectly, Mr. Outlaw. The street sign bearing the Outlaw Way name now hangs proudly there, a totem for those that share the block.

Following Mr. Outlaw's death, we encourage you and the DC Council to pay tribute to Mr. Outlaw anew.

We appreciate your thoughtful consideration of this matter.

Should you wish to discuss this letter with the Commission, please feel free to reach out to me at AmberANC6A@gmail.com.

¹ ANC 6A meetings are advertised electronically on anc6a@googlegroups.com, and newhilleast@groups.io, at www.anc6a.org, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.



Consent Agenda



On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A



Consent Agenda



March XX, 2023

Mr. Chris Rodriguez, Director
District of Columbia Homeland Security and Management Agency
2720 Martin Luther King, Jr. Avenue SE
Washington, DC 20003

Re: ANC 6A Support for the 2023 Capitol Hill Classic Races

Dear Director Rodriguez,

At a regularly scheduled and properly noticed meeting¹ on March 9, 2023, our Commission voted X-0-0 (with 4 Commissioners required for a quorum) to support the 2023 Capitol Hill Classic 10K and 3K races and Children's Fun Run.

ANC6A supports this race because it is well-organized and supports the Capitol Hill Cluster School DC Public Schools that serve children from ANC6A and other nearby communities. Each year, the race organizers work closely with MPD to devise safe bump-cross routes to be used during the race to allow drivers to cross when runners are not approaching. We value the close collaboration between race organizers and our community.

Thank you for giving great weight to the views of ANC 6A. Should you wish to discuss this letter with the Commission, please feel free to reach out to me at 6A04@anc.dc.gov.

On behalf of the Commission,

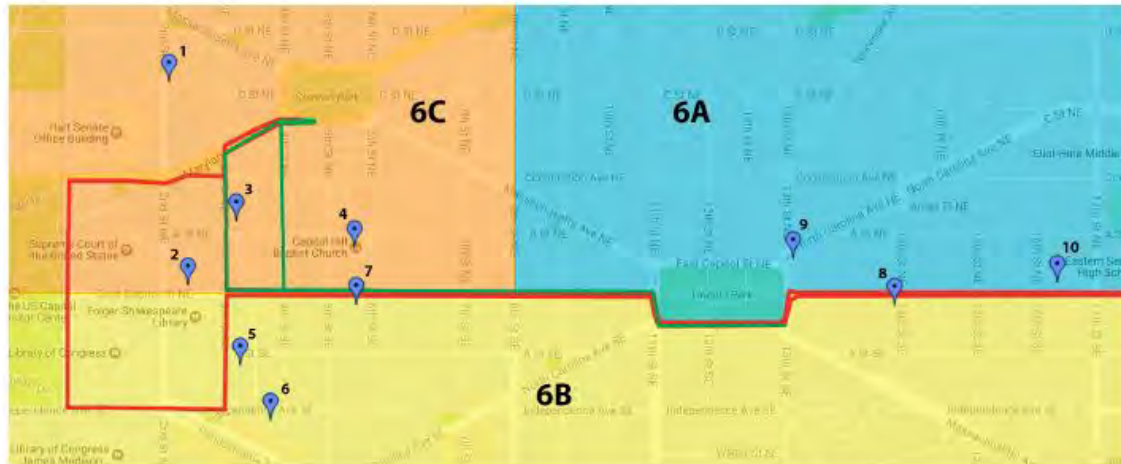
Amber Gove
Chair, Advisory Neighborhood Commission 6A

¹ ANC 6A meetings are advertised electronically on anc6a@googlegroups.com, and newhilleast@groups.io, at www.anc6a.org, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.





2022 Capitol Hill Classic affected churches along 10K and 3K routes



ANC 6C

1. St. Joseph's Catholic Church
313 2nd St NE, 20002 (6C)
2. Lutheran Church of the Reformation
212 East Capitol St NE, 20003 (6C)
3. Faith Tabernacle United Holy Church
300 A St NE, 20002 (6C)
4. Capitol Hill Baptist Church
525 A St NE, 20002 (6C)

ANC 6B

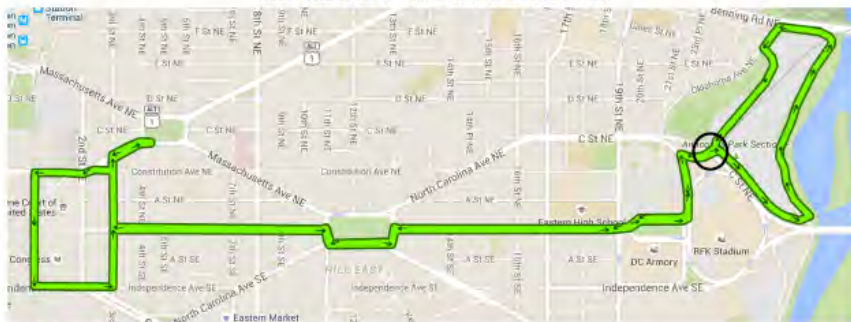
5. St. Mark's Episcopal Church
118 3rd St SE, 20002 (6B)
6. Capitol Hill Presbyterian
201 Independence Ave SE, 20003 (6B)
7. William Penn House
515 East Capitol St SE, 20003 (6B)
8. Holy Comforter-St. Cyprian RCC
1357 East Capitol St SE, 20003 (6B)

ANC 6A

9. Lincoln Park United Methodist Church
1301 North Carolina Ave NE, 20002 (6A)
10. Mt. Moriah Baptist Church
1636 East Capitol St NE, 20003 (6A, parking in 6B)

2023 NCB Capitol Hill Classic 10K Course

race starts at 4th & C St NE at 8:30 AM



Street Closure List (rolling closures)

- C St NE from 5th St NE to 4th St NE
- Maryland Ave from 4th St NE to 2nd St NE/Constitution
- Constitution from 2nd St NE to 1st St NE
- 1st St NE from Constitution to Independence
- Independence from 1st St SE to 3rd St SE
- 3rd St SE from Independence to East Capitol
- East Capitol from 3rd St SE to 22nd St NE, going around the SOUTH side of Lincoln Park
- 22nd St NE from East Capitol to the entrance to RFK parking lots 6 & 7

MPD typically begins shutting down the 10K course, and immediate feeder roads, at 8:00 AM; until the race starts, they will generally allow cars to cross the course but not turn onto it. Once the race starts, the course will be closed to vehicles until the last runners (in 10K or 3K) pass any given location.

Time estimates:

- 9:30-9:45 AM: East Capitol starts reopening (from eastern end)
- 11:00 AM: course west of Lincoln Park begins reopening

NOTE: the 10K course travels in a tunnel under C St NE north of RFK Stadium (circled on map above), meaning that cars can freely cross the course at that point.

<http://capitolhillclassic.com/road-closures/>



Street Closure List (rolling closures)

- MPD typically begins shutting down the 10K course, and immediate feeder roads, at 8:00 AM; until the race starts, they will generally allow cars to cross the course but not turn onto it. Once the race starts, the course will be closed to vehicles until the last runners (in 10K or 3K) pass any given location.

- 9:30-9:45 AM: East Capitol starts reopening (from eastern end)
- 11:00 AM: course west of Lincoln Park begins reopening

<http://capitolhillclassic.com/road-closures/>



Consent Agenda



March XX, 2023

Public Space Committee
District Department of Transportation
250 M Street SE
Washington, DC 20003

Re: ANC 6A Opposition to Public Space Permit #B2107610, 207 14th Place NE

Dear Public Space Committee,

At a regularly scheduled and properly noticed meeting¹ on March XX, 2023 our Commission voted X-0-0 (with 4 Commissioners required for a quorum) to support the enclosure of the balcony at 207 14th Place NE, a portion of which abuts into what is technically classified as public space but is still within the existing footprint of the home.

Thank you for giving great weight to the recommendations of this Commission. I can be contacted at 6A04@anc.dc.gov, Commissioner Gentile can be contacted at 6A05@anc.dc.gov, and Transportation and Public Space Committee Co-Chairs Lynch and Rogger can be contacted at 6ATPSChair@gmail.com.

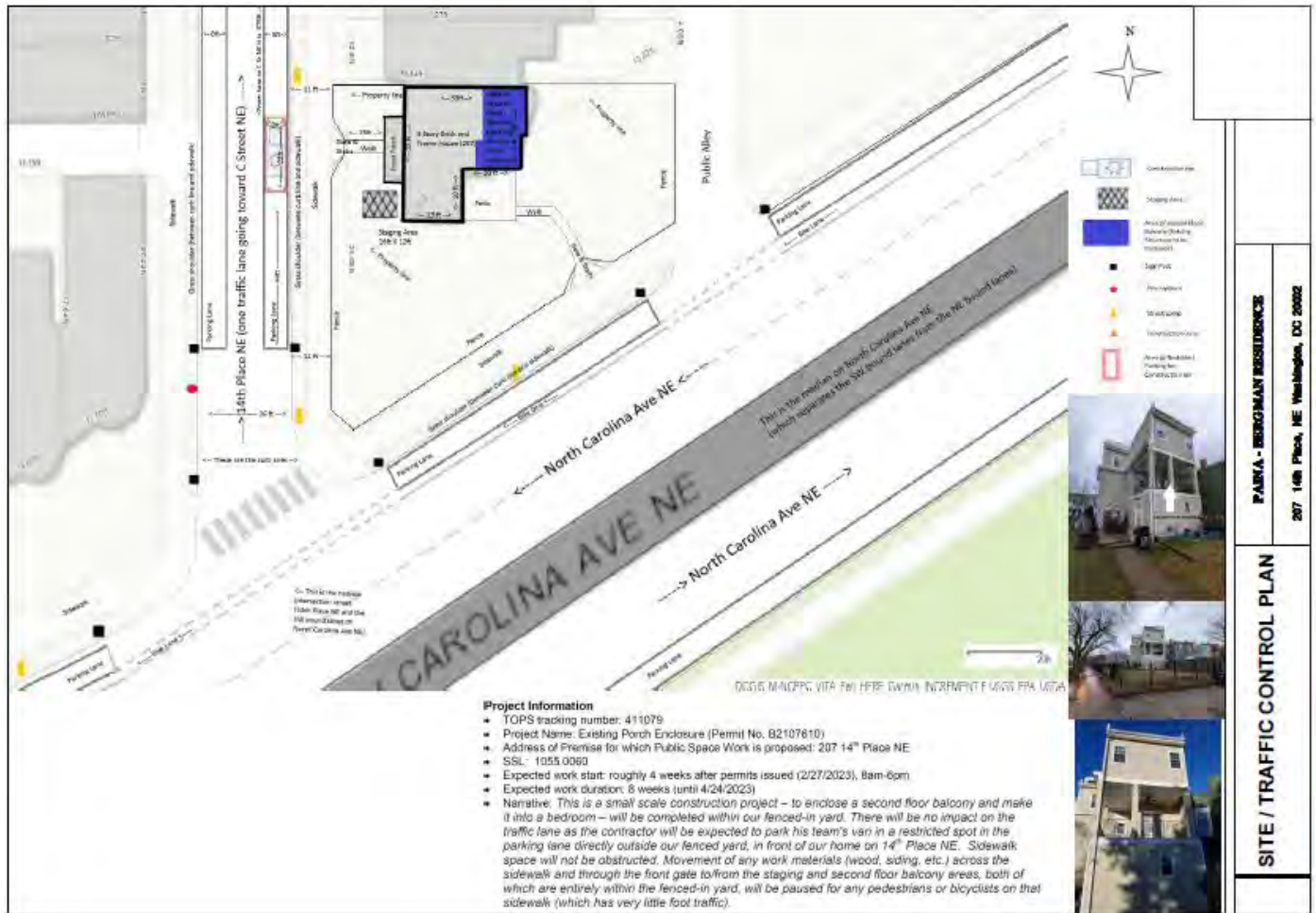
On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

¹ ANC 6A meetings are advertised electronically on anc6a@googlegroups.com, and newhilleast@groups.io, at www.anc6a.org, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.



Consent Agenda





ANC 6A Resolution XX-2023

Call for Greater Transparency and Action to Address Sidewalk Repairs, Sidewalk Gaps, and Pedestrian Infrastructure
Adopted

March XX, 2023

WHEREAS Advisory Neighborhood Commission 6A strongly supports Mayor Muriel Bowser’s Vision Zero efforts to ensure zero fatalities and serious injuries to users of the District’s transportation systems and has consistently acted to further these goals. Sidewalks are critical infrastructure for meeting the District’s Vision Zero goals: Pedestrian injuries and deaths are more than twice as likely to occur in places without sidewalks, and the presence of a sidewalk or pathway on both sides of the street corresponds to a reduction in “walking along road” pedestrian crashes of approximately 88%. Disabled individuals and seniors, among other groups, are at higher risk of injury when sidewalks are missing or are not maintained. Furthermore, dangerous and missing sidewalks are not accessible and discriminate against disabled individuals, despite the District’s commitments to sidewalk accessibility. We are all safer with robust sidewalk and pedestrian infrastructure.

AND WHEREAS in the time since Mayor Bowser launched Vision Zero, not only have traffic fatalities risen in the District, pedestrian fatalities as a share of the total have risen. In 2016, pedestrians were 32% of traffic fatalities, but by 2021, pedestrians were 42.5% of road deaths. In 2022, even as the total number of fatalities dropped by 12.5% and the number of drivers killed fell for the third year in a row, pedestrian deaths rose to 19, the highest in at least 12 years. Fifty-four percent of those killed by drivers in DC last year were walking, standing, or sitting beside the road.

AND WHEREAS the Commission has noticed that sidewalk and other pedestrian infrastructure is de-prioritized in the District’s Vision Zero efforts. For example, the service level agreement timelines for sidewalk and other pedestrian infrastructure are lengthy compared to other timelines – with the District Department of Transportation committing to repairing potholes within three business days (72 hours) of the time they are reported while sidewalk repairs “require a longer timeframe and depend upon funding availability” (DDOT’s performance objective is 270 days) and renewed crosswalk striping “could take 4-6 months to complete.” In addition, the Mayor’s 2022 Vision Zero Update does not mention the word “sidewalk” once and only refers to “pedestrians” in passing. Sidewalk safety is a particular problem on the Hill, where brick sidewalks are more susceptible to hazardous conditions and numerous residents of all ages have fallen and suffered serious injuries. The vast number of unsafe brick sidewalk locations and the frequency with which remediated locations revert to dangerous status, presents a huge challenge to effective, ongoing maintenance of safe sidewalks. The dangerous condition of City sidewalks also presents potentially significant risk management exposure for the City.

AND WHEREAS Advisory Neighborhood Commission 6A has experienced this de-prioritization first-hand in its efforts to seek sidewalk and other pedestrian infrastructure improvements across the Commission area. Commissioners have submitted 311 requests, worked with residents in a constantly evolving petition / Traffic Safety Assessment / Traffic Safety Investigation / Traffic Safety Input process, submitted formal Commission Resolutions and letters, and advocated before the District Department of Transportation and the DC Council seeking sidewalk and other pedestrian infrastructure improvements. These efforts have had minimal success, with requests often ignored, closed, or delayed. In an effort to draw attention to the lack of action on sidewalk and other pedestrian infrastructure improvements, Commissioners and Commissioners across DC have organized events dedicated to submitting requests for improvements. But basic city services like sidewalk and other pedestrian infrastructure improvements should not require such intensive effort and coordinated action.



AND WHEREAS The Vision Zero Enhancement Omnibus Amendment Act of 2020 includes provisions expanding the installation of sidewalks on both sides of the street, connecting new sidewalks to existing sidewalks, and making crosswalks high-visibility crosswalks, as well as requiring publication of requests for all-way or signalized stops, raised crosswalks and/or automated traffic enforcement cameras at intersections and requiring the District Department of Transportation to explain its reasoning when a request is denied. Notably, the Act requires third-party restoration of crosswalks and bike lanes for specific projects — and penalties for failure to comply — within timelines that are stricter than the Department applies to itself. The Act is not fully funded, however, and implementation of these key provisions is lacking. Specifically, despite provisions dedicating revenue from Automated Traffic Enforcement cameras to funding the Act and despite specifications regarding each type of camera required, the District Department of Transportation has not met the camera requirement and it is unclear whether funds from cameras are being directed toward funding the Act.

AND WHEREAS Following public pressure due to slow response times and other challenges with regard to traffic safety infrastructure, on October 12, 2021, Mayor Muriel Bowser and the District Department of Transportation committed to accelerated pedestrian safety projects and a streamlined process for roadway safety improvements, including high visibility crosswalks and concrete curb extensions. Nevertheless, this Commission has not seen a broad or systematic improvement in the installation of high visibility crosswalks or concrete curb extensions to date and it appears based on available data that the vast majority of action taken was driver feedback signs.

AND WHEREAS Residents within Advisory Neighborhood Commission 6A have repeatedly expressed concern regarding speeding and reckless driving, and they have consistently requested traffic calming along neighborhood streets. These residents have submitted 311 service requests and petitions / Traffic Safety Assessments/ Traffic Safety Investigations / Traffic Safety Inputs, as well as worked with the Commission in support of Resolutions and letters to the District Department of Transportation. Sidewalks and other pedestrian infrastructure are central to protecting residents from and preventing speeding and reckless driving. Advisory Neighborhood Commission 6A has persistently advocated for improved sidewalk and pedestrian infrastructure, submitting hundreds of 311 sidewalk repair requests and participating in Sidewalkpalooza events to promote safe infrastructure for people walking.

