



District of Columbia Government  
 Advisory Neighborhood Commission 6A  
 Agenda for April 11, 2024



Second (2<sup>nd</sup>) Thursdays at 7:00 pm  
 Virtual Meeting via Zoom

For those attending via Zoom: use this link: <https://us06web.zoom.us/j/86977698381>

Call-in Number: +1 301 715 8592

Webinar ID (access code): 869 7769 8381

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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  
 Vacant Properties and the False Claims Act (1000 C Street NE) - Assistant Attorney General Jason Jones
- 7:35 pm Consent Agenda pg. 28

Community Outreach (COC)

Recommendation: ANC 6A approve a grant to Miner Elementary School PTO in the amount of \$1,000.00 to fund the renovation of a turtle habitat.

Alcohol Beverage and Cannabis (ABC)

Recommendation: ANC 6A take no action with respect to the application for renewal of a Class A Retail Liquor License by 7 River Mart at 250 11<sup>th</sup> Street NE. (ABRA-126841).

Recommendation: ANC 6A take no action with respect to the application for renewal of a Class A Retail Liquor License by Exotic Wine and Spirits at at 801 Maryland Avenue NE. (ABRA-118158).

Economic Development and Zoning (EDZ)

Recommendation: ANC 6A send a letter of support to the HPRB re: HPA #24-174: new two-story and basement rear addition to an existing two-story rowhouse at 216 11<sup>th</sup> Street NE (Future Meeting Date: 4/25/2024).

Recommendation: ANC 6A send a letter of support to the BZA re: BZA #20687A: Request for a Modification of Consequence from Board of Zoning Adjustment Order 20687, pursuant to Subtitle Y § 703 to construct a new detached, two-story, accessory garage with second story dwelling unit to an existing, attached, two-story principal dwelling unit at 1127 G Street NE (Future Meeting Date: 4/24/2024).

Recommendation: ANC 6A send a letter of support to the BZA re: BZA #21094: Request for a Special Exception from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle E § 5201.1 and Subtitle X § 901.2 to construct a two-story with cellar, rear addition, to an existing, attached, three-story, principal dwelling unit at 235 10<sup>th</sup> Street NE (Future Meeting Date: 4/24/2024).

- 7:40 pm Officer Reports pg. 73
  1. **Accept Treasurer's Report**



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	Standing Committee Reports:	
7:45 pm	Community Outreach (COC) 1. Accept March 2024 committee report. 2. Next meeting: April 22, 2024 (4 <sup>th</sup> Monday)	pg. 74
7:50 pm	Alcohol Beverage and Cannabis (ABC) 1. Accept January 2024 and March 2024 committee reports. 2. Recommendation: ANC 6A send a letter to ABCA to protest the license application of Verg Enterprises LLC at 1230 H Street NE (ABCA-127258). 3. Next meeting - 7:00 pm, April 23, 2024 (4 <sup>th</sup> Tuesday)	pg. 78
7:55 pm	Transportation and Public Space (TPS) 1. Accept March 2024 committee report. 2. Suggested Motion: ANC 6A send a letter to DDOT Acting Director Sharon Kershbaum, Ali Shakeri, DDOT Infrastructure Project Management Division and Ward 6 Councilmember Charles Allen requesting that the crosswalk be restored at Florida Avenue and M Street NE so that there is a way for west bound bicycles and pedestrians to access M Street NE and the NOMA/Gallaudet metro station and request that the traffic signal division review and adjust signal timing to further slow driver speeds to the existing speed limit on Florida Avenue NE. 3. Next meeting - 7:00 pm, April 15, 2024 (3 <sup>rd</sup> Monday)	pg. 101
8:10 pm	Economic Development and Zoning (EDZ) 1. Accept March 2024 committee report. 2. Next meeting - 7:00 pm, April 17, 2024 (3 <sup>rd</sup> Wednesday)	pg. 107
8:15 pm	New Business	
8:20 pm	Single Member District reports (2 minute each)	
8:35 pm	Community Comments (2 minutes each)	
8:45 pm	Adjourn	



# Advisory Neighborhood Commission 6A Meeting Minutes - March 13, 2024



## Advisory Neighborhood Commission (ANC) 6A Minutes Virtual Meeting via Zoom March 14, 2024

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

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

Commissioner Keya Chatterjee called the meeting to order and noted the presence of a quorum. The minutes for the ANC February 2024 meeting were accepted and the agenda for the March 2024 meeting was accepted by unanimous consent.

### Community Presentations

#### Ward 6 Councilmember Charles Allen

Councilmember Charles Allen led an annual check-in as we head into budget season, reviewing some actions happening in the Council and community. Public safety continues to be a priority and this week the Council signed into law the Secure DC Act. The Council continues a two-pronged approach to public safety, trying to both prevent crime and hold perpetrators accountable. One of the items in the Act will close a loophole in the current interpretation of carjacking prosecution laws, broadening the definition of a carjacking. The Act also mandates **“shooting reviews” to take place not just by law enforcement but by community partners in a broad cross section of government**; these reviews are common in areas of diminishing violent crime. Other provisions of the Act include drug free zones and pretrial detention. The Councilmember also shared updates on the H Street Alliance, noting that about 250 neighbors have volunteered; the group has broken up into three working groups: public safety, public space improvements, and small business support. The group as a whole will meet quarterly with the working groups meeting intermittently. Councilmember Allen supports and would like to work with the ANC and DDOT on a dedicated transit lane for streetcars and buses; a community-wide meeting with DDOT to share ideas and concerns is being planned. A few days ago, there was a hearing related to illegal gifting shops along H Street corridor; several are in the process of getting licenses but a gap in legislation did not allow enforcement by ABCA. There is currently an exemption that allows a cannabis retailer to open across from certain schools, and the Council is focused on addressing inconsistencies such as these. Over 1,200 people signed on to a **letter supporting a nuanced look from BZA on Pacci’s near Lincoln Park; the official decision will come April 10, 2024**. Scheduling is in the midst for a community meeting on designs and plans for Kingsman Dog Park; construction and improvements are slated to happen this fall. The Healthy Homes legislation that assists low-income homes to electrify is up for a vote on Tuesday. There were oversight hearings in which several constituents pushed DDOT for sidewalk maintenance and this continues to be a priority for the Councilmember, as does traffic and pedestrian safety around areas like Lincoln Park. Tomorrow is the anniversary of the Rock Creek Parkway crash that killed three people, which was a devastating incident that illuminated multiple failures of the DMV and courts. The STEER Act will enhance the effectiveness of automated traffic enforcement systems, especially for out of state drivers. A different



committee oversees DPW, which is in charge of staffing for booting vehicles. The mayor will soon **be releasing next year’s budget, which will be tight and difficult decisions will have to be made.** Last year, more workers were hired and wages increased, and \$200M needs to be allocated to **metro maintenance. DC’s downtown continues to suffer as property values and tax revenues** decrease. The Councilmember will, as usual, hold a budget town hall for community input. One member of the House of Representatives was seeking to eliminate automated traffic enforcement ticketing, but the Councilmember doubts this would move forward. 11 out of 13 Councilmembers are in opposition to Project Pipes, which would cost ratepayers millions of dollars when it would be significantly cheaper to repair the pipes and lower income neighbors would be unequally bearing the costs. The CFO refinanced several capital bonds for the city, allowing for the \$500M to potentially keep a rejuvenated Capitol One Arena downtown. There **are new ‘drug free zone’ flyers posted around the city referencing Title 4 of the Controlled** Substances Act and they are very vague and unclear; these are part of the Secure DC Act and aimed at illegal drugs but need further clarification. For any questions, neighbors can reach the Councilmember at [callen\[at\]dccouncil.gov](mailto:callen@dccouncil.gov).

Consent Agenda:

The following items were adopted by unanimous consent:

Community Outreach (COC)

- ANC 6A approve a grant to Celebrate Capitol Hill, Inc. in the amount of \$1,370.00 for the purpose of engaging neighborhood youth in beautifying activities/public art.

Economic Development and Zoning (EDZ)

- ANC 6A send a letter of support to BZA for: Request for a Special Exception pursuant to Subtitle E § 5201.1 and Subtitle X § 901.2 from the rear yard and lot occupancy requirements of Subtitle E § 207.1 and Subtitle E § 210.1 to construct a two-story rear addition to an existing, attached, two-story with cellar, principal dwelling unit at 1432 F Street NE (BZA #21071) in the RF-1 zone.
- ANC 6A send a letter of support to BZA for: Request for a Special Exception pursuant to Subtitle E § 207.5, 5201 and Subtitle X § 901.2 from the rear addition requirements of Subtitle E § 207.4, and pursuant to Subtitle E § 5201 and Subtitle X § 901.2 from the lot occupancy requirements of Subtitle E § 210.1 to construct a third story and rear addition to an existing, attached, two-story with cellar, principal dwelling unit at 808 I Street NE (BZA #21084) in the RF-1 zone.

Officer Reports:

1. The March 2024 **Treasurer’s report** features four expenditures accrued in February: \$88.78 for meeting supplies, \$58.29 for Zoom Premium meeting, \$250 for notetaking, and \$771.19 for webmaster services (checks #2093-#2096, respectively). The opening uncommitted funds available were \$32,339.55. After accounts payable totaling \$3,615.81 the closing available checking balance is \$28,723.74. The savings account opened at \$100.05, gained no interest, and closed at \$100.05, and petty cash remained at \$25. The **Treasurer’s report was approved** by unanimous consent.



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2. Commissioner Amber Gove moved and Commissioner Robb Dooling seconded the motion that ANC 6A approve the Fiscal Year 2024 1<sup>st</sup> Quarter report. The motion passed 5-0.
3. Commissioner Gove moved and Commissioner Dooling seconded the motion that ANC 6A approve the amended Fiscal Year 2023 4<sup>th</sup> Quarter report. The motion passed 4-0-1; Commissioner Mike Velasquez abstained.

### Standing Committee Reports:

#### Community Outreach (COC)

3. The February 2024 committee report was accepted by unanimous consent.
4. Next meeting: March 25, 2024 (4<sup>th</sup> Monday)

#### Alcohol Beverage and Cannabis (ABC)

1. No report. ABC did not meet in February 2024.
2. The January 2024 committee report will be reviewed in the April meeting.
3. Next meeting - 7:00 pm, March 26, 2024 (4<sup>th</sup> Tuesday)

#### Transportation and Public Space (TPS)

1. The February 2024 committee report was accepted by unanimous consent.
2. Next meeting - 7:00 pm, March 18, 2024 (3<sup>rd</sup> Monday)

#### Economic Development and Zoning (EDZ)

1. The February 2024 committee report was accepted by unanimous consent.
2. The Committee recommended and Commissioner Roberta Shapiro seconded the motion that ANC 6A send a letter of support to BZA for: Request an Area Variance pursuant to Subtitle X § 1002 from the lot dimension requirements of Subtitle E § 202.1 to construct two new, attached, three-story with basements, principal dwelling units at 257 Warren Street NE (BZA #21085) in the RF-1 zone, with the caveat that the developers make best efforts to get letters of support from neighbors. The proposal is to take three narrow lots (11 ft each) and combine them into two larger ones (almost 17 ft each). The intention is to build a three-story with basement home on each lot. The immediately adjoining neighbor has provided a letter of support. 15 additional letters were sent out to property owners that view the lot and no comments have been received. The motion passed 5-0.
3. Next meeting - 7:00 pm, March 20, 2024 (3<sup>rd</sup> Wednesday)

#### New Business

1. Commissioner Shapiro moved and Commissioner Velasquez seconded the motion that ANC 6A approve Becca Beuthe (6A03) as a member of the Economic Development and Zoning (EDZ) Committee. The motion passed 5-0.
2. Commissioner Chatterjee moved and Commissioner Gove seconded the motion that ANC 6A approve Patrick Bloomstine (6A01) as a member of the Transportation and Public Space Committee. The motion passed 5-0.

#### Commission Business

#### Single Member District reports



**Commissioner Gove (6A04) announced an effort to name DC's SMDs. It was a busy month and the Commissioner, as always, recommends attending the MPD Citizen's Advisory Council meetings on the first Tuesday of every month.** There is an initiative for a new hub site for staffing from several DC agencies and police for community members to come ask questions; this has been successful in Chinatown and potentially could be explored for the next budget season. Neighbors can use 50411 to submit anonymous requests to the police. <https://mpdc.dc.gov/page/citizens-advisory-councils-cac>

Commissioner Shapiro (6A03) is supportive of the idea of a hub for DC agencies and police. The Commissioner spoke in front of the Committee about cannabis licensing and is trying to get DGS and DPR to respond about a plan for Sherwood improvements. One of the traffic safety inputs had resulted in a study and recommendation for a speed bump between 10<sup>th</sup> and 11<sup>th</sup> Streets. The real issue is the intersection of 10<sup>th</sup> and F Streets, but this is a good start. The Commissioner will be following up on sidewalk safety and continues to receive a lot of community input on the subject.

Commissioner Velasquez (6A02) noted the public restroom demonstration project that DC is pursuing and has received mixed opinions from community members. The Commissioner spoke to MPD officers about the new drug free zone and their support of a public restroom. This weekend is the H Street Oral History Festival by Mosaic at Atlas Performing Arts Center.

Commissioner Dooling (6A06) supports public restrooms and transit-only lanes and does not want to make perfect the enemy of good; the ANC has supported these for quite a while. There are several abandoned vehicles, especially in the Linden Court alley, and there has been no response from DPW. Maketto will soon expand into the alley and the neighborhood is excited to support this.

Commissioner Chatterjee (6A01) received a notice of intent for speed bumps on 12<sup>th</sup> Street between H Street and Florida Avenue. There is a study to add another signal on West Virginia Avenue. There is an excellent movie showing at E Street Cinema, Perfect Days, and it is a love story to public toilets and low stress biking routes in Tokyo; the Commissioner highly recommends it.

#### Community Comment

**Ms. Jen DeMayo from Councilmember Allen's office mentioned the upcoming Ward 6 Spring Clean on April 6, 2024 - sign up here:** [https://www.charlesallenward6.com/the\\_2024\\_great\\_ward\\_6\\_spring\\_clean](https://www.charlesallenward6.com/the_2024_great_ward_6_spring_clean). The Office will be hosting a few major locations, but the entire community is invited to participate.

MOCRS Jake Stolzenberg passed along the desire for a hub on H Street and has been visiting about once a week. Mr. Stolzenberg recommends a walk with the DDOT Director on 9<sup>th</sup> Street above Lincoln Park. <https://lms.dccouncil.gov/Legislation/B25-0345>



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**JoAnn Sparacino noted that St. Peter's Church has a Care for God's Creation committee and would like to support the Spring Clean. She would like more information on other environmental protection efforts and will connect with Ms. DeMayo.**

The meeting adjourned at 8:28 pm.



# Advisory Neighborhood Commission 6A Community Presentations



4/9/24, 3:39 PM

Attorney General Schwalb Secures \$1.8 Million Tax Evasion Judgment Against Owners of Vacant House



Office of the Attorney General for the District of Columbia (/)



## Newsroom

### Attorney General Schwalb Secures \$1.8 Million Tax Evasion Judgment Against Owners of Vacant House




  
<https://www.oag.dc.gov/newsroom/attorney-general-schwalb-secures-18-million-tax-evasion-judgment-against-owners-of-vacant-house>

April 9, 2024

Owner of 1000 C St NE Ordered to Pay Back Taxes, Damages, Interest, and Penalties

WASHINGTON, DC – Attorney General Brian Schwalb today announced that the Office of the Attorney General (OAG) secured a \$1.8 million judgment against the owners of 1000 C St NE for evading the District’s tax on vacant properties. OAG sued the property’s owner, George Papageorge and his entity, 10th & C Streets Associates, LLC, alleging that for more than a decade, they had falsely claimed the property was occupied, when it was not, to avoid paying required taxes. Now, Papageorge and 10th & C Streets Associates must pay the outstanding property taxes, as well as significant damages, civil penalties, and interest to the District.

“Vacant and blighted properties reduce the District’s already-tight housing supply and threaten neighborhood safety and quality of life,” said Attorney General Schwalb. “Absentee owners, in order to reduce their tax bill, must repair these properties and return them to use. And when they falsely represent the occupancy status to try to evade their taxes, they will be held accountable, not only to pay the taxes and interest, but a much larger bill—one that includes substantial damages and penalties.”

“This will be great news for the neighborhood, who’s complained about this vacant property fraud on the public for at least a decade,” said DC Council Chairman Phil Mendelson. “Maybe now the property owner will use it in a way that could benefit District residents or contribute to the community’s residential housing market.”

“1000 C Street NE has long frustrated neighbors,” said Ward 6 Councilmember Charles Allen. “Rather than be a contributing home in our community, the owners have actively evaded paying vacant property taxes and lied to the city claiming it was occupied. I’ve worked closely with neighbors to document the status of this building over the years and am thrilled by the great work of Attorney General Schwalb and his team to enforce the laws meant to deter homes from sitting empty. Long vacant properties are a drag on the vibrancy and safety of a neighborhood and can present real and expensive problems for next door neighbors when those vacant properties are allowed to deteriorate. This judgment is a warning to any other landlords who aren’t acting responsibly with an empty home.”

“Neighbors and Commissioners have advocated for action on this vacant property for nearly two decades,” said Amber Gove, Chairperson of Advisory Neighborhood Commission 6A. “With this judgment and associated penalties, the District has sent a message to vacant property owners that city residents want to see proactive development, not distanced and derelict mismanagement of our limited housing stock. Penalizing the egregious behavior of the owner of 1000 C Street NE will also set an example to other scofflaw property owners that the District is serious about enforcing the laws on our books.”

Empty and blighted properties can pose risks to neighborhood health and safety, and they decrease the city’s already limited housing supply. To motivate owners to keep properties in use, the Council imposed significantly higher property tax rates on vacant and blighted homes. Under the DC’s False Claims Act (FCA), it is illegal to knowingly make false statements to conceal, avoid, or decrease an obligation to pay the District. Those who break the law—for example, by attempting to avoid tax obligations by falsely claiming a property is occupied when it is actually vacant—can face steep penalties. Individuals and companies that violate the FCA can be ordered to pay up to three times the amount that they originally owed (treble damages) and face civil penalties.

After the Council, in 2021, expanded OAG’s enforcement authority under the FCA, the office worked with the Office of Tax and Revenue, the Department of Consumer and Regulatory Affairs (now the Department of Buildings), and members of the community to learn about long-term vacant properties where owners were evading taxes. In its lawsuit against Papageorge and his company, OAG describes how their systematic and false reporting to the city that 1000 C St NE was occupied, even as the once-stately home sat empty and deteriorating. For at least 16 years, Papageorge continuously violated the law by refusing to pay the required tax on vacant homes even as his property sat boarded up, overgrown, with crumbling masonry, a visibly decaying roof, and vacancy notices pasted on top of vacancy notices from previous years.

After lengthy and contested litigation, the Superior Court entered judgment in favor of the District, ordering Papageorge to pay the District a total of \$1.8





# Advisory Neighborhood Commission 6A Community Presentations



4/9/24, 3:39 PM

## Attorney General Schwalb Secures \$1.8 Million Tax Evasion Judgment Against Owners of Vacant House

million. This includes taxes owed dating back to 2008, treble damages under the FCA, interest, and civil penalties. The judgment stems from \$389,561 in unpaid vacant property taxes accumulated over a fifteen-year period.

A copy of the amended complaint is available [here \(//oag.dc.gov/sites/default/files/2024-04/1000-C-Street-Amended-Complaint-.pdf\)](https://oag.dc.gov/sites/default/files/2024-04/1000-C-Street-Amended-Complaint-.pdf).

A copy of the judgment is available [here \(https://oag.dc.gov/sites/default/files/2024-04/100-C-St-Judgement-.pdf\)](https://oag.dc.gov/sites/default/files/2024-04/100-C-St-Judgement-.pdf).

This matter was handled by Assistant Attorneys General Jason Jones and Jessica Micciolo, Investigator Lucy Lagravinese, and Workers' Rights and Antifraud Section Chief Graham Lake.

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# Advisory Neighborhood Commission 6A Community Presentations



4/9/24, 3:39 PM

Attorney General Schwalb Secures \$1.8 Million Tax Evasion Judgment Against Owners of Vacant House

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**IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

<p>DISTRICT OF COLUMBIA, a municipal corporation, 400 6<sup>th</sup> Street NW Washington, DC 20001,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>10<sup>th</sup> &amp; C STREETS ASSOCIATES, LLC, 2333 Branch Avenue SE Washington DC 20020,</p> <p style="text-align: center;">and</p> <p>GEORGE PAPAGEORGE, 1520 ½ Massachusetts Ave., SE Washington, DC 20003,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No.: 2022 CA 002054 B Judge Neal E. Kravitz</p> <p><b>JURY TRIAL DEMANDED</b></p>
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**AMENDED COMPLAINT**

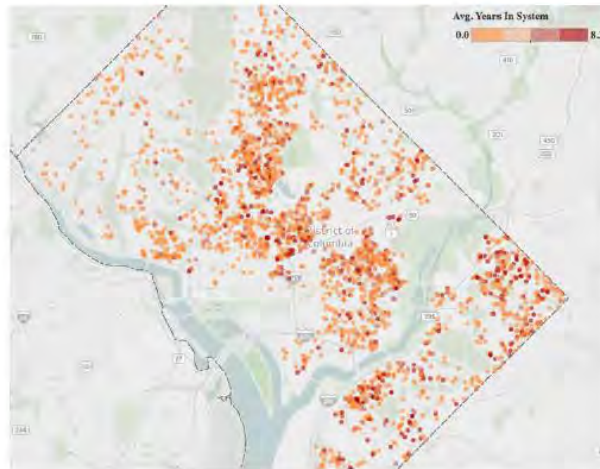
The District of Columbia (“District”), by its Office of the Attorney General, brings this enforcement action against Defendants 10<sup>th</sup> & C Streets Associates, LLC (“10<sup>th</sup> & C”) and George Papageorge (“Papageorge”), pursuant to the District’s False Claims Act, D.C. Code §§ 2-381.01, *et seq.* (“False Claims Act”), and the District of Columbia Tax Code, D.C. Code § 47101, *et seq.*, seeking treble damages, civil penalties, and all other appropriate relief, as follows:

**Introduction**

1. Despite its booming real estate market and shortage of affordable housing, the District of Columbia currently has more than 3,000 properties that sit vacant or blighted. Many of these properties are a public nuisance, attracting crime, drugs,



vagrancy, and creating dangerous conditions for area children. The following is a map, as of January 2022, of vacant properties in the District, as compiled by the District's Department of Consumer and Regulatory Affairs ("DCRA"):



2. In 2002 and again in 2010, the D.C. Council amended District tax policy to create new real property tax classifications, significantly increasing the property tax rates assessed against vacant and blighted properties. These increased rates were designed to incentivize property owners to return their vacant or blighted properties to productive use by increasing the cost of possessing unused buildings.

3. But rather than pay the increased rates or sell their vacant properties, many property owners instead abuse the administrative system by repeatedly submitting false claims to the District in an effort to circumvent the significantly higher property tax obligations assessed against vacant properties.

4. One of these property owners is Defendant George Papageorge, who owns the property located at 1000 C Street NE, Washington DC 20002 (Square 0963; Lot 0803), through 10<sup>th</sup> & C, a Delaware LLC not registered to transact business in the District until after the District filed its original Complaint in this matter.



5. For more than a decade, this formerly stately home has sat conspicuously vacant: boarded up, overgrown, and with masonry degrading, the roof in a state of perpetual and visible decay, and vacancy notices from one year pasted on top of weathered vacancy notices from prior years.

6. The house has been standing since the end of the Nineteenth Century, and, during its life, many D.C. families have called it home. But during the Twenty-first Century it has stood alone—a symbol of neglect and abandonment. Longtime neighbors cannot remember a time when it had human occupants.

7. Yet year after year, Defendants have avoided paying the vacant property tax rate on this obviously vacant property. Each year they avoid registering the property as vacant, and each year they repeatedly and falsely report that the property is occupied. Their fraudulent claims violate the District’s False Claims Act.

**Jurisdiction and Parties**

8. This Court has jurisdiction over the subject matter of this action through D.C. Code § 11-921 and pursuant to the District’s False Claims Act, D.C. Code § 2-381.03(a). This Court has personal jurisdiction over Defendants pursuant to D.C. Code §§ 13-422 and 13-423.

9. The Plaintiff is the District of Columbia. The District is a municipal corporation empowered to sue and be sued and is the local government for the territory constituting the permanent seat of the government of the United States. The District is represented by its chief legal officer, the Attorney General for the District of Columbia, who has general charge to conduct of the legal business of the District. The Attorney General is responsible for upholding the public interest and initiates suits on behalf of the



District and its citizens. The Attorney General is charged with the investigation and prosecution of violations of the False Claims Act pursuant to D.C. Code § 2–381.03.

10. Defendant George Papageorge is a District resident who resides at 1520 ½ Massachusetts Avenue, SE, Washington, DC 20003.

11. Defendant 10<sup>th</sup> & C Streets Associates, LLC is a Delaware company—not registered to do business in the District, in violation of D.C. Code § 29-105.03, until July 15, 2022—which gives its address as 2333 Branch Avenue SE, Washington, DC 20020. Through Defendant 10<sup>th</sup> & C, Defendant Papageorge owns the vacant property located at 1000 C Street NE, Washington, DC 20002.

**Vacant Property Taxation in the District**

12. The District levies and collects property tax pursuant to D.C. Code §§ 47-811, *et seq.* Properties in the District are taxed at one of four rates, with rates for occupied residential and commercial spaces far lower than the rates levied on vacant and blighted properties. The current rates are as follows:

<b>Tax Rate</b>	<b>Per \$100 (of assessed value)</b>
Class 1 – Residential	\$0.85
Class 2 – Commercial	\$1.65
Class 3 – Vacant	\$5
Class 4 – Blighted	\$10

13. DCRA is tasked with classifying, registering, inspecting, and monitoring Class 3 and Class 4 vacant and blighted properties. DCRA’s tax rate classifications are relayed to the Office of Tax and Revenue (“OTR”), which calculates and levies the



appropriate tax twice a year based on the applicable tax rate and the current assessed value of the property.

14. Vacant buildings in the District are added to the vacant property registry in one of two ways. Under D.C. Code § 42-3131.09, property owners are required to prospectively register or renew their vacant buildings each year with DCRA and pay an annual \$250 registration fee. Some property owners do so. But, far more frequently, vacant buildings are added to the registry only after concerned neighbors report a building as vacant and DCRA dispatches its inspectors to make on-site determinations.

15. Vacant building owners can appeal the classification of their properties as vacant or blighted to DCRA. If DCRA rejects their appeal, owners can bring their arguments to the Real Property Tax Appeals Commission (“RPTAC”). *See* D.C. Code § 42-3131.15. Owners who win their appeals with DCRA or RPTAC may have their properties reclassified and subjected to the much lower tax rate shown as “Class 1” or “Class 2” in the table in paragraph 12.

16. D.C. Code § 42-3131.06 specifies several conditions under which the owner of a vacant or blighted property might nevertheless be considered exempt from the higher property tax rates. These conditions include active construction that seeks to make the building fit for occupancy; a good-faith effort to rent or sell the property; ongoing litigation; undue economic hardship; and pending zoning board applications. Property owners file for these exemptions with DCRA and are given tax relief if DCRA decides in their favor and changes the property’s tax status with OTR.

17. Owners of long-term vacant and blighted properties have strong economic incentives to abuse this system. The lattice of exemptions and appeals presents a pathway



for unscrupulous owners to utilize misrepresentation and deceit to avoid—for long periods—tax rates intended to quickly return vacant properties to productive use.

18. Responding to this seemingly intractable problem, effective on November 13, 2021, the District amended its False Claims Act to make misrepresentations related the classification and taxation of real properties as vacant or blighted enforceable under the False Claims Act. *See* D.C. Code § 2-381.02(d)(2). The amendment was made explicitly retroactive and covers any claims, records, or statements made on or after January 1, 2015.

**Defendants’ Evasion of Taxation at 1000 C Street**

19. According to official records, media reports, and public testimony, the large red brick home located at 1000 C Street, NE, (“1000 C Street” or the “Property”) has been vacant for more than a decade. Indeed, the Property has been taxed as vacant for only six months in the past 13 years and has been reclassified by the DCRA at least 31 times in the past 10 years.

20. These reclassifications are the direct result of proper classifications being overturned after Defendants’ repeated misrepresentations to the District in their continuous effort to avoid an increased tax burden.

21. Defendant Papageorge’s scheme to avoid vacant property taxation on the Property began as early as 2006, when he established what would be a long-running pattern of improperly maintaining the property while submitting misrepresentations to avoid his obligation to pay the vacant property tax rate.

22. On May 8, 2006, the property was found to be “in such insanitary condition as to endanger the health, safety, or lives of the occupants thereof and/or persons living in the vicinity of the property” and was condemned by the District.





## Advisory Neighborhood Commission 6A Community Presentations



23. After some repair work was completed to remove the condemnation, the property was designated as vacant in 2008, but Defendants refused to pay the vacant property tax rate and began the process of inundating DCRA with appeals and exemption requests.

24. On March 28, 2008, Defendants sought a vacant property taxation exemption with DCRA claiming that the Property had been listed for sale. The listing agreement attached to the exemption request showed that the Property was to be listed for \$1,499,000—more than triple the assessed value of the Property at the time. The listing agreement was signed the same day that exemption request was filed and did not permit the listing agent to post a sign or keybox on the Property. DCRA granted the listing exemption for the full 2008 tax year, but the Property was not sold.

25. On March 23, 2009, Labros Hydras filed a three-page *pro se* complaint for breach of contract and specific performance against 10<sup>th</sup> & C Streets Associates in the Superior Court for the District of Columbia. Mr. Hydras is a friend and business colleague of Defendant Papageorge. On March 25, 2009, just two days after this complaint was filed, Defendant Papageorge filed a request with DCRA for a two-year litigation exemption from the vacant property tax attaching the complaint filed by Mr. Hydras. The request for an exemption was granted by DCRA and the vacant property tax was not paid. On July 8, 2011, the case was dismissed by the Superior Court for want of prosecution.

26. On March 25, 2010, DCRA inspected the property and determined that, in spite of the previously granted exemption, the property should be classified as blighted. Defendants appealed. On September 18, 2012, RPTAC determined that DCRA did not “have the authority to retroactively remove an exemption granted according to law” and



ordered that the Property be classified as Class 1 for tax year 2010 based on the litigation exemption granted in 2009.

27. On March 23, 2011, the property was inspected and deemed to be blighted. Defendants appealed. On November 10, 2011, having exhausted the three fiscal year maximum for which a vacant property may qualify for specific exemptions, Defendant Papageorge submitted a signed response form to DCRA falsely claiming that 1000 C Street was occupied.

28. In 2012, 2013, and 2014, Defendants avoided vacant property taxation by claiming that the Property was occupied when it had, in fact, been without a resident for more than a decade.

29. On July 24, 2015, when the District classified the property as vacant for fiscal year 2015, Defendants filed a “Vacant Building Response Form” in which they falsely certified that the property was in fact occupied. Attached to this Response Form was a recent Pepco bill showing just \$0.45 worth of electrical usage for the previous month.

30. On March 31, 2016, when the District had classified the property as vacant during 2016, Defendants filed a “Vacant Building Response Form” in which they falsely certified that the property was in fact occupied.

31. On August 31, 2016, Defendants appealed the vacant property tax assessment for 2015 and 2016 to RPTAC, falsely claiming that the Property was not vacant and was instead in current residential use.

32. On May 24, 2017, when the District had classified the property as vacant during 2017, Defendants filed a “Vacant Building Response Form” in which they falsely certified that the Property was in fact occupied.



33. On November 21, 2017, Defendants appealed the vacant property tax assessment for 2017 to RPTAC, falsely claiming that the Property was not vacant and was instead in current residential use.

34. On November 16, 2017, and again on March 12, 2018, when the District classified the property as vacant during 2018, Defendants filed a “Vacant Building Response Form” in which they falsely certified that the Property was in fact occupied.

35. On May 10, 2018, Defendants appealed the vacant property tax assessment for 2018 to RPTAC, falsely claiming that the Property was in current residential use.

36. On November 7, 2018, when that the District classified the property as vacant during 2018 and 2019, Defendants filed a “Vacant Building Response Form” in which they falsely certified that the Property was in fact occupied.

37. On January 3, 2020; June 20, 2020; July 21, 2020; and again, on September 7, 2020; when the District classified the property as vacant for 2020, Defendants filed “Vacant Building Response Form[s]” in which they falsely certified that the Property was in fact occupied.

38. When DCRA sent an inspector to affix the 2020 vacancy classification to the front door of the Property, the 2018 notice was found still posted at the Property:



(2020 Vacant Property Notice Showing 2018 Notice Still Affixed)



39. On March 22, 2021, and again on June 4, 2021, when the District classified the property as vacant during 2021, Defendants filed a “Vacant Building Response Form” in which they again falsely certified that the Property was in fact occupied.

40. On August 17, 2021, Defendants appealed the vacant property tax assessment for 2020 and 2021 to RPTAC, falsely claiming that the Property was not vacant and was instead in current residential use.

41. On September 21, 2017, the Office of the District of Columbia Auditor (“ODCA”) published a detailed report regarding the District’s management of the vacant and blighted property program. The ODCA report pointed specifically to the Property noting that on July 24, 2015, Defendants submitted documentation falsely claiming that the Property was in fact occupied while offering only unconvincing utility bills showing scant usage.

42. Indeed, for each of the above referenced years, Defendants offered only water and electric bills showing extremely limited usage to support their false claim that the Property was occupied—such limited utility usage is inconsistent with occupancy.

43. During each of five separate site visits made by Office of the Attorney General to the Property from January 2022 through April 2022, the Attorney General’s investigator found the Property vacant but noted that a radio could be heard playing continuously just inside the front entrance. On each such occasion, no one answered the door after lengthy knocking.

44. From at least 2006 to the present, 1000 C Street has been vacant, blighted, or condemned. Defendants have not occupied the Property, have not leased the Property, and there has been no resident with “an intent to return and occupy the building.” D.C. Code § 42-3131.05(5).



45. Each year from 2008 to 2021, Defendants had an obligation pursuant to D.C. Code § 42-3131.06 to register or renew the Property as vacant and pay the vacant property registration fee; and yet each year Defendants improperly avoided this obligation.

46. The Property was repeatedly, and correctly, designated as vacant or blighted by DCRA, and Defendants knowingly avoided an obligation to pay the Class 3 tax rate while—year after year—preparing and presenting false records in service of that avoidance.

**COUNT I – FALSE CLAIMS ACT**  
**D.C. Code § 2-381.02(a)(6)**

47. The District re-alleges the foregoing paragraphs of this Complaint as if fully set forth herein.

48. The District’s False Claims Act, D.C. Code § 2-381.02(a)(6), provides for the award of costs, treble damages, and civil penalties against any person who knowingly makes or uses a false record or false statement material to an obligation to pay or transmit money to the District, or improperly avoids or decreases an obligation to pay.

49. Defendants knowingly presented or caused to be presented false or fraudulent claims to the District by repeatedly submitting documentation claiming that the Property was occupied when it remained persistently vacant.

50. Defendants made these false statements in records created and submitted to both DCRA and RPTAC from 2015–2021, and repeatedly succeeded in unlawfully avoiding an obligation to pay the Class 3 tax rate.

51. These false statements were made knowingly, in an intentional effort to avoid the obligation to pay the Class 3 tax rate that Defendants knew they were obligated to pay on the Property.



52. Each year from 2015–2021 Defendants had an obligation to register the Property as vacant and pay the associated vacant property registration fee, but each year they improperly avoided the obligation to register and pay.

53. As a result of Defendants’ use of these knowingly false records and statements, and of Defendants associated improper avoidance of an obligation to pay, the District was damaged by the amount of fees and taxes that Defendants should have paid.

**COUNT II: FAILURE TO PAY TAXES DUE**

54. The District re-alleges the foregoing paragraphs of this Complaint as if fully set forth herein.

55. Pursuant to D.C. Code § 47-812 and D.C. Code § 47-813, property owners are liable for property tax that is assessed at a lower rate for occupied residential property (or vacant properties subject to a proper exemption) than the tax rate that is assessed against vacant and blighted properties.

56. The District “may begin” a “proceeding in court for the collection of the tax” in the case of a “(A) false or fraudulent return with the intent to evade tax, (B) willful attempt in any manner to defeat or evade tax imposed by [Title 47 of the D.C. Code] . . . , or (D) filing a real property tax exemption application.” D.C. Code § 47-4301(d); *see also* D.C. Code § 1-301.81(a)(1).

57. Between 2008 and 2011, Defendant Papageorge engaged in willful attempts to defeat or evade tax imposed by D.C. Code § 47-812, *et seq.* by filing fraudulent requests for exemptions and associated appeals to avoid paying the proper Class 3 vacant property tax rate on 1000 C Street.

58. Between 2012 and the present, Defendant Papageorge and Defendant 10<sup>th</sup> & C (following its formation in 2016) engaged in willful attempts to defeat or evade



tax imposed by D.C. Code § 47-812, *et seq.* by falsely claiming that 1000 C Street was occupied when it was in fact vacant as defined within the code.

59. Defendants are liable for a 10% penalty on all unpaid tax plus interest on those amounts equaling 1.5% per month until fully paid. *See* D.C. Code § 47-811(c).

**Prayer for Relief**

WHEREFORE, the District respectfully requests that the Court enter judgment in its favor and award it the following relief:

- (1) The amount of the District’s damages to be determined at trial;
- (2) Treble damages pursuant to the District’s False Claims Act in an amount to be determined at trial;
- (3) Civil penalties pursuant to the District’s False Claims Act for each false claim and false record or statement;
- (4) Penalties and interest on all unpaid real property tax obligations;
- (5) Interest, costs, and other recoverable expenses permitted by law; and
- (6) Such other relief as may be just and appropriate.

**Jury Demand**

The District of Columbia hereby demands a trial by jury by the maximum number of jurors permitted by law.

Date: March 24, 2023

Respectfully submitted,

BRIAN L. SCHWALB  
Attorney General for the District of Columbia

JENNIFER JONES  
Deputy Attorney General  
Public Advocacy Division

BY: /s/ James Graham Lake



Advisory Neighborhood Commission 6A  
Community Presentations



JAMES GRAHAM LAKE [D.C. Bar No. 1028853]  
Chief, Workers' Rights and Antifraud Section  
Public Advocacy Division

*/s/ Jason Jones*

JASON JONES [D.C. Bar No. 90003354]  
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[jason.jones@dc.gov](mailto:jason.jones@dc.gov)  
(202) 735-7494

*Attorneys for the District of Columbia*





Commission Correspondence of  
March 13, 2024 Meeting



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



March 23, 2024

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

Re: ANC 6A Comments on BZA Case No. 21084 (808 I Street NE)

Dear Mr. Moy:

At a regularly scheduled and properly noticed meeting<sup>1</sup> on March 14, 2024, our Commission voted 5-0-0 (with 4 Commissioners required for a quorum) to support the request for Special Exception pursuant to Subtitle E § 207.5, 5201 and Subtitle X § 901.2 from the rear addition requirements of Subtitle E § 207.4, and pursuant to Subtitle E § 5201 and Subtitle X § 901.2 from the lot occupancy requirements of Subtitle E § 210.1 to construct a third story and rear addition to an existing, attached, two-story with cellar, principal dwelling unit at 808 I Street NE (BZA #21084) in the RF-1 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 drawings 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.

Please be advised that Commissioner Chatterjee, Joal Mendonsa, Michael Cushman, 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](mailto:6A04@anc.dc.gov), Commissioner Chatterjee at [6A01@anc.dc.gov](mailto:6A01@anc.dc.gov), Mr. Cushman at [michael.cushman@gmail.com](mailto:michael.cushman@gmail.com), and Joal Mendonsa at [joal.mendonsa@gmail.com](mailto:joal.mendonsa@gmail.com).

On behalf of the Commission,

Amber Gove  
Chair, Advisory Neighborhood Commission 6A

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



Commission Correspondence of  
March 13, 2024 Meeting



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



March 23, 2024

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

Re: ANC 6A Comments on BZA Case No. 21085 (257 Warren Street NE)

Dear Mr. Moy:

At a regularly scheduled and properly noticed meeting<sup>1</sup> on March 14, 2024 our Commission voted 5-0-0 (with 4 Commissioners required for a quorum) to support the request for Area Variance pursuant to Subtitle X § 1002 from the lot dimension requirements of Subtitle E § 202.1 to construct two new, attached, three-story with basements, principal dwelling units at 257 Warren Street NE (BZA #21085) in the RF-1 zone on the condition that the developers make best efforts to get letters of support from neighbors. 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 area variance criteria have been met through submission of architectural drawings 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.

Please be advised that Commissioner Wethington, Joal Mendonsa, Michael Cushman, 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](mailto:6A04@anc.dc.gov), Commissioner Wethington at [6A05@anc.dc.gov](mailto:6A05@anc.dc.gov), Mr. Cushman at [michael.cushman@gmail.com](mailto:michael.cushman@gmail.com), and Joal Mendonsa at [joal.mendonsa@gmail.com](mailto:joal.mendonsa@gmail.com).

On behalf of the Commission,

Amber Gove  
Chair, Advisory Neighborhood Commission 6A

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



# Commission Correspondence of March 13, 2024 Meeting



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



March 23, 2024

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

Re: ANC 6A Comments on BZA Case No. 21071 (1432 F Street NE)

Dear Mr. Moy:

At a regularly scheduled and properly noticed meeting<sup>1</sup> on March 14, 2024, our Commission voted 5-0-0 (with 4 Commissioners required for a quorum) to support the request for Special Exception pursuant to Subtitle E § 5201.1 and Subtitle X § 901.2 from the rear yard and lot occupancy requirements of Subtitle E § 207.1 and Subtitle E § 210.1 to construct a two-story rear addition to an existing, attached, two-story with cellar, principal dwelling unit at 1432 F Street NE (BZA #21071) in the RF-1 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 drawings 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.

Please be advised that Commissioner Dooling, Joal Mendonsa, Michael Cushman, 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](mailto:6A04@anc.dc.gov), Commissioner Dooling at [6A06@anc.dc.gov](mailto:6A06@anc.dc.gov), Mr. Cushman at [michael.cushman@gmail.com](mailto:michael.cushman@gmail.com), and Joal Mendonsa at [joal.mendonsa@gmail.com](mailto:joal.mendonsa@gmail.com).

On behalf of the Commission,

Amber Gove  
Chair, Advisory Neighborhood Commission 6A

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



## Consent Agenda



### Community Outreach (COC)

Recommendation: ANC 6A approve a grant to Miner Elementary School PTO in the amount of \$1,000.00 to fund the renovation of a turtle habitat.

### Alcohol Beverage and Cannabis (ABC)

Recommendation: ANC 6A send a letter to ABCA to protest the license application of Verg Enterprises LLC at 1230 H Street NE (ABCA-127258).

Recommendation: ANC 6A take no action with respect to the application for renewal of a Class A Retail Liquor License by 7 River Mart at 250 11<sup>th</sup> Street NE. (ABRA-126841).

Recommendation: ANC 6A take no action with respect to the application for renewal of a Class A Retail Liquor License by Exotic Wine and Spirits at at 801 Maryland Avenue NE. (ABRA-118158).

### Economic Development and Zoning (EDZ)

Recommendation: ANC 6A send a letter of support to the HPRB re: HPA #24-174: new two-story and basement rear addition to an existing two-story rowhouse at 216 11th Street NE (Future Meeting Date: 4/25/2024).

Recommendation: ANC 6A send a letter of support to the BZA re: BZA #20687A: Request for a Modification of Consequence from Board of Zoning Adjustment Order 20687, pursuant to Subtitle Y § 703 to construct a new detached, two-story, accessory garage with second story dwelling unit to an existing, attached, two-story principal dwelling unit at 1127 G Street NE (Future Meeting Date: 4/24/2024).

Recommendation: ANC 6A send a letter of support to the BZA re: BZA #21094: Request for a Special Exception from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle E § 5201.1 and Subtitle X § 901.2 to construct a two-story with cellar, rear addition, to an existing, attached, three-story, principal dwelling unit at 235 10th Street NE (Future Meeting Date: 4/24/2024).



## Advisory Neighborhood Commission (ANC) 6A Grant Request Application Form

<b>1. DATE OF APPLICATION</b>		<b>2. DATE OF PROJECT OR ACTIVITY</b>	
/	/	3/22/2024	/ /April-June 2024
<b>3. APPLICANT ORGANIZATION NAME AND ADDRESS</b>		<b>4. EIN (TAX ID NUMBER)++</b>	
Miner Elementary School Parent Teacher Organization 601 15 <sup>th</sup> Street NE, Washington DC 20002 EIN: 46-2524347			
<b>5. CONTACT NAME</b>		<b>6. TITLE</b>	
ABBY MCGILL		VICE-PRESIDENT	
<b>7. ADDRESS (IF DIFFERENT FROM ABOVE)</b>			
<b>8. TELEPHONE</b>		<b>8. FAX</b>	
(913)620-5063		( ) -	
<b>10. E-MAIL ADDRESS</b>			
MINERPTO@GMAIL.COM			
<b>11. BRIEF DESCRIPTION OF PROPOSED PROJECT/ACTIVITY – DETAILED INFORMATION ON SEPARATE PAGE (SEE INSTRUCTIONS)</b>			
<b>MINER ELEMENTARY’S BELOVED FISH/TURTLE POND HAS FALLEN INTO DISREPAIR. THIS PROPOSAL WILL SUPPORT COSTS FOR CLEANING, SIMPLE REPAIRS AND MAINTENANCE.</b>			
<b>12. PROJECTED TOTAL COST</b>		<b>13. AMOUNT REQUESTED</b>	
\$1,100		\$1,000	
<b>14. OTHER SOURCES OF FUNDING (BRIEF) – DETAILED INFORMATION REQUIRED ON SEPARATE PAGE (SEE INSTRUCTIONS)</b>			
<b>NONE AT THIS TIME. THE PTO IS, HOWEVER, LOOKING FOR RESOURCES FOR MORE EXTENSIVE FIXES TO THE STRUCTURE OF THE POND</b>			
<b>15. STATEMENT OF BENEFIT (BRIEF DESCRIPTION) – DETAILED INFORMATION REQUIRED ON SEPARATE PAGE (SEE INSTRUCTIONS)</b>			
<b>THE CHILDREN LOVE PASSING BY THE POND EACH DAY, BUT LATELY THE SMELL AND APPEARANCE HAVE MADE THE POND MORE OF AN EYE-SORE THAN AN APPEALING ADDITION TO THE SCHOOL. THIS FACELIFT WILL DO A LOT TO IMPROVE THE SCHOOL’S APPEAL IN A HIGH-TRAFFIC, HIGH-VISIBILITY AREA OF THE SCHOOL BUILDING. IN THE PROCESS, IT WILL HELP MAINTAIN ONE OF OUR STUDENTS’ FAVORITE FEATURES OF THE SCHOOL.</b>			



## Consent Agenda



**++ Organizations exempt under 501(c)(3) but not required to request a ruling from the IRS ruling (see excerpt from tax code below) may provide documentation (including a financial statement) demonstrating that they meet the criteria in lieu of providing an EIN.**

### **Organizations Not Required to File Form 1023**

Churches and organizations (other than private foundations) with annual gross receipts normally \$5,000 or less are not required to file Form 1023 and obtain recognition of tax exemption for contributors' contributions to them to be tax deductible. Although there is no requirement to do so, many churches and small organizations seek IRS recognition because recognition assures contributors that contributions are deductible. For more information, see [Publication 1828, Tax Guide for Churches and Religious Organizations](#), and [Public Charity – Exemption Application](#). To apply <http://www.irs.gov/pub/irs-pdf/f1023.pdf>



**Miner Elementary School PTO  
Advisory Neighborhood Commission (ANC) 6A Grant Application  
Submitted March 22, 2024**

**1) Proposal**

- a. **Project Description and Goals:** The Miner Fish Pond, and its resident turtle Franklin, are such institutions at Miner Elementary School that parents of current students remember it fondly from their days as a student at Miner. The pond is not covered within the normal facilities operation budget from DCPS and requires additional facilities funds for upkeep. With several years of short-term leadership at the school, and no one fully responsible for upkeep, the pond has fallen into disrepair. Mr. Jackson, the school custodian, has purchased food from his own pocket and completed basic upkeep like fishing foreign objects out of the pond, but additional resources are required to bring the pond back to its glory days.

Long-term, the pond requires masonry work and retiling. Teachers have also requested a plexiglass barrier to prevent children from throwing things in the water or playing with the water in transition times. The PTO is actively seeking funds for those longer-term improvements. In the meantime, some urgent upkeep is required for the health of the animals in the pond and general hygiene within a high-traffic area of the school. No one is sure when it was last really cleaned and the water is starting to smell. In addition, the plastic lining is beginning to pull away from the wooden paneling.

The Miner Elementary PTO thus requests funds from the ANC 6A Neighborhood Commission to: 1) hire a specialist to professionally clean the pond and fix the lining; 2) purchase any materials required post-cleaning to maintain clean water that will support the life inside the pond; and 3) purchase fish/turtle food to last through the remainder of the year and into the summer. Together, these resources will get the pond back to a minimum level of serviceability that will free the PTO up to seek funds for more structural improvements.

- b. **Statement of Benefit:** Franklin the turtle and the fish remaining in the pond stand to benefit the most from this project, in the sense that this project will ensure them a healthy habitat. However, the learners and staff at Miner Elementary will also benefit from having a clean and hygienic pond in a hallway that is frequently used by young children. Finally, the improvements will improve the public space in the school by ensuring a clean and pleasant space in a central place on Miner's first floor.

Photographs of the current state of the pond have been attached to this proposal. The success of the improvements will be demonstrated by photographs of the pond after the intervention. Additional testimonials from staff can be collected to support the photographic evidence.

- c. **Timeline:**

April 2024: Collect bids for companies that can complete the maintenance tasks required (cleaning and fixing of the liner). A PTO representative has already started reaching out to some such companies, but more contacts are required to ensure a transparent and cost-effective procurement process.

April-May 2024: Select a company and complete the work. To ensure a longer impact, the PTO will also purchase materials recommended to maintain clean water. The PTO will also purchase food for the animals to ensure that responsibility does not fall to school staff personally.



May-June 2024: Pond maintenance to set a base and continue simple upkeep through the summer.

- d. **Description of the requesting organization:** The Miner Parent Teacher Organization (PTO) is comprised of parents, guardians, teachers, and community members working to create opportunities for Miner students and families. It supports parent initiatives and administrative goals through advocacy and fundraising. Every parent or guardian of a Miner student, and every teacher and staff member are automatically a PTO member. The PTO does not charge dues. The Miner PTO is a 501c(3) charitable organization. The purpose of the Miner PTO is to enhance and support the educational experience at Miner, to develop a closer connection between school and home by encouraging family and teacher involvement, and to improve the environment at Miner through volunteer and financial support.

The Miner PTO has had ANC 6A community grant support in the past, but not in several years.

The current executive board of the PTO is:

- President, Brandon Scott
- Vice-president, Abby McGill
- Secretary, Julie Muir
- Treasurer, Nicholas Heitger

This project will primarily be overseen by Abby McGill, working closely with others on the executive board, as well as the larger leadership team that includes the school’s principal, Dr. Plenty, as well as three teacher representatives and other Miner parents. Abby will find the company to complete the work and serve as a bridge between the company and the school to determine the best way to complete the work.

- e. **Other Materials:** Photographs of the pond



09/20





**2) Budget (Narrative and Table)**

All costs are based on initial estimates from preliminary research. No other funding is envisioned for this project. Eventually, the PTO hopes to supplement this initial work with a larger project to maintain structural integrity of the pond, but this initial segment of the work will be funded entirely by funds received from the ANC 6A community grant program.

Cost	Item Description
\$300	Repair work to pond liner
\$250	Professional pond cleaning
\$250	Animal food (10 lb. Cobalt Aquatics Color Flakes
\$200	Additional maintenance materials (filters, anti-bacterial pellets, etc.)
<b>\$1,000</b>	<b>Project total</b>

**3) Supporting Documents**

The following documents have been attached with this application package:

- a. A copy of the IRS 501(c)(3) non-profit status letter and identification number in PDF format
- b. Letter of support from the president of the PTO



# Consent Agenda



INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **JAN 27 2015**

MINER ELEMENTARY PARENT TEACHER  
ORGANIZATION  
601 15TH STREET NE  
WASHINGTON, DC 20002-0000

Employer Identification Number:  
46-2524347  
DLN:  
26053420006285  
Contact Person:  
CUSTOMER SERVICE ID# 31954  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Public Charity Status:  
509(a)(2)  
Form 990/990-EZ/990-N Required:  
Yes  
Effective Date of Exemption:  
October 28, 2014  
Contribution Deductibility:  
Yes  
Addendum Applies:  
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to [www.irs.gov/charities](http://www.irs.gov/charities). Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 5436



# Consent Agenda



-2-

MINER ELEMENTARY PARENT TEACHER

Sincerely,

Director, Exempt Organizations

Letter 5436



## Consent Agenda



March 22, 2024

Paul Spires  
Chair, ANC 6A Community Outreach Committee

RE: ANC6A Grant Request Application Package

Dear Mr. Spires:

I write in support of the application submitted by the Miner Elementary School Parent Teacher Organization (PTO) on March 22, 2024. The proposed project would make critical improvements to the pond to ensure the health of the animals in the pond and improve the environs of Miner Elementary School. Should the grants committee select to fund this project, it would provide a critical investment in a central feature of our school.