THEREFORE BE IT RESOLVED Neighborhood Commission 6A reiterates its calls for enhanced prioritization of pedestrian and sidewalk infrastructure to match the level of attention and service to roadway requests and improve pedestrian safety and accessibility, including the following:

- **Audit & Reassessment of Service Level Agreement Timelines.** In May 2021, Commissioners across DC sent a Letter to the District Department of Transportation requesting that the Department similarly assess its service level agreement timelines, noting “scheduled response times are swift for certain roadway services – 3 business days to address a pothole – but provide an extended timeline for other essential traffic safety measures – 130 business days for roadway signs, 270 business days for roadway striping/markings, 270 business days for sidewalk repair, and 130 business days for traffic safety investigations (plus an undetermined amount of time for potential implementation).”

Director Lott indicated at the Washington Area Bicyclist Association’s ANC Vision Zero Caucus meeting on October 18, 2021, and again at the City Council performance hearing on February 27, 2023, that these service level agreement timelines would be reconsidered, but no additional information has been provided. In addition, timeline information on the Department’s webpages has changed, but largely has moved to vague or undetermined timelines that do not require greater urgency. Advisory Neighborhood Commission 6A calls on the District Department of Transportation to consider and modify service level agreement timelines to best reflect citywide priorities and needs, including as to sidewalks and other pedestrian infrastructure. That information should include how timelines are calculated and what they include (inspection, implementation, etc.) and give consideration to the need for transparency and accountability as to completion of the work itself.



Advisory Commission 6A further requests that the Department create a mechanism to ensure equity in the provision of city services via 311 and communicate that mechanism to Advisory Neighborhood Commissions.

- **Sidewalk Gap Transparency & Urgency.** Commissioners are familiar with the poor condition of neighborhood sidewalks and the extended period of time needed for installation and repair (see above regarding service level agreement timelines). The District Department of Transportation’s performance oversight documents indicate an even bleaker state of affairs, with eight segments filled in Fiscal Year 2021. Part of the challenge is a lack of transparency: it is hard to understand the full scope of sidewalk gaps and what is needed to address those gaps in a timely fashion. In addition, there is no public information regarding the Department’s priority list for sidewalk gaps. The Commission appreciates that the Department is considering adding an equity component to its methodology for prioritizing sidewalk gaps, but clearly the need substantially outweighs capacity.

Advisory Neighborhood Commission 6A calls on the District Department of Transportation to provide details confirming the full scope of sidewalk gaps, as well as the Department’s sidewalk gap priority list, including information regarding which sidewalk gaps are prioritized and why, as well as the anticipated cost to address all sidewalk gaps.

- **Proactive Sidewalk Condition Audit.** Similar to sidewalk gaps there is limited transparency regarding the District Department of Transportation’s assessment of sidewalk conditions. The Department indicated in their Fiscal Year 2014 and 2015 performance oversight documents that they were working on a survey to assess sidewalk conditions. While that survey was apparently completed in 2015 – as indicated in their Fiscal Year 2016 performance oversight documents – it has never been made public to the Commission’s knowledge. Therefore, there is no way to assess the process and methods used by the Department in conducting the assessment. Furthermore, the Department has continued to rely on that assessment – completed in 2015 – in their current assessment of sidewalk conditions. Relying on outdated and non-public information further places the burden on Advisory Neighborhood Commissions and residents to document sidewalk repairs needed via 311 requests, which heightens equity challenges because some communities and individuals have the capacity to more readily and voluminously submit requests. All city employees should be trained to identify and report sidewalk and crosswalk related infrastructure issues as they traverse the city in their daily routines.

As Commissioners know, fewer 311 requests does not inherently mean there is less need for city services in a specific neighborhood. Advisory Neighborhood Commission 6A calls on the District Department of Transportation to publish its 2015 assessment of sidewalk conditions, including its data and methodology, as well as to conduct a new assessment to accurately reflect sidewalk conditions.

- **Sidewalk Repair Strike Team.** Like all traffic safety infrastructure, there is a scale of sidewalk repair needs, with many requests relatively easily addressed through sidewalk grinding or patching (as opposed to sidewalk construction or reconstruction). As sidewalk infrastructure advocates have noted, “Given the broad impact and modest work for challenges we have categorized as light – and even medium – (not to mention the political value of delivering thousands of wins for communities) long response times seem like an incredible missed opportunity for the agency.” There may be opportunities with laser imaging, detection, and ranging to improve the speed and efficiency of sidewalk repairs.

Advisory Neighborhood Commission 6A calls on the District Department of Transportation to consider and implement a scale of needed sidewalk repairs to streamline the agency’s work and quickly address simpler requests. The agency already has a clear model for this in their differentiation between smaller pothole and larger “roadway repair” requests, and an equivalent sidewalk repair strike team could quickly address these requests, proactively address requests in neighborhoods with need, and assist with sidewalk quality assessments.



- **Efficient Crosswalk Striping.** Annual pavement condition assessments of roadways should include crosswalk condition assessments to ensure equitable restriping and refinishing of deteriorated crosswalks. By no longer depending on constituent reports, the District Department of Transportation can prioritize areas based on deterioration and reduce the burden on under-resourced communities. In addition, the Department could be conducted by emerging automated technologies or through summer employment program teams. Accurate inventories would allow more targeted and efficient use of painting teams.

Advisory Neighborhood Commission 6A calls on the District Department of Transportation to explore methods of systematizing and regularizing crosswalk and pavement marking assessments and conduct assessments on an annual basis.

- **Coordinating Paving & Pedestrian Infrastructure.** The District Department of Transportation has a proactive program for resurfacing streets on a cyclical basis, but streets are frequently repaved without adding long-requested traffic safety infrastructure, including sidewalks and other pedestrian infrastructure. Repaving projects should always include a review of open 311 requests and Traffic Safety Inputs (previously Traffic Safety Investigations and Traffic Safety Assessments) for the relevant location to include sidewalk repairs, curb extensions, high-visibility crosswalks, and vertical traffic calming (raised crosswalks, speed humps, and speed tables), when feasible – a principle embodied in the Vision Zero Enhancement Omnibus Amendment Act of 2020, which requires addressing sidewalk gaps during roadway resurfacing and reconstruction.

Research indicates that drivers increase speeds on newly paved roads; including improved sidewalks, crosswalks, and other traffic calming measures while repaving will help to reduce risk to pedestrians and other road users. Advisory Neighborhood Commission 6A encourages the District Department of Transportation to better integrate sidewalks and other pedestrian infrastructure into its PaveDC program, including through mandating review of open 311 requests and Traffic Safety Inputs when implementing road paving to better holistically address traffic safety infrastructure.

- **Safe Accommodations.** When construction occurs in or requires closing a sidewalk, Section 3 of the Bicycle Safety Amendment Act of 2013 requires the permittee to provide a “safe accommodation” allowing sidewalk users to get around the closure and specifically instructs the District Department of Transportation to issue rules that “[t]reat the blockage of a sidewalk ... the same as the closure of a lane of traffic, and ... apply similar regulations as that of a closure of a lane of traffic.”

The Department regularly approves permits that close sidewalks without safe accommodations, however, and holds itself exempt from permitting requirements, including the need to provide safe accommodations around its own sidewalk closures. The Department would not close a street for pothole repair or allow another agency to do so without a signed and noticed detour. As the Bicycle Safety Amendment Act of 2013 provides, similar requirements should apply for sidewalk closures. The Department must not make the District less accessible while it works to make the District more accessible.

Advisory Neighborhood Commission 6A calls on the District Department of Transportation to provide safe accommodations around all sidewalk repair and restoration projects, as well as to require such accommodations from other public agencies, such as DC Water, which receive permits for construction in sidewalks.

- **A Plan & Funding to Meet Need.** The aforementioned requests highlight that sidewalk and other pedestrian infrastructure needs are often addressed on a piecemeal and incomplete basis, relying on resident requests and creating additional burdens and hurdles for under-resourced communities. The District Department of Transportation should holistically address need for a robust pedestrian infrastructure network and the full cost to meet need. Advisory Neighborhood Commission 6A calls on the District Department of Transportation to develop



Consent Agenda



a multi-year pedestrian capital improvement plan that, if funded, will close sidewalk gaps and restore all pedestrian infrastructure to a state of good repair.

THEREFORE, BE IT RESOLVED that Advisory Neighborhood Commission 6A calls on the District Department of Transportation to implement the above recommendations to prioritize pedestrian conditions through planning and implementation of improved service level agreement timelines, better and more regular pedestrian condition assessments, and more regular repair and improvement of sidewalks and pavement markings.

That Advisory Neighborhood Commission 6A calls on the DC Council to require the District Department of Transportation to provide a multi-year pedestrian capital improvement plan that, if funded, will close sidewalk gaps and restore all pedestrian infrastructure to a state of good repair.

FURTHER RESOLVED that the Commission designates Commissioner Gove, ANC 6A04; Commissioner Chatterjee, ANC 6A01; and Commissioner Shapiro, ANC 6A03, to represent the Commission in all matters relating to this Resolution.

Attested by:

Amber Gove

Chair, Advisory Neighborhood Commission 6A

March XX, 2023

This Resolution was approved by a vote of X-0-0 on March XX, 2023 at a public meeting of ANC 6A at which a quorum was present.



Consent Agenda



March XX, 2023

Via email and the ANC Resolution Website to:

Chairperson Phil Mendelson	Councilmember Matthew Frumin
Councilmember Kenyan R. McDuffie	Councilmember Janeese Lewis George
Councilmember Anita Bonds	Councilmember Zachary Parker
Councilmember Robert C. White	Councilmember Charles Allen
Councilmember Christina Henderson	Councilmember Vincent C. Gray
Councilmember Brianne Nadeau	Councilmember Trayon White, Sr.
Councilmember Brooke Pinto	

Re: ANC6A letter of support for the Automated Traffic Enforcement Effectiveness Amendment Act and the Reckless Driver Accountability Act

Dear Councilmembers:

At a regularly scheduled and properly noticed meeting¹ on March 9, 2023, our Commission voted X-X-X (with 4 Commissioners required for a quorum) to send a letter of support for the Automated Traffic Enforcement Effectiveness Amendment Act and the Reckless Driver Accountability Act.

As noted in the introduction of the Automated Traffic Enforcement Effectiveness Amendment Act of 2022, “Fines have not proven to be an effective enforcement mechanism, as there are several instances of drivers accumulating thousands and thousands of dollars in fines for moving violations to no consequence.” Vehicles operated by habitually aggressive and willfully negligent drivers continue to be photographed by our Automated Traffic Enforcement (ATE) systems, but the \$66 million in outstanding unpaid fines (as of the most recent ATE Semi-Annual Report²) clearly present a system that is not effective at enforcing traffic safety measures, but rather merely at issuing citations. Additionally, several recent instances of gun violence have been linked with vehicles accumulating these thousands of dollars in fines, including one involved with the tragic death of 15-year-old Andre Robertson Jr., who was killed on his front porch last October just steps from Kelly Miller Middle School.

The well-documented lack of reciprocity with Maryland and Virginia on this issue have added to our challenge. During the week of February 14, 2023, a Virginia-tagged vehicle with \$31,800 in 111 unpaid ATE citations (mostly for speeding) was parked on the 900-block of L Street NE. Knowing that out-of-state enforcement has been a significant challenge for the District, multiple community members reported the vehicle to the Department of Public Works (DPW) via 311 for RPP violations in order to have the vehicle immediately booted or towed. DPW indicated they cannot respond to such freelance traffic enforcement reports because that is considered “targeting”, despite the excessive history of negligent driving associated with this particular vehicle. While DPW plans to quadruple their booting crews this year, those crews will

¹ ANC 6A meetings are advertised electronically on anc-6a@googlegroups.com, and newhilleast@groups.io, at www.anc6a.org, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.

² Automated Traffic Enforcement Semi-Annual Report First Half of Fiscal Year 2022
<https://lms.dccouncil.gov/downloads/LIMS/51300/Introduction/RC24-0222-Introduction.pdf>



Consent Agenda



continue to be restricted in their ability to boot out-of-state vehicles, adding yet another impediment to enforcement.

ANC 6A commends the District Department of Transportation's (DDOT) plans to more than double the number of ATE cameras in the District beginning this summer. The ATE expansion will surely increase income generated by the ATE program, but only from those drivers willing to accept responsibility for their actions and able to pay their fines. While an individual ATE citation disproportionately affects our low-income residents, the traffic violence in the District also disproportionately affects our low-income communities, and those drivers with thousands of dollars in unpaid fines are a well-known and persistent threat to all. By implementing a points system to ATE and empowering DPW to impound vehicles with multiple violations, both the Automated Traffic Enforcement Effectiveness Amendment Act and the Reckless Driver Accountability Act offer real opportunities to remove the most threatening vehicles from our streets.

The Automated Traffic Enforcement Effectiveness Amendment Act and the Reckless Driver Accountability Act are clear signs that Councilmembers recognize the ATE system is not effective as currently implemented, and we urgently request the Council's support for and prioritization of these two pieces of legislation. Thank you for giving great weight to the recommendations of this Commission. I can be contacted at 6A04@anc.dc.gov.

On Behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A



Consent Agenda



COUNCIL OF THE DISTRICT OF COLUMBIA
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20004

CHRISTINA HENDERSON
Councilmember, At-Large

Committee Member
Government Operations and Facilities
Health
Labor and Workforce Development
Transportation and the Environment

**Statement of Introduction for the Automated Traffic Enforcement Effectiveness
Amendment Act of 2022
September 19, 2022**

Today, I am introducing the Automated Traffic Enforcement Effectiveness Amendment Act of 2022, along with Councilmembers Brianne K. Nadeau, Elissa Silverman, Brooke Pinto, and Charles Allen.

For most Americans, driving is a part of daily life. Drivers share the road with pedestrians, bicyclists, other drivers, and communities writ large, and all are bound by trust that others will obey the laws that govern road use. One person who breaks that trust by violating traffic laws can cause immense harm and suffering for communities, wreak havoc on infrastructure, and depress feelings of security and civic pride. In the District, the effects of traffic violence are concentrated in the eastern side of the city. In 2020 and 2021, just less than half of all traffic deaths in the District occurred in Wards 7 and 8. Vision Zero, launched in 2015 with the goal of eliminating traffic fatalities by 2024, has not made the progress necessary to achieve that goal. Traffic violence killed 37 people in 2021, a 10-year high. There are also untold numbers of accidents and near misses. While the District continues to work toward the goal of eliminating traffic fatalities by reducing speed limits, installing protected bike lanes, installing speed humps and curb bump-outs, and narrowing traffic lanes, it is equally important to sharpen the tools at our disposal that address the main issue—drivers who violate traffic safety laws.

The District's traffic safety enforcement regime is unique. Unlike most other jurisdictions in the United States, the District has largely withdrawn from its reliance on police officers to enforce traffic laws. Police generally intervene in situations in which drivers in the District are egregiously violating traffic safety laws and pose a clear and immediate danger to themselves and others. Currently, fines and points on a driving record are assigned for moving violations when the violation is recorded by a police officer. Only fines are assessed for moving violations captured by automated traffic enforcement ("ATE") systems, which are cameras installed by the District Department of Transportation ("DDOT") to enforce traffic laws and reduce traffic violations on roadways. In the District, ATE systems capture three types of moving violations: speeding more than 11 miles over the speed limit, running red lights, and running stop signs. Fines have not proven to be an effective enforcement mechanism, as there are several instances of drivers accumulating thousands and thousands of dollars in fines for moving violations to no consequence.

The Automated Traffic Enforcement Effectiveness Amendment Act of 2022 revises Title 18 of the District of Columbia Municipal Regulations ("DCMR") to assess 1 point against the driving record of an individual for each moving violation detected by an automated traffic enforcement ("ATE") system and to assess one additional point to those assessed for a moving violation if the moving



Consent Agenda



COUNCIL OF THE DISTRICT OF COLUMBIA
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20004

violation occurs in a school zone. The first moving violation detected by an ATE system in a two year period will be waived. The legislation also amends the Fiscal Year 1997 Budget Support Act of 1996 to create a rebuttable presumption that the owner of a vehicle was its operator at the time a moving violation is detected by an ATE system. Further, the bill also amends the District of Columbia Traffic Adjudication Act of 1978 to permit a deemed admission of a violation detected by an ATE system to be vacated upon a showing of sufficient evidence that the owner of a vehicle was not its operator. To encourage compliance of traffic laws using private market tools, especially for drivers with out-of-state tags, the bill requires the Director of the DMV to biannually send a report containing the motor vehicle record of drivers who acquire five moving violation infractions in the District to the drivers' respective automobile insurance company. Finally, this bill amends the District of Columbia Traffic Act of 1925 to require the towing or immobilization of a parked vehicle with five or more unpaid moving violations; and to require the towing or immobilization of a parked vehicle displaying counterfeit, stolen, or otherwise fraudulent temporary identification tags.

The bill also amends the DCMR to formalize an existing DMV program which allows the Director to waive assessed points upon the driver's completion of a traffic safety course. The Director may waive assessed points depending on the driving record of the individual, the seriousness of the moving violation, and may waive points under this rule no more than one time each year.