Sincerely,

Brandon Scott



## Consent Agenda



April XX, 2024

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

Re: HPA 24-174 (216 11th Street NE)

Dear Ms. Heath,

At a regularly scheduled and properly noticed meeting<sup>1</sup> on April 11th, 2024, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the proposed construction of a new two-story and basement rear addition to an existing two-story rowhouse in the Capitol Hill Historic District. The design will not disrupt the historic character of the neighborhood.

Please be advised that Joal Mendonsa, Michael Cushman, 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](mailto:amberanc6a@gmail.com), Mr. Cushman at [michael.cushman@gmail.com](mailto:michael.cushman@gmail.com), and Joal Mendonsa at [joal.mendonsa@gmail.com](mailto:joal.mendonsa@gmail.com).

On Behalf of the Commission,

Amber Gove  
Chair, Advisory Neighborhood Commission 6A

---

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



Government of the District of Columbia

### APPLICATION AND REFERRAL TO THE HISTORIC PRESERVATION REVIEW BOARD

HPA

The DC Historic Landmark and Historic District Protection Act of 1978 requires the Mayor to refer construction plans to the Historic Preservation Review Board (HPRB) for consideration before issuing a building permit affecting a designated historic landmark or property within a historic district. To initiate a historic preservation review with HPRB, please submit this form with all required attachments as directed below.

THIS IS A REQUEST FOR THE FOLLOWING REVIEW BY THE HISTORIC PRESERVATION REVIEW BOARD:

- CONCEPTUAL REVIEW** to receive HPRB guidance at the early stages of design and to enable delegation of final permit review to the Historic Preservation Office (HPO)
- PERMIT REVIEW** to receive final historic preservation review of the building permit plans for a project I have confirmed with the HPO staff that the proposed work needs to be submitted for HPRB review

#### 1. OWNER, APPLICANT, AND PROPERTY INFORMATION

Property Owner's Name: Auden & Elizabeth Kaehler

Applicant's Name (if different from owner): same

Project Address: 216 11th Street, NE

Square: 0964 Lot: 0831 Historic District: Capitol Hill

To find your square, lot and historic district, see [www.propertyquest.dc.gov](http://www.propertyquest.dc.gov)

- I am currently the owner of the property
- I am a homeowner currently receiving the DC homestead deduction for this property
- I am an authorized representative of the property owner
- I am or represent a potential purchaser of the property

#### 2. SUBMISSION MATERIALS FOR HPRB

All materials must be submitted via email to [historic.preservation@dc.gov](mailto:historic.preservation@dc.gov).

The following digital materials are included with this application:

- Comprehensive exterior photographs of the building, site and its context showing adjacent buildings, immediate surroundings, and the areas of proposed work
- Site plan showing the existing footprint of the property and all other buildings on the block or square
- Building plans, elevations, site plans, and details sufficient to illustrate the footprint, height, massing, design, and materials of the proposed work and its surrounding context

#### 3. PROJECT DESCRIPTION (CHECK ALL THAT APPLY)

- Addition     Exterior Alteration     New Construction     Subdivision     Other

Briefly describe the nature of the project: Roof at existing front porch. Rear addition.

Window & front door replacement.

	YES	No	UNSURE
Is the proposed work visible from a public street?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will there be work on the front of the building or in the front yard?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the project include work in public space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the project include removal of roof or floor framing or bearing walls?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is this a Fair Housing Act request for "reasonable accommodation"?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(over)



4. ADDITIONAL INFORMATION FOR LARGER PROJECTS

For renovation or new construction projects exceeding 20,000 square feet, attach a full narrative description indicating the general nature of the project, program of uses, estimated gross floor area by use, number of residential units, scope of preservation work, and any other pertinent features or benefits, including aspects of sustainability. Homeowners proposing work on their own house do not need to provide this information.

5. EASEMENTS

	YES	NO	UNSURE
Is there a conservation easement on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, have you discussed the project with the easement holder?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. COMMUNITY CONSULTATION

	YES	NO	UNSURE
Has the owner shared project information with abutting and confronting neighbors?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has the owner contacted the affected Advisory Neighborhood Commission (ANC)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has the owner contacted any neighborhood community organizations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Owners are required to make project plans available to their ANC and neighbors. HPO notice ensures the minimum requirement is met, but owners are encouraged to make direct contact. To locate your ANC, see www.anc.dc.gov.

7. ZONING REGULATIONS AND CONSTRUCTION CODE

	YES	NO	UNSURE
Will the project cause a change in building footprint or lot occupancy?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are any zoning variances or special exceptions required for the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, have you discussed the project with the Zoning Administrator?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, have you discussed the project with the Office of Planning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is any building code relief required for the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Briefly describe the nature of any zoning variances or code relief being sought: \_\_\_\_\_

8. CONTACT INFORMATION

Owner Address (if different from project address): same

Owner Phone: 202-979-3912 / 206-979-3913 Owner Email: akachler@fastmail.fm / kaehler.elizabeth@gmail.com

Agent's Capacity:  Tenant  Architect  Contractor  Contract Purchaser  Expediter  Other

Agent Name (if different from owner): Melissa Boyette

Agent Phone: 202-455-6237 Agent Email: missy@oldcitydesign.us

9. CERTIFICATION

I hereby certify that the information given in this application is true and accurate. If applying as an agent of the owner, I certify that I have the owner's permission to make this application.

Signature: MB Date: 1.11.2024

When completed, submit this form with all plans, photographs, and other attachments to the Historic Preservation Office via email to [historic.preservation@dc.gov](mailto:historic.preservation@dc.gov). Upon review of this submission, HPO staff may contact the owner or agent for consultation, and may request additional information if determined necessary to review the project.

Referral to HPRB may be deferred if information is not received within sufficient time to allow staff evaluation and preparation for review. All application materials are part of the public record and are made available to the public for inspection. For more information, see [www.preservation.dc.gov](http://www.preservation.dc.gov).



Historic Preservation Office  
DC Office of Planning  
(202) 442-8800  
[historic.preservation@dc.gov](mailto:historic.preservation@dc.gov)

District of Columbia  
Office of Planning





# Consent Agenda



## ADDITION AND RENOVATION TO THE KAEHLER RESIDENCE 216 11th STREET, NE WASHINGTON, DC 20002

LOCATION PLAN:

SITE: 216 11th STREET, NE



**OWNER:**  
Elizabeth and Auden Kaehler  
216 11th Street, NE  
Washington, DC 20002

**PROJECT DESCRIPTION:**  
New 2-story + basement rear addition to existing 2-story plus basement interior rowhouse. Includes relocated kitchen and powder room, enlarged bedrooms and an additional bathroom. Project will remain as a single family residence.

**ZONING DATA:**  
Type: 2-Story plus Basement Attached Row Dwelling (Single Family)  
Square: 0964  
Lot: 0831  
Zoning District: RF-1  
ANC: 6A

	ALLOWED	EXISTING	PROPOSED
Min. Lot Width:	E 201.1 18 feet	19 feet	Unchanged
Min. Lot Area:	E 201.1 1,800 sq ft	2,109.0 sq ft	Unchanged
Max. Dwelling Units:	E 302.1 2	1	Unchanged
Max. Stories:	E 303.1 3 stories	3 stories	Unchanged
Max. Height:	E 303.1 35 feet	34.25 feet	Unchanged
Max. Lot Occupancy:	E 304.1 60%	47.8%	56.1%
Required Rear Yard Setback:	E 306.1 20 feet	49.5 feet	39.5 feet
Required Side Yard Setback:	E 307.3 None required	0 feet	Unchanged
Parking Space:	C 701.5 None required	0	Unchanged
Maximum FAR:	None prescribed		

**RELEVANT CODE:**  
2016 DCMR 11 - ZONING REGULATIONS  
2012 IRC AS AMENDED BY DCMR TITLE 12, 2013 DC RESIDENTIAL CODE SUPPLEMENT

**CODE ANALYSIS:**

**FIRE DETECTION SYSTEM:** HARD WIRED WITH BATTERY BACKUP  
**FIRE RATING:**

EXISTING EXTERIOR LOAD BEARING PARTY WALLS: 2-HR  
EXISTING & NEW FLOOR FRAMING: 0-HR  
NEW EXTERIOR WALLS ON PROPERTY LINE: 1-HR  
NEW ROOF FRAMING: 1-HR

**SHEET LIST:**

- G-1 COVER SHEET
- G-2 BLOCK PLAN & EXISTING SITE PLAN
- G-3 PROPOSED SITE PLAN
- G-4 CONTEXT PHOTOS
- G-5 CONTEXT PHOTOS AND WINDOW DETAILS

- E-0 EXISTING FLOOR PLAN LOWER LEVEL
- E-1 EXISTING FLOOR PLAN FIRST LEVEL
- E-2 EXISTING FLOOR PLAN SECOND LEVEL
- E-3 EXISTING ROOF PLAN

- E-10 EXISTING ELEVATION (FRONT)
- E-11 EXISTING ELEVATION (REAR)

- A-0 PROPOSED FLOOR PLAN LOWER LEVEL
- A-1 PROPOSED FLOOR PLAN FIRST LEVEL
- A-2 PROPOSED FLOOR PLAN SECOND LEVEL
- A-3 PROPOSED ROOF PLAN

- A-10 PROPOSED ELEVATION (FRONT)
- A-11 PROPOSED ELEVATION (REAR)

- A-21 EXISTING & PROPOSED BUILDING SECTIONS

These Drawings & Specifications, and the ideas and designs represented herein, are the sole property of the Architect. No part shall be copied, disclosed to others, or used in connection with any other project or site, without prior written consent of the Architect.

**HPRB SUBMISSION**

**OLD CITY DESIGN STUDIO®**  
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202.455.6237 OLDACITYDESIGN.US

**CLIENT:**  
KAEHLER RESIDENCE  
216 11th STREET NE  
WASHINGTON, DC 20002

DATE: 2.13.2024  
SCALE: N.T.S.

COVER SHEET

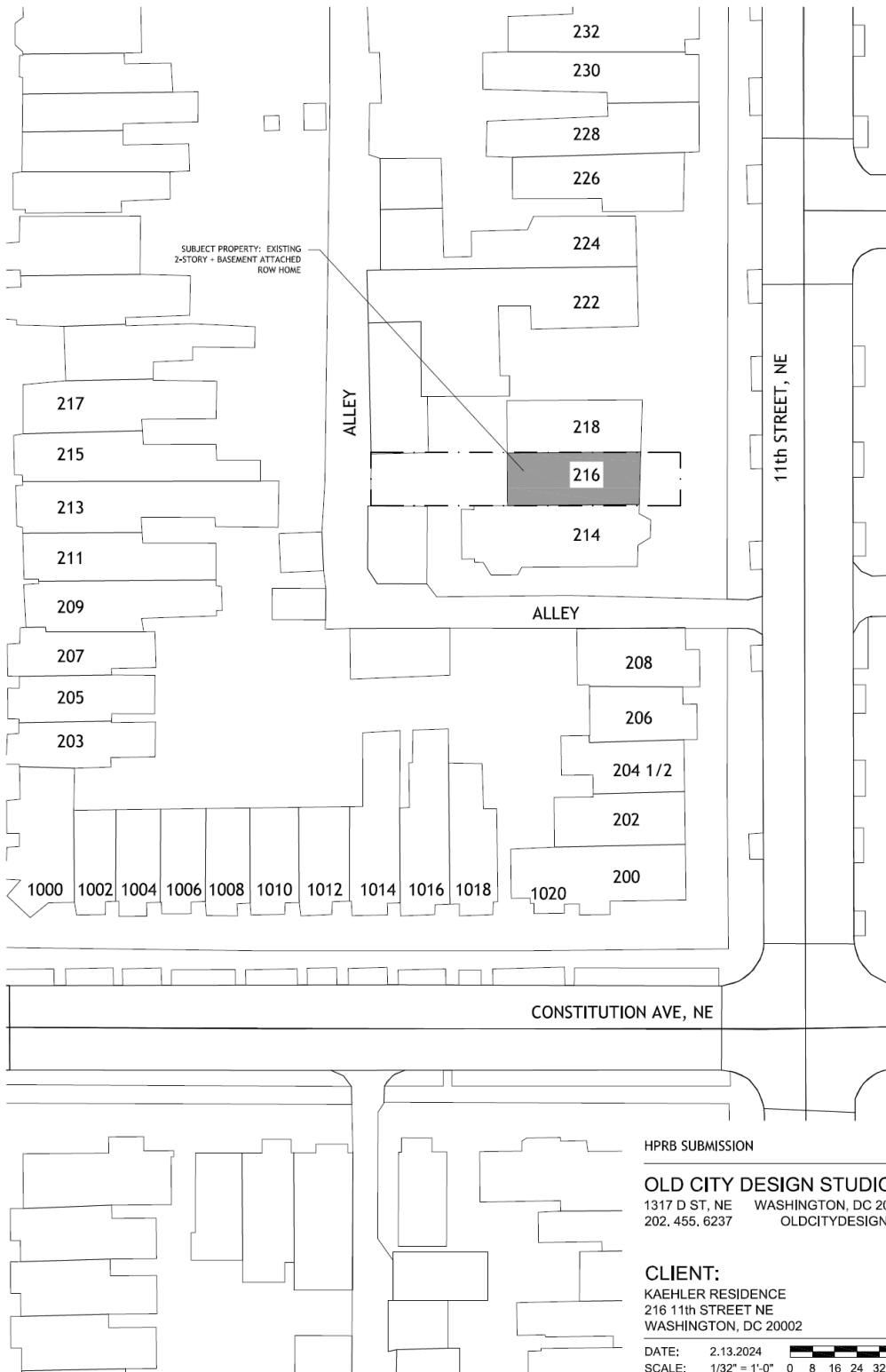


# G-1





# Consent Agenda



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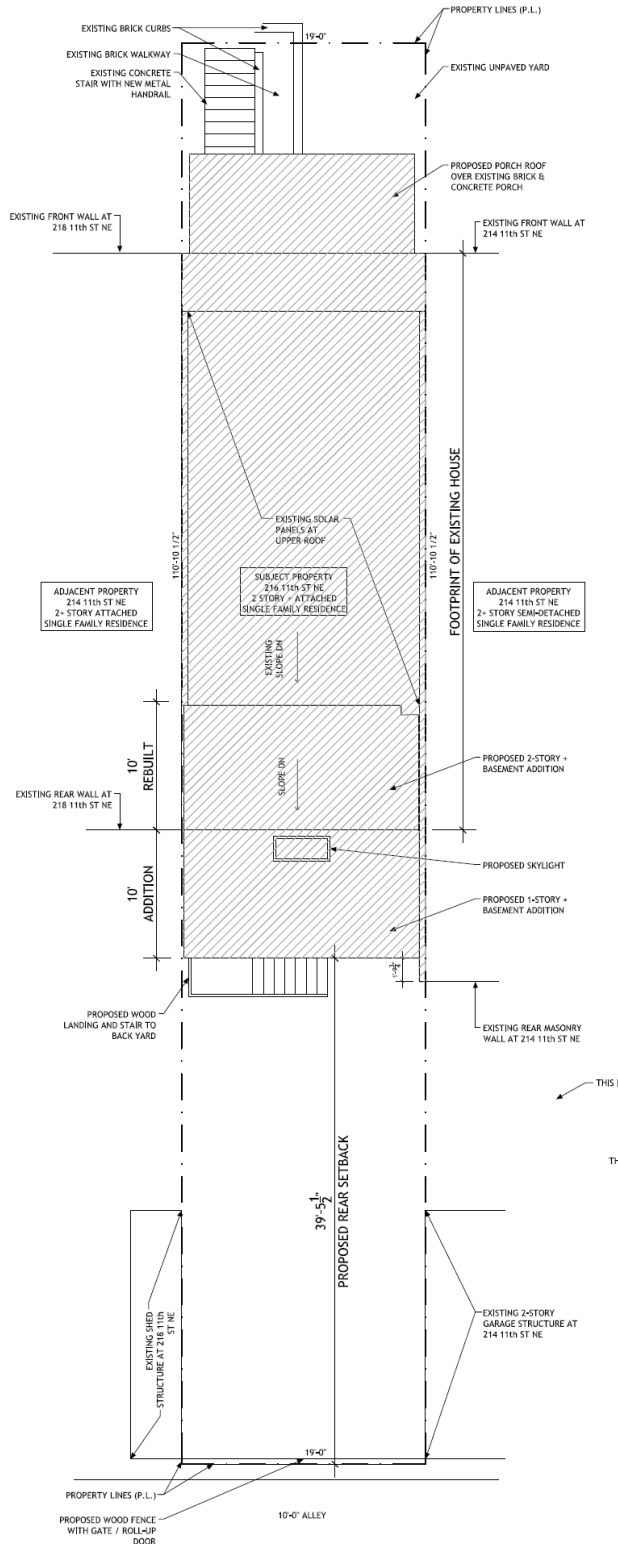
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 KAEHLER RESIDENCE  
 216 11th STREET NE  
 WASHINGTON, DC 20002

DATE: 2.13.2024  
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BLOCK PLAN & EXISTING SITE PLAN  **G-2**



# Consent Agenda



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DATE: 2.13.2024  
 SCALE: 1/8" = 1'-0" 0 1 4 8

PROPOSED SITE PLAN **G-3**



# Consent Agenda



216 11th ST, NE - EXISTING FRONT (EAST) FACADE



216 11th ST, NE - EXISTING REAR (WEST) FACADE



216 11th ST, NE - REAR NEIGHBORS TO SOUTH



216 11th ST, NE - VIEW FROM ALLEY

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216 11th STREET NE  
WASHINGTON, DC 20002

DATE: 2.13.2024  
SCALE: N/A

CONTEXT  
PHOTOS

# G-4



# Consent Agenda



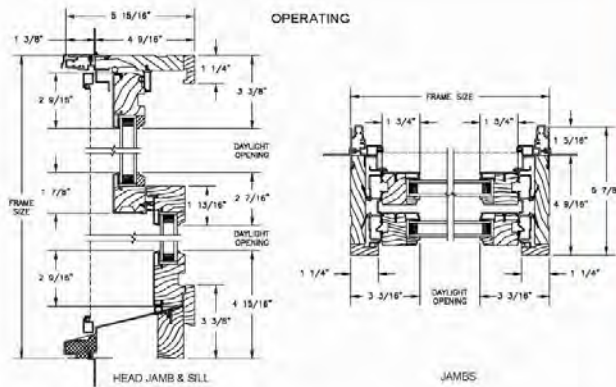
216 11th ST, NE - EXISTING FRONT (EAST) FACADE

NOTE: NEW BRICKMOLD TO MATCH EXISTING PROFILE AT NEW WINDOWS AND DOOR AT FRONT FACADE

FRONT DOOR & TRANSOM TO BE REPLACED, SEE SPEC THIS SHEET; DOUBLE-HUNG WINDOWS AT FRONT FACADE TO BE REPLACED WITH NEW DOUBLE-HUNG WINDOWS (SEE DETAILS THIS SHEET)

## Pinnacle Series CLAD DOUBLE HUNG

SECTION DETAILS - OPERATING / PICTURE  
SCALE 3" = 1'-0"



TYPICAL DOUBLE HUNG WINDOW - WINDSOR PINNACLE CLAD



### F7044LE

Low-E  
1-7/16" Double Hip  
Raised Panel  
Ovalo Sticking

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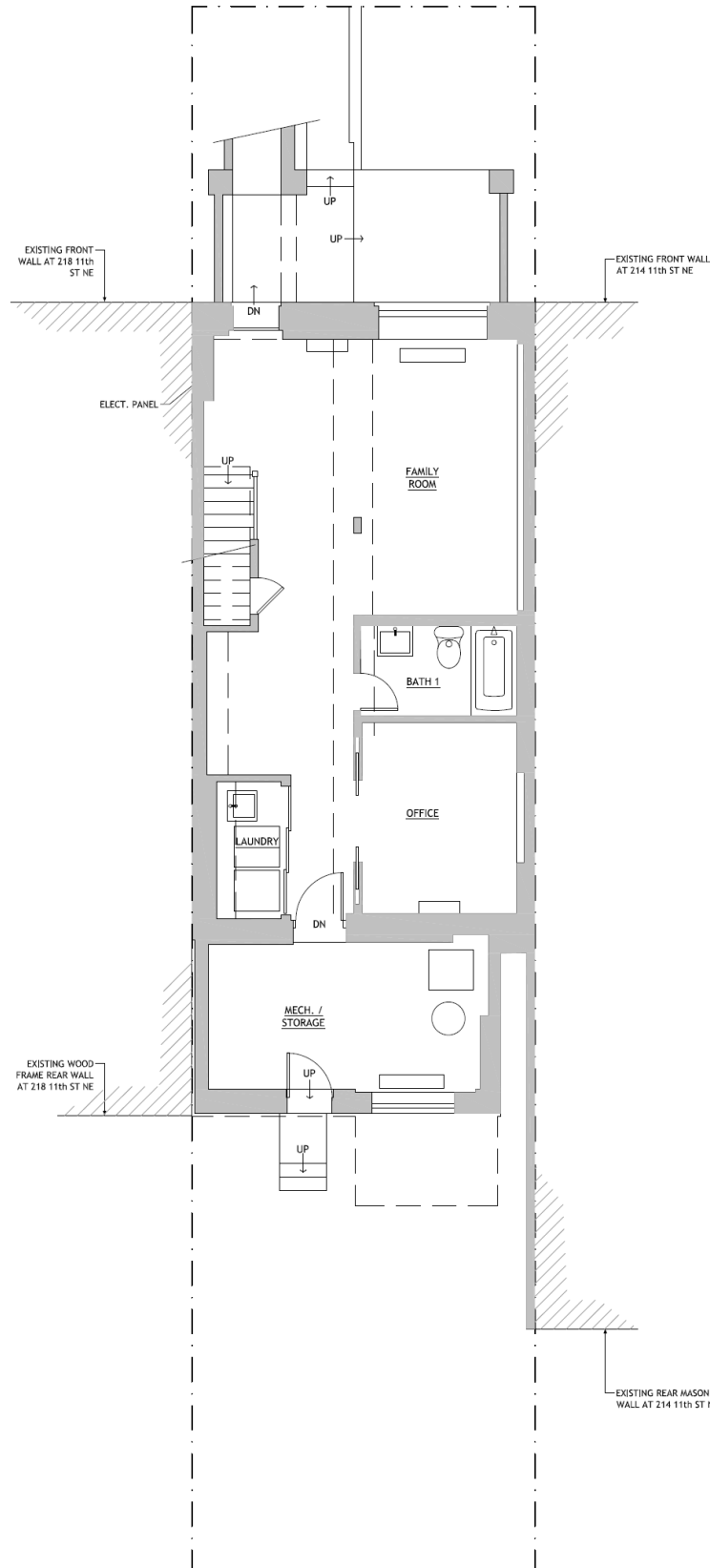
DATE: 2.13.2024  
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CONTEXT  
PHOTOS AND  
WINDOW DETAILS

# G-5



# Consent Agenda



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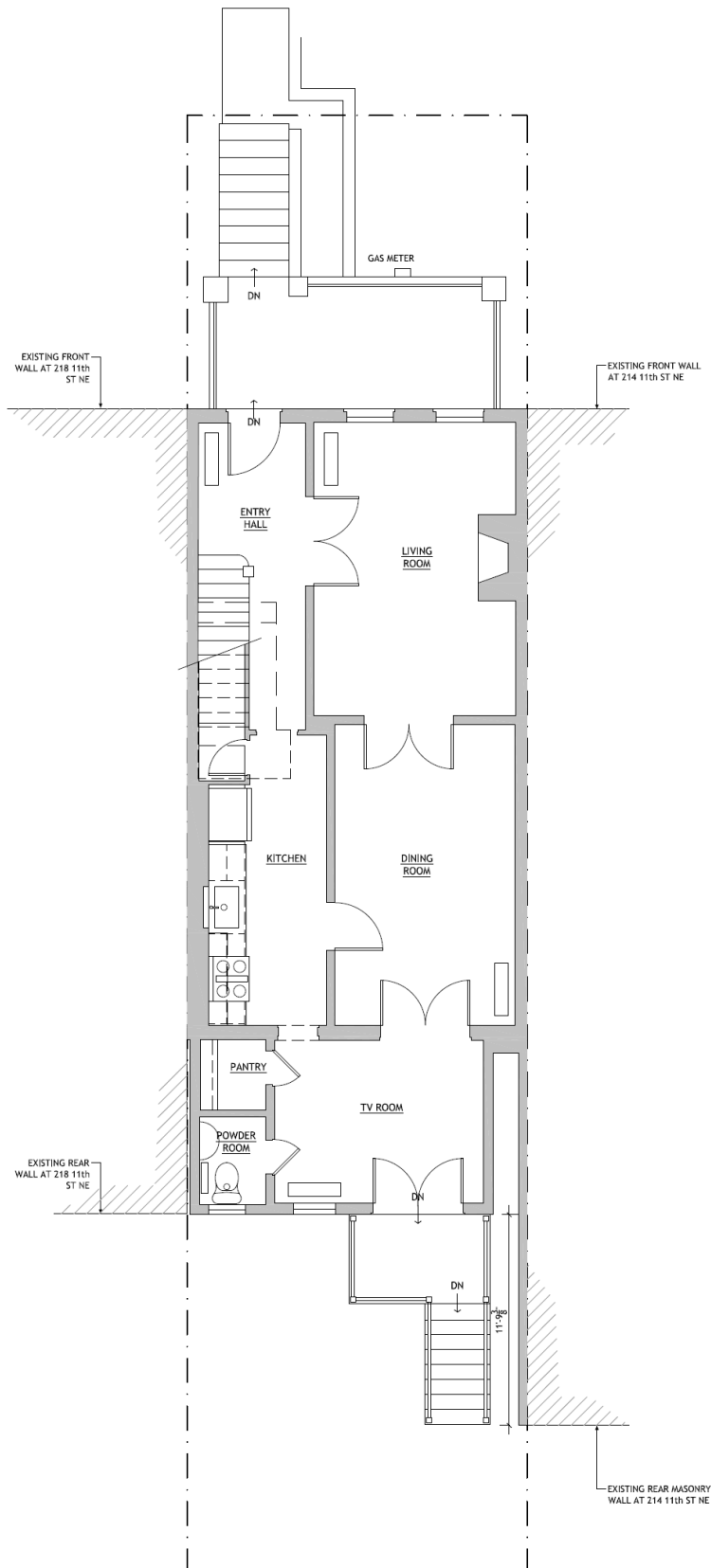
**CLIENT:**  
 KAEHLER RESIDENCE  
 216 11th STREET NE  
 WASHINGTON, DC 20002