The District has been intentionally incorporating more ATE systems across the city. DDOT carefully assesses the need for ATE systems after receiving complaints from the community through 311 requests and emails, from MPD, after conducting engineering and safety studies field visits, and through the fatal crash review process. Prior to installing an ATE system, DDOT conducts a thorough screening process, which includes an existing conditions review, crash data review, speed data review, and site visits at peak hours. DDOT then monitors drivers' compliance with traffic laws following the installation, and if enough drivers comply with traffic laws, DDOT may move the camera to another location that has been assessed. DDOT prioritizes ATE system placement in alignment with these principals, and will install additional systems throughout the city in the upcoming year to enforce traffic laws.

This legislation would set the District on the path to be a leader in traffic enforcement systems that do not rely on law enforcement. It creates reasonable accommodations for people who make mistakes and structures consequences in the public and private spheres for serial violators. Speeding and running red lights and stop signs threatens the livability of our neighborhoods and compromises the safety of children, pedestrians, bicyclists, and other drivers. The District's reliance on fines as penalties is not and cannot be the only option at our disposal. Traffic violence must end, and we must use and hone all available tools to meet this crisis.



Consent Agenda



Brianne K. Nadeau
Councilmember Brianne K. Nadeau

Christina Henderson
Councilmember Christina Henderson

Elissa Silverman
Councilmember Elissa Silverman

BE Pinto
Councilmember Brooke Pinto

Charles Allen
Councilmember Charles Allen

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Title 18 of the District of Columbia Municipal Regulations to assess one traffic point per moving violation detected by an automated traffic enforcement system against the driving record of an individual, to add an additional point to those assessed for a moving violation occurring in a designated school zone, and to permit the Director of the Department of Motor Vehicles to waive points from a driving record if the Director approves the driver's petition to complete a traffic safety course; to amend the Fiscal Year 1997 Budget Support Act of 1996 to create a rebuttable presumption that the owner of a vehicle operated the vehicle at the time of a violation detected by an automated traffic enforcement system; to amend the District of Columbia Traffic Adjudication Act of 1978 to permit a deemed admission of a violation detected by an automated traffic enforcement system to be vacated upon a showing of sufficient evidence that the owner of a vehicle was not its operator at the time, to require the Director of the Department of Motor Vehicles to biannually send a report to insurers of driving records of drivers who acquire 5 or more moving violation infractions in the District of Columbia within the preceding 6 months; and to amend the District of Columbia Traffic Act of 1925 to require the towing or immobilization of a parked vehicle with 5 or more unpaid moving violations or displaying counterfeit, stolen, or otherwise fraudulent temporary identification tags.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Automated Traffic Enforcement Effectiveness Amendment Act of 2022."



44 Sec. 2. Section 303 of Title 18 of the District of Columbia Municipal Regulations (18
45 DCMR § 303) is amended as follows:

46 (a) Subsection 303.2 is amended by inserting new paragraph (ii) to read as follows:

47 “(ii) Violations detected by an automated traffic enforcement system. 1
48 point”.

49 (b) New subsections 303.18 and 303.19 are added to read as follows:

50 “303.18 The Director shall assess one additional point for any moving violation that
51 occurs within a designated school zone.”.

52 “303.19 The Director may waive points assessed for moving violations to a driving
53 record if, when contesting a ticket that assigns points to their driving record for a traffic violation
54 assessed pursuant to the schedule in § 303.2, a licensee requests that the points be waived
55 following completion of a traffic safety course approved by the Director. The Director shall
56 consider the driving record of the licensee and the seriousness of the violation in determining the
57 licensee’s eligibility to waive the respective points. If the licensee is deemed eligible for this
58 option, the Director shall waive the points upon the licensee paying the ticket fine for the traffic
59 violation and the Director confirming receipt of documentation certifying that the licensee
60 successfully completed the course. The Director shall not waive points more than one (1) time in
61 twelve (12) months.”.

62 Sec. 3. Title IX of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9,
63 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01 *et seq.*), is amended as follows:

64 (a) Section 901 (D.C. Official Code § 50-2209.01) is amended by adding a new
65 subsection (d) to read as follows:



66 “(d) Notwithstanding subsection (c) of this section, an individual’s driver’s license or
67 privilege to operate a motor vehicle in the District may be suspended or revoked for a violation
68 detected by an automated traffic enforcement system if the subsequent assessment of traffic
69 points pursuant to Chapter 3 of Title 18 of the District of Columbia Municipal Regulations
70 compels suspension or revocation.”.

71 (b) Section 902 (D.C. Official Code § 50-2209.02) is amended as follows:

72 (1) A new subsection (a-1) is added to read as follows:

73 “(a-1)(1) For purposes of the assessment of traffic points against an individual’s driving
74 record pursuant to Chapter 3 of Title 18 of the District of Columbia Municipal Regulations, the
75 owner of a motor vehicle issued a notice of infraction for a violation recorded by an automated
76 traffic enforcement system shall be presumed to have been the operator of the vehicle at the time
77 of the violation. If one vehicle is registered to two individuals, the individuals shall register as
78 primary and secondary registrants, and the primary registrant shall be presumed to be the
79 operator of the vehicle at the time of the violation. Such presumptions may be rebutted by the
80 presentation of sufficient evidence in the answer to the notice of infraction or at a hearing
81 requested pursuant to subsection (c) of this section.

82 “(2) Traffic points shall not be assessed against the operator of a vehicle for the
83 first violation detected by an automated traffic enforcement system in a two year period.”.

84 (2) Subsection (b) is amended as follows:

85 (A) The existing text is redesignated as paragraph (1).

86 (B) A new paragraph (2) is added to read as follows:

87 “(2) The Mayor shall include with the notice of infraction:



88 “(A) A warning that violations detected by an automated traffic
89 enforcement system and admitted by the operator, or established after a hearing held pursuant to
90 section 206 of the District of Columbia Traffic Adjudication Act of 1978, effective September
91 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2302.06), may result in the assessment of
92 traffic points against the operator’s driver’s license; and

93 “(B) A copy of the point schedule set forth in 18 DCMR § 303.2
94 conveying the traffic points assessable for various violations detectable by automated traffic
95 enforcement systems.”.

96 (3) Subsection (c) is amended to read as follows:

97 “(c) An owner or operator who receives a citation may request a hearing which shall be
98 adjudicated pursuant to Title II of the District of Columbia Traffic Adjudication Act of 1978,
99 effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2302.01 *et seq.*).”.

100 Sec. 4. The District of Columbia Traffic Adjudication Act of 1978, effective September
101 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.01 *et seq.*), is amended as follows:

102 (a) Section 109 (D.C. Official Code § 50-2301.09) is amended by adding a new
103 subsection (c) to read as follows:

104 “(c) Twice yearly, the Director shall send a report to the insurers of motor vehicle owners
105 who have 5 or more outstanding moving violation infractions accumulated in the District of
106 Columbia over a 6-month period a copy of the owner’s record.”.

107 (b) Section 205(i)(3) (D.C. Official Code § 50-2302.05(i)(3)) is amended to read as
108 follows:

109 “(3) If the infraction underlying a deemed admission pursuant to subsection (e) of
110 this section involves a violation detected by an automated traffic enforcement system pursuant to



Consent Agenda



111 section 901 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C.
112 Law 11-198; D.C. Official Code § 50-2209.01), the deemed admission may be vacated if the
113 Department receives a written application by mail or through the Department's website within 60
114 days of the date of admission if the application provides sufficient evidence that the respondent:

115 “(A) Was not the owner or lessee of the cited vehicle at the time of the
116 infraction;

117 “(B) Reported that the registration plates were stolen from the cited
118 vehicle at the time of the infraction;

119 “(C) Reported that the cited vehicle was stolen at the time of the
120 infraction; or

121 “(D) Was not the operator of the car at the time of the infraction.”.

122 Sec. 5. Section 6(k)(1) of the District of Columbia Traffic Act, 1925, approved March 3,
123 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03(k)(1)), is amended to read as follows:

124 “(k)(1)(A) Any unattended motor vehicle found parked at any time upon any public
125 highway of the District against which there are 2 or more unpaid notices of infraction or vehicle
126 conveyance fees that the owner was deemed to have admitted or that were established after a
127 hearing, pursuant to sections 305 or 306 of the District of Columbia Traffic Adjudication Act of
128 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code §§ 50-2302.05,
129 2303.06), or section 902 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9,
130 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.02), or against which there have been
131 issued 2 or more warrants may, by or under the direction of a law enforcement officer, member
132 of the Metropolitan Police Department or the United States Park Police, or an employee of the
133 Department of Transportation or Department of Public Works, either by towing or otherwise, be



134 removed or conveyed to and impounded in any place designated by the Mayor or immobilized in
135 such manner as to prevent its operation.

136 “(B) Notwithstanding subparagraph (A) of this paragraph, any unattended
137 motor vehicle found parked at any time upon any public highway of the District against which
138 there are 5 or more unpaid notices of infraction for moving violations adjudicable pursuant to
139 Title II of the District of Columbia Traffic Adjudication Act of 1978, effective September 12,
140 1978 (D.C. Law 2-104; D.C. Official Code § 50-2302.01 *et seq.*), that the owner was deemed to
141 have admitted or that were established after a hearing, pursuant to sections 205 or 206 of the
142 District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law
143 2-104; D.C. Official Code §§ 50-2302.05, 2303.06), or section 902 of the Fiscal Year 1997
144 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-
145 2209.02), or against which there have been issued 5 or more warrants shall, by or under the
146 direction of a law enforcement officer, member of the Metropolitan Police Department or the
147 United States Park Police, or an employee of the Department of Transportation or Department of
148 Public Works, either by towing or otherwise, be removed or conveyed to and impounded in any
149 place designated by the Mayor or immobilized in such manner as to prevent its operation.

150 “(C) In addition to any penalties imposed pursuant to section 4 of the
151 District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C.
152 Official Code § 50-1501.04), any unattended motor vehicle found parked at any time upon any
153 public highway of the District of Columbia displaying counterfeit, stolen, or otherwise fraudulent
154 temporary identification tags shall, by or under the direction of a law enforcement officer,
155 member of the Metropolitan Police Department or the United States Park Police, or an employee
156 of the Department of Transportation or Department of Public Works, either by towing or



157 otherwise, be removed or conveyed to and impounded in any place designated by the Mayor or
158 immobilized in such manner as to prevent its operation.

159 “(D) No vehicle shall be immobilized pursuant to subparagraphs (A)
160 through (C) of this paragraph by any means other than by the use of a device or other mechanism
161 that will cause no damage to such vehicle unless it is moved while such device or mechanism is
162 in place.

163 “(E) The Mayor shall establish communications systems within and
164 between agencies with the ability to identify vehicles eligible for towing or immobilization under
165 sub-paragraphs (A) through (C) of this paragraph, and provide for automated alerts to agencies
166 with towing or immobilization equipment of the need to respond.”.

167 Sec. 6. Applicability date.

168 The provisions of this Act shall apply as of June 1, 2023.

169 Sec. 7. Fiscal impact statement.

170 The Council adopts the fiscal impact statement in the committee report as the fiscal
171 impact statement required by section 602(c)(3) of the District of Columbia Home Rule
172 Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

173 Sec. 8. Effective date.

174 This act shall take effect following approval by the Mayor (or in the event of veto by the
175 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
176 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
177 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
178 Columbia Register.



Janeese Lewis George

Councilmember Janeese Lewis George

Elissa Silverman

Councilmember Elissa Silverman

Brianne K. Nadeau

Councilmember Brianne K. Nadeau

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To authorize the District to create a Driver Accountability program, and require the District to impound motor vehicles in the District with five or more moving violations, or three or more tickets for driving 26 miles per hour over the speed limit or running a red light, unless the owners complete the Driver Accountability program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Reckless Driver Accountability Act of 2022”.

Sec. 2. Driver Accountabilty Program

(a) The Department of Transportation shall create a Driver Accountability traffic safety program. The program shall feature group classes based on a restorative justice model to educate drivers on the impact of reckless driving, and shall include stories of community members affected by traffic violence.



37 “(b) Motor vehicles with five (5) or more moving violations, or 3 or more violations for
38 driving 26 miles per hour over the speed limit or running a red light, within a 365-day period
39 shall be subject to impoundment, unless the vehicle’s owner enrolls in the Driver Accountability
40 program within ten days of notification of the fifth violation and completes the class within 90
41 days after the notification of the last violation.

42 (1) Any vehicle impounded pursuant to this section shall not be released until the
43 vehicle’s owner completes the Driver Accountability program and pays all applicable ticket,
44 towing, and storage fees.

45 (c) The District shall notify, through certified mail, owners of motor vehicles with four
46 moving violations, or 2 violations for driving 26 miles per hour or more over the speed limit or
47 running a red light, that their vehicle will be subject to impoundment following another violation,
48 unless the owner voluntarily enrolls in the Driver Accountability program within 30 days after
49 receiving the notification of the last violation and completing the class within 120 days after the
50 notification of the last violation.

51 (d) Following completion of the Driver Accountability program, motor vehicles shall
52 again be subject to impoundment by the District after receiving another 5 moving violations, or
53 after 3 violations for driving 26 miles per hour or more over the speed limit or running a red
54 light.

55 Sec. 3. Fiscal impact statement.

56 The Council adopts the fiscal impact statement in the committee report as the fiscal
57 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
58 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

59 Sec. 4. Effective date.



Consent Agenda



60 This act shall take effect following approval by the Mayor (or in the event of veto by the
61 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
62 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
63 24, 1973 (87 Stat. 813: D.C. Official Code § 1-206.02(c)(1)) and publication in the District of
64 Columbia Register.



Officer Reports - Treasurer



Treasurer's Report March 2023

Individual/Organization	Expense	Link to Invoice	Amount	Check No.	Status
Office of the DC Auditor	Security fund payment	TBD	\$ 50.00	2046	Unpaid
Anna Tsaur	Notetaking services January '23	LINK	\$ 250.00	2047	Unpaid
Anna Tsaur	Notetaking services December '22	LINK	\$ 250.00	2048	Unpaid
Irene Dworakowski	Administrative services December '22	LINK	\$ 765.89	2049	Paid
Irene Dworakowski	Administrative services January '23	LINK	\$ 765.89	2050	Paid
Robb Dooling	Zoom Premium Dec '22-January 23	TBD	\$ 58.29	2051	Paid
Steve Moilanen	Zoom Premium Jan-Feb '23	TBD	\$ 58.29	TBD	Unpaid
Anna Tsaur	Notetaking services February '23	LINK	\$ 250.00	TBD	Unpaid
Irene Dworakowski	Administrative services February '23	LINK	\$ 765.89	TBD	Unpaid
		Unpaid	\$ 1,624.18		



Committee Reports Community Outreach Committee (COC)



Minutes

ANC 6A Community Outreach Committee (COC) of Advisory Neighborhood Commission
(ANC) 6A

Virtual Meeting via Zoom
Regular Meeting - Feb. 27, 2023

Meeting called to order at 7:00 pm.

Quorum present.

COC members present: Adina Wadsworth (Chair), Kelsey Grimes, Clare Dougherty, Gail Sullivan, Stephanie Myers, Elizabeth Corinth, Angelique Dorazio Sanders

COC members absent: None

Commissioners present: Robb Dooling, Steve Moilanen

Panelists: Chibundo Egwuatu, HIPS; Commissioner Moilanen

A round of introductions were made.

Panel Discussion #1:

Chibundo Egwuatu, Sex Worker Advocate for HIPS, advised the Committee that there would be some initiatives to promote safety for sex workers coming to the neighborhood. Before listing the initiatives, she asked to address Committee and Commissioner concerns (and those of our neighbors.)

Commissioner Robb Dooling asked Ms. Egwuatu how to address the issue of used condoms left on sidewalks. Ms. Egwuatu informed him that any resident can call HIPS and have a biohazard team come to clean up the debris associated with sex work.

Chair Adina Wadsworth asked how HIPS addresses trafficking of sex workers, especially minors. Ms. Egwuatu explained that through deep connections with the workers, HIPS can redirect people who may be working against their will.

Committee member Gail Sullivan asked how to prevent sex workers from using private **porches as their own (“after the clubs let out…”)**. **Since it is not known whether those** individuals are sex workers or club goers, it is tricky. But if they are known as sex workers, call the HIPS hotline (1-800-676-4477) and HIPS get someone there.

Ms. Egwuatu listed the initiatives HIPS will be undertaking very soon for community awareness and opportunities for neighbors to support HIPS:

- o Deep canvassing in neighborhoods in support of passing decriminalization laws for sex work;



Committee Reports Community Outreach Committee (COC)



- o Sex worker safety patrols to commence by the end of March 2023 (once training is finished) to include volunteer tables with biowaste disposal sites and snacks;
- o Porch lights for safety - support residents who wish to make their porches safe havens for sex workers to install specific lighting.

Committee member Sullivan asked about the training HIPS volunteers go through. Are sex workers limited to an area (as K Street NE seems very popular)? Ms. Egwuatu said it was 40 hours of harm reduction training. The workers go to where the clients know to find them, which happens to be K Street NE.

The Committee thanked Ms. Egwuatu for the information and look forward to working with HIPS in the future to keep sex workers and our neighborhoods safe.

Panel Discussion #2: Commissioner Steve Moilanen revisited a discussion on how to honor a recently deceased, long-time member of our community, Mr. William Outlaw.

Commissioner Dooling suggested ANC 6A, though Ward 6 Councilmember Charles Allen, request a City Council resolution in honor of Mr. Outlaw. The motion was put before the **Committee and passed unanimously. The motion will be referred to ANC 6A as a “Consent Agenda” item. Commissioner Moilanen accepted the** action for writing the letter.

Community Comments: None

The meeting adjourned at 7:55 pm.



Committee Reports Alcoholic Beverage and Licensing (ABL)



No report. ABL did not meet in February 2023.



Committee Reports Transportation and Public Space (T&PS)



Minutes

ANC 6A Transportation & Public Space Committee Meeting
Tuesday, February 21, 2023 at 7:00 pm
Virtual Meeting via Zoom

- I. Meeting called to order at 7:01 pm.
- II. Introductions & Announcements.
Committee members present: Shaun Lynch (Co-Chair) and Jeff Fletcher
Commissioners present: Amber Gove, Laura Gentile, and Mike Velasquez
- III. Old Business. None.
- IV. New Business
 - A. [8th Street NE Bus Priority Project](#) Update. [Yohannes Bennehoff](#), District Department of Transportation (DDOT) Supervisory Transportation Planner, presented the 30% designs for the 8th Street NE Bus Priority Project. Mr. Bennehoff began the presentation by highlighting **DDOT's Bus Priority Vision and noting that** it is a big push for equity. Commissioner Amber Gove requested Mr. Bennehoff highlight any parts of this project where DDOT is incorporating recommendations from the high injury priority network fixes, such as exist on H Street NE, though none were specifically noted in the presentation. Mr. Bennehoff noted the community interest in maintaining parking along 8th Street as part of the project. The bus stops at the 8th Street NE intersections with E Street NE and L Street NE are being removed due to infrequent use and to proximity to other nearby bus stops. A green infrastructure hardscape project planned for the intersection at 8th Street NE and West Virginia Avenue NE is expected to be delivered after the 8th Street NE Bus Priority Project is complete. Mr. Bennehoff highlighted bus bulb-out installations along the route, and noted that they are required to account for drainage issues. Bus bulb-outs are not being installed in areas where more significant water drainage infrastructure reconstruction would have been required. Flex-posts will be installed in surface pavement buffer space marking to block vehicles from parking in the bus loading areas.

An anonymous community member asked if any of the “no-turn on red” will have camera enforcement? Mr. Bennehoff responded that Automated Traffic Enforcement (ATE) camera **installations are analyzed by the Traffic Safety Division, and aren't necessarily applied to a transportation project.** He added that the 90/92 buses may receiving the new bus-mounted ATE cameras, and that an announcement would be forthcoming.

Another anonymous community member asked how many parking spaces will be removed due to daylighting and bus bulb-outs. Mr. Bennehoff responded that the bus bulb-outs will add parking because the bulb-out is approximately 60 feet long while a traditional bus stop is usually 95-100 feet of no parking. Parking space count standards have evolved from those in prior Notices of Intent (NOIs), where daylighting parking spaces were not counted. In prior NOIs the daylighting parking spaces are not included in the net parking space count. The exact number of parking spaces affected by the project will not be released until the Notice of Intent (NOI).

Commissioner Mike Velasquez asked if there was any thought given to moving the southbound stop at 8th and H Streets NE to the north side of H Street. Mr. Bennehoff responded that, **generally, at particularly busy stops the “far” side is preferred and the existing areas are**



Committee Reports

Transportation and Public Space (T&PS)



already built for a high rider volume. Changes to streetscape (i.e., moving shelters) would be required to account for passenger loading space, which is why the northbound stop does not follow that rule. Replicating that same passenger loading level on the other side of the intersection would conflict with other space issues; if that is something the community is interested in, Mr. Bennehoff suggested a separate discussion on that intersection.

An anonymous community member asked if there will be Transit Signal Priority (TSP) along the route. Mr. Bennehoff responded that TSP was not slated for 8th Street NE yet, and noted that the route would not benefit much from TSP based on the street configuration.

Residents can provide feedback on the form at the bottom of the [8th Street NE Bus Priority Project](#) website or via [email](#). The final design is estimated for completion in spring 2023, and construction is expected to be complete by the end of 2023.

- B. [42nd Annual Capitol Hill Classic 10K, 3K and Fun Run](#). Roberta Stewart, Outreach Chair for the Capitol Hill Classic, presented race course and logistical details for the 42nd Annual Run, scheduled for May 21, 2023. This race is the biggest fundraiser for the [Capitol Hill Cluster School](#), and raises between \$60k and \$100k annually. The race starts and ends at Peabody School at Stanton Park. Street closures begin at 8:00 am. Streets between Lincoln Park and RFK Stadium will reopen at 9:30 am. In accordance **with the Mayor's Clear Streets policy, the event sponsors must post "No Parking" notices 72 hours in advance. They no longer distribute fliers to residents due to concerns of litter.** The race organizers instead do extensive outreach on neighborhood listservs and social media.

Commissioner Gove asked about the maximizing the road closure time for kids to be able to follow the race on bikes and scooters. Ms. Stewart responded that the Metropolitan Police Department (MPD) prefers to reopen the roads as soon as the last runner is through, despite the officially permitted time.

Commissioner Gove made the motion: That ANC 6A send a letter of support to HSEMA for the 2022 Capitol Hill Classic Race. Committee Member Fletcher seconded the motion. The motion passed unanimously, with all ANC Commissioners and TPS Committee Members present voting yes.

- C. Public Space Permit Application #411079. Community Member, Neale Bergman presented details of a permit application for renovation of his private property on an existing footprint partially overlapping public space. He and his spouse have been attempting to receive permit approval to enclose a second-floor balcony on their house, on an existing footprint that partially overlaps public space. They will use existing siding and paint to maintain appearance. They have already received approval from the Public Space Regulation Division. Commissioner Gentile committed her support for the project in her SMD.

Community Member Michael Cushman asked how the house got expanded into public space in the first place. Mr. Bergman responded that the permits accessible online associated with a renovation in 2012 show the footprint existed at that time. That 2012 renovation project did not require a public space permit.

Commissioner Laura Gentile made the motion: That ANC 6A send a letter of support to DDOT to enclose a second-floor balcony at 207 14th Place NE. (Public Space Permit #B2107610).



Committee Reports

Transportation and Public Space (T&PS)



Committee Member Jeff Fletcher seconded the motion. The motion passed unanimously, with all ANC Commissioners and TPS Committee Members present voting yes.

- D. Draft resolution: Calling for Greater Transparency and Action to Address Sidewalk Repairs, Sidewalk Gaps, and Pedestrian Infrastructure. Commissioner Gove discussed a recent ANC 4B resolution as a template draft resolution from ANC 6A. Commissioner Gove wants to draft a **similar letter from ANC 6A to draw DDOT's attention to significant sidewalk issues and to act more practically**. She noted a significant disparity in the three-day response time for road pothole repairs compared to 270 days for sidewalks repairs. Commissioner Gove is collecting the service request numbers from high priority tickets to include with the letter and asked ANC 6A Commissioners to send her tickets they would like to flag (she already has over 100). Additionally, the ANC 6A letter intends to cite the high number of injuries resulting from uneven sidewalks.

Community Member Michael Cushman commented that most of the actions requested [in the ANC 4B letter] will be taken care of once the District funds the Vision Zero Amendment Act of **2020. Additionally, he noted the language of "giving great weight" included with the ANC 4B** letter is unnecessarily divisive, and recommended that phrase be removed from the ANC 6A letter. Letters from the ANC are given great weight on their own. Commissioner Gove responded that she will have an updated letter for the full ANC.

Commissioner Gove made the motion: That ANC 6A send a letter to DDOT regarding sidewalk repairs, sidewalk gaps, and pedestrian infrastructure. Committee Member Fletcher seconded the motion. The motion passed unanimously, with all ANC Commissioners and TPS Committee Members present voting yes.

- E. [Automated Traffic Enforcement \(ATE\)](#). TPS Co-Chair Lynch led a discussion on DDOT's ATE process, including a recent incident reporting an RPP violation involving an out-of-state vehicle with excessive outstanding ATE violations. A damaged, Virginia-tagged vehicle parked on the 900-block of L Street NE was found to have over \$30,000 in 111 unpaid ATE citations. Knowing that out-of-state enforcement has been a significant challenge for the District, multiple community members reported the vehicle to the Department of Public Works (DPW) for Residential Parking Permit (RPP) and abandoned vehicle violations in order to have the vehicle booted or towed. DPW indicated they cannot respond to such freelance traffic **enforcement reports because that is considered "targeting" despite the excessive history of negligent driving**. DPW did eventually tow the vehicle away a day after the initial 311 calls, and only got to it in time because it was apparently disabled; a functioning vehicle with so many outstanding citations would rarely be in one place for so long. DDOT is more than doubling the number of ATE cameras in the District beginning this summer, but without actual enforcement, the ATE program is generating income without making the streets safer from such willfully dangerous drivers. DPW is also quadrupling their booting and towing crews this year, but enforcement reciprocity with Maryland and Virginia continues to be a challenge with \$45 million in unpaid citations from those two states alone as noted in the most recent [ATE Semi-Annual Report](#). Last year DC added restrictions to its already limited ability to enforce outstanding violations by repealing the requirement to pay debt exceeding \$100 in order to renew a driver license. As a matter of equity, an individual ATE citation disproportionately affects low-income residents, but traffic violence in the District also disproportionately affects low income communities. Two pieces of legislation are under review at the DC Council. The [Automated Traffic Enforcement Effectiveness Amendment Act of 2022](#) would assess points on a



Committee Reports Transportation and Public Space (T&PS)



driver license for ATE violations and send twice yearly reports to insurance companies for vehicles with five or more outstanding citations. The [Reckless Driver Accountability Act of 2022](#) would authorize the impoundment of vehicles for five or more moving violations or at least 3 violations of exceeding the speed limit by 26 mph or running a red light within a 365-day period.

Commissioner Velasquez expressed his frustration over this issue, noting that if you drive on our streets exceeding the speed limit over and over again, you deserve to have your vehicle taken from you for some period of time. Most of the violations of the vehicle in question here were exceeding 16 mph. ATE in the District is really only Automatic Traffic Citation because we are not actually enforcing it.

Co-Chair Lynch added that community members can recommend intersections or blocks for the newly funded ATE cameras via the [311 Traffic Safety Input](#) (TSI) service request, but ultimately the safety of our streets is dependent on the actual enforcement.

Commissioner Velasquez also noted that with DPW quadrupling their booting crews for \$1M, they have the opportunity to retrieve the outstanding \$60M [from the last 6 months] which would be a significant return on the \$1M investment.

Commissioner Gove referenced incidents correlating this kind of traffic violence to gun violence, including the tragic death of 15-year-old Andre Robertson Jr., who was killed on his front porch last October just steps from Kelly Miller Middle School. The lookout vehicle had over \$14,000 in outstanding ATE citations, mostly in speeding violations. Additionally, she noted a prior letter voted-on by the ANC recommending 13 locations identified for ATE which could be used for the 311 TSI.

Community Member Michael Cushman commented that ATE as a revenue raiser is a good thing because it goes to implement Vision Zero, and an additional \$20M would fund Safe Routes to School. He highlighted that every piece of legislation the Council passes does not do anything without related funding to implement it. Since the last Vision Zero report was published, DDOT **added 5 new cameras, but we're still waiting for those cameras to add revenue. We need to make sure the laws get implemented.** The next ATE Semi-Annual Report comes out in March **around the same time the Mayor's budget is released. The Mayors budget should tell us how much money is in the Vision Zero enhancement fund; that's where all the revenue above \$99M from ATE goes.** He noted the negative outcome of a possible chain reaction to the Reckless Driver Accountability Act: **when you add points to a car's record, then notify the insurance company, and the insurance company drops the driver or makes the premium cost-prohibitive, the next thing that happens is that you have all these uninsured drivers running around.** He added that the temp tags are an issue, and when a task force was stood up, the DC Office of Racial Equity denied all of the task force recommendations due to equity issues. It is a messy, **complicated, divisive issue when it shouldn't be. Finally, he suggested that for the Clean Hands Certification, perhaps [instead of repealing it] we should have raised the outstanding debt limit to \$1000.**

Community Member Mark Sussman commented that he believes the most dangerous incarnation of these scofflaws are the temp tags. In a recent incident of particularly aggressive driving he witnessed a vehicle with temp tags that expired in June 2020. He noted



Committee Reports Transportation and Public Space (T&PS)



that with the new DC Council and with Councilmember Allen as the new Chair of the **Transportation Committee, there's a new opportunity to take the temp tag issue back up.**

Committee Co-Chair Lynch made the motion: That ANC 6A send a letter of support to the DC Council for the [Automated Traffic Enforcement Effectiveness Amendment Act of 2022](#) and the [Reckless Driver Accountability Act of 2022](#). Commissioner Gentile seconded the motion. The motion passed unanimously, with all ANC Commissioners and TPS Committee Members present voting yes.

- V. Community Comment.
Mark Sussman introduced himself as a prospective TPS Committee member, resident of 6A04 for the past year and half and of ANC 6B for ten years prior to that. Commissioner Gove also **referenced Mr. Sussman's past efforts in making our neighborhood streets safer.**
- VI. Meeting adjourned at 8:41 pm.



Committee Reports Economic Development and Zoning Committee



MINUTES

ANC 6A Economic Development & Zoning Committee Meeting
Virtual Meeting via Zoom
Wednesday, February 15, 2023 at 7:00 pm

Present:

Members: Brad Greenfield (Chair), Mike Cushman, Joal Mendonsa, Jeremiah Foxwell

Commissioners: Roberta Shapiro

Brad Greenfield chaired the meeting.

Introductions of Committee Members and Commissioners

Community Comment

None

Previously Heard Cases

There was no discussion of previously heard cases.

Old Business

None

Old Business

1. 1000 - 1016 H Street NE (BZA #20880): Request for Special Exception relief pursuant to Subtitle C § 703 and Subtitle X § 901.2 from the minimum vehicle parking requirements of Subtitle C § 701.5, special exception relief pursuant to Subtitle C § 909 and Subtitle X § 901.2 from the access requirements of Subtitle C § 904.5, and special exception relief pursuant to Subtitle H §§ 910.1 and 1202; and Subtitle X § 901.2 from the development standards of Subtitle H § 901 to construct a new, detached, five-story with cellar and penthouse, 80-unit apartment addition, to existing mixed-use buildings in the NC-16 Zone. *BZA Case scheduled for 03/15/2023.*

Meredith Moldenhauer and Gozde Tanyeri (architect) presented the project. This project had been considered in January 2023, but the committee tabled it to get further consideration of changes and questions. Ms. Moldenhauer reported that the project had been modified to include some retail on the ground floor, and they had gathered a letter from a trash collection company and had a shadow study. Ms. Moldenhauer summarized the project.

One of the changes Ms. Moldenhauer reviewed was that the development was now 78 units, down from 80 units. This decrease was made to accommodate a small ground floor retail space. Ms. Moldenhauer reported that the developer's intent was for the building to be condominiums. Ms. Moldenhauer reported that the plan included some bollards, both on their property and elsewhere in the alley. She said that the developer would work with DDOT to get those bollards that are not on the property approved and installed.

Questions from the committee include questions about the size and location of the retail space, privacy considerations for the ground floor residential units, how IZ works with condominiums, the layout of the ground floor units, whether increasing the height of the building would allow them to bring in more retail, the location of the IZ units, what sustainability features were included in the development, if it would be connected to natural gas, who would own the solar energy credits, how the decision was made about how much retail to include, and community outreach efforts.



Committee Reports Economic Development and Zoning Committee



Ms. Moldenhauer confirmed that the developer had exchanged two of the residential units to make the retail space. She also confirmed that there would be 28 bike spaces, including two spaces for electric bikes. Ms. Moldenhauer reviewed a truck turning diagram to show how trash trucks would enter the alley. Ms. Tanyeri reviewed the shadow study, which showed relatively little shading impact on neighbors, mostly affecting the church next door. Ms. Tanyeri noted that the building will include solar panels, and a green roof.

Discussions within the committee included disappointment that there was not more ground floor retail included. Ms. Moldenhauer indicated that if the developer did not get approval of the project, they would likely move forward with three by right projects. There was commentary during the meeting on the H Street Overlay District and that this new construction is in the retail portion of the overlay district. Ms. Moldenhauer said that the matter of right construction could be entirely residential if the 6000 square foot construction was broken into three separate developments. Mr. Cushman expressed doubts about this assessment, and felt that the stated objectives of the overlay was to have ground floor retail, even if the overlay did not specifically require it. Commissioner Roberta Shapiro suggested that the ground floor units be made artist living/working spaces. Ms. Moldenhauer said that they would look into the idea and get back with an answer if this was viable and acceptable at the ANC meeting. Ms. Moldenhauer reported that they had further discussions with DDOT about the idea of widening the alley, and DDOT refused to consider the idea.

Chair Brad Greenfield moved that EDZ recommend ANC 6A support the request for relief, on condition that the residential units on the ground floor be designated as artist space/studios, and this would be written into the condominium bylaws. Roberta Shapiro seconded the motion. Commissioner Shapiro made a friendly amendment to the motion that the developer make best efforts not to include natural gas in the building. Mr. Greenfield accepted this as a friendly amendment. Mr. Cushman made a friendly amendment that if the conditions are not accepted that ANC 6A oppose the request for relief. Mr. Greenfield accepted this as a friendly amendment. Final motion is that the EDZ recommend ANC 6A support the request for relief, on condition that the residential units on the ground floor be designated as artist space/studios, and this would be written into the condominium bylaws, and that the developer make best efforts not to include natural gas in the building, and that if these conditions are not met, ANC 6A should oppose the request. The motion passed with four votes in favor and one abstention.