DATE: 2.13.2024  
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EXISTING FLOOR PLAN LOWER LEVEL  **E-0**



# Consent Agenda



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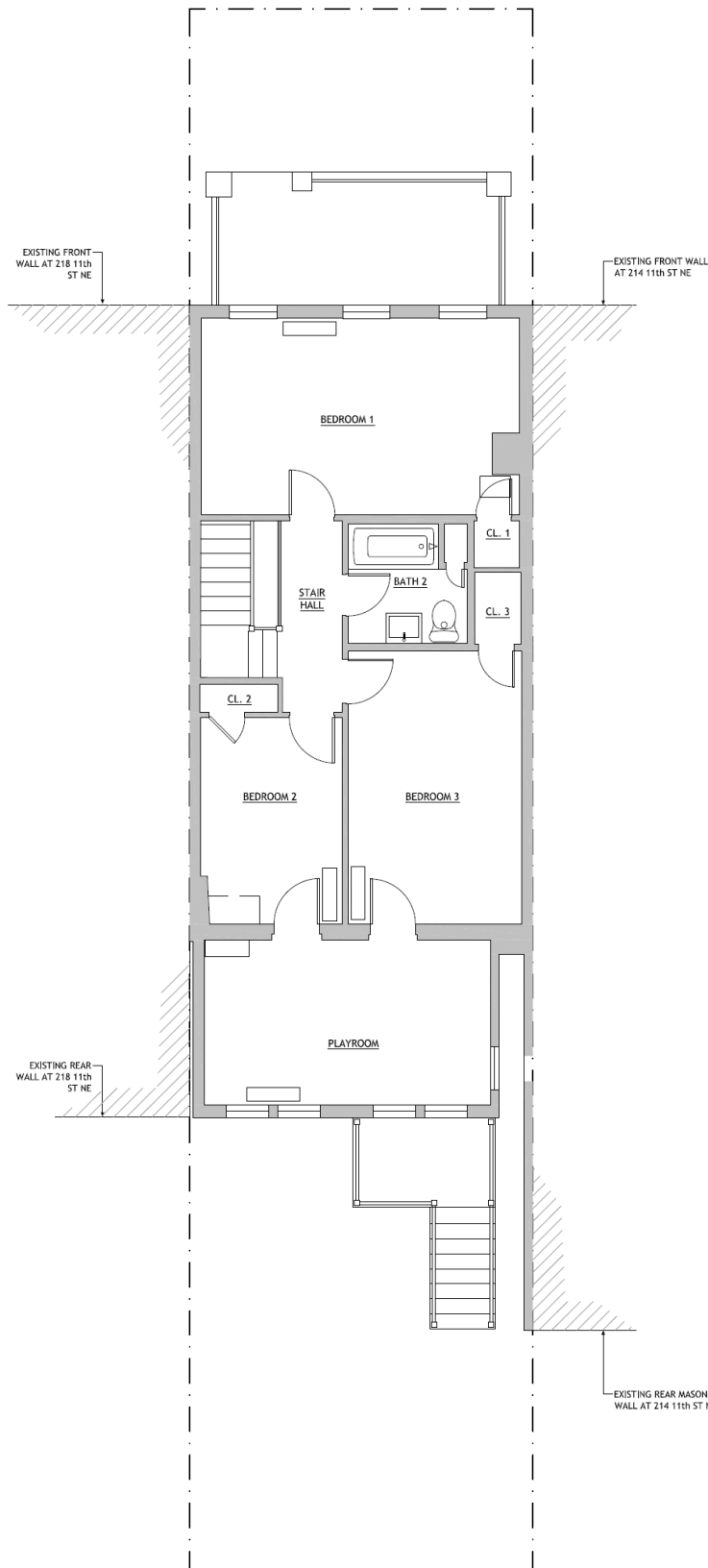
EXISTING  
 FLOOR PLAN  
 FIRST LEVEL



# E-1



# Consent Agenda



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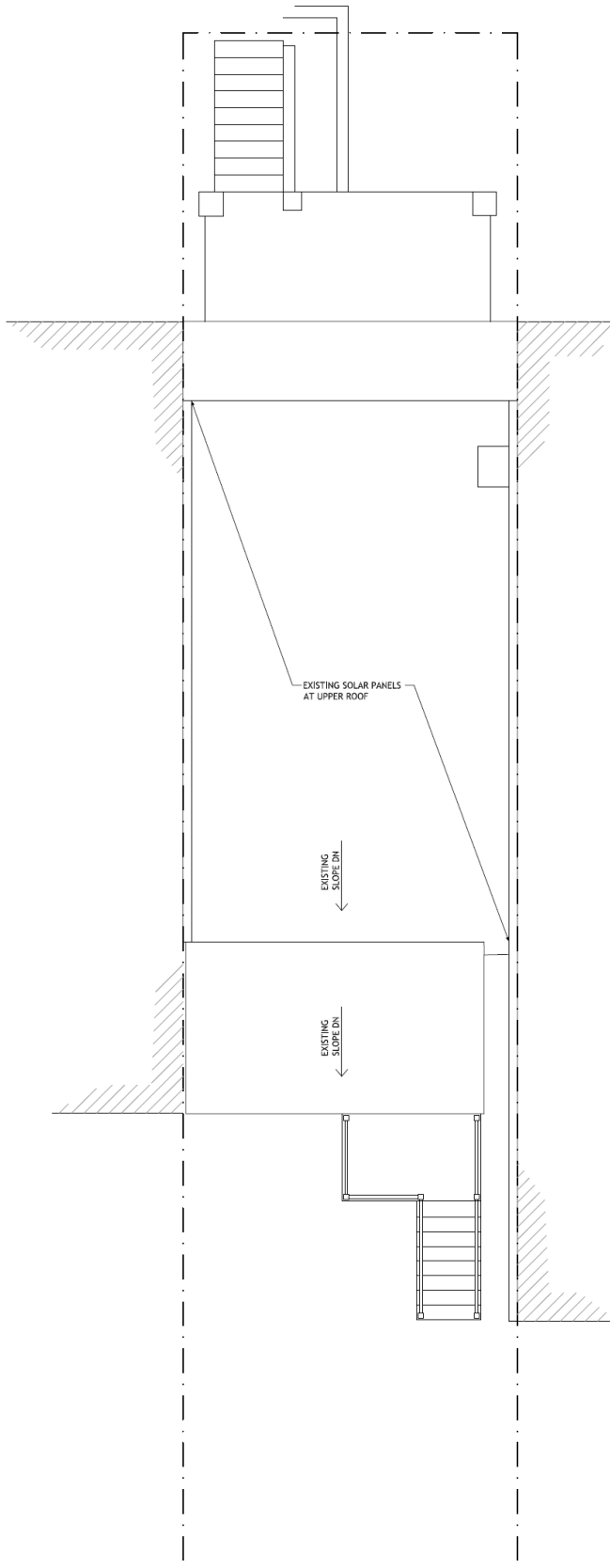
**CLIENT:**  
 KAEHLER RESIDENCE  
 216 11th STREET NE  
 WASHINGTON, DC 20002

DATE: 2.13.2024  
 SCALE: 3/16" = 1'-0" 0 1 4 6

EXISTING FLOOR PLAN SECOND LEVEL  **E-2**



# Consent Agenda



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DATE: 2.13.2024  
 SCALE: 3/16" = 1'-0" 0 1 4 6

EXISTING ROOF PLAN

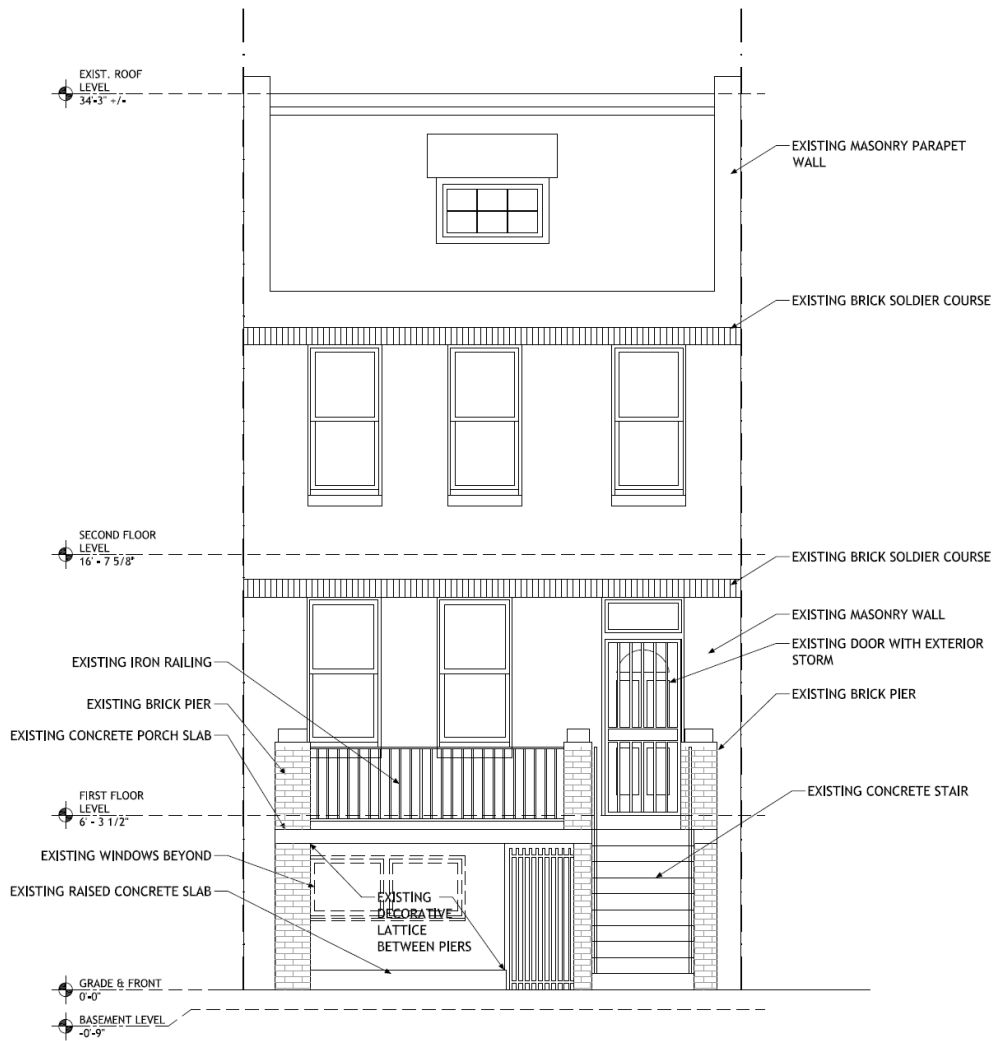


# E-3





# Consent Agenda



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DATE: 2.13.2024  
 SCALE: 1/4" = 1'-0" 0 1 5

EXISTING ELEVATION

# E-10



# Consent Agenda



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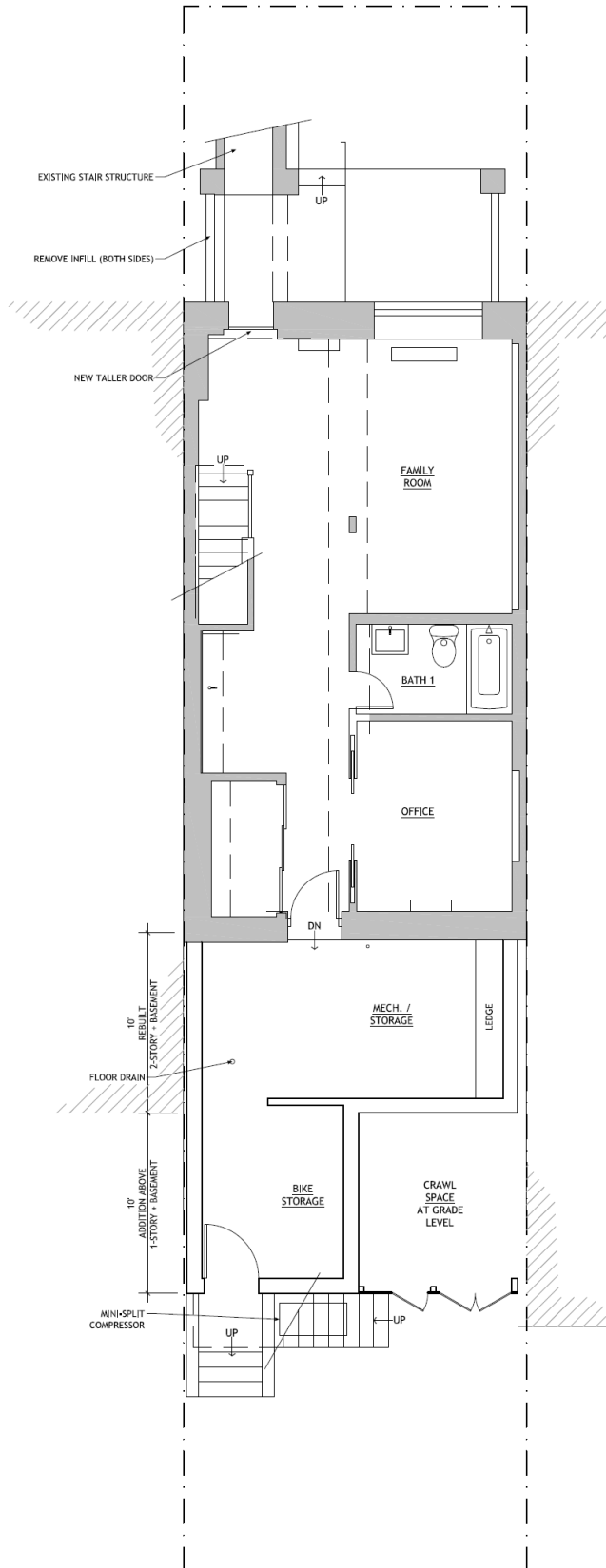
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EXISTING ELEVATION

# E-11



# Consent Agenda



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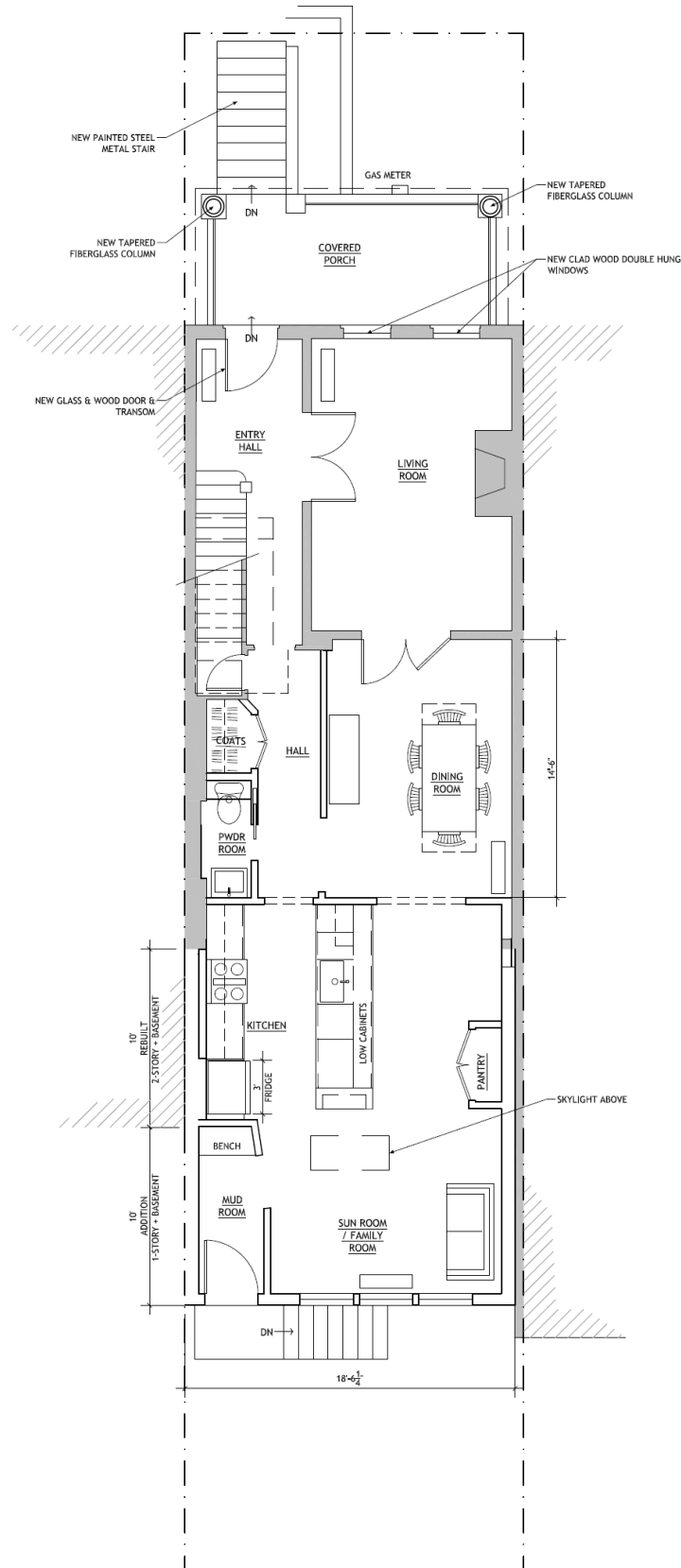
**CLIENT:**  
 KAEHLER RESIDENCE  
 216 11th STREET NE  
 WASHINGTON, DC 20002

DATE: 2.13.2024  
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PROPOSED FLOOR PLAN LOWER LEVEL  **A-0**



# Consent Agenda



HPRB SUBMISSION

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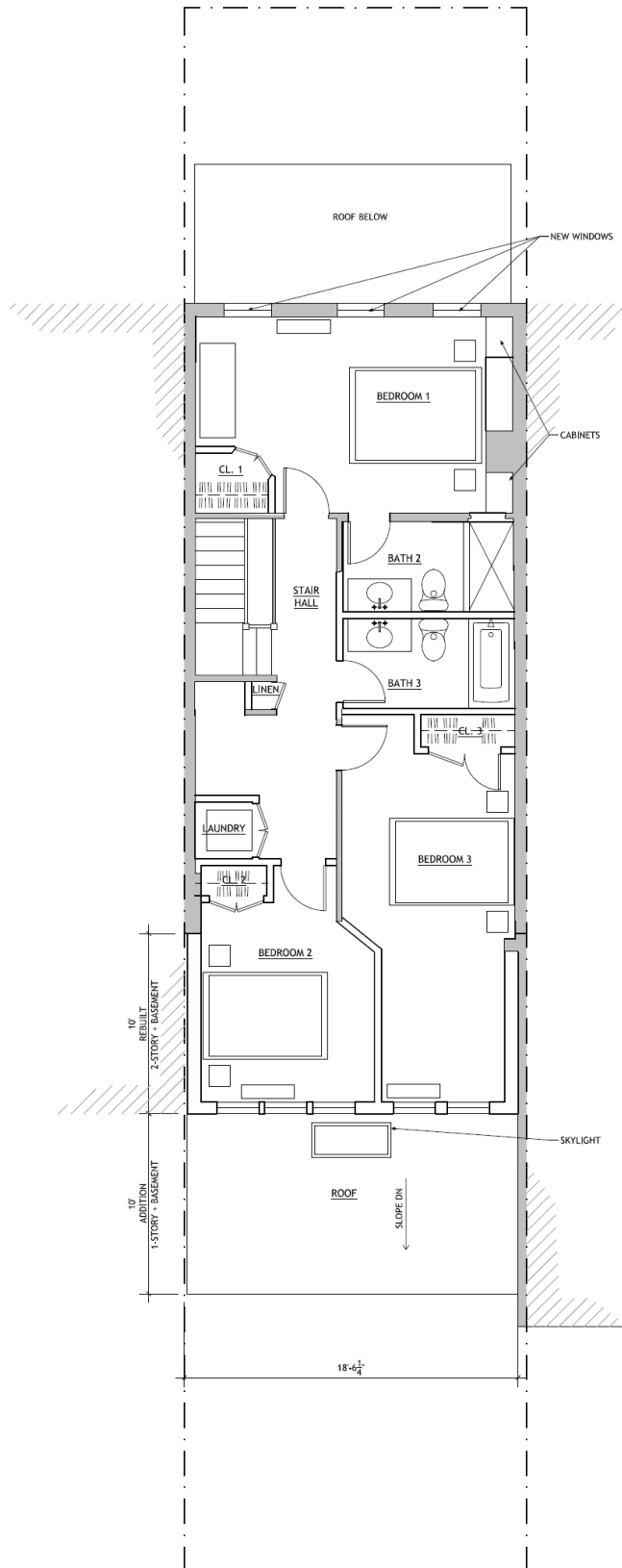
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 KAEHLER RESIDENCE  
 216 11th STREET NE  
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DATE: 2.13.2024   
 SCALE: 3/16" = 1'-0" 0 1 4 6

PROPOSED FLOOR PLAN FIRST LEVEL **A-1**



# Consent Agenda



HPRB SUBMISSION

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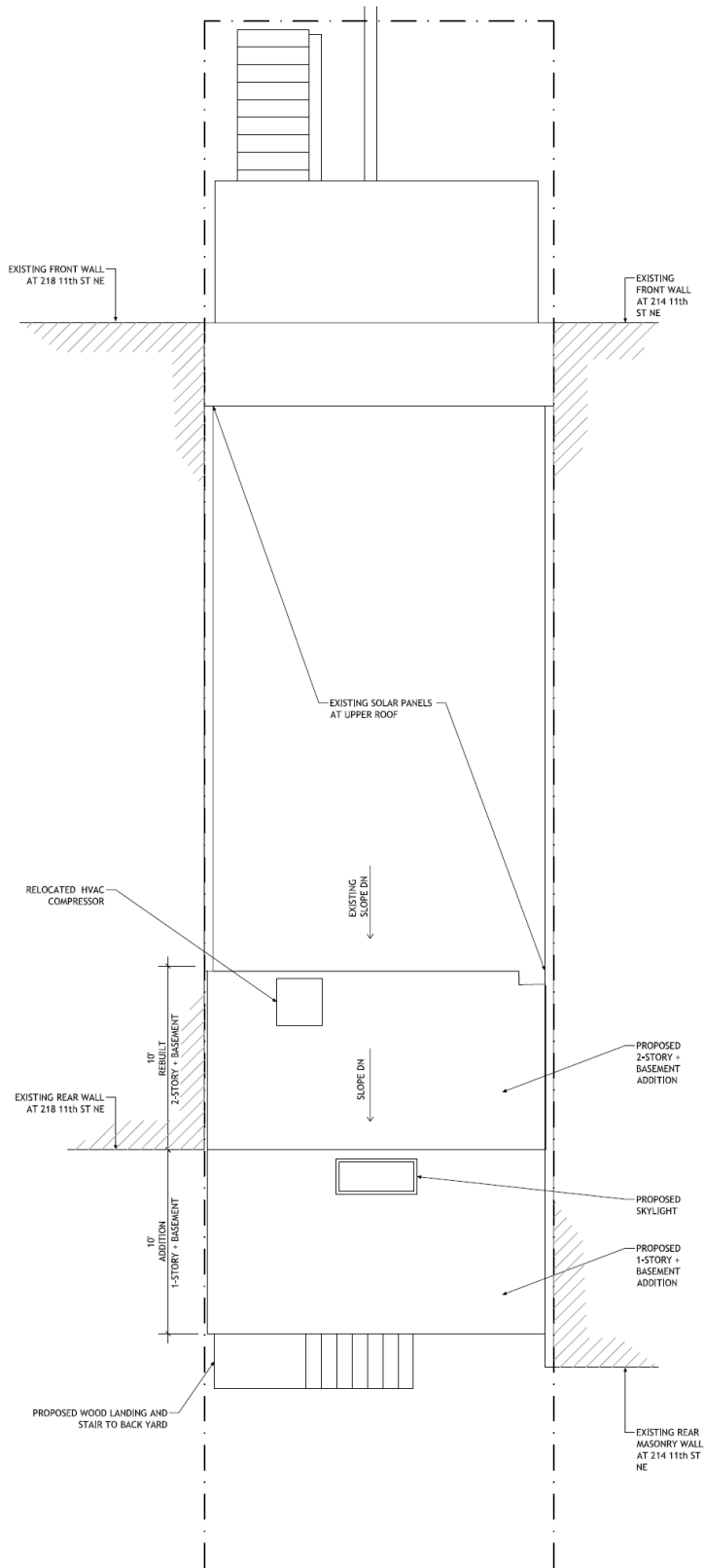
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 KAEHLER RESIDENCE  
 216 11th STREET NE  
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DATE: 2.13.2024  
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PROPOSED FLOOR PLAN SECOND LEVEL  **A-2**