New Business

2. 915 Maryland Avenue NE (HPA #23-104/BZA #20891). Request for area variance relief pursuant to Subtitle X § 1002 from the lot occupancy requirements of Subtitle E § 304.1, special exception relief pursuant to Subtitle E § 5201 and Subtitle X § 901.2 from the rear yard requirements of Subtitle E § 5004.1, special exception relief pursuant to Subtitle U § 301.1(g) and Subtitle X § 901.2 from the matter-of-right uses of Subtitle U § 301, and historic review of a project to construct a second story accessory dwelling unit addition to an existing detached, accessory garage in the rear of an existing, attached, three-story principal dwelling unit in the RF-1 zone in the Capitol Hill Historic District. BZA Case scheduled for 05/24/23.

Mr. Ramin Taheri and Mrs. Sara Taheri, the owners, presented the project. Mr. Greenfield noted that the Taheris had requested Committee Member Cushman recuse himself due to a prior interaction. Mr. Cushman refused to recuse himself, saying that he believed he could be impartial. Mr. Taheri stated that they are looking to add a studio office space on top of their existing garage. Mr. Taheri noted that the existing garage is over lot occupancy and rear yard requirements, so any project would



Committee Reports Economic Development and Zoning Committee



require the same relief. Mr. Taheri said that he had letters of support from neighbors. He reviewed the shadow study that had been produced.

Questions from the Committee include whether the size of the addition could be reduced so that a variance would not be required. Mr. Cushman noted that he had concerns about this development resulting in a third dwelling unit on the property, and that this could be alleviated by not having a separate entrance from the alley. Mr. Taheri said that he would be amenable to not having the door off the alley. There was an extended discussion about options that could be used to have the entrance to the space in the back yard.

Mr. Greenfield moved that EDZ recommend ANC 6A support the request for relief, on condition that the plans be updated so that the access to the upper unit is only available from the rear yard and not the alley. Mr. Cushman seconded the motion. The motion passed unanimously, five votes in favor and none opposed.

3. Racial Equity Tool. Discussion of the revised DC Zoning Commission (ZC) Racial Equity Tool, and how it will be used on zoning projects within ANC 6A.

Mr. Greenfield introduced the revised racial equity tool, and discussed the history of the racial equity tool and the roundtable for comments that ZC held. Several members of the Committee stated that they would like more time to review the tool before it is considered by the EDZ. Mr. Greenfield noted that he would request the OAG Land Use office come before the EDZ to discuss the tool and how it is to be applied.

Consideration of this item was tabled, and will be added to the agenda for the March 2023 EDZ meeting.

Next Scheduled ED&Z Committee Meeting:
Wednesday, March 15, 2023
7:00-9:00 pm
Zoom information to be posted on ANC 6A Website



Committee Reports
Economic Development and Zoning Committee



March XX, 2023

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. 20891 (915 Maryland Avenue NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on March 9, 2023, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the request for area variance relief pursuant to Subtitle X § 1002 from the lot occupancy requirements of Subtitle E § 304.1, special exception relief pursuant to Subtitle E § 5201 and Subtitle X § 901.2 from the rear yard requirements of Subtitle E § 5004.1, and special exception relief pursuant to Subtitle U § 301.1(g) and Subtitle X § 901.2 from the matter-of-right uses of Subtitle U § 301 to construct a second story accessory dwelling unit addition to an existing detached, accessory garage in the rear of an existing, attached, three-story principal dwelling unit in the RF-1 zone. Our support is conditional on the plans being updated so that the access to the upper unit is only available from the rear yard and not the alley.

The design has taken measures to ensure that the addition is in the character of the neighborhood and it will not disrupt the privacy, air and light of neighbors. The owner has proven that the special exception criteria have been met through submission of architectural elevations and letters of support from neighbors. The ANC believes that this development will not substantially visually intrude upon the character, scale, and pattern of houses in the neighborhood.

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 6A04@anc.dc.gov and Mr. Greenfield can be contacted at brad.greenfield@gmail.com.

On Behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

¹ ANC 6A meetings are advertised electronically on anc6a@googlegroups.com, and newhilleast@groups.io, at www.anc6a.org, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.



Committee Reports
Economic Development and Zoning Committee



March XX, 2023

Ms. Marnique Heath, AIA Chair
Historic Preservation Review Board
Office of Planning
1100 Fourth Street SW, Suite E650
Washington, DC 20024

Re: HPA 23-104 (915 Maryland Avenue NE)

Dear Ms. Heath:

At a regularly scheduled and properly noticed meeting¹ on March 9, 2023, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the proposed construction of a second story accessory dwelling unit addition to an existing detached, accessory garage in the rear of an existing, attached, three-story principal dwelling unit in the Capitol Hill Historic District. The design has taken measures to ensure that the addition is not visible from the street, and it will not disrupt the historic character of the neighborhood. Our support is conditional on the plans being updated so that the access to the upper unit is only available from the rear yard and not the alley

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,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

¹ ANC 6A meetings are advertised electronically on anc6a@googlegroups.com, and newhilleast@groups.io, at www.anc6a.org, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.



Committee Reports
Economic Development and Zoning Committee





CONSTRUCTION GENERAL NOTES



NOT IN SCOPE OF WORK -

DESIGNER:
ADMIN ETTENREICH

PROJECT:

**915
MARYLAND
AVE NE**

**915 MARYLAND AVE NE
WASHINGTON, DC 20004**

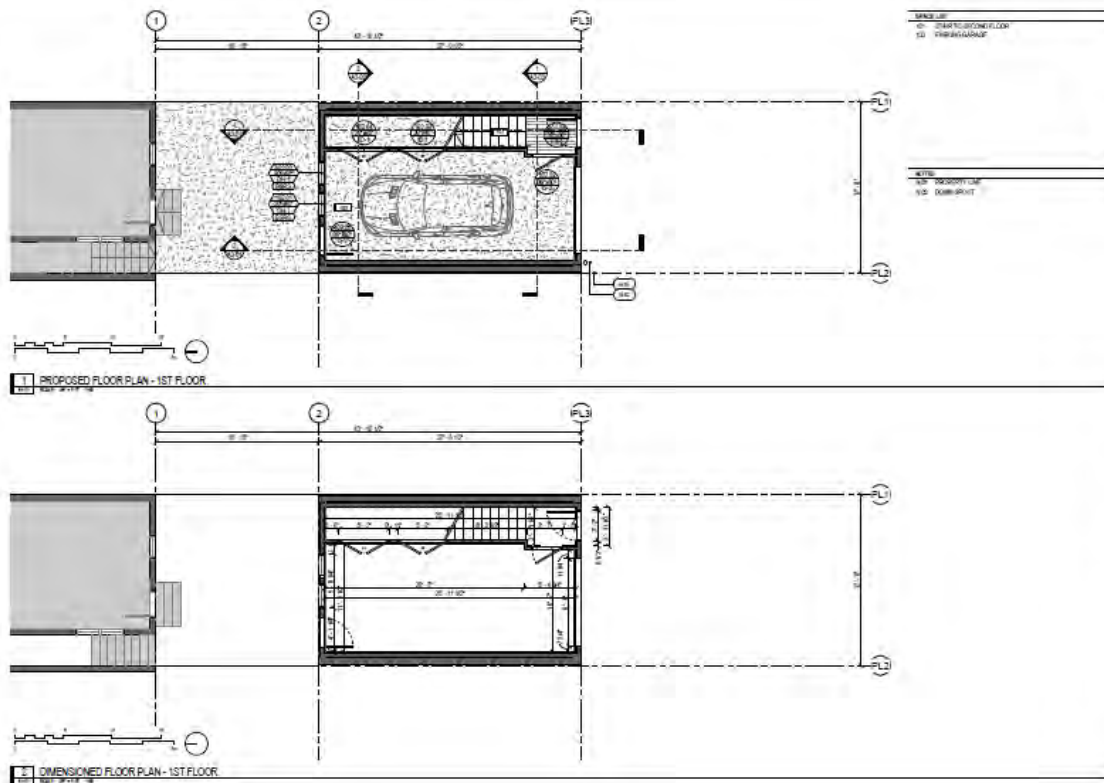
**SQ. FT. 87,637
LOT .0024**

CONSTRUCTION
GENERAL NOTE

G0-02

915
MARYLAND
AVE NE
915 MARYLAND AVE NE,
WASHINGTON, DC 20002

SHEET NAME:



**915
MARYLAND
AVE NE**

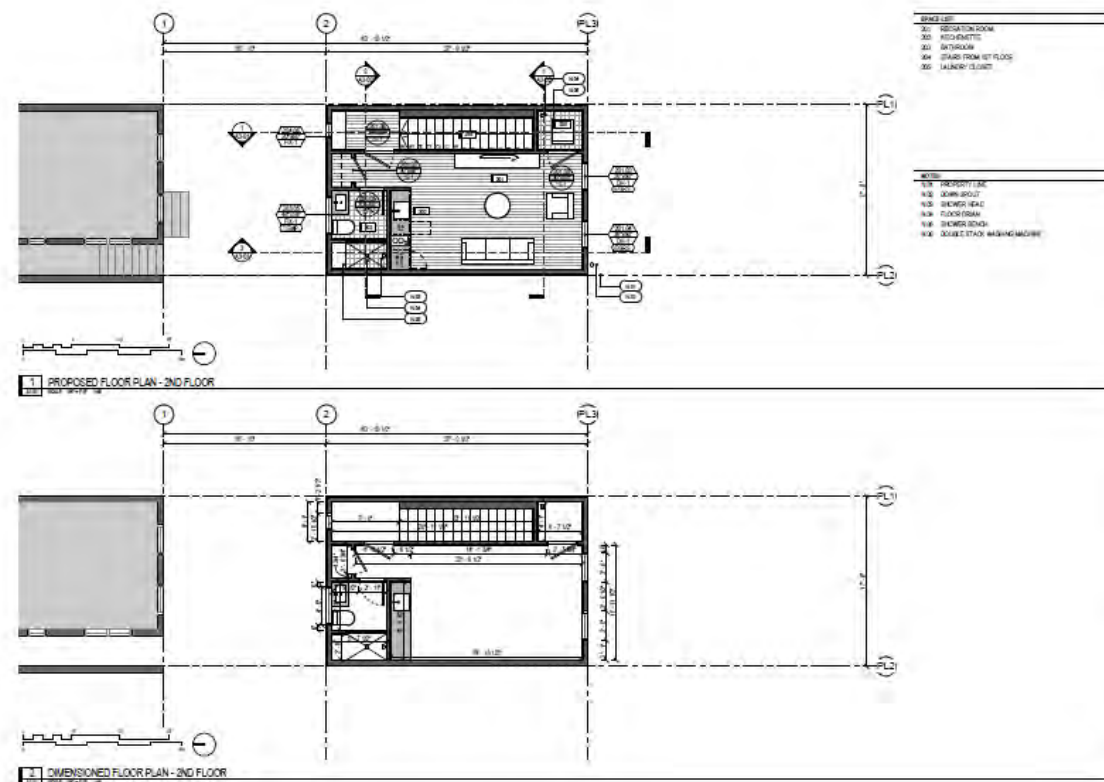
915 MARYLAND AVE NE
WASHINGTON, DC 20001
SQ: 0021
LOT: 0024

Variable	Mean	Standard Deviation
Age	35.5	10.5
Gender	1.5	0.5
Education	12.5	1.5
Income	15.5	5.5
Health	1.5	0.5
Marital Status	1.5	0.5
Religion	1.5	0.5
Occupation	1.5	0.5
Political Party	1.5	0.5
Home Ownership	1.5	0.5
Auto Ownership	1.5	0.5
Life Insurance	1.5	0.5
Retirement Savings	1.5	0.5
Charitable Giving	1.5	0.5
Volunteering	1.5	0.5
Traveling	1.5	0.5
Shopping	1.5	0.5
Eating Out	1.5	0.5
Drinking	1.5	0.5
Smoking	1.5	0.5
Exercise	1.5	0.5
Stress	1.5	0.5
Loneliness	1.5	0.5
Depression	1.5	0.5
Anxiety	1.5	0.5
Anger	1.5	0.5
Jealousy	1.5	0.5
Envy	1.5	0.5
Guilt	1.5	0.5
Shame	1.5	0.5
Embarrassment	1.5	0.5
Humiliation	1.5	0.5
Rejection	1.5	0.5
Isolation	1.5	0.5
Loneliness	1.5	0.5
Depression	1.5	0.5
Anxiety	1.5	0.5
Anger	1.5	0.5
Jealousy	1.5	0.5
Envy	1.5	0.5
Guilt	1.5	0.5
Shame	1.5	0.5
Embarrassment	1.5	0.5
Humiliation	1.5	0.5
Rejection	1.5	0.5
Isolation	1.5	0.5

**FLOOR PLAN -
1ST FLOOR**

A1-01

A1-01



DESIGNED BY
JANIS EITZHAID

PROJECT

915
MARYLAND
AVENUE

915 MARYLAND AVE NE,
WASHINGTON, DC 20002
301-494-2171
1-877-4-ORCA

Table 1. Demographic characteristics of the study population		
Age (years)	Mean (SD)	45.2 (12.5)
Gender		
Male	10	10.0%
Female	90	90.0%
Marital status		
Married	85	85.0%
Single	15	15.0%
Education level		
High school or above	75	75.0%
Below high school	25	25.0%
Occupation		
White collar	60	60.0%
Blue collar	40	40.0%