# Consent Agenda



HPRB SUBMISSION

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 WASHINGTON, DC 20002

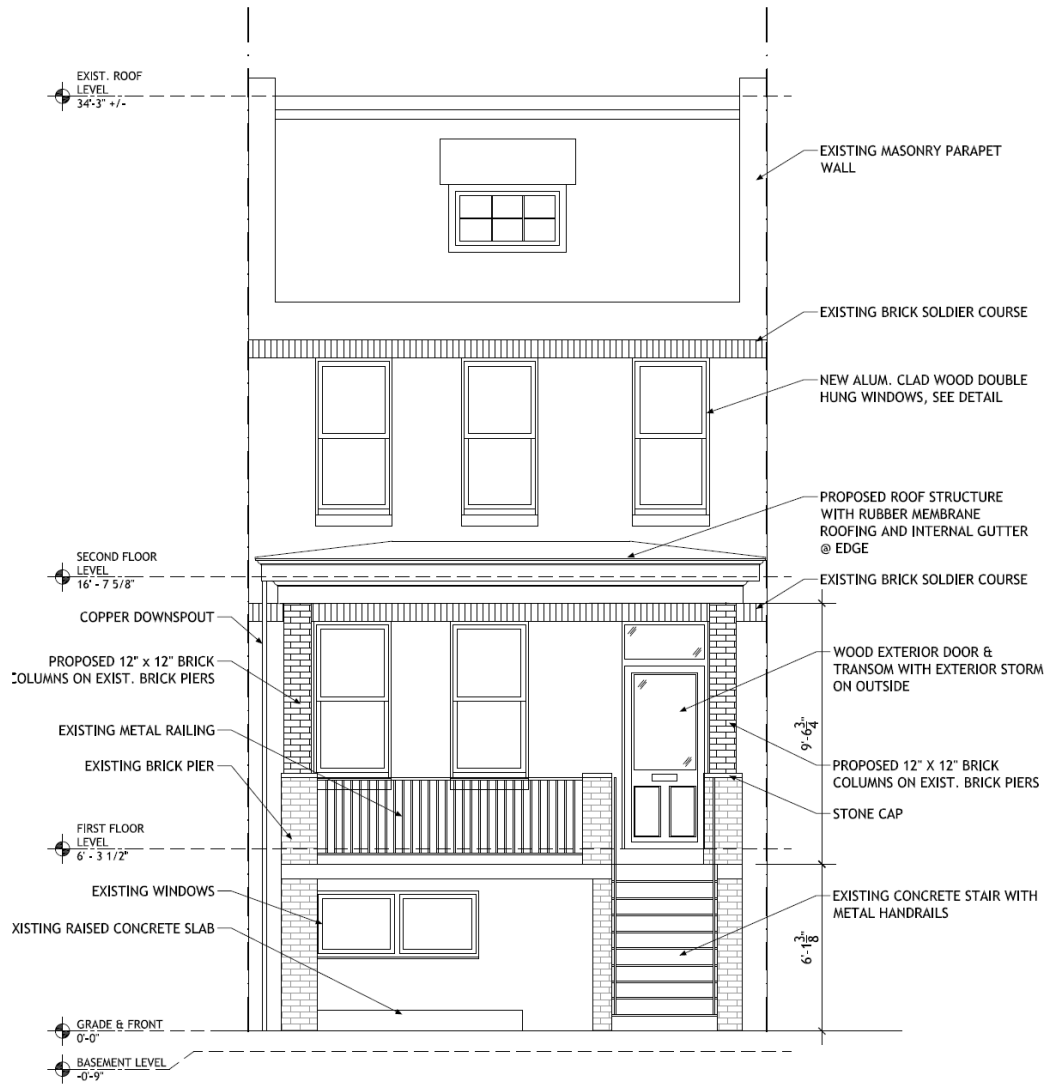
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PROPOSED ROOF PLAN

# A-3



# Consent Agenda



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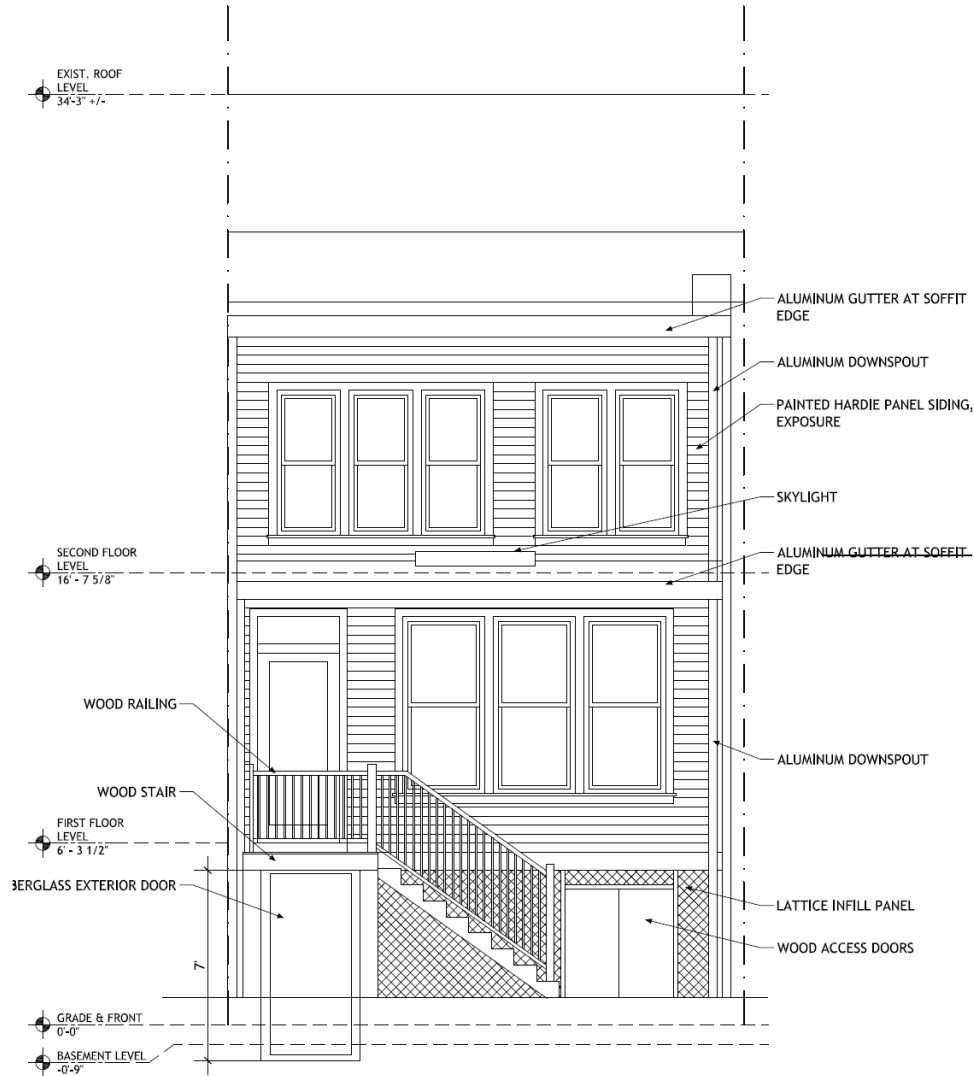
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PROPOSED  
ELEVATION

# A-10



# Consent Agenda



HPRB SUBMISSION

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 WASHINGTON, DC 20002

DATE: 2.13.2024  
 SCALE: 1/4" = 1'-0" 0 1 5

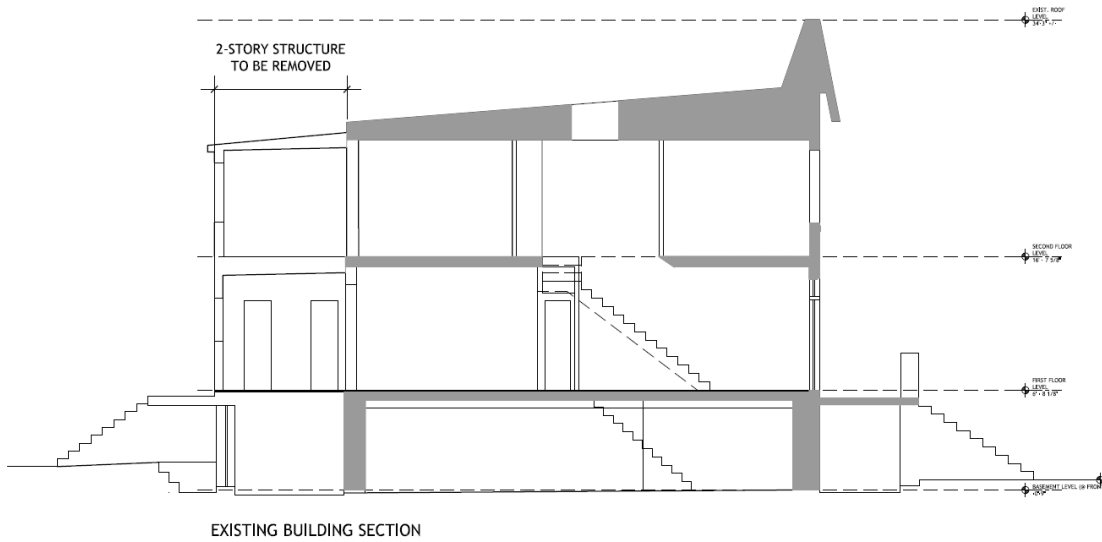
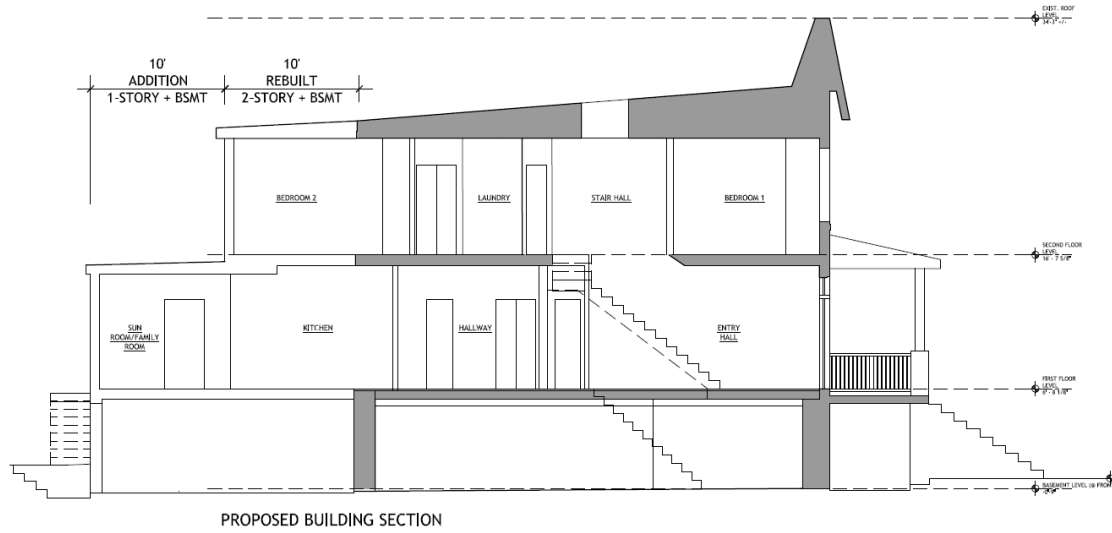
PROPOSED ELEVATION

# A-11





# Consent Agenda



HPRB SUBMISSION

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 216 11th STREET NE  
 WASHINGTON, DC 20002

DATE: 2.13.2024  
 SCALE: 1/8" = 1'-0" 0 1 4 8

EXISTING &  
 PROPOSED  
 BUILDING  
 SECTIONS

# A-21



# Consent Agenda



April XX, 2024

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

Re: BZA Case No. 20687A (1127 G Street NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting<sup>1</sup> on April 11, 2024, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the request for a Modification of Consequence from Board of Zoning Adjustment Order Number 20687 pursuant to Subtitle Y § 703 to construct a new detached, two-story accessory garage with second story dwelling unit to an existing attached, two story principal dwelling unit in RF-1 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 modification criteria has been met through submission of architectural drawings 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.

Please be advised that Joal Mendonsa, Michael Cushman, 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](mailto:amberanc6a@gmail.com), Mr. Cushman at [michael.cushman@gmail.com](mailto:michael.cushman@gmail.com), and Joal Mendonsa at [joal.mendonsa@gmail.com](mailto:joal.mendonsa@gmail.com).

On Behalf of the Commission,

Amber Gove  
Chair, Advisory Neighborhood Commission 6A

---

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



# Consent Agenda



BEFORE THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA



## FORM 154 - APPLICATION FOR MINOR MODIFICATION/MODIFICATION OF CONSEQUENCE

### GIS INFORMATION

Square	Lot(s)	Zone	ANC
0983	0057	RF-1	6A02

**Address of Property:** 1127 G Street NE

### ZONING INFORMATION

**Relief from section(s):**

**Related Case Number:** 20687

**Relief Type:** Modification of Consequence (plans)

**Motion for Modification to:** Lloyd and Margaret Belcher, owners and residents of 1127 G Street NE, hereby apply for a Modification of Consequence to revise plans previously approved by the BZA in case #20687. The applicants seek a Modification of Consequence to adjust the design of the accessory building and the use, and to eliminate the request for an accessory apartment, pursuant to Subtitle U§301.1(e)

**Below and/or on a separate sheet of 8 1/2" x 11" paper, describe the modification you are requesting and state each and every reason why the Board of Zoning Adjustment (BZA) should grant your application, including relevant references to the Zoning Regulations or Map.**

Modification of Consequence 1127 G Street NE BZA approved case #20687 To: The Office of Zoning Government of the District of Columbia Suite 210 South 441 4th Street, NW Washington DC 20001 From: Jennifer Fowler Architect/Agent 1819 D Street SE Washington, DC 20003 Date: January 23, 2024 Subject: BZA Modification Application for 1127 G Street NE (Square 0983, Lot 0057)

Lloyd and Margaret Belcher, owners and residents of 1127 G Street NE, hereby apply for a Modification of Consequence to revise plans previously approved by the BZA in case #20687. The approved BZA plans (BZA#20687) included an accessory apartment in the new building. However, due to budget and lifestyle changes, the property owners do not want to convert the garage to a separate dwelling unit. The proposed use will be an artist studio and the property will remain a single-family dwelling. As a result of the use change, there are design changes that cause the plans to differ from those approved by the BZA. The applicants seek a Modification of Consequence to adjust the design of the accessory building and the use. Previously Approved Relief: 1. Special Exception from the lot occupancy requirements of Subtitle E § 304.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2.2. Special Exception from the accessory building area requirements of Subtitle E § 5003.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2; and 3. Special Exception from the matter-of-right uses of Subtitle U § 301, pursuant to Subtitle U§301.1(e) and Subtitle X § 901.2 Proposed Relief: 1. Special Exception from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2 2. Special Exception from the accessory building area requirements of Subtitle E § 5003.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2; and I. Summary of changes between BZA approved plans and revised BZA plans: A. The first-floor layout changed. • The stairs are in the interior. • The setback on the alley side was removed. • The exterior entrance/vestibule from the alley side was removed. • The garage door is larger. B. The second-floor layout changed. Use change from separate dwelling unit to artist studio. • The stairs are in the interior. • No alley side balcony. • The living space was removed and is now just an artist studio with storage. C. The exterior elevations changed. The height was increased from 20' to the maximum allowed 22' measured from the yard grade. • Alley view: No first-floor setback, larger garage door, no exterior stair, no balcony, window layout changed. • East elevations: No first-floor alley side setback. • Yard elevation: Window layout changed. • West elevation: No first-floor alley side setback, no exterior stair/second floor entrance, no balcony. II. Bases for Grant of Modification of Consequence The owners of 1127 G Street NE seek approval to revise the proposed use and design of their accessory building. The BZA approved plans allowed for the accessory building to be a garage with a separate dwelling unit. The property would therefore be converted to a two-family flat. The needs of the homeowners have since changed, and they request that the property remain a single-family dwelling. The proposed use of the accessory building will be a garage with a second level artist studio. The revised BZA plans raise the roof height of the accessory building, but the proposed height will remain within what is allowed by-right. The homeowners seek an additional two feet of height to maximize the use of the garage level. However, the proposed height will not exceed 22'-0" measured from the yard grade. The light and air available to neighboring properties shall not be unduly affected. The size of the accessory building will remain what was approved during the BZA process. The

Board of Zoning Adjustment  
EXHIBIT NO. 1



# Consent Agenda



proposed height increase is minimal and will not impact the light and air available to the neighboring properties. Additionally, the privacy of use for the adjacent neighbors will not be unduly affected. The removal of the exterior stairs and small second floor balcony will increase the privacy of the neighbor to the west. Instead, the proposed design changes allow for a solid wall along the west side. None of these changes will impact the approval for relief from the lot occupancy requirements and accessory building area requirements. The size of the proposed garage remains what was approved during the BZA process. Instead, the relief requested is reduced as there will not be a separate dwelling unit. If you require any further clarification or have any questions regarding the application for a Modification of Consequence, I am available at any time to discuss them with you. Thank you, Jennifer Fowler, AIA Fowler Architects 202-546-0896

### Certificate of Service

I hereby certify that on 02/07/2024 I will serve a copy of the forgoing motion or request to each Applicant, Petitioner, Appellant, Party, Intervenor, and the Office of Planning on this case via Email

### CONTACT INFORMATION

#### Owner Information

**Name:** Lloyd and Margaret Belcher  
**E-mail:** jennifer@fowler-architects.com  
**Address:** 1127 G Street NE 20002  
**Phone No.s:** (305)588-4046  
**Phone No. Alternate:**

#### Authorized Agent Information

**Name:** Jennifer Fowler  
**E-mail:** jennifer@fowler-architects.com  
**Address:** 1819 D Street SE Washington, DC 20003  
**Phone No.s:** 2025460896  
**Phone No. Alternate:**

### FEE CALCULATOR

Fee Type	Fee	Unit	Total
Time extension,/minor and non-minor modification (owner-occupied)	\$130	1	\$130
<b>Grand Total</b>			<b>130</b>

### SIGNATURE

### Date

Jennifer Fowler

2/6/2024

District of Columbia Office of Zoning 441 4th Street, N.W., Ste. 200-S, Washington, D.C. 20001  
 (202) 727-6311 \* (202) 727-6072 fax \* www.dcoz.dc.gov \* dcoz@dc.gov



# 1127 G Street NE – GARAGE ADDITION

Washington, DC 20002

**OWNER:**  
MARGARET AND LLOYD BELCHER  
1127 G STREET NE  
WASHINGTON, DC 20002

**ARCHITECT:**  
POWLER ARCHITECTS  
1819 O STREET SE  
WASHINGTON, DC 20003  
(202)546-0896

**PROPERTY INFORMATION:**  
LOT: 0057  
SQUARE: 0983  
LOT AREA: 2195 SF  
ZONE: RF-1  
USE GROUP: R-3

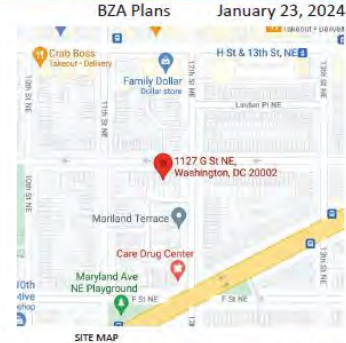
EXISTING: TWO STORY ROW DWELLING, SINGLE FAMILY DWELLING  
PROPOSED: TWO STORY ROW DWELLING w/ACCESSORY BUILDING, SINGLE-FAMILY DWELLING

**PROJECT DESCRIPTION:**  
TWO STORY GARAGE ADDITION WITH ARTIST STUDIO

**ZONING INFORMATION:**  
RELIEF NEEDED: Subtitle E §304.1 & §003.1

	Existing	Proposed	Allowable
Lot Coverage	891.9 SF SF	1420.2 SF	1317 SF
(Percentage)	42.3%	64.7%	60%
Rear Yard	36.83'	NO CHANGE	20 FT MIN
Side Yard	N/A	N/A	N/A
Open Court	N/A	N/A	N/A
Height	25'-0"	NO CHANGE	35.0'
Stories	2	NO CHANGE	3+CELLAR
Parking	1 SPOT	NO CHANGE	1 PER PRINCIPLE DU
Square Footage			
Cellar	N/A	N/A	N/A
First Floor	889 SF	NO CHANGE	N/A
Second Floor	785 SF	NO CHANGE	N/A
Third Floor	N/A	N/A	N/A
Total	1604 SF	NO CHANGE	N/A
GARAGE	N/A	488.3 SF	N/A

- DRAWING INDEX:**
- C-1 COVER SHEET
  - C-2 PHOTOS
  - C-3 BLOCK PLAN
  - C-4 SITE PLAN
  - D-1 DEMOLITION PLAN
  - A-1 NEW WORK PLANS
  - A-2 NEW WORK PLANS
  - A-3 EXTERIOR ELEVATIONS
  - A-4 EXTERIOR ELEVATIONS



EXISTING REAR FACADE



EXISTING FRONT FACADE



EXISTING REAR YARD

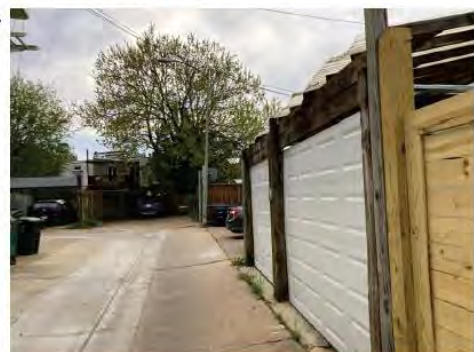
EXISTING ALLEY, LOOKING EAST



EXISTING ALLEY, LOOKING WEST

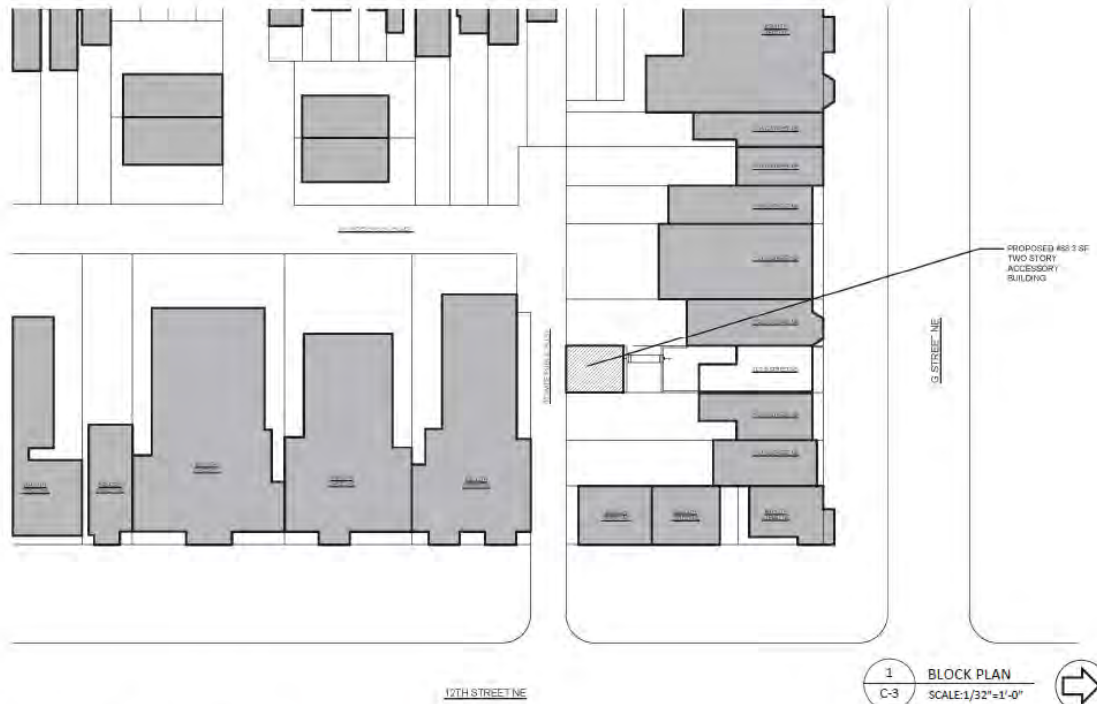


EXISTING PUBLIC ALLEY



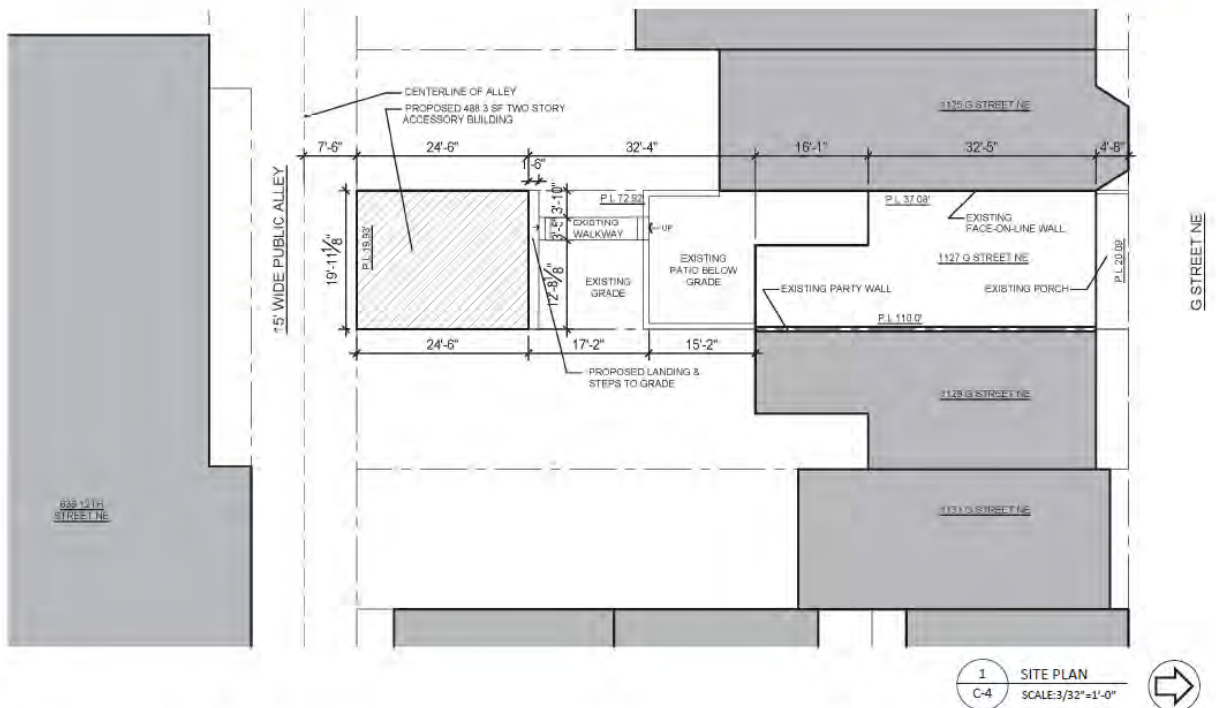
1127 G STREET NE – PHOTOS

C-2



1127 G STREET NE – BLOCK PLAN

C-3

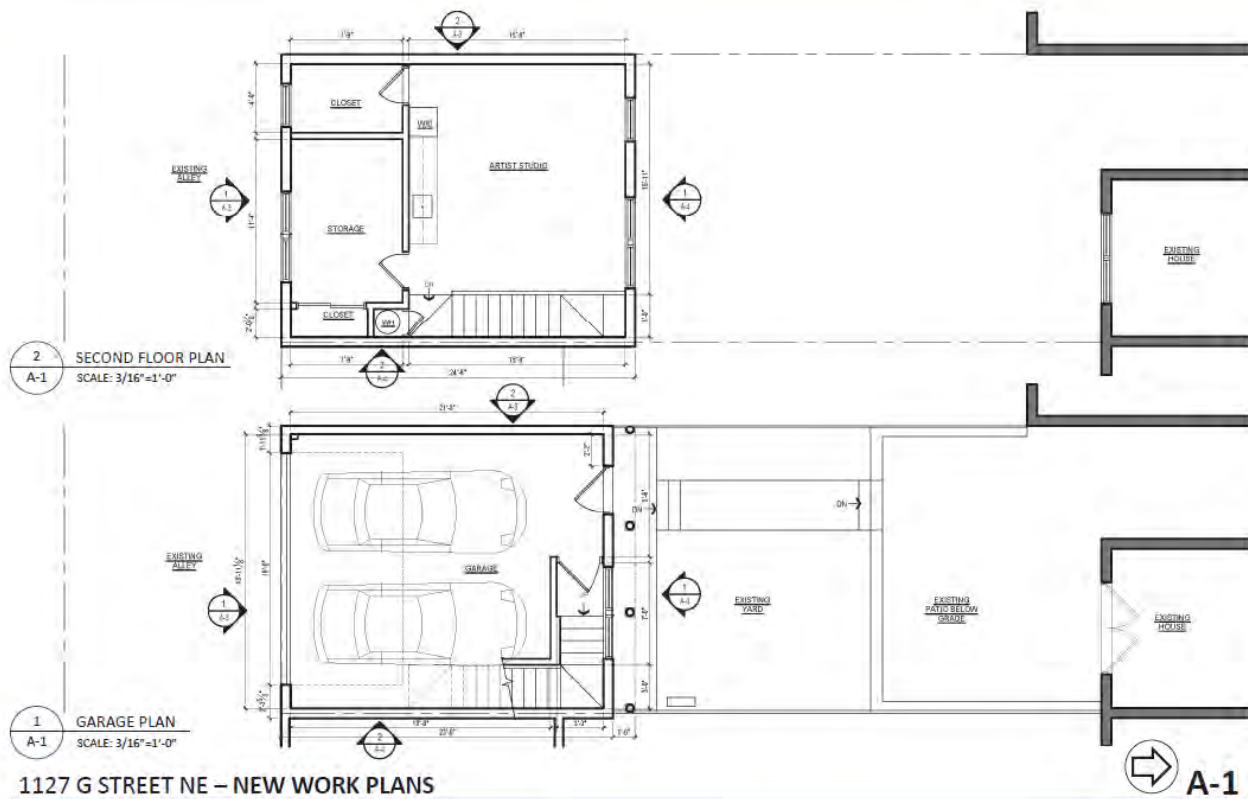
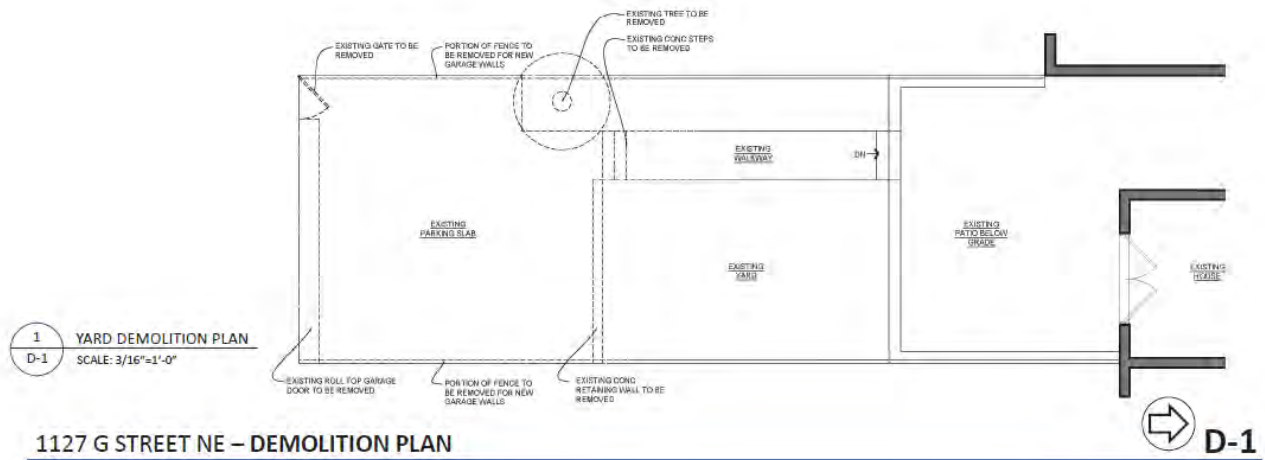


1127 G STREET NE – SITE PLAN

C-4

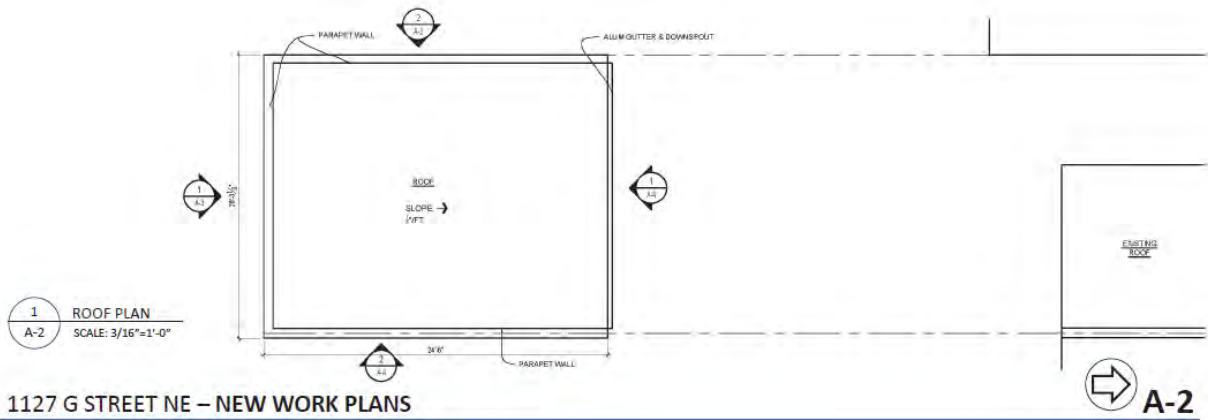


# Consent Agenda

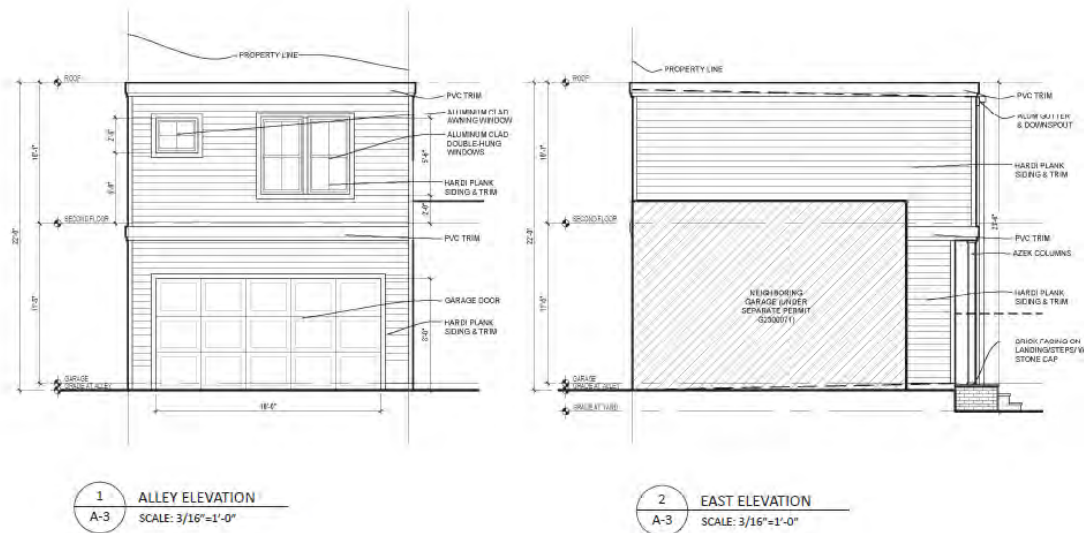




# Consent Agenda



## 1127 G STREET NE – NEW WORK PLANS



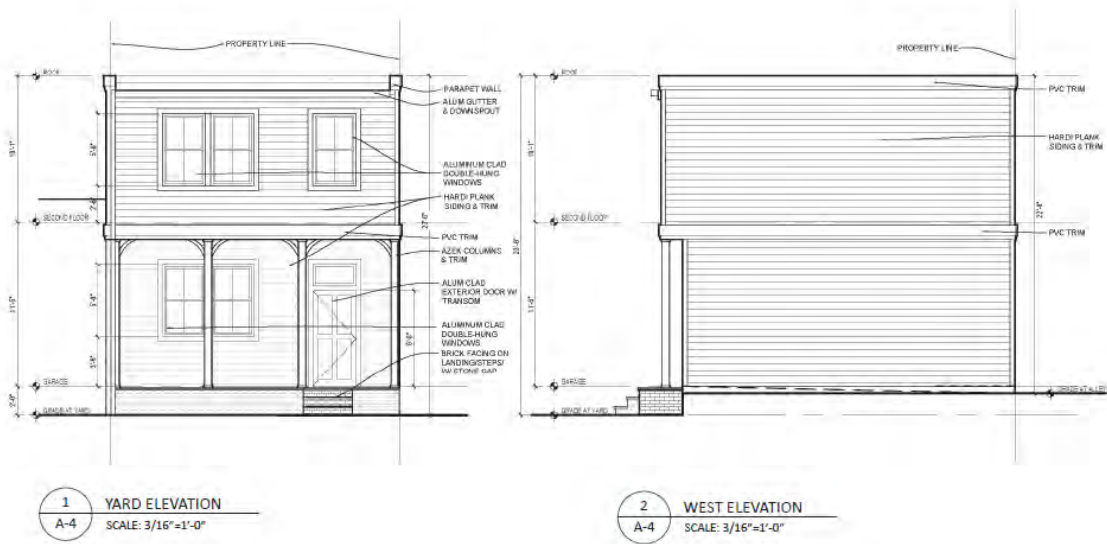
## 1127 G STREET NE – EXTERIOR ELEVATIONS

**A-3**





# Consent Agenda



## 1127 G STREET NE – EXTERIOR ELEVATIONS

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# Consent Agenda



April XX, 2024

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

Re: BZA Case No. 21094 (235 10th Street NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting<sup>1</sup> on April 11, 2024, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the request for a Special Exception for relief from the lot occupancy requirements of Subtitle E § 210.1 pursuant to Subtitle E § 5201.1 and Subtitle X § 901.2 to construct a two-story with cellar, rear addition, to an existing, attached, three-story, principal dwelling unit in the RF-1 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 has been met through submission of architectural drawings 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.

Please be advised that Joal Mendonsa, Michael Cushman, 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](mailto:amberanc6a@gmail.com), Mr. Cushman at [michael.cushman@gmail.com](mailto:michael.cushman@gmail.com), and Joal Mendonsa at [joal.mendonsa@gmail.com](mailto:joal.mendonsa@gmail.com).

On Behalf of the Commission,

Amber Gove  
Chair, Advisory Neighborhood Commission 6A

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



# Consent Agenda



 <b>BEFORE THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA</b> 													
<b>FORM 120 - APPLICATION FOR VARIANCE AND/OR SPECIAL EXCEPTION</b>													
<b>GIS INFORMATION</b>													
<table border="1"> <thead> <tr> <th>Square</th> <th>Lot(s)</th> <th>Zone</th> <th>ANC</th> </tr> </thead> <tbody> <tr> <td>0964</td> <td>0811</td> <td>RF-1</td> <td>6A07</td> </tr> </tbody> </table>		Square	Lot(s)	Zone	ANC	0964	0811	RF-1	6A07				
Square	Lot(s)	Zone	ANC										
0964	0811	RF-1	6A07										
<b>Address of Property:</b> 235 10th Street NE													
<b>ZONING INFORMATION</b>													
<b>Relief from section(s):</b> E§210.1													
<b>Type of Relief:</b> Special Exception													
<b>Brief description of proposed project:</b> Application of Chari & Delwyn Voss, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201, from the lot occupancy requirements of Subtitle E § 210.1, to construct a two-story + cellar rear addition to an existing single family row dwelling in the RF-1 Zone at premises 235 10th Street NE (Square 0964, Lot 0811).													
<b>Present use of Property:</b> Single Family Dwelling													
<b>Proposed use of Property:</b> Single Family Dwelling													
<b>CONTACT INFORMATION</b>													
<b>Owner Information</b> <b>Name:</b> Chari and Delwyn Voss <b>E-mail:</b> jennifer@fowler-architects.com <b>Address:</b> 235 10th Street NE Washington, DC 20003 <b>Phone No.s:</b> (202)262-8536 <b>Phone No. Alternate:</b>	<b>Authorized Agent Information</b> <b>Name:</b> Jennifer Fowler <b>E-mail:</b> jennifer@fowler-architects.com <b>Address:</b> 1819 D Street SE Washington, DC 20003 <b>Phone No.s:</b> (202)546-0896 <b>Phone No. Alternate:</b>												
<b>WAIVERS</b>													
<ul style="list-style-type: none"> <li><b>Solar:</b></li> <li>Pursuant to Subtitle D § 208.1/E § 206.3, I hereby certify there is no solar energy system on an abutting property</li> </ul>													
<b>FEE CALCULATOR</b>													
<table border="1"> <thead> <tr> <th>Fee Type</th> <th>Fee</th> <th>Unit</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Owner-occupied dwelling - single dwelling unit or flat, regardless of the number of variances and/or special exceptions</td> <td>\$325</td> <td>1</td> <td>\$325</td> </tr> <tr> <td><b>Grand Total</b></td> <td></td> <td></td> <td><b>325</b></td> </tr> </tbody> </table>		Fee Type	Fee	Unit	Total	Owner-occupied dwelling - single dwelling unit or flat, regardless of the number of variances and/or special exceptions	\$325	1	\$325	<b>Grand Total</b>			<b>325</b>
Fee Type	Fee	Unit	Total										
Owner-occupied dwelling - single dwelling unit or flat, regardless of the number of variances and/or special exceptions	\$325	1	\$325										
<b>Grand Total</b>			<b>325</b>										
<b>SIGNATURE</b>													
Jennifer Fowler	Date 1/16/2024												
District of Columbia Office of Zoning 441 4th Street, N.W., Ste. 200-S, Washington, D.C. 20001 (202) 727-6311 * (202) 727-6072 fax * www.dcoz.dc.gov * dcoz@dc.gov													
Board of Zoning Adjustment District of Columbia CASE NO 21094 EXHIBIT NO.1													



# 235 10<sup>th</sup> Street NE ADDITION

Washington, DC 20002

**OWNERS:**  
 CHARI & DELWYN VOSS  
 235 10<sup>th</sup> STREET NE  
 WASHINGTON, DC 20002

**ARCHITECT:**  
 FOWLER ARCHITECTS  
 1819 D STREET SE  
 WASHINGTON, DC 20003  
 (202)546-0896

**PROPERTY INFORMATION:**  
 LOT: 0811  
 SQUARE: 0964  
 LOT AREA: 2028 SF  
 ZONE: RF-1  
 USE GROUP: R-3

**EXISTING:** TWO STORY ROW DWELLING WITH CELLAR  
 SINGLE FAMILY DWELLING  
**PROPOSED:** TWO STORY ROW DWELLING WITH CELLAR  
 SINGLE FAMILY DWELLING

**PROJECT DESCRIPTION:**  
 TWO STORY + CELLAR REAR ADDITION; FRONT ENTRANCE AT CELLAR LEVEL

**ZONING INFORMATION:**  
 RELIEF NEEDED: Subtitle E §210.1

## BZA/HPRB Concept Plans

January 16th, 2024



SITE MAP



FRONT FACADE

	Existing	Proposed	Allowable
Lot Coverage	1,074.8 SF	1,365.3 SF	1,216.8 SF
(Percentage)	53.0 %	67.3 %	60.0%
Rear Yard	70.8'	62.4'	20 FT MIN
Side Yard	N/A	N/A	N/A
Open Court	N/A	NO CHANGE	N/A
Height	77.0'	NO CHANGE	85.0'
Stories	2+CELLAR	NO CHANGE	3+BASEMENT
Square Footage			
Cellar	534.9 SF	811 SF	N/A
First Floor	672.5 SF	811 SF	N/A
Second Floor	672.5 SF	811 SF	N/A
Carport & Shed	480.5 SF	NO CHANGE	
Total	2,370.4 SF	2,923.5 SF	N/A

**DRAWING INDEX:**

- C-1 COVER SHEET
- C-2 PHOTOGRAPHS
- C-3 SITE PLAN
- C-4 BLOCK PLAN
- D-1 DEMOLITION PLANS
- D-2 DEMOLITION PLANS
- A-1 FLOOR PLANS
- A-2 FLOOR PLANS
- A-3 EXTERIOR ELEVATIONS
- A-4 EXTERIOR ELEVATIONS



REAR FACADE



REAR FACADE



REAR FACADE, LOOKING NORTH



REAR FACADE, LOOKING SOUTH



EXISTING AREAWAY



EXISTING COVERED CARPORT(VIEW FROM ALLEY)



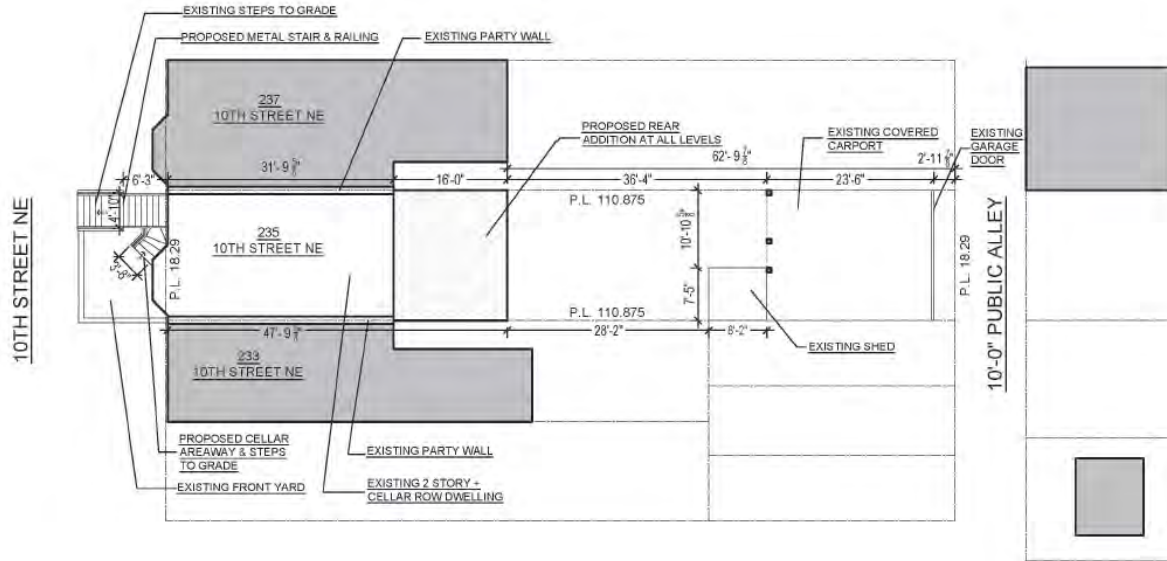
EXISTING CARPORT & SHED(VIEW FROM REAR YARD)

## 235 10<sup>th</sup> STREET NE- PHOTOGRAPHS

C-2



# Consent Agenda



235 10<sup>TH</sup> STREET NE- SITE PLAN

1 SITE PLAN  
C-3 SCALE: 3/32"=1'-0"



C-3



235 10<sup>TH</sup> STREET NE- BLOCK PLAN

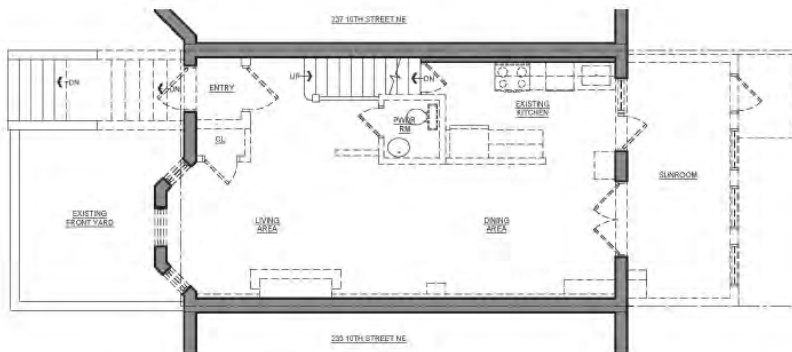
1 BLOCK PLAN  
C-4 SCALE: 1/32"=1'-0"



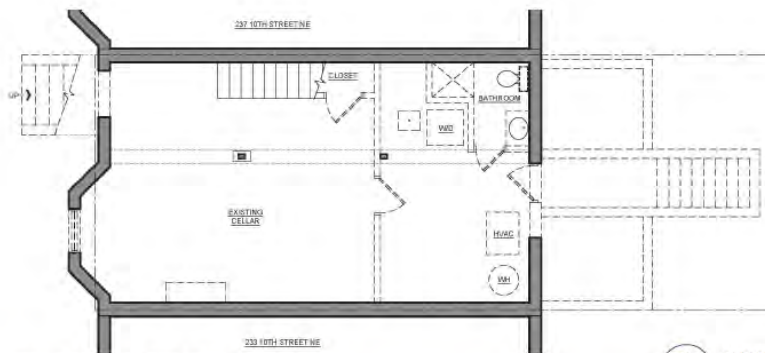
C-4



# Consent Agenda



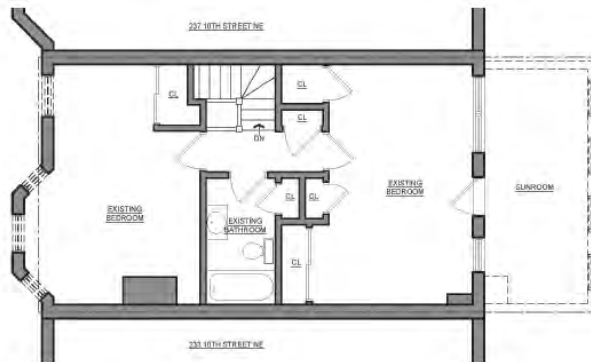
2 FIRST FLOOR DEMOLITION PLAN  
D-1 SCALE: 3/16"=1'-0"



1 CELLAR DEMOLITION PLAN  
D-1 SCALE: 3/16"=1'-0"



## 235 10<sup>TH</sup> STREET NE-DEMOLITION PLANS



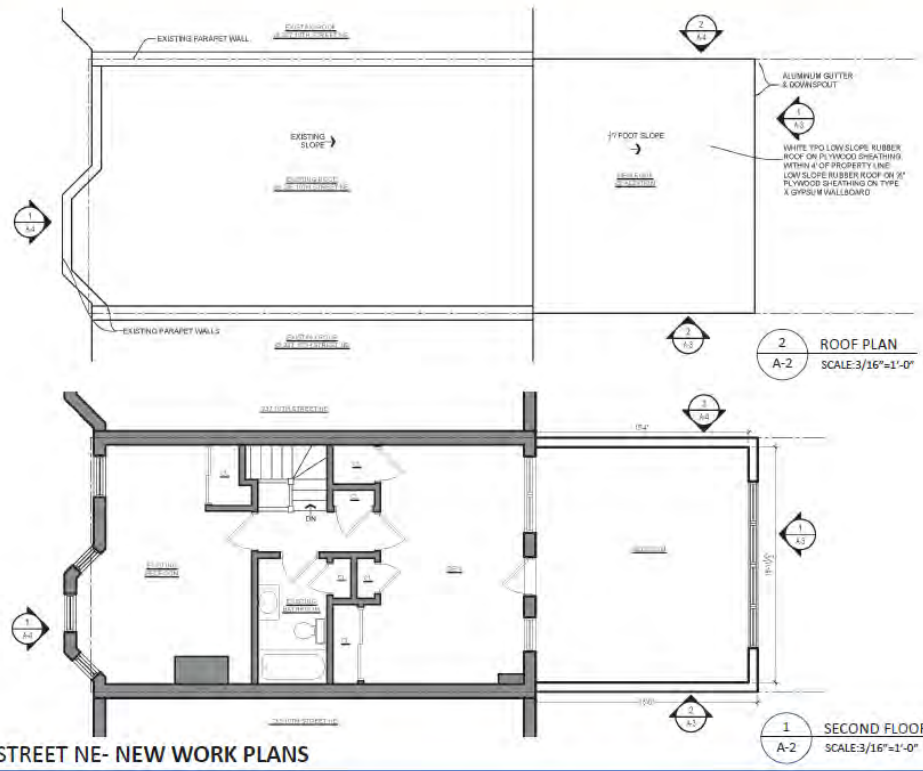
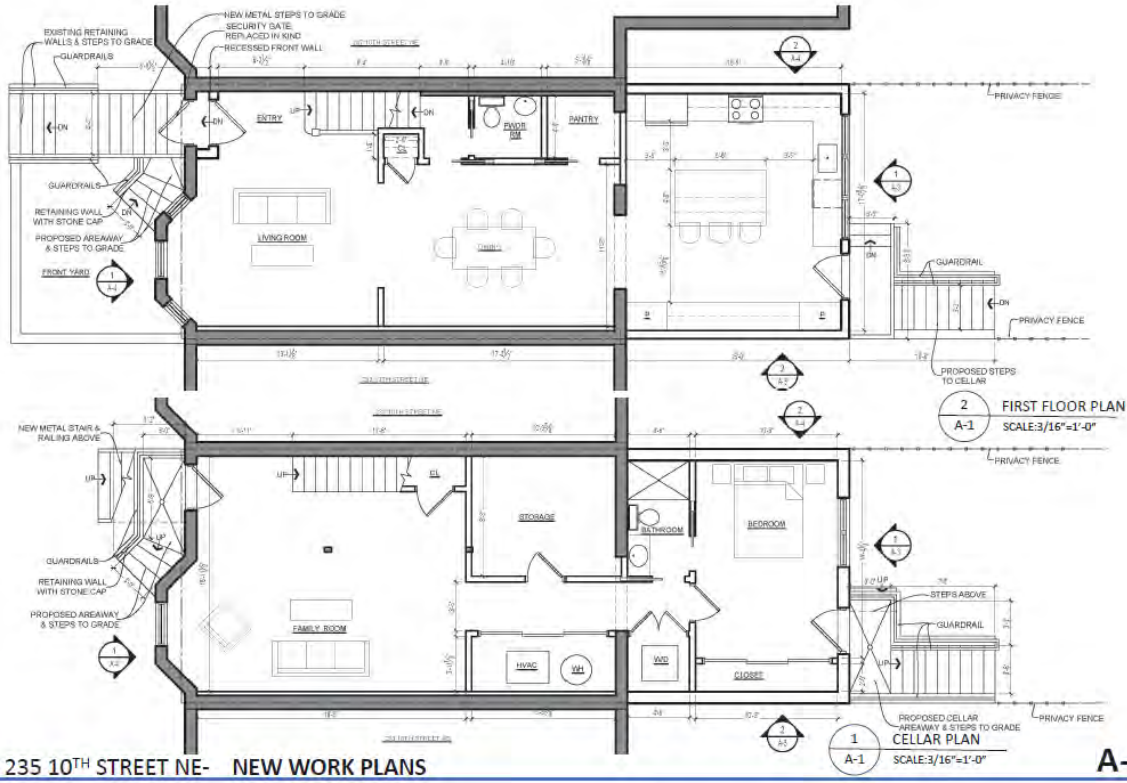
1 SECOND FLOOR DEMOLITION PLAN  
D-2 SCALE: 3/16"=1'-0"