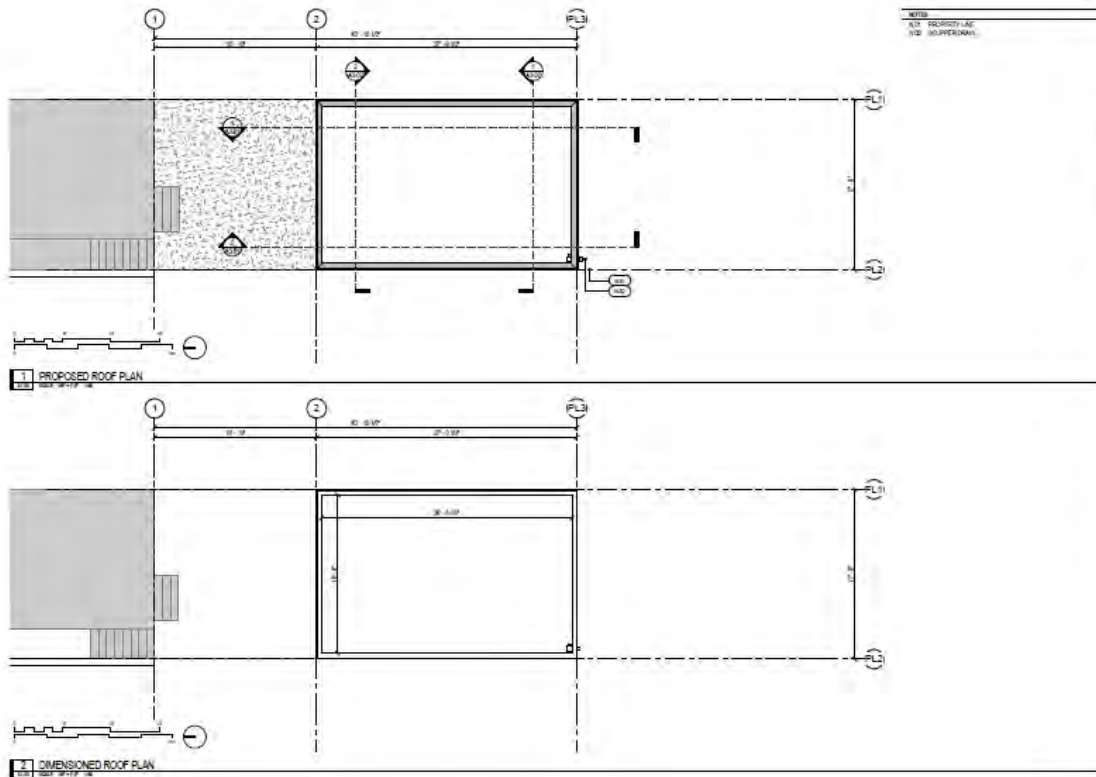
FLOOR PLAN -
2ND FLOOR

A1-02



Committee Reports

Economic Development and Zoning Committee

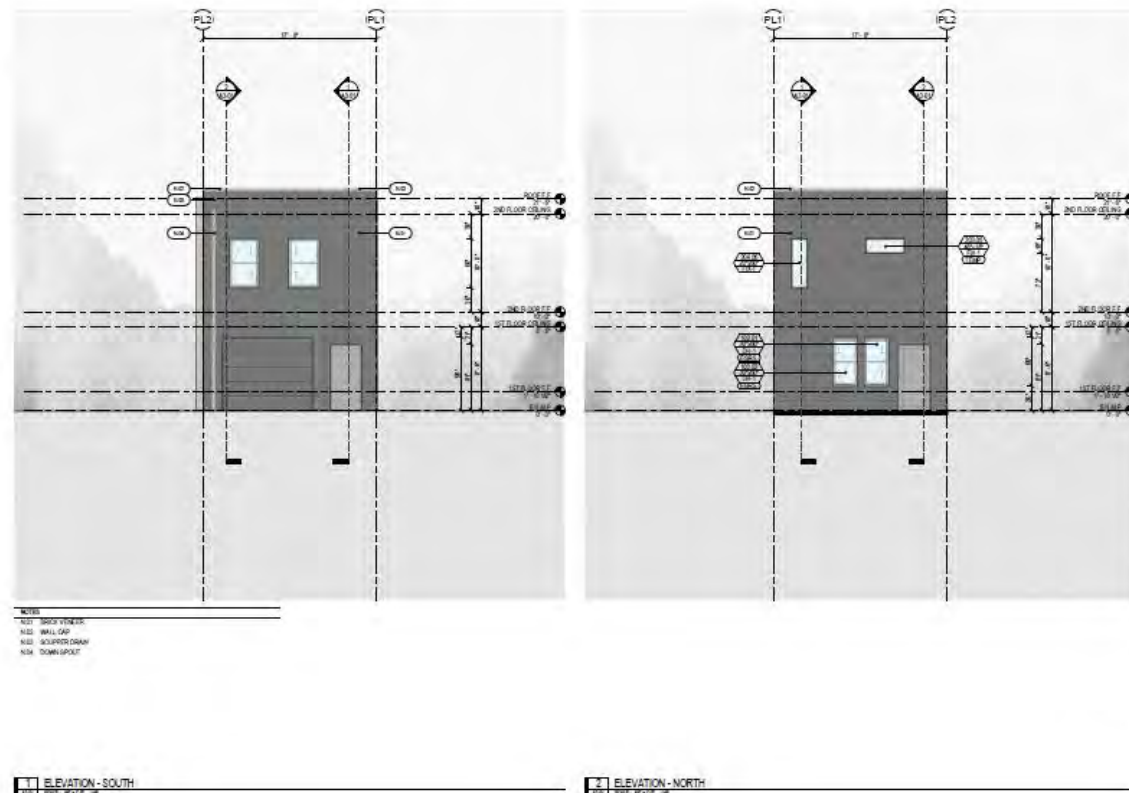


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PROJECT
915 MARYLAND AVE NE
WASHINGTON, DC 20002
SQ. 1000
LOT. 1000

ROOF PLAN

A1-03



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WASHINGTON, DC 20002
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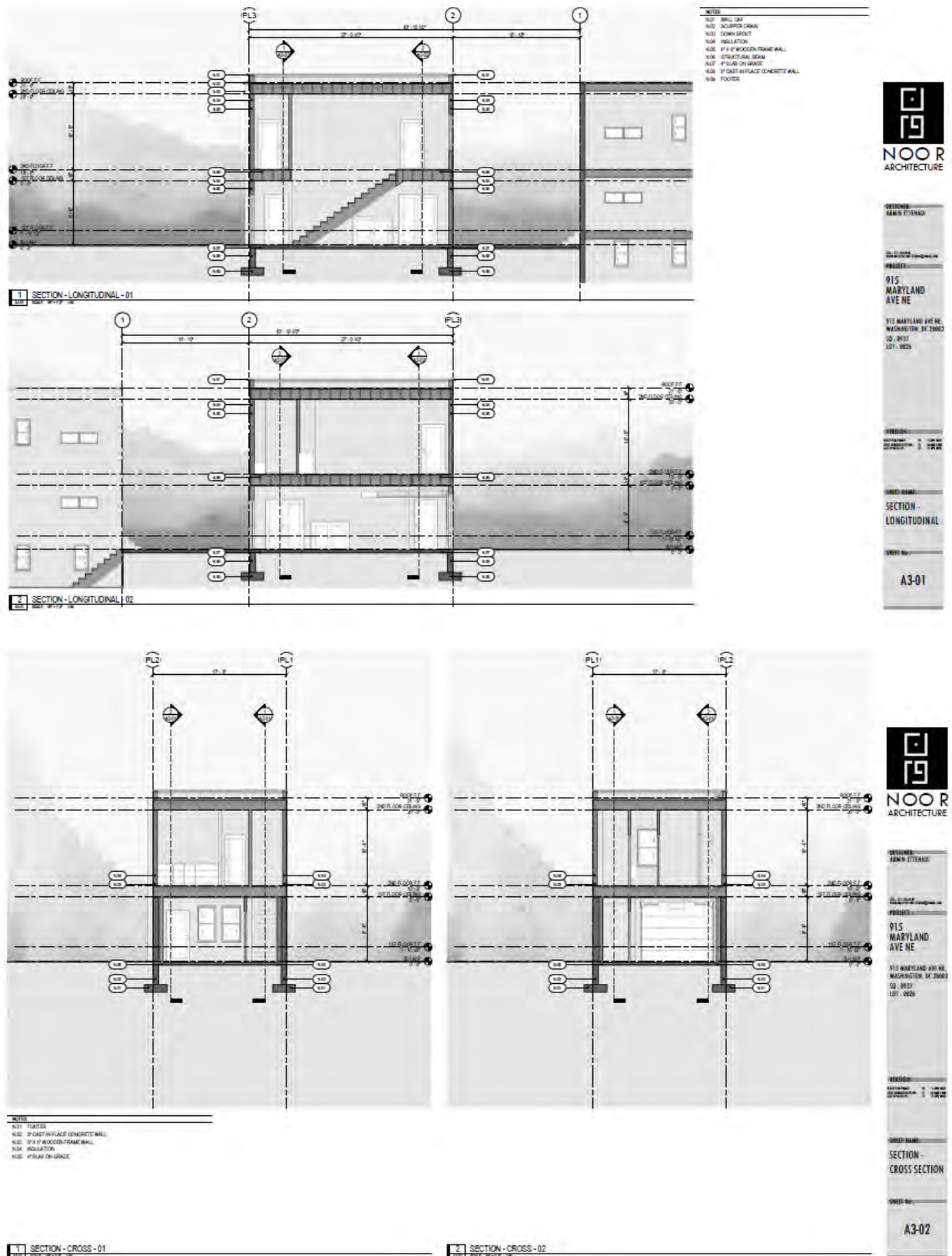
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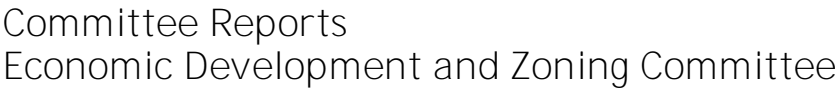
A2-01



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The diagrams show four door configurations with their respective dimensions and a note about door opening.

FIGURE	NOTES
FIGURE 1	FIGURE 2
FIGURE 3	FIGURE 4
FIGURE 5	FIGURE 6
FIGURE 7	FIGURE 8
FIGURE 9	FIGURE 10
FIGURE 11	FIGURE 12
FIGURE 13	FIGURE 14
FIGURE 15	FIGURE 16
FIGURE 17	FIGURE 18
FIGURE 19	FIGURE 20
FIGURE 21	FIGURE 22
FIGURE 23	FIGURE 24
FIGURE 25	FIGURE 26
FIGURE 27	FIGURE 28
FIGURE 29	FIGURE 30
FIGURE 31	FIGURE 32
FIGURE 33	FIGURE 34
FIGURE 35	FIGURE 36
FIGURE 37	FIGURE 38
FIGURE 39	FIGURE 40
FIGURE 41	FIGURE 42
FIGURE 43	FIGURE 44
FIGURE 45	FIGURE 46
FIGURE 47	FIGURE 48
FIGURE 49	FIGURE 50
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FIGURE 57	FIGURE 58
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FIGURE 81	FIGURE 82
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FIGURE 581	FIGURE 582
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FIGURE 595	FIGURE 596
FIGURE 597	FIGURE 598
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FIGURE 601	FIGURE 602
FIGURE 603	FIGURE 604
FIGURE 605	FIGURE 606
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FIGURE 619	FIGURE 620
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FIGURE 631	FIGURE 632
FIGURE 633	FIGURE 634
FIGURE 635	FIGURE 636
FIGURE 637	FIGURE 638
FIGURE 639	FIGURE 640
FIGURE 641	FIGURE 642
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FIGURE 663	FIGURE 664
FIGURE 665	FIGURE 666
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FIGURE 669	FIGURE 670
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FIGURE 673	FIGURE 674
FIGURE 675	FIGURE 676
FIGURE 677	FIGURE 678
FIGURE 679	FIGURE 680
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FIGURE 683	FIGURE 684
FIGURE 685	FIGURE 686
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FIGURE 689	FIGURE 690
FIGURE 691	FIGURE 692
FIGURE 693	FIGURE 694
FIGURE 695	FIGURE 696
FIGURE 697	FIGURE 698
FIGURE 699	FIGURE 700
FIGURE 701	FIGURE 702
FIGURE 703	FIGURE 704
FIGURE 705	FIGURE 706
FIGURE 707	FIGURE 708
FIGURE 709	FIGURE 710
FIGURE 711	FIGURE 712
FIGURE 713	FIGURE 714
FIGURE 715	FIGURE 716
FIGURE 717	FIGURE 718
FIGURE 719	FIGURE 720
FIGURE 721	FIGURE 722
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FIGURE 737	FIGURE 738
FIGURE 739	FIGURE 740
FIGURE 741	FIGURE 742
FIGURE 743	FIGURE 744
FIGURE 745	FIGURE 746
FIGURE 747	FIGURE 748
FIGURE 749	FIGURE 750
FIGURE 751	FIGURE 752
FIGURE 753	FIGURE 754
FIGURE 755	FIGURE 756
FIGURE 757	FIGURE 758
FIGURE 759	FIGURE 760
FIGURE 761	FIGURE 762
FIGURE 763	FIGURE 764
FIGURE 765	FIGURE 766
FIGURE 767	FIGURE 768
FIGURE 769	FIGURE 770
FIGURE 771	FIGURE 772
FIGURE 773	FIGURE 774
FIGURE 775	FIGURE 776
FIGURE 777	FIGURE 778
FIGURE 779	FIGURE 780
FIGURE 781	FIGURE 782
FIGURE 783	FIGURE 784
FIGURE 785	FIGURE 786
FIGURE 787	FIGURE 788
FIGURE 789	FIGURE 790
FIGURE 791	FIGURE 792
FIGURE 793	FIGURE 794
FIGURE 795	FIGURE 796
FIGURE 797	FIGURE 798
FIGURE 799	

2	DOOR LEGENDS
---	--------------

1	SCHEDULE - DOORS
---	------------------

3	DOORS GENERAL NOTES
4	

Figure 1 shows two schematic diagrams of a rectangular room. The left diagram shows a room with a window on the left wall, divided into two panes with arrows indicating air flow from the window towards the center. The right diagram shows a room with a single large window on the right wall, with an arrow indicating air flow from the window towards the center. Both rooms have a door at the bottom center.

2 WINDOW LEGENDS

HYPO-CONCRETE NOTES	
Q511	ALL DIMENSIONING METHODS TO BE SPECIFIED IN FIELD PRIOR TO PLACING ORDER.
Q512	MANUFACTURE, BRAND AND WEIGHT SHALL BE DETERMINED BY CLIENT.
Q513	ALL GLAZING ARE TO BE INSULATED, ARGON, WITH LOW E GLASS.
Q514	GLAZING SYSTEMS: U-VALUE
Q515	GLAZING SHOE: 0.4
Q516	FACTORS OF PENETRATION PRODUCTS ARE DETERMINED IN ACCORDANCE WITH THE INFO ON THE SUPPLY TABLE VALUE.
Q517	WATER & PENETRATION PRODUCTS ARE DETERMINED IN ACCORDANCE WITH THE INFO ON THE SUPPLY TABLE VALUE.
Q518	GLAZING LIFT LIFECOR: U-VALUE
Q519	GLAZING LIFT LIFECOR: U-VALUE IS MAX WITH TRACER GRT. IS 0.5FT DENSITY

SCHEDULE - WINDOW

2 WINDOWS: GENERAL NOTES



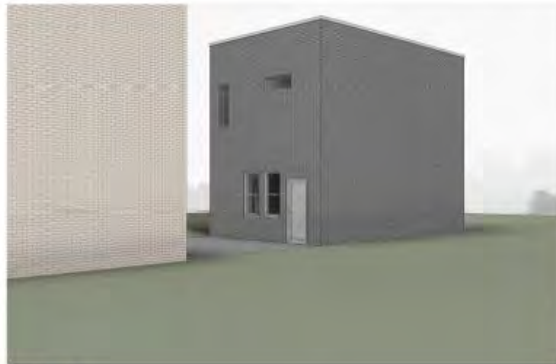


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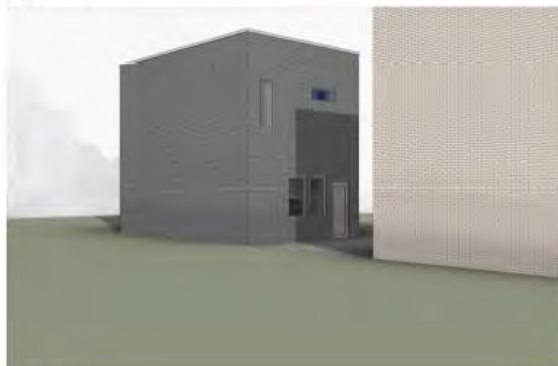
Economic Development and Zoning Committee



1 CAM - 01



2 CAM - 02



3 CAM - 03



4 CAM - 04



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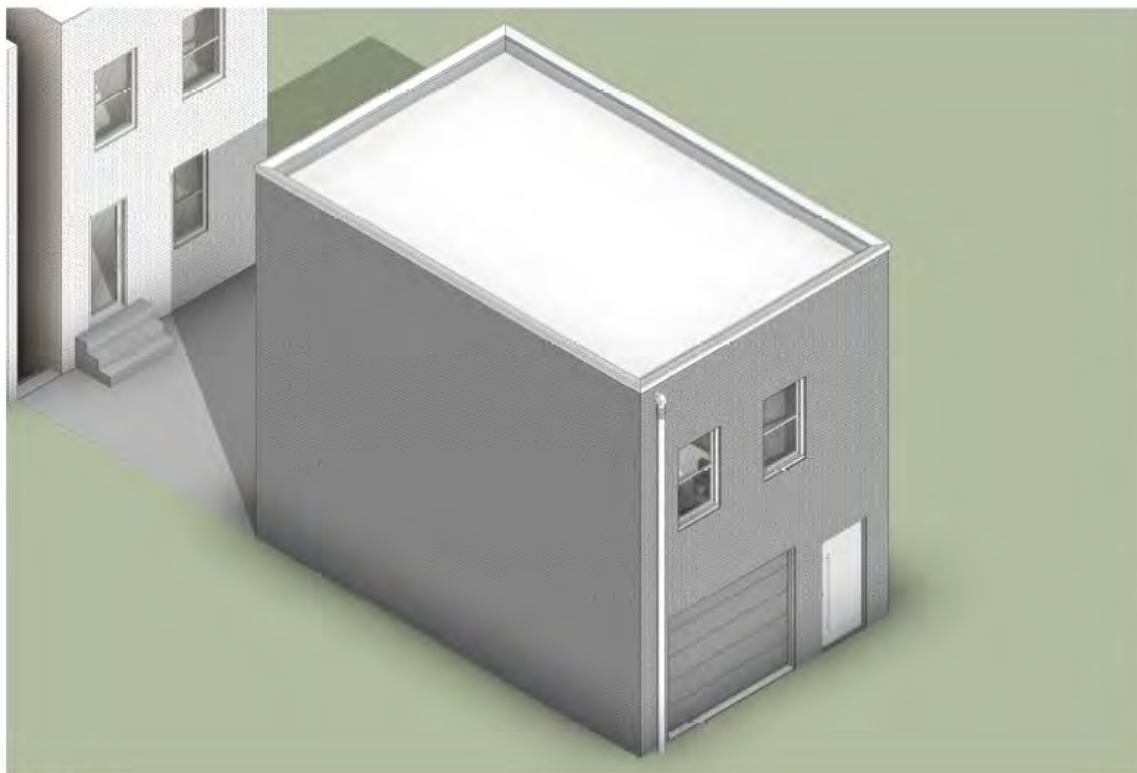
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03/21/2023

PROJECT:
915 MARYLAND AVE NE
915 MARYLAND AVE NE,
WASHINGTON, DC 20002
S2, D923
LOT: 0025

VERSION:
REVISION NO. 1
DATE 03/21/2023
BY JAMIN ETTERADI

SHEET NAME:
3D VIEWS -
EXTERIOR

SHEET No.:
A9-01



5 CAM - 05



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WASHINGTON, DC 20002
S2, D923
LOT: 0025