## 235 10<sup>TH</sup> STREET NE-DEMOLITION PLANS



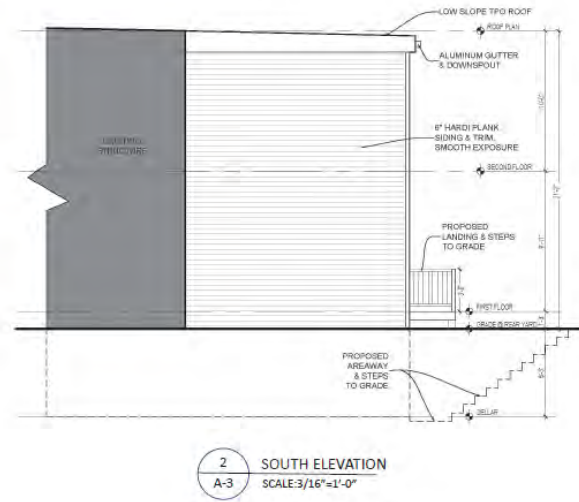
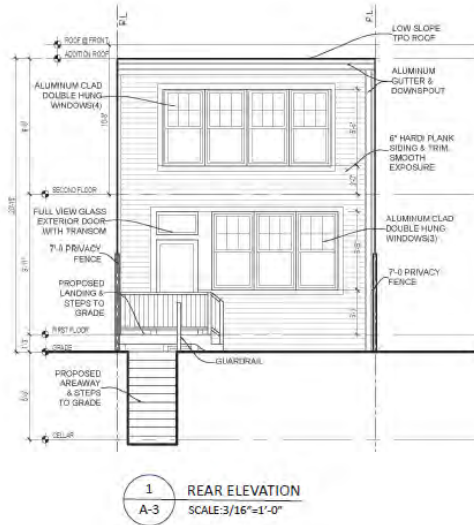
# Consent Agenda



235 10<sup>TH</sup> STREET NE- NEW WORK PLANS

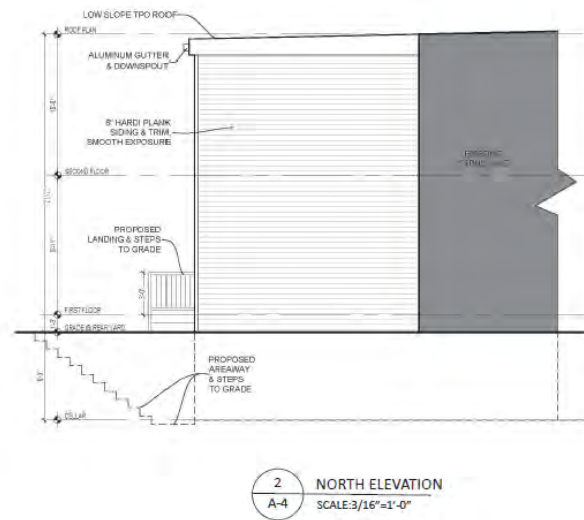
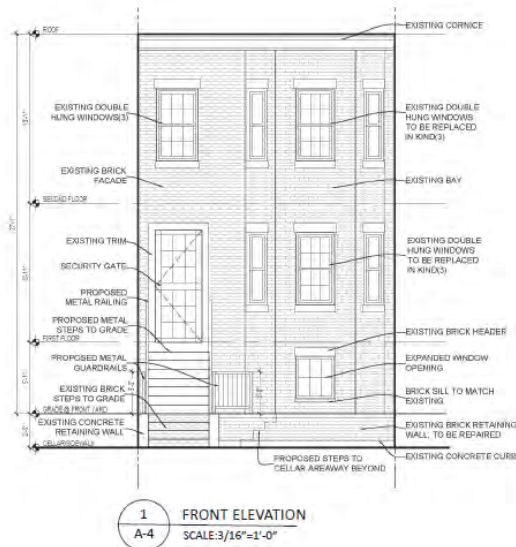


# Consent Agenda



## 235 10<sup>TH</sup> STREET NE- EXTERIOR ELEVATIONS

A-3



## 235 10<sup>TH</sup> STREET NE- EXTERIOR ELEVATIONS

A-4





Treasurer's Report  
April 2024

		April 1, 2024	March 1, 2024	February 1, 2024
<b>Assets</b>				
Type	Description			
Cash	Checking Account	\$ 30,250.28	\$ 32,339.55	\$ 32,339.55
Cash	Savings Account	\$ 100.05	\$ 100.05	\$ 100.05
Cash	Petty cash	\$ 25.00	\$ 25.00	\$ 25.00
<b>Liabilities</b>				
Type	Description			
Current Liabilities	Accounts Payable	\$ 2,832.72		
<b>Balance</b>		\$ 27,542.61		

Individual/Organization	Expense	Amount	Check No.	Status
Office of the DC Auditor	Security fund payment	\$ 50.00	2089	Unpaid
Robb Dooling	Zoom Premium   Jan '24	\$ 58.29	2090	Unpaid
Anna Tsauro	Administrative services   Jan '24	\$ 250.00	2091	Unpaid
Amber Gove	Supplies	\$ 88.78	2093	Unpaid
Robb Dooling	Zoom Premium   Feb '24	\$ 58.29	2094	Unpaid
Anna Tsauro	Administrative services   Feb '24	\$ 250.00	2095	Unpaid
Irene Dworakowski	Administrative services   Feb '24	\$ 771.19	2096	Unpaid
Robb Dooling	Zoom Premium   March '24	\$ 59.35	2097	Unpaid
Anna Tsauro	Administrative services   March '24	\$ 250.00	2098	Unpaid
Irene Dworakowski	Administrative services   March '24	\$ 771.19	2099	Unpaid
Joal Mendonsa	Supplies	\$ 225.63	2100	Unpaid
		\$ 2,832.72		



## 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 - March 25, 2024

COC members present: Paul Spires (Chair), Adina Wadsworth, Elizabeth Corinth, Angelique Dorazio Sanders, Clare Dougherty, Gail Sullivan

ANC 6A Commissioners present: Amber Gove

Attendees: Julie Muir, JoAnn Sparacino, Carolyn C, Melissa Mazard, Jennifer Brown, Martha

7:11 pm Paul Spires called the meeting to order.

7:13 pm Icebreaker - favorite flower

7:21 pm What is community outreach?

Paul Spires:

- **Community (comes from “common”)** = a group of people with a common characteristic or interest living together in a larger society
- Focusing on our common characteristics will help us reach out to the right people and bring them in
- Outreach = an activity providing services to any population that might not otherwise have access to those services
- Here, most of us have access to services and educations around services - who are the people we need to reach out to get them their services?

Gail Sullivan:

- Spoke with Ryan at Queen Vic
- Two more restaurants closing on H Street (Sospeso and Bar Elena) - hard to bring in business because we only have us - no venue along H Street (besides Atlas Theater) to bring people in
- How do we keep the businesses and how do we **offer** services?
- A lot of burden is put on the schools to **offer** services
  - Cannot speak for the churches, do not know what they are doing
  -

Paul Spires:

- Yes, how can we support and provide services to the local businesses as well?
- Family Dollar - systems and freezers often down

7:32 pm Announcements / Updates Gail Sullivan

- Sent out a transportation survey - public comment period for the Visualize 2050 National Capital Region Transportation Plan launched on March 1, 2024. The comment period runs through March 30, 2024.
- Visit [visualize2050.org](http://visualize2050.org) to learn about the plan and to use the interactive comment forms. Comment forms are available in English and Spanish on the homepage.



## Committee Reports Community Outreach Committee (COC)



- We often complain that we do not have a chance to give input on decisions, so this is our chance
- DDOT is proposing to make H Street one lane in each direction for private cars (plus one dedicated lane for buses & streetcars)

7:39 pm Miner Grant Application, Julie Muir, Miner Elementary PTO:

- Miner is in Ward 7 but there are tons of Ward 6 residents who are in-boundary for Miner (boundaries did not change when ward lines changed)
- Seems like a simple / trivial project, but matters a lot to our students
- Koi & turtle pond used to be a really cool feature - kids love it, used to come say hi to Franklin the Turtle; now it is an eyesore and smells bad
- Fish died, new fish that were not the right kind (turtle ate them), still have the turtle, talked about rehoming, but he is a very hard-to-place turtle, want to keep him anyway
- Want to re-do the pond habitat, potentially get new fish but right now just want to clean it up, plants to put around it, etc.
- Miner has gone through a few years of trauma lately and they want to do something special for the kids

Claire Dougherty:

- **Spent 12 years at Maury, understand how different facets at the school can bring a lot of joy to kids / teachers / parents**
- Who will do the work to upgrade the pond?

Julie Muir:

- Custodial Foreman has been doing all the work and paying out of pocket (just found out), he wants to take the lead

Paul Spires:

- Is there an aquatics expert? How will the pond continue to get maintained?
  - Julie Muir: Have relationships with some organizations who can help
  - Want to do it right

Amber Gove:

- Money would need to be expended by the end of the fiscal year
- Need a business to give you an invoice and proof that it is paid
- You will need to expend and we reimburse, needs to all happen by September 30, 2024

Gail Spires:

- Where is Franklin living?

Julie Muir:

- He is in the pond; they do filter it and he is okay
- Anacostia Watershed Society said he would be happier there than in an aquarium

7:48 pm Vote on Grant Application

Chair Spires made a motion to recommend that ANC 6A approve a grant to Miner Elementary School PTO in the amount of \$1,000.00 to fund the renovation of a turtle habitat. Committee Wadsworth seconded the motion. The motion passed unanimously



## Committee Reports Community Outreach Committee (COC)



7:52 pm Community Comments

JoAnn Sparacino

- Just moved back to the area
- Has contracting experience - interested to know what the needs are in the area and get involved
- St. **Peter's** has many outreach activities, e.g., Christ Church provides a meal once a month to unhoused people who are being hospitalized

Melissa Mazard

- Lives in Noma
- Serves on **Mayor's** Financial Literacy Council, **residents'** committee
- Wanted to see what Community Outreach Committee was all about
- Would love to partner / connect with anyone who wants to speak further
- Making sure people are not being taken advantage of, that they have the financial information they need
- Email: [melissamazard@gmail.com](mailto:melissamazard@gmail.com)
- Paul Spires: Do they serve students / young people?
- Gail Sullivan:
  - Do they cover regular literacy (reading) or just financial literacy? (A: Just financial literacy)
  - Recommends looking into facilities that serve seniors

Jennifer Brown:

- How does the agenda get set?
  - The COC Chairs sets the agenda
- How do you plan to get more than five community members to these meetings?
  - Paul Spires: The more we are doing outreach, and out in the community, the more people will know about us and want to come to our meetings
  - Amber Gove: People can join the ANC6A info lists:
    - –ANC 6A Announce Google Group = ANC 6A activities such as meeting announcements, agendas, and other ANC notifications. To request to join, email [6A06@anc.dc.gov](mailto:6A06@anc.dc.gov)
    - –Community-moderated ANC 6A Community Forum; members of this google group can share information and communicate freely with each other. To request to join, email [felixduc@gmail.com](mailto:felixduc@gmail.com)

Gail Sullivan:

- Restaurant fees - what are the rules, are the fees excessive?
- Amber Gove: There is a process in the works to have greater clarity on fees like that.

Amber Gove - Public Toilets

- There is a committee working on implementing public toilets.
- Recommended a short list of locations - one is the Southwest corner of 8th and H Streets NE (would also have an external video camera)
- Looking for additional locations
- They would be super high-tech fancy portapotties with sensors
- Have to use your phone to get in and if you misbehave you get kicked out and cannot



## Committee Reports Community Outreach Committee (COC)



go back

- Less burden on the city because they do not need to hook into plumbing, etc.
- There is currently one in Yards Park, going to bring one to Maury for an upcoming event so people can check it out

8:12 pm Chair Spires moved to adjourn the meeting



## Committee Reports Alcoholic Beverage and Cannabis (ABC)



### MINUTES

Alcoholic Beverage and Cannabis (ABC) Committee  
Advisory Neighborhood Commission (ANC) 6A  
Tuesday, March 26, 2024, 7:00 pm  
Virtual Meeting—Held on Zoom

Pursuant to notice duly given, a meeting of the Alcoholic Beverage and Cannabis (ABC) Committee (**“Committee”**) of ANC 6A was held commencing at 7:00 pm ET on March 26, 2024 on a publicly posted Zoom event.

Committee Members Present: Erin Blumenthal, Joe Krisch  
Commissioners Present: Mike Velasquez  
Establishment Representatives Present: Manalle Mahmoud (Pascual)

- I. Call to Order/Approval of Agenda/Approval of Minutes
  - Interim Chair Velasquez called the meeting to order at 7:04 pm.
  - Interim Chair Velasquez proposed reordering the agenda to prioritize Pascual which had a representative present. The agenda was approved without objection.
- II. Community Comment
  - No community members in attendance to comment.
- III. New Business
  - Discussion regarding settlement agreements at Pascual at 732 Maryland Avenue NE.
    - **Manalle Mahmoud appeared on behalf of Pascual and communicated that Pascual’s license was a transfer from Uncle Kenny’s Smokehouse.** Due to no substantial **change operationally, Pascual originally adopted Uncle Kenny’s existing settlement agreement.** As a result of requests from patrons for later dining, Pascual is requesting an amendment to their settlement agreement to extend their hours (indoor and outdoor) from 10:30 pm to midnight, Thursday through Monday.
    - Pascual is flexible on the hours for outdoor seating but would like to expand hours to allow for an additional seating each night.
    - Manalle mentioned that the outdoor area will be dinner-service only with no amplified music and that Pascual is considering brunch service on Saturday/Sunday in the future.
    - Pascual would like to update the settlement agreement prior to applying for updated license for expanded hours. No action is needed by ABC Committee at this time.
    - No motion was made by the ABC Committee.
    - Committee member Blumenthal will work with Pascual to update the settlement agreement to the current version.
  - Discussion regarding settlement agreements at Jumbo Liquors at 1122 H Street NE.
    - Mr. Kim contacted Commissioner Velasquez and ANC Chair Gove stating that he would like to terminate the settlement agreement for Jumbo Liquors.



## Committee Reports

### Alcoholic Beverage and Cannabis (ABC)



- Commissioner Velasquez in his role as interim chair corresponded with Mr. Kim inquiring about his concerns with the settlement agreement and reiterating ANC 6A's policy to reach settlement agreements.
- Commissioner Velasquez will write to ABCA for interpreter services to ensure Mr. Kim fully understands his rights and responsibilities as business owner.
- No motion was made by the ABC Committee.
- Discussion of application of Verg Enterprises LLC for a medical cannabis license at 1230 H Street NE. (ABCA-127258)
  - Verg Enterprises LLC operates a shop called Gasaholics which they portray as I-71 compliant and have applied for a medical cannabis license.
  - No representation present from Verg Enterprises LLC.
  - Commissioner Velasquez noted that several attempts were made to reach the point of contact.
  - There was a discussion about small business grants allocated to that address and whether those grants were used in the operation of this business with uncertain compliance.
  - There were questions about allowable distances between shops and Commissioner Velasquez will verify distance restriction for cannabis shops.
  - Commissioner Velasquez moved that the Committee recommend that the ANC protest the license application of Verg Enterprises LLC.
    - Committee member Blumenthal seconded the motion and the motion passed unanimously.
- Discussion of renewal of a Class A retail liquor store license at 7 River Mart at 250 11<sup>th</sup> Street NE. (ABRA-126841)
  - The ABC Committee was unable to obtain contact information for 7 River Mart from ABCA.
  - The ABC Committee has not heard any expressed concern from the community about 7 River Mart.
  - Committee member Blumenthal will attempt to contact 7 River Mart with updated settlement agreement. Commissioner Velasquez will remove from ANC Consent Agenda if any points of concern arise.
  - Commissioner Velasquez moved that the Committee recommend that the ANC take no action with respect to the application for renewal of a Class A Retail Liquor License at 7 River Mart.
    - Committee member Blumenthal seconded the motion and the motion passed unanimously.
- Discussion of renewal of a Class A retail liquor store license at Exotic Wine and Spirits at 801 Maryland Avenue NE. (ABRA-118158)
  - No concerns expressed from community or owner with respect to Exotic Wine and Spirits.
  - Commissioner Velasquez moved that the Committee recommend that the ANC take no action with respect to the application for renewal of a Class A Retail Liquor License at Exotic Wine and Spirits.



## Committee Reports Alcoholic Beverage and Cannabis (ABC)



- Committee member Krisch seconded the motion and the motion passed unanimously.

The meeting was adjourned at 7:40 pm.





Committee Reports  
Alcoholic Beverage and Cannabis (ABC)



Minutes

Alcoholic Beverage and Cannabis (ABC) Committee  
Advisory Neighborhood Commission (ANC) 6A  
Tuesday, January 23, 2024, 7:00 pm  
Virtual Meeting—Held on Zoom

Pursuant to notice duly given, a meeting of the Alcoholic Beverage and Cannabis (ABC) Committee (**“Committee”**) of **ANC 6A** was held commencing at **7:00 pm ET on January 23, 2024**, on a publicly posted Zoom event.

Committee Members Present: Erin Blumenthal, Joe Krisch, Monica  
Commissioners Present: Amber Gove, Rob Dooling, and Mike Velasquez  
Establishment Representatives Present: Johnny Lu (Tiki Garden)

- IV. Call to Order/Approval of Agenda/Approval of Minutes
  - Interim Chair Velasquez called the meeting to order just after 7pm.
  - Interim Chair Velasquez expressed deep appreciation for the work of the previous volunteer Committee Chair, Erin Sullivan.
  
- V. Community Comment
  - No community members in attendance to comment.
  
- VI. New Business
  - Discussion of application of Tiki Garden for a Class C Restaurant license with summer garden, and takeout and delivery endorsements at 802 13<sup>th</sup> Street Street NE. (ABCA-127138)
    - Tiki Garden has been operating the restaurant for about 5 months and is now seeking a liquor license.
    - The summer garden would be on 13<sup>th</sup> Street, across from a condominium building and near other residences on 13<sup>th</sup> Street.
    - Mr. Lu mentioned his intent to close the summer garden around 9:00 pm and to avoid amplified music outside to respect the nearby residences and agreed to having restrictions in the settlement agreement.
    - Erin Blumenthal moved that the Committee recommend that the ANC protest the license application of Tiki Garden unless a settlement agreement is reached and that Erin Blumenthal represent the ANC.
      - Commissioner Gove seconded the motion and the motion passed unanimously.
  
  - **Discussion of the ANC’s work on a standard settlement agreement**
    - Commissioner Dooling is leading the effort to revise ANC **6A’s standard** settlement agreement to simplify it based on input from business owners, to seek commonality for both liquor and medical cannabis license holders, and to seek commonality with ANC 6C to ensure equitable treatment with any businesses along H Street, regardless of which ANC represents them.
    - One area of focus is potential direct impact on residences due to outside operations



## Committee Reports Alcoholic Beverage and Cannabis (ABC)



- In response to a request from a long-time area restaurant owner, the new agreement will be reformatted and simplified to clearly depict which provisions are under DC law and which provisions are unique to the ANC based on community input and lessons learned. Commissioner Velasquez highlighted this effort to be responsive to the requests and needs of business owners.
- One provision is to ask owners to make best efforts to prevent illegal consumption. This language was based on input from ABCA.
- Commissioner Gove discussed the importance of security cameras and noted **DC's robust security camera rebate program. She also discussed a concern** about the impact on parking and traffic of delivery drivers.
- **Commissioner Gove expressed appreciation for Commissioner Dooling's** work on a new settlement agreement.
- Commissioner Velasquez also discussed new methods published by ABCA to report complaints. One is a new 24/7 number and the other is an online portal. ABCA prefers the online method.

The meeting was adjourned around 7:40 pm.



**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

<b>In the Matter of:</b>	)
	)
Za Partners, LLC	)
t/a Granny Za's	)
	)
Applicant for a New	)
Medical Cannabis Retailer License	)
	)
at premises	)
1383-1385 H Street, N.E.	)
Washington, D.C. 20002	)
	)

License No.: ABRA-126762  
Order No.: 2024-045

Za Partners, LLC, t/a Granny Za's, Applicant

John McGowan, Counsel, on behalf of the Applicant

Robb Dooling, Commissioner, Advisory Neighborhood Commission (ANC) 6A

**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Silas Grant, Jr., Member

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**ORDER ON SETTLEMENT AGREEMENT**

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The official records of the Alcoholic Beverage and Cannabis Board (Board) reflect that Za Partners, LLC, t/a Granny Za's, (Applicant), Applicant for a New Medical Cannabis Retail License and ANC 6A have entered into a Settlement Agreement (Agreement), dated January 8, 2024, 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 Commissioner Rob Dooling, on behalf of ANC 6A, are signatories to the Agreement.



Committee Reports  
Alcoholic Beverage and Cannabis (ABC)



Accordingly, it is this 31<sup>st</sup> day of January 2024, **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, except for the following modifications:

Section 6 (Exclusion of Minors from the Premises) – Delete text and amend as follows:

- (1) “The Licensee or its agents must request that all patrons seeking to purchase medical cannabis from the licensee show a valid identification before distributing medical cannabis to the qualified patient or caregiver. If a patient or caregiver fails to show valid identification, then the licensee is prohibited from serving medical cannabis to the patient or caregiver.”
- (2) “When the establishment permits or allows caregivers or patients under the age of 21 into the establishment, at least one identification check shall occur at the time the patient or caregiver attempts to purchase or obtain medical cannabis. Once the Licensee or its agents confirm that the patient or caregiver is eligible or obtain medical cannabis, no additional identification checks are required under this subsection.”
- (3) “The Licensee shall report all attempts by unqualified persons to purchase medical cannabis illegally to ABCA and MPD.”

Section 12 (Behavior of Qualifying Patients) – This Section shall be modified to read: “The Applicant will report criminal conduct committed by persons within 100 feet of the establishment to MPD and will refuse to sell medical cannabis to any person engaging in criminal conduct while inside the establishment.”

The parties have agreed to these modifications.

2. Copies of this Order shall be sent to the Parties.



Committee Reports  
Alcoholic Beverage and Cannabis (ABC)



District of Columbia  
Alcoholic Beverage and Cannabis Board



Donovan Anderson, Chairperson



James Short, Member



Silas Grant, Jr., 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 and Cannabis Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 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).



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**SETTLEMENT AGREEMENT**

This Settlement Agreement (the "Agreement") is entered into on this 8<sup>th</sup> day of January 2024 by and between Za Partners LLC t/a Granny Za (the "Applicant") and Advisory Neighborhood Commission 6A (ANC 6A), collectively the "Parties", pursuant to D.C. Code § 25-446.

**RECITALS**

WHEREAS, the Applicant applied for a medical cannabis retailer license (ABCA-126762) with a delivery endorsement at 1383-1385 H Street NE Washington, D.C. 20002 (the "Premises"). The Premises was placarded on November 24, 2023.

WHEREAS, the Applicant and ANC 6A desire to enter into a voluntary Settlement Agreement which memorializes the terms and conditions under which ANC 6A has agreed to support Applicant's licensure at the Premises.

WHEREAS, the terms and conditions contained herein, are intended to ensure that the Applicant operates in manner that promotes neighborhood peace, order and quiet, preserves, safety, security and sanitation around the Premises and protects residential parking; and

WHEREAS, all terms of this Agreement are in compliance with relevant sections of the District of Columbia Official Code ("D.C. Code") and the District of Columbia Municipal Regulations ("D.C.M.R.").

NOW, THEREFORE, in consideration of the recitals set forth above and the mutual covenants set forth below, the Parties agree as follows:

**AGREEMENT**

**1. Nature of Business.** The Applicant will own and operate a medical cannabis retail facility on the Premises. The Applicant will provide cannabis flowers, cannabis concentrates, a line of edibles and delivery services to registered medical cannabis patients in the District of Columbia.

**2. Hours of Operation.**

- a. The Applicant's hours of operation will be from 10 a.m. to 8 p.m. daily.
- b. The Applicant will be open for medical cannabis retail sales from 11 a.m.



Committee Reports  
Alcoholic Beverage and Cannabis (ABC)



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and 7 p.m. daily.

- c. The Applicant will maintain visible signage at the entrance to the Premises that clearly identifies the hours of operation for medical cannabis retail sales.

**3. Noise.** The Applicant will comply with D.C. Code § 25-725 regarding the emanation of noise from the Premises. Specifically, the Applicant will take reasonable steps to ensure that there are no sounds, music, noises, bass or vibrations emanating from the Premises that would be audible to any residences in the vicinity of the Premises.

**4. Deliveries.** The Applicant will require all of its vendors, including other medical cannabis licensees, to make all deliveries no earlier than 9 a.m. and no later than 7 p.m. daily. The Applicant will encourage all vendors to park only in designated delivery areas. The Applicant will inform all vendors that parking outside of the designated delivery is illegal and agrees that it will not accept deliveries from vendors parked outside of the delivery area.

**5. Notice and Enforcement of Ban on On-Premises or Outdoor Consumption of Cannabis.** The Applicant will post signage at the front entrance to the Premises, which states: "Smoking, ingesting, or consuming medical cannabis on the premises is strictly prohibited." The Applicant will further advise qualifying patients, either verbally or by written notice at the time of purchase, that medical cannabis can only be consumed in a residence or a safe use treatment facility and cannot be consumed on a street, sidewalk or in a public place. If the Applicant witnesses a violation by a qualifying patient the Applicant, to the extent permitted by law, will restrict the qualifying patient from entering the Premises. If the Applicant becomes aware of a violation by a qualifying patient, the Applicant will take reasonable steps to prevent the qualifying patients from entering the Premises.

**6. Exclusion of Minors from the Premises.** The Applicant will require all persons that enter the Premises to prove they are a registered medical cannabis patient or that they are at least 21 years old and self certify as a medical cannabis patient. Applicant will post signage at the entrance to the Premises which states, "Persons under the age of eighteen (18) are precluded from entering the Premises unless they are a qualifying patient and are in the presence of a parent or guardian".

**7. Maintenance of Public Space.** The Parties acknowledge that various commercial businesses and residents are located in close proximity to the Premises. The Applicant will ensure that the public sidewalk (up to and including the curb) in front of the entrance to the Premises are free of litter, bottles, cans, cigarette butts, trash and other debris in compliance with relevant D.C. Code and D.C.M.R. provisions at least twice daily during the hours of operation.



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To curtail nuisances related to cigarette smoke the Applicant agrees to post signage at the front entrance to the Premises, which states “No Smoking within 25 feet of the Entrance.”

**8. Managing Trash and Recycling.** The Applicant will contract with a trash and recycling contractor to provide appropriate containers for trash and recycling designed to prevent rodent intrusion. The Applicant will require its trash and recycling contractors to pick up trash and recycling no earlier than 7 a.m. and no later than 7 p.m. daily. The Applicant will comply with all ABCA regulations regarding the disposal of medical cannabis waste.

**9. Rodent and Vermin Control.** The Applicant will contract with a professional, licensed rodent, pest and vermin control company to provide control, as necessary, for the interior and exterior of the Premises.

**10. Cooperation in Stemming Illegal Activity in the Vicinity of the Premises.** To the full extent permitted by law, the Applicant will discourage illegal activities, including the consumption of cannabis and alcohol, in the vicinity of the Premises. The Applicant will use its best efforts to prohibit illegal or disruptive activities in the vicinity of the Premises and will maintain contact with the MPD and ABCA as appropriate.

**11. Responding to Incidents in the Vicinity of the Premises.** ABCA regulations impose an affirmative duty on medical cannabis licensees to document and report violent/threatening incidents, medical emergencies and fire safety emergencies, which occur inside the Premises to ABCA and the MPD within 24 hours of the incident. The Applicant will also require employees to document and report violent/threatening incidents, medical emergencies including overdoses associated with the use of illegal drugs, and fire safety emergencies, which occur in the vicinity of the Premises to ABCA and the MPD within 24 hours of the incident.

**12. Behavior of Qualifying Patients.** During the hours of operation, the Applicant will make commercially reasonable efforts to prevent qualifying patients from causing noise or disturbances, in front of, or immediately adjacent to the Premises as they enter and exit the Premises. The Applicant will take reasonable measures to prevent a qualifying patient that is behaving in an unruly or disruptive manner from entering the Premises; and will refuse to sell medical cannabis to any qualifying patient that exhibits unruly or disruptive behavior while inside the Premises.

**13. Parking and Traffic Mitigation.**

- a. The Applicant will discourage its employees from parking their vehicles illegally in manner which impedes or blocks the D.C. street car tracks or the designated





Committee Reports  
Alcoholic Beverage and Cannabis (ABC)



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bus lane in front of the Premises. The Applicant will discourage its employees, vendors and qualifying patients from parking their vehicles illegally in areas with time limited or resident-only parking. The Applicant will encourage its employees to use public transportation, walk, electronic-cycle or bicycle to the Premises.

- b. The Applicant shall strongly encourage vendors and contractors to park legally and, as reasonably necessary, work with DDOT, DPW or the appropriate District agency to resolve issues related to illegal parking by its vendors and contractors.
- c. The Applicant will notify qualifying patients, on its website or through other advertising or marketing, that parking in the vicinity of the Premises is extremely limited and will encourage qualifying patients to utilize public transportation, bicycle, electronic-cycle or walk to the Premises.

**14. Availability of Settlement Agreement.** The Applicant agrees to make copies of this Agreement available at Premises at all times and will ensure that its employees are familiar with the terms of this Agreement.

**15. Security Plan.** The Applicant shall comply with the terms of its Security Plan on file with the ABC Board.

**16. Compliance with ABCA Regulations.** The Applicant will abide by all D.C. Code provisions and ABCA regulations related to the ownership and operation of a medical cannabis licensee.

**17. Participation in the ANC Meetings.** The Applicant is encouraged to attend or send a representative, from time to time, to meetings of ANC 6A's ABC Licensing Committee.

**18. Community Engagement.** The Applicant will make reasonable efforts to hire members of the community and participate in community events. The Applicant will also regularly engage with organizations that serve the community.

**19. Binding Effect.** This Agreement will be binding upon and enforceable against the successors or assigns of the Applicant.

**20. Notice and Opportunity to Cure.** If ANC 6A considers the Applicant to be in breach of this Agreement, and before ANC 6A seeks intervention by another D.C. government entity, ANC 6A agrees to give Applicant 10 calendar days' notice and opportunity to cure. If the Applicant fails to begin the cure during those 10 calendar days, such failure will constitute cause for ANC 6A to file a complaint with the Alcoholic Beverage and Cannabis Administration. Any notices



Committee Reports  
Alcoholic Beverage and Cannabis (ABC)



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required to be made under this Agreement will be made in writing and sent via email to the Parties' or their designated representatives at the addresses below:

**If to the Applicant:**

Za Partners LLC t/a Granny Za  
Attn: Meredith Kinner  
Kinner & McGowan PLLC  
413 East Capitol Street SE  
Washington, D.C. 20003  
[mkinner@kinnermcgowan.com](mailto:mkinner@kinnermcgowan.com)

**If to ANC 6A:**

Advisory Neighborhood Commission 6A  
[6A@anc.dc.gov](mailto:6A@anc.dc.gov)

Any party may change its notice address by written notice to the other. Failure to give notice shall not constitute a waiver of or acquiescence to the violation, but notice will be a prerequisite to the filing of a complaint with the ABC Board or any other enforcement action related to this Agreement.

**21. Entire Agreement.** This Agreement replaces, in full, any previous agreements between Applicant and ANC 6A.

**22. Counterpart; Facsimile Signature.** This Agreement may be executed in two or more counterparts which together shall constitute a single agreement. Execution of this Agreement may be made by any electronically transmitted signature, which shall constitute an original signature.

**23. Modifications.** This Agreement constitutes the only agreement between the Parties and may be modified only by the written agreement of the Parties.



Committee Reports  
Alcoholic Beverage and Cannabis (ABC)




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IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

**ADVISORY NEIGHBORHOOD COMMISSION ANC 6A**

  
\_\_\_\_\_  
By: Robb Dooling  
Title: Advisory Neighborhood Commissioner, 6A06

**THE APPLICANT**

DocuSigned by:  
  
\_\_\_\_\_  
By: Philip Yang  
Title: Owner, Za Partners LLC t/a Granny Za



**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

**In the Matter of:**

UpnSmoke III, LLC

t/a TBD

Applicant for a New  
Medical Cannabis Retailer License

at premises

712 15<sup>th</sup> Street, N.E.

Washington, D.C. 20002

License No.: ABRA-126868

Order No.: 2024-047

UpnSmoke III, LLC, t/a TBD, Applicant

Zack Learman, Counsel, on behalf of the Applicant

Robb Dooling, Commissioner, Advisory Neighborhood Commission (ANC) 6A

**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Silas Grant, Jr., Member

**ORDER ON SETTLEMENT AGREEMENT**

The official records of the Alcoholic Beverage and Cannabis Board (Board) reflect that UpnSmoke III, LLC, t/a TBD, (Applicant), Applicant for a New Medical Cannabis Retailer License and ANC 6A have entered into a Settlement Agreement (Agreement), dated January 21, 2024, 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 Commissioner Rob Dooling, on behalf of ANC 6A, are signatories to the Agreement.



Committee Reports  
Alcoholic Beverage and Cannabis (ABC)



Accordingly, it is this 31<sup>st</sup> day of January 2024, **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, except for the following modifications:

Section 6 (Exclusion of Minors from the Premises) – Delete text and amend as follows:

- (1) “The Licensee or its agents must request that all patrons seeking to purchase medical cannabis from the licensee show a valid identification before distributing medical cannabis to the qualified patient or caregiver. If a patient or caregiver fails to show valid identification, then the licensee is prohibited from serving medical cannabis to the patient or caregiver.”
- (2) “When the establishment permits or allows caregivers or patients under the age of 21 into the establishment, at least one identification check shall occur at the time the patient or caregiver attempts to purchase or obtain medical cannabis. Once the Licensee or its agents confirm that the patient or caregiver is eligible or obtain medical cannabis, no additional identification checks are required under this subsection.”
- (3) “The Licensee shall report all attempts by unqualified persons to purchase medical cannabis illegally to ABCA and MPD.”

Section 12 (Behavior of Qualifying Patients) – This Section shall be modified to read: “The Applicant will report criminal conduct committed by persons within 100 feet of the establishment to MPD and will refuse to sell medical cannabis to any person engaging in criminal conduct while inside the establishment.”

The parties have agreed to these modifications.

2. Copies of this Order shall be sent to the Parties.



Committee Reports  
Alcoholic Beverage and Cannabis (ABC)



District of Columbia  
Alcoholic Beverage and Cannabis Board

*Donovan Anderson*

Donovan Anderson, Chairperson

*James Short*

James Short, Member

*Silas Grant, Jr.*

Silas Grant, Jr., 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 and Cannabis Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 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).



**SETTLEMENT AGREEMENT**

This Settlement Agreement (the "Agreement") is entered into on this 21/01/2024 day of \_\_\_\_\_, 2024 by and between UpNSmoke III LLC t/a UpNSmoke (the "Applicant") and Advisory Neighborhood Commission 6A (ANC 6A), collectively the "Parties", pursuant to D.C. Code § 25-446.

**RECITALS**

WHEREAS, the Applicant applied for a medical cannabis retailer license (ABCA--126868) with a delivery endorsement at 712 15th St NE Washington, D.C. 20002 (the "Premises"). The Premises was placarded on December 8, 2023.

WHEREAS, the Applicant and ANC 6A desire to enter into a voluntary Settlement Agreement which memorializes the terms and conditions under which ANC 6A has agreed to support Applicant's licensure at the Premises.

WHEREAS, the terms and conditions contained herein, are intended to ensure that the Applicant operates in manner that promotes neighborhood peace, order and quiet, preserves, safety, security and sanitation around the Premises and protects residential parking; and

WHEREAS, all terms of this Agreement are in compliance with relevant sections of the District of Columbia Official Code ("D.C. Code") and the District of Columbia Municipal Regulations ("D.C.M.R.").

NOW, THEREFORE, in consideration of the recitals set forth above and the mutual covenants set forth below, the Parties agree as follows:

**AGREEMENT**

1. **Nature of Business.** The Applicant has applied for a medical cannabis retail license to provide medical cannabis products to qualifying patients. The Applicant intends to operate subject to the terms and conditions of its license, permit or endorsement issued by the Board.
2. **Hours of Operation.**
  - a. The Applicant's hours of operation will be from 9 a.m. to 9 p.m. daily.
  - b. The Applicant will be open for medical cannabis retail sales from 10 a.m. to 8 p.m. daily.



- c. **The Applicant will maintain visible signage at the entrance to the Premises that clearly identifies the hours of operation for medical cannabis retail sales.**
  
3. **Noise.** The Applicant will take reasonable steps to ensure that there are no sounds, music, noises, bass or vibrations emanating from the Premises that would be audible to any residences in the vicinity of the Premises.
  
4. **Deliveries.** The Applicant will require all of its vendors, including other medical cannabis licensees, to make all deliveries no earlier than 9 a.m. and no later than 7 p.m. daily. The Applicant will encourage all vendors to park only in designated delivery areas. The Applicant will inform all vendors that parking outside of the designated delivery is illegal and agrees that it will not accept deliveries from vendors parked outside of the delivery area.
  
5. **Notice and Enforcement of Ban on On-Premises or Outdoor Consumption of Cannabis.** The Applicant will post signage at the front entrance to the Premises, which states: "Smoking, ingesting, or consuming medical cannabis on the premises is strictly prohibited." The Applicant will further advise qualifying patients and caregivers, either verbally or by written notice at the time of purchase, that medical cannabis can only be consumed in a residence or a safe use treatment facility and cannot be consumed on a street, sidewalk or in a public place. If the Applicant, its employees or agents know that a person has consumed alcohol, cannabis, medical cannabis or narcotics within 100 feet of the Premises on public space, the Applicant shall report the incident to the MPD.
  
6. **Exclusion of Minors from the Premises.** The Applicant will require all persons that enter the Premises to prove they are a registered medical cannabis patient or caregiver or that they are at least 21 years old and self certify as a medical cannabis patient.
  
7. **Maintenance of Public Space.** The Parties acknowledge that various commercial businesses and residents are located in close proximity to the Premises. The Applicant will ensure that the public sidewalk (up to and including the curb) in front of the entrance to the Premises are free of litter, bottles, cans, cigarette butts, trash and other debris in compliance with relevant D.C. Code and D.C.M.R. provisions at least twice daily during the hours of operation. To curtail nuisances related to cigarette smoke the Applicant agrees to post signage at the front entrance to the Premises, which states "No Smoking within 25 feet of the Entrance."
  
8. **Managing Trash and Recycling.** The Applicant will contract with a trash and recycling contractor to provide appropriate containers for trash and recycling designed to prevent rodent intrusion. The Applicant will require its trash and recycling contractors to pick up trash and





recycling no earlier than 7 a.m. and no later than 7 p.m. daily. The Applicant will comply with all ABCA regulations regarding the disposal of medical cannabis waste.

**9. Rodent and Vermin Control.** The Applicant will contract with a professional, licensed rodent, pest and vermin control company to provide control, as necessary, for the interior and exterior of the Premises.

**10. Cooperation in Stemming Illegal Activity in the Vicinity of the Premises.** To the full extent permitted by law, the Applicant will discourage illegal activities, including the consumption of cannabis and alcohol, in the vicinity of the Premises. The Applicant will use its best efforts to prohibit illegal or disruptive activities in the vicinity of the Premises and will maintain contact with the MPD and ABCA as appropriate.

**11. Responding to Incidents in the Vicinity of the Premises.** The Applicant shall comply with all existing laws and regulations related to documenting and reporting violent/threatening incidents, medical emergencies, and fire safety emergencies which occur inside the Premises to ABCA, the MPD and other government agencies in accordance with any time period mandated by law if known. The Applicant shall also require employees to document and report violent/threatening incidents, medical emergencies including overdoses associated with the use of illegal drugs, and fire safety emergencies, which occur in the vicinity of the Premises to ABCA, MPD, FEMS, or other appropriate government agency within 24 hours of the incident, if known. The reporting requirements contained in this Section shall be satisfied by using 311 or 911 to report the incident.

**12. Behavior of Qualifying Patients and Caregivers.** During the hours of operation, the Applicant will make commercially reasonable efforts to prevent qualifying patients and caregivers from causing noise or disturbances, in front of, or immediately adjacent to the Premises as they enter and exit the Premises. The Applicant will take reasonable measures to prevent a qualifying patient or caregiver that is behaving in an unruly or disruptive manner from entering the Premises; and will refuse to sell medical cannabis to any qualifying patient or caregiver that exhibits unruly or disruptive behavior while inside the Premises.

**13. Parking and Traffic Mitigation.**

- a. The Applicant will discourage its employees, vendors and qualifying patients from parking their vehicles illegally in areas with time limited or resident-only parking. The Applicant will encourage its employees to use public transportation, walk, electronic-cycle or bicycle to the Premises.
- b. The Applicant shall strongly encourage vendors and contractors to park legally



and, as reasonably necessary, work with DDOT, DPW or the appropriate District agency to resolve issues related to illegal parking by its vendors and contractors.

- c. The Applicant will notify qualifying patients, on its website or through other advertising or marketing, that parking in the vicinity of the Premises is extremely limited and will encourage qualifying patients to utilize public transportation, bicycle, electronic-cycle or walk to the Premises.

**14. Availability of Settlement Agreement.** The Applicant agrees to make copies of this Agreement available at Premises at all times and will ensure that its employees are familiar with the terms of this Agreement.

**15. Security Plan.** The Applicant shall comply with the terms of its Security Plan on file with the ABC Board.

**16. Compliance with ABCA Regulations.** The Applicant will abide by all D.C. Code provisions and ABCA regulations related to the ownership and operation of a medical cannabis licensee.

**17. Participation in the ANC Meetings.** The Applicant is encouraged to attend or send a representative, from time to time, to meetings of ANC 6A's ABC Licensing Committee.

**18. Community Engagement.** The Applicant will make reasonable efforts to hire members of the community and participate in community events. The Applicant will also regularly engage with organizations that serve the community.

**19. Binding Effect.** This Agreement will be binding upon and enforceable against the successors or assigns of the Applicant.

**20. Notice and Opportunity to Cure.** If ANC 6A considers the Applicant to be in breach of this Agreement, and before ANC 6A seeks intervention by another D.C. government entity, ANC 6A agrees to give Applicant 10 calendar days' notice and opportunity to cure. If the Applicant fails to begin the cure during those 10 calendar days, such failure will constitute cause for ANC 6A to file a complaint with the Alcoholic Beverage and Cannabis Administration. Any notices required to be made under this Agreement will be made in writing and sent via email to the Parties' or their designated representatives at the addresses below:

**If to the Applicant:**



UpNSmoke III LLC t/a UpNSmoke  
Attn: Zack Learman  
[zlearman@mandijapllc.com](mailto:zlearman@mandijapllc.com)

**If to ANC 6A:**

Advisory Neighborhood Commission 6A  
[6A@anc.dc.gov](mailto:6A@anc.dc.gov)

Any party may change its notice address by written notice to the other. Failure to give notice shall not constitute a waiver of or acquiescence to the violation, but notice will be a prerequisite to the filing of a complaint with the ABC Board or any other enforcement action related to this Agreement.

**21. Entire Agreement.** This Agreement replaces, in full, any previous agreements between Applicant and ANC 6A.

**22. Counterpart; Facsimile Signature.** This Agreement may be executed in two or more counterparts which together shall constitute a single agreement. Execution of this Agreement may be made by any electronically transmitted signature, which shall constitute an original signature.

**23. Modifications.** This Agreement constitutes the only agreement between the Parties and may be modified only by the written agreement of the Parties.

[SIGNATURES ON NEXT PAGE]



IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

**ADVISORY NEIGHBORHOOD COMMISSION ANC 6A**

**By: Robb Dooling**

**Title: Advisory Neighborhood Commissioner, 6A06**

**THE APPLICANT**

**By: Ahmad Chaml**

**Title: Member, on Behalf of UpnSmoke III, LLC**



## Committee Reports Transportation and Public Space (T&PS)



### Minutes

ANC 6A Transportation & Public Space Committee Meeting  
Monday, March 18, 2024 at 7:00 pm  
Virtual Meeting via Zoom

- I. Meeting called to order at 7:00 pm.
- II. Introductions & Announcements.

Committee members present: Shaun Lynch (Chair), Caitlin Rogger (Secretary), Jeff Fletcher, Paul Angelone, and Patrick Bloomstine  
Commissioners present: Keya Chatterjee (6A01), Mike Velasquez (6A02), and Amber Gove (6A04).

- III. Old Business.

- A. DDOT update on the [Florida Avenue NE Streetscape Project](#). Mr. [Nandlal Gevaria](#) (Project Manager) updated the committee and community on progress on the Florida Ave NE Streetscape Project. DDOT began milling from 6<sup>th</sup> to 9<sup>th</sup> Street NE and will soon follow with new asphalt. The current challenge is for DC Water to get the water main energized and then sidewalk work will continue. Chair Lynch noted that DC Water personnel on site indicated that they would not be done until October 2024, but Mr. Gevaria reemphasized that the entire project would be complete by October 2024. Community member, Pam Hill, asked about the schedule for completing the intersection with West Virginia Ave, and Mr. Gevaria responded that Washington Gas was in the area longer than expected; the section between 9<sup>th</sup> and 10<sup>th</sup> Streets NE will ultimately be completed last. Ms. Hill also asked for a project schedule for the awareness of residents on Florida Avenue NE. [Mr. Gevaria emailed the sidewalk construction schedule after the meeting.] Commissioner Chatterjee asked about the status of the crosswalk at M Street. Mr. Gevaria responded that the project team had received no direction from DDOT regarding reinstallation of the crosswalk in that location. [Commissioner Chatterjee subsequently provided the letter DDOT sent to the ANC and Mr. Gevaria responded that the crosswalk would be reinstalled.] Committee Member Patrick Bloomstine asked about integration of prior 12<sup>th</sup> Street NE requests into the project, and Commissioner Chatterjee noted that DDOT had previously responded that 12<sup>th</sup> Street safety issues will be dealt with after completion of the Florida Avenue project (in the same letter regarding the crosswalk at M Street NE).
- B. [National Electric Vehicle Infrastructure \(NEVI\)](#) Program. [Tasin Malik](#), DDOT Transportation Planner, presented updates to **DDOT's Electric Vehicle (EV) Infrastructure Deployment Plan**. **Ms. Malik was joined by Ms. Meredith Soniat from DDOT and Mr. Al Carr from DOEE. DC's** program is being funded by part of bipartisan infrastructure law. DDOT prefers fast chargers not installed on public right of way, but has to be within a mile of major routes. DDOT is looking at business and restaurant parking lots as possible locations. The DC fast chargers have to be publicly available 24/7 (i.e., not behind a paid parking garage gate). They are currently working on a survey to connect potential site hosts/applicants and coordinating the effort with DOEE. DDOT has planned to host a virtual public meeting on March 28, 2024, and to publish an RFA on March 29, 2024. Applications will be due to DDOT in May 2024. DDOT will finalize application evaluation over the summer and awards will be granted in the fall. DDOT expects the first DC fast chargers to be available in 2025. Mr. Carr added that DOEE has applied for other federal grants, did get a repair grant for a charger on Benning Road. DOEE put out an RFP today in Wards 7 and 8. DOEE will apply for future CFI grants, and also one through Clean Cities organization. DOEE is discussing city-owned sites in neighborhood (i.e., libraries, etc.).



Committee Member Caitlin Rogger asked if this project is integrated with MoveDC at all. Ms. Soniat responded that MoveDC is mostly about mode shift, but DDOT recognizes there is a balance. She added that DDOT wants to ensure curbside charging does not impact MoveDC: bike lanes and bus lanes are moot if we install a curbside charger, and it will remain as automobile-only parking/charging for a long time. DDOT is deprioritizing public street spaces for that reason. Committee member Rogger also asked if DDOT would be considering gas stations as possible locations, and Ms. Malik confirmed that DDOT would.

- C. DDOT West Virginia Avenue NE Traffic Safety. Commissioner Chatterjee updated the committee on community input and DDOT responses to traffic safety issues on the 800-block of West Virginia Avenue NE. Since the previous TPS Committee meeting, she has received many emails with many different perspectives and considerations, including from DDOT. DDOT is planning to install a raised crosswalk on West Virginia Avenue at 9<sup>th</sup> Street. Additionally, **DDOT's** traffic light study is continuing to move forward. There are many outstanding questions about the traffic signal study and the impact of a one-way with bike lane configuration. It does seem like they are planning to put a traffic signal at 8th Street and West Vu; that is unusual as it is so close to 8th and K Streets. Commissioner Chatterjee is concerned with what that will do to pedestrian safety. She has also asked DDOT that with so many Maryland drivers commuting through the neighborhood, is there any displacement of some of this traffic onto buses that is happening? And can DDOT work with Maryland to get more bus routes and bus frequency? Community Member Adam Ezring asked if we can wait to see what the raised crosswalk does to traffic before proceeding with a one-way conversion. Commissioner Chatterjee responded that she does not expect the raised crosswalk to slow down the southbound traffic as much as the northbound traffic. She also noted that the traffic exhibits diurnal behavior in this location where nearly all of the traffic in the morning is southbound and nearly all of the traffic in the afternoon/evening is northbound. The study is moving forward because DDOT is unable to accommodate vertical traffic calming for the southbound direction.

IV. New Business.

- A. [DPW Public Restrooms Pilot](#) Program. [Jessica Heinzelman](#), co-Founder and COO of [Throne Labs](#), **presented the company's plans for installing "The H Street Throne" at the intersection of 8<sup>th</sup> and H Streets NE.** DPW has financed a pilot consisting of five standalone public restrooms under contract with Throne Labs through September 2024. Throne Labs is currently working through the approval process with DPW and is seeking stakeholder input. The toilets are high tech, touchless, self-contained, and temporary. Users enter unique user ID with a text message or use an app. Throne Labs recognizes that loitering is a concern. Throne has a 10-minute limit and anti-loitering technology. Their system moves 99.6% of people within 15 minutes. It complies with ADA standards and has a baby changing station. Throne has a data dashboard that is available to the DC government and restroom advocacy group. The planned operating hours are from 7:00 am until 10:00 pm. The Throne needs to be installed within 45 feet of where pump truck can park. It needs to be in a well-lit, high visibility location, and oriented towards busy areas. It will not impact the ability of people to get on and off the bus.
- i. Commissioner Chatterjee noted that the community and businesses have been asking for this for a while and appreciated the presentation to the community. She expressed concern about the placement/orientation of the Throne because it forces people to walk through the cobblestone area of the sidewalk to approach the bus stop. The cobbles make it hard to get to the bus (riders might be running or hurrying), and this layout would make them run across cobbles to catch a bus. At such a busy bus stop it does not seem ideal to block everything but cobblestone. Commissioner Chatterjee also noted that one of the big



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### Transportation and Public Space (T&PS)



reasons we have businesses asking for a public toilet is that our businesses have become the default places that have to provide restrooms and that puts a huge burden on them. She asked if Throne Labs could expand the locations where bathroom user cards are distributed (such as HIPS and direct service groups) and noted that a 10:00 pm closure time is too early. Ms. Heinzelman responded that they cannot expand card distribution too much because then they become like burner cards, but she did welcome suggestions on where they should be distributed. Throne Labs would need approval from DPW to operate beyond 10:00 pm.

- ii. Commissioner