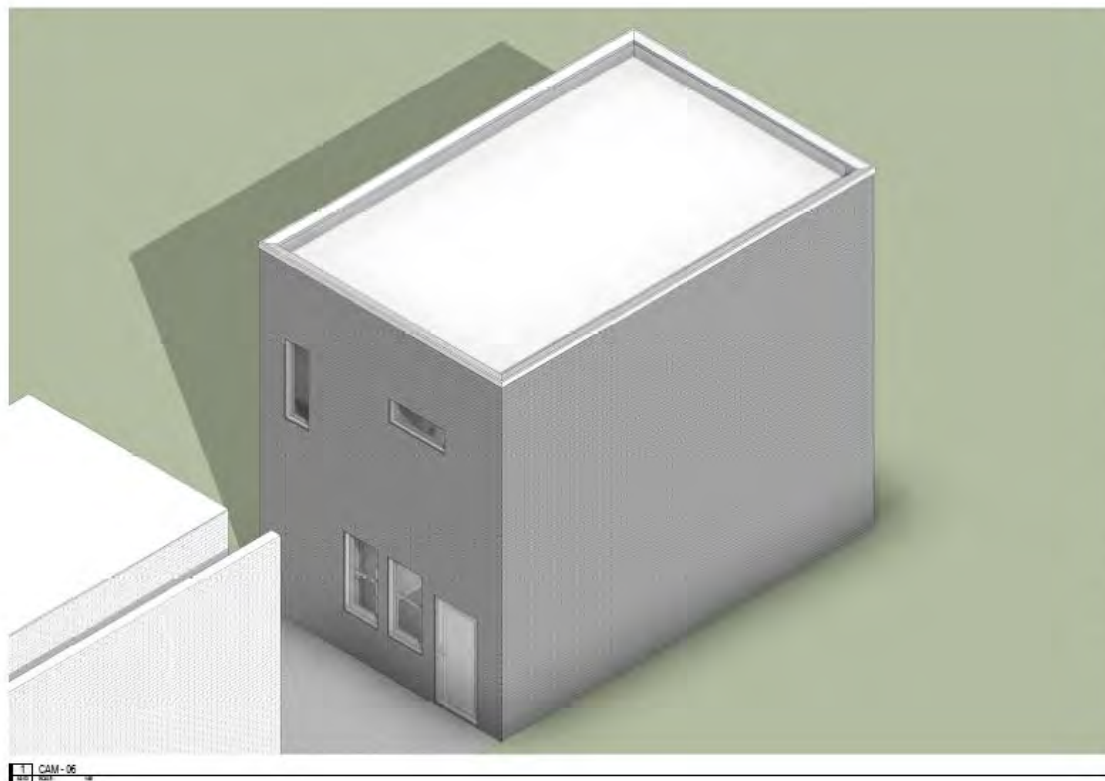
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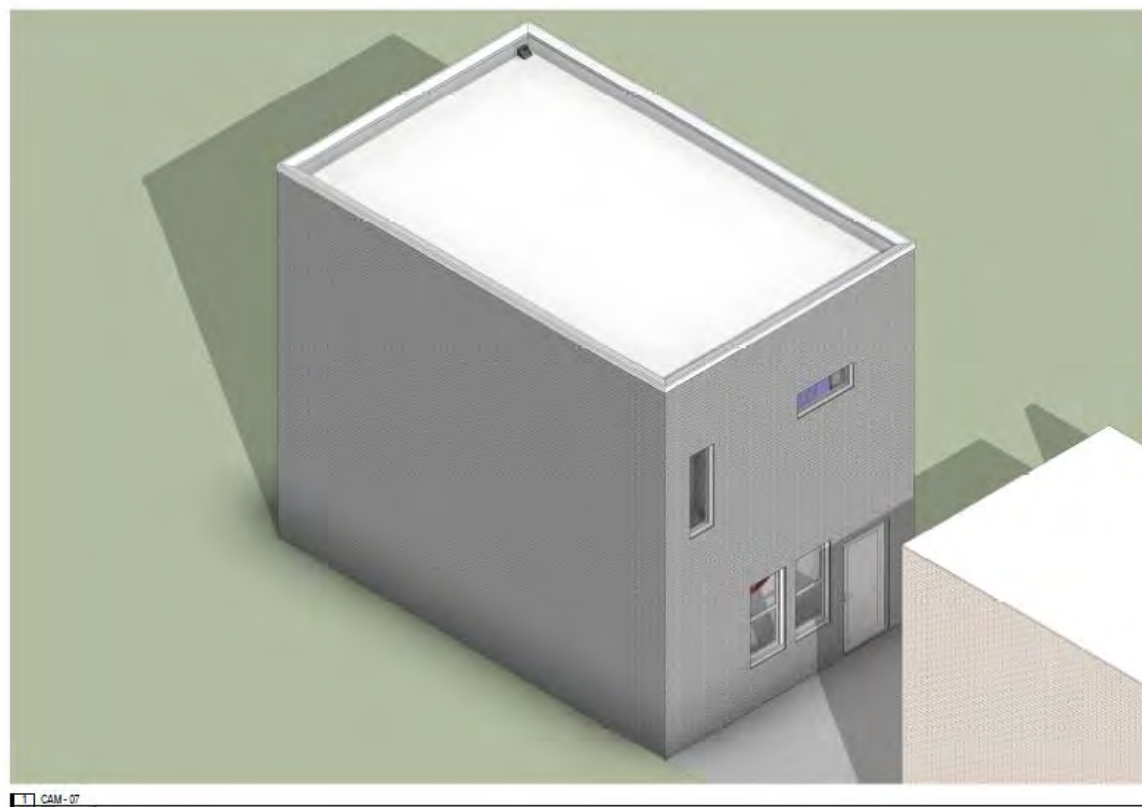
915 MARYLAND AVE NE,
WASHINGTON, DC 20003
SQ. 0937
LOT. 0026

REVISION:
1. 10.2022
2. 10.2022

SHEET NAME:
3D VIEWS -
EXTERIOR

SHEET No.:

A9-03



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FILE NO.: 2022-0001-0001-0001

PROJECT:
915 MARYLAND AVE NE

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WASHINGTON, DC 20003
SQ. 0937
LOT. 0026

REVISION:
1. 10.2022
2. 10.2022

SHEET NAME:
3D VIEWS -
EXTERIOR

SHEET No.:

A9-04

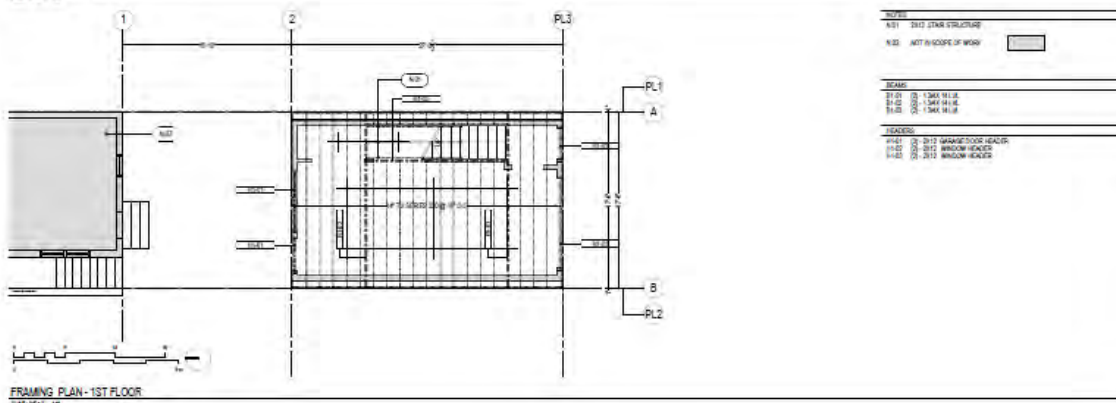
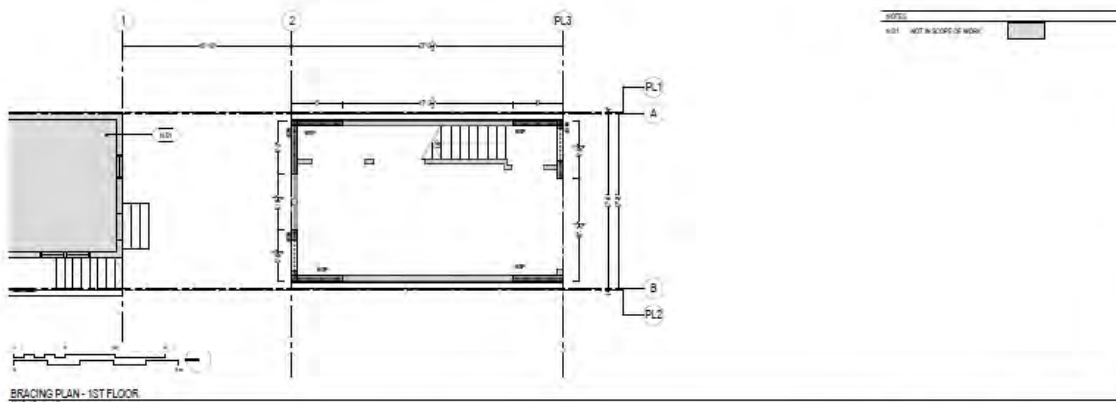
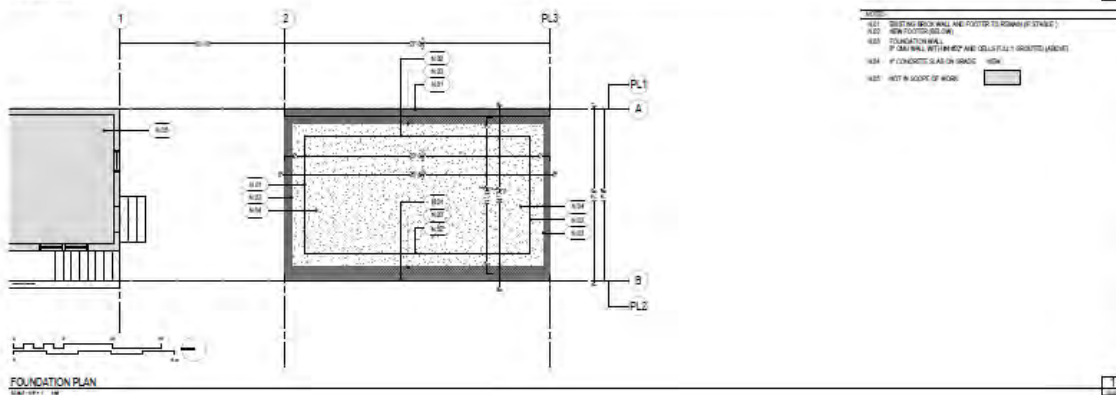
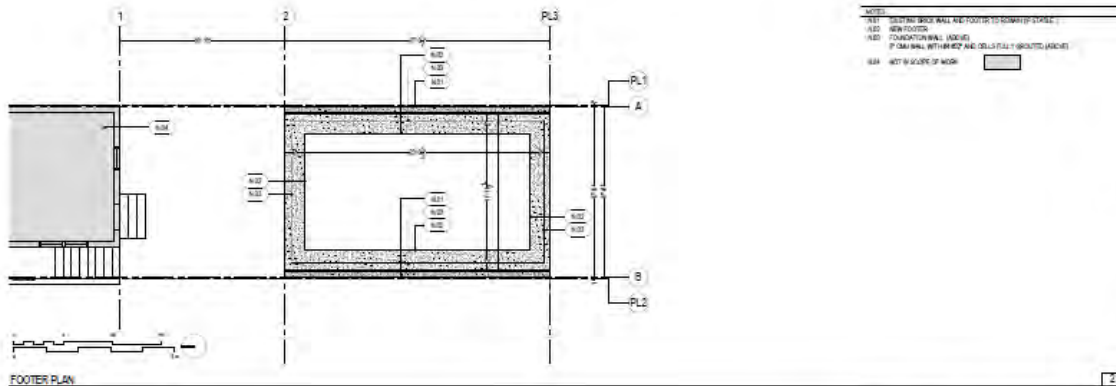
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NOOR ARCHITECTURE

DESIGNER:
ADMINISTRATOR:

PROJECT:
915 MARYLAND AVE NE
WASHINGTON, DC 20009
100-1000
100-1000

SHEET NAME:
STRUCTURAL PLANS

SHEET NO.:
S1-01

NOOR ARCHITECTURE

DESIGNER:
ADMINISTRATOR:

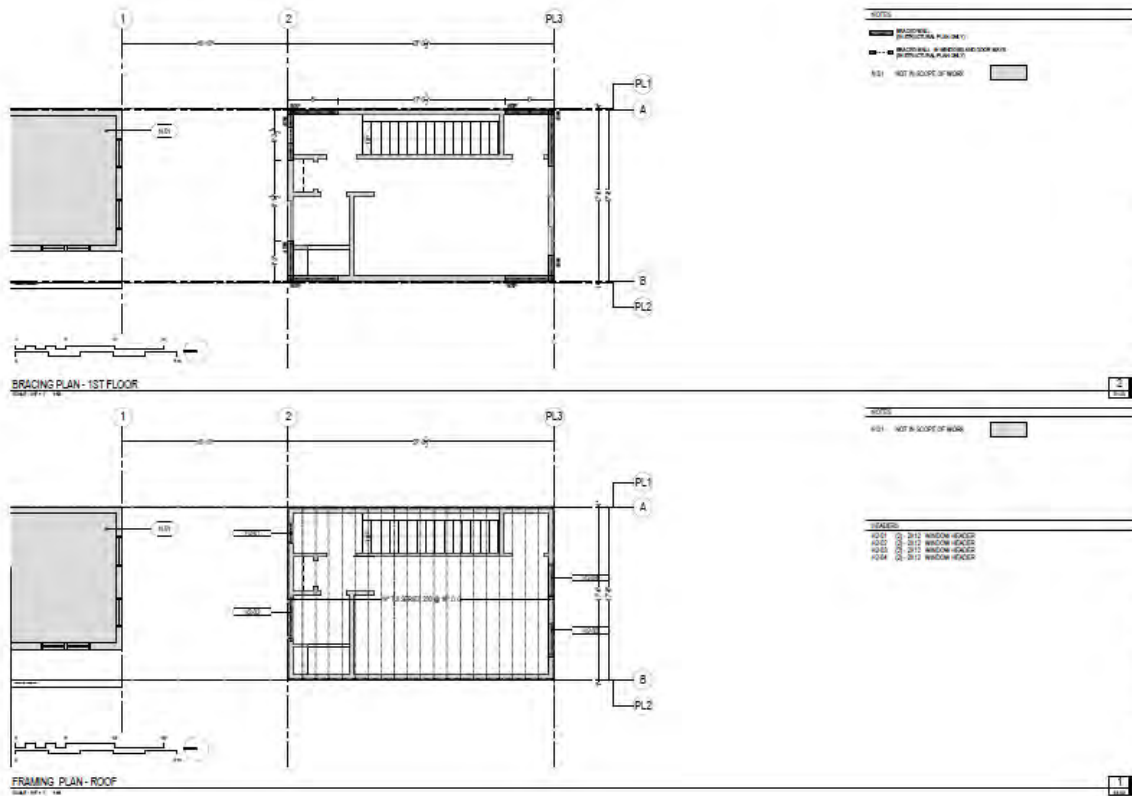
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915 MARYLAND AVE NE
WASHINGTON, DC 20009
100-1000
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SHEET NAME:
STRUCTURAL PLANS

SHEET NO.:
S1-02



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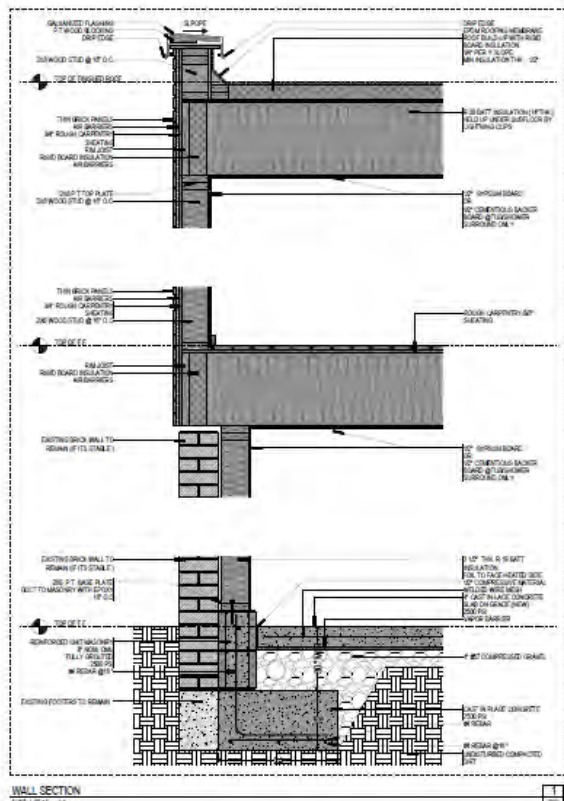
DESIGNER:
ADMIN (ITERATION)

COLLECTOR:
PROJECT:

915 MARYLAND AVE NE
WASHINGTON, DC 20002
14, 1917
LOT 1, 1917

PROPOSED
FLOOR PLANS

SHEET NO.
S1-03



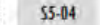
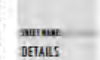
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COLLECTOR:
PROJECT:

915 MARYLAND AVE NE
WASHINGTON, DC 20002
14, 1917
LOT 1, 1917

PROPOSED
DETAILS

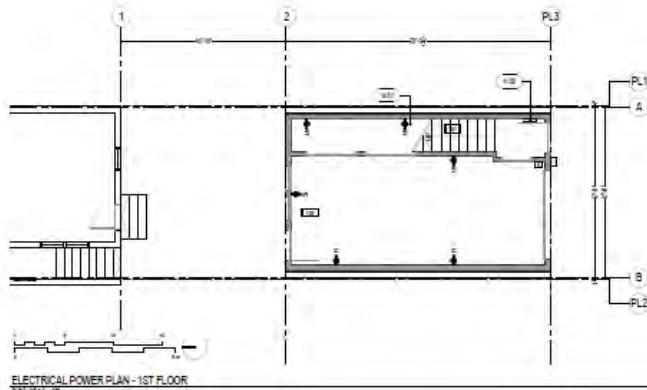
SHEET NO.
S5-01





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ELECTRICAL POWER PLAN - 1ST FLOOR
1000-10-1-1 1/2"

SPACE LIST
S1 STAIRS TO 2ND FLOOR
S2 GARAGE
NOTES
N01 ELECTRICAL JUNCTION BOX FOR ELECTRICAL SERVICE
N02 ELECTRICAL PANEL

NOT IN SCOPE OF WORK



DESIGNER
ADMIN (TERRACE)

PROJECT
915 MARYLAND AVE NE

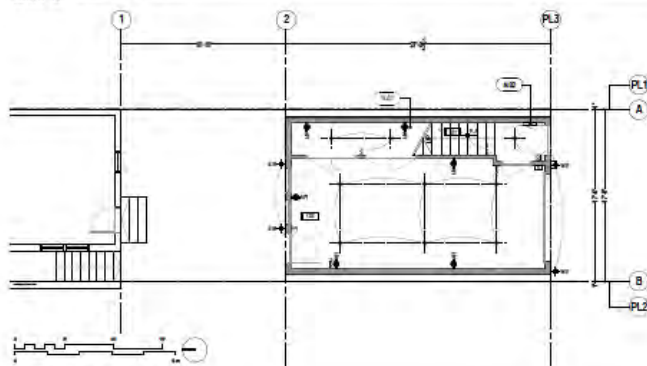
915 MARYLAND AVE NE
WASHINGTON, DC 20002
10-10-2021
10-1-2022

VERSION

SHEET NAME
ELECTRICAL PLANS

SHEET NO.

E1-01



ELECTRICAL LIGHTING PLAN - 1ST FLOOR
1000-10-1-1 1/2"

SPACE LIST
S1 STAIRS TO 2ND FLOOR
S2 GARAGE
NOTES
N01 ELECTRICAL JUNCTION BOX FOR ELECTRICAL SERVICE
N02 ELECTRICAL PANEL

NOT IN SCOPE OF WORK



DESIGNER
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PROJECT
915 MARYLAND AVE NE

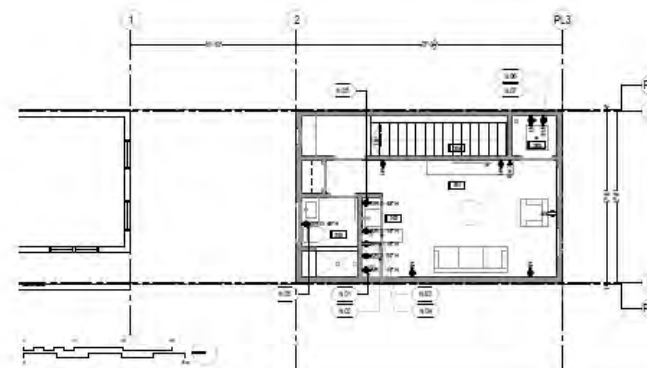
915 MARYLAND AVE NE
WASHINGTON, DC 20002
10-10-2021
10-1-2022

VERSION

SHEET NAME
ELECTRICAL PLANS

SHEET NO.

E1-02



ELECTRICAL POWER PLAN - 2ND FLOOR
1000-10-1-1 1/2"

SPACE LIST
S1 STAIRS TO 3RD FLOOR
S2 KITCHEN
S3 BATHROOM
S4 STAIRS FROM 1ST FLOOR
S5 LAUNDRY ROOM
NOTES
N01 ELECTRICAL JUNCTION BOX FOR WASHING MACHINE
N02 ELECTRICAL JUNCTION BOX FOR KITCHEN HOOD
N03 ELECTRICAL JUNCTION BOX FOR BATHROOM
N04 ELECTRICAL OUTLET FOR GAS RANGE
N05 ELECTRICAL OUTLET FOR WALL APPLIANCE
N06 ELECTRICAL OUTLET FOR BATHING APPLIANCE
N07 ELECTRICAL JUNCTION BOX FOR KITCHEN

NOT IN SCOPE OF WORK



DESIGNER
ADMIN (TERRACE)

PROJECT
915 MARYLAND AVE NE

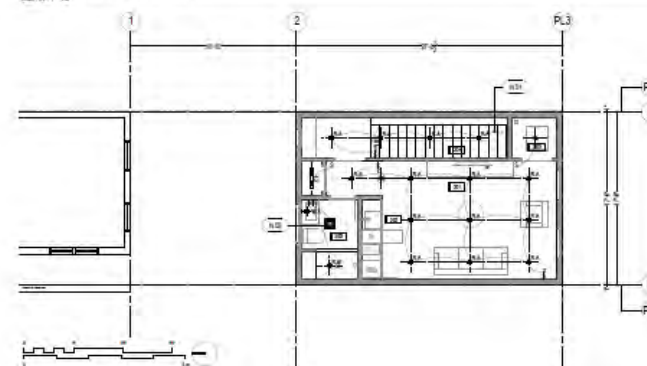
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10-10-2021
10-1-2022

VERSION

SHEET NAME
ELECTRICAL PLANS

SHEET NO.

E1-02



ELECTRICAL LIGHTING PLAN - 2ND FLOOR
1000-10-1-1 1/2"

SPACE LIST
S1 STAIRS TO 3RD FLOOR
S2 KITCHEN
S3 BATHROOM
S4 STAIRS FROM 1ST FLOOR
S5 LAUNDRY ROOM
NOTES
N01 TIGHTLY SWITCH ON UNDER SINK
N02 SWITCH ON WITH SINK AND SINK

NOT IN SCOPE OF WORK



Committee Reports

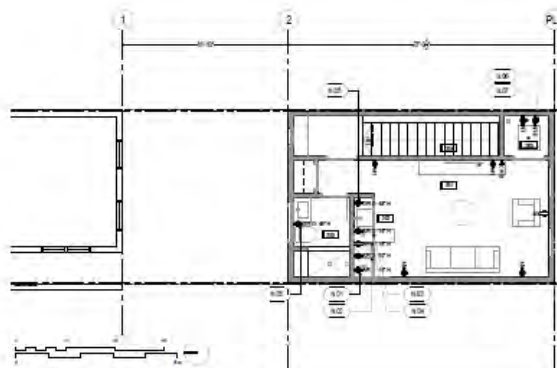
Economic Development and Zoning Committee



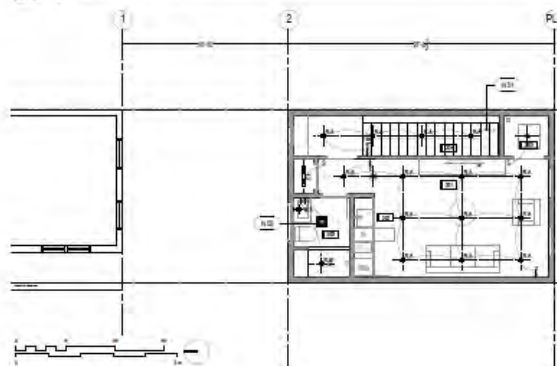
GENERAL	
1. THE DESIGN OF THESE CHANGES IS TO PROVIDE CLEAN, SAFE AND RELIABLE PLUMBING SYSTEMS. PROVIDE ALL LABOR AND MATERIALS NECESSARY TO COMPLETE SUCH DESIGN. CONTRACTOR IS TO OBTAIN ALL NECESSARY PERMITS AND INSURE ALL WORKERS. ANY SUGGESTED CHANGES TO THE DESIGN SHALL BE SUBMITTED TO THE ARCHITECT FOR REVIEW AND APPROVAL. THE ARCHITECT SHALL BE NOTIFIED OF ANY CHANGES TO THE DESIGN. THE ARCHITECT SHALL BE NOTIFIED OF ANY CHANGES TO THE DESIGN. THE ARCHITECT SHALL BE NOTIFIED OF ANY CHANGES TO THE DESIGN.	
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3. PLUMBING SHALL BE INSTALLED IN ACCORDANCE WITH THE PLUMBING CODES OF THE JURISDICTION.	
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PLUMBING GENERAL NOTES

PLUMBING SYMBOLS



ELECTRIC POWER PLAN - 2ND FLOOR



ELECTRIC LIGHTING PLAN - 2ND FLOOR

SPACE LIST	
101	KITCHEN
102	BATHROOM
103	LIVING ROOM
104	LAUNDRY ROOM

NOTES	
N01	SEE ELECTRICAL JUNCTION BOX FOR KITCHEN HOOD.
N02	SEE ELECTRICAL JUNCTION BOX FOR BATHROOM HOOD.
N03	SEE ELECTRICAL JUNCTION BOX FOR LIVING ROOM HOOD.
N04	SEE ELECTRICAL JUNCTION BOX FOR LAUNDRY ROOM HOOD.

NOT IN SCOPE OF WORK

SPACE LIST	
101	KITCHEN
102	BATHROOM
103	LIVING ROOM
104	LAUNDRY ROOM

NOTES	
N01	SEE ELECTRICAL JUNCTION BOX FOR KITCHEN HOOD.
N02	SEE ELECTRICAL JUNCTION BOX FOR BATHROOM HOOD.

NOT IN SCOPE OF WORK

DESIGNED BY
ADMIN (STANDARD)

PROJECT
915 MARYLAND AVE NE
WASHINGTON, DC 20002
10.19.2021
10.19.2021

VERSION
1.0

SHEET NAME
PLUMBING COVER SHEET

SHEET NO.
P0-01

DESIGNED BY
ADMIN (STANDARD)

PROJECT
915 MARYLAND AVE NE
WASHINGTON, DC 20002
10.19.2021
10.19.2021

VERSION
1.0

SHEET NAME
ELECTRICAL PLANS

SHEET NO.
E1-02



NOOR
ARCHITECTURE



Committee Reports
Economic Development and Zoning Committee



March XX, 2023

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. 20880 (1000–1016 H Street NE)

Dear Mr. Moy:

At a regularly scheduled and properly noticed meeting¹ on March 8th, 2023, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the request for Special Exception relief pursuant to Subtitle C § 703 and Subtitle X § 901.2 from the minimum vehicle parking requirements of Subtitle C § 701.5, special exception relief pursuant to Subtitle C § 909 and Subtitle X § 901.2 from the access requirements of Subtitle C § 904.5, and special exception relief pursuant to Subtitle H §§ 910.1 and 1202; and Subtitle X § 901.2 from the development standards of Subtitle H § 901 to construct a new, detached, five-story with cellar and penthouse, 80-unit apartment addition, to existing mixed-use buildings in the NC-16 Zone.

The design has taken measures to ensure that the addition is in the character of the neighborhood and it will not disrupt the privacy, air and light of neighbors. The owner has proven that the special exception criteria have been met through submission of architectural elevations and discussions with neighbors. The ANC believes that this development will not substantially visually intrude upon the character, scale, and pattern of houses in the neighborhood. Our support is conditional on the ground floor residential units in the building be dedicated to artist spaces/studios, that this requirement be written into the bylaws. This offsets the lack of ground floor retail throughout the building. Additionally, our support is conditional on the developer make best efforts not to include natural gas in the building

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 amberanc6a@gmail.com and Mr. Greenfield can be contacted at brad.greenfield@gmail.com.

On Behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

¹ ANC 6A meetings are advertised electronically on anc6a@googlegroups.com, and newhilleast@groups.io, at www.anc6a.org, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.

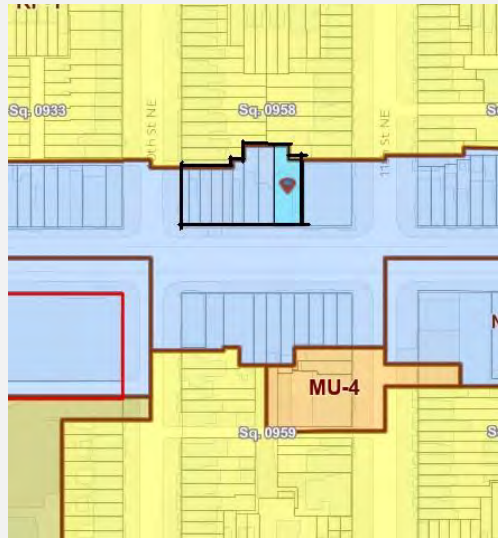


The Property - Existing





Zoning Map – NC-16 Zone



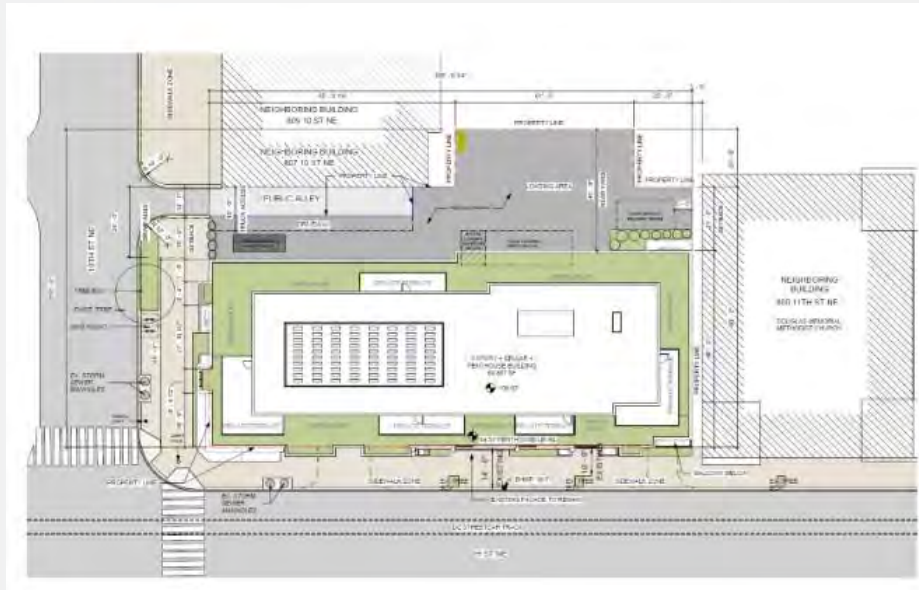
Proposal

- ☐
- ☐
- ☐
- ☐
- ☐
- ☐
- ☐
- ☐
- ☐





Site Plan



Elevation - South





Elevation - North



Perspectives





Perspectives



Zoning Relief – Special Exceptions

- ☐
- ☐
- ☐
- ☐
- ☐





New Business



- Suggested Motion: ANC 6A approve Mark Sussman (6A04) and Paul Angelone (6A05) to and remove Hassan Christian from the membership of the TPS Committee. (Gove and Gentile).
- Suggested Motion: ANC 6A send a resolution to President Joseph Biden condemning his indication that he plans to sign a bill passed by Congress that would overturn the Revised Criminal Code Act, a law passed unanimously by the Council of the District of Columbia (Chatterjee).



ANC 6A Resolution XX-2023

Hands Off DC: Protecting Local Democracy and Autonomy

WHEREAS the people of the District of Columbia have a fundamental right to self-governance and autonomy, and the principle of democratic representation is a cornerstone of American democracy.

AND WHEREAS the recent announcement by President Joe Biden that he is willing to sign a bill passed by the United States Congress that would overturn the Revised Criminal Code Act, a law passed unanimously by the Council of the District of Columbia, is a deep affront to the principles of self-governance and local democracy.

AND WHEREAS this action by the President and Congress undermines the will of the people of the District of Columbia, who expect the President and Congress to respect the democratic process and their right to self-determination.

AND WHEREAS this action undermines the principles of democratic representation and local autonomy and sends a message that the voices and concerns of DC residents are not being heard or respected.

AND WHEREAS Advisory Neighborhood Commission (ANC) 6A condemns the actions of the President and Congress in undermining the democratic mandate of the residents of the District of Columbia and calls upon him to take immediate action to push Congress to pass DC statehood, and not just signal support for the idea.

AND WHEREAS the President's actions have undermined the trust and confidence of DC residents in the democratic process and the principles of American democracy.

THEREFORE, BE IT RESOLVED that Advisory Neighborhood Commission (ANC) 6A condemns the actions of President Joe Biden in signaling his willingness to sign an unjust bill passed by Congress that would overturn the Revised Criminal Code Act, a law passed unanimously by the Council of the District of Columbia and affirms the importance of respecting the principles of local autonomy and democratic representation in the District.

BE IT FURTHER RESOLVED that ANC 6A calls upon President Joe Biden to take immediate action to push Congress to pass DC statehood and respect the will of the people of the District.

BE IT FURTHER RESOLVED that ANC 6A calls upon all elected officials, including President Joe Biden and members of Congress, to respect the democratic mandate of the residents of the District of Columbia, and to refrain from interfering with the autonomy and self-determination of the District.

BE IT FURTHER RESOLVED that ANC 6A urges all residents of the District of Columbia to stand up for their democratic rights and principles, and to demand full representation and enfranchisement for all DC residents, regardless of their race, ethnicity, religion, sex, gender (including gender expression



New Business



and identity), sexual orientation, age, national origin, citizenship, disability, pregnancy, veteran status, political affiliation, lawful union activity, marital status, caregiver status, or any other protected status.

BE IT FURTHER RESOLVED that ANC 6A affirms its commitment to the principles of democratic representation and self-determination and will continue to advocate for the rights and interests of all residents of the District of Columbia, including the right to full and equal representation in the political process.

BE IT FURTHER RESOLVED that the Chair, Vice Chair, and/or their designee(s) are authorized to represent ANC 6A on this matter. Copies of this resolution will be sent to the Executive Office of the President of the United States.

Attested by:
Amber Gove

Chair, Advisory Neighborhood Commission 6A

March XX, 2023

This Resolution was approved by a vote of X-0-0 on March XX, 2023 at a public meeting of ANC6A at which a quorum was present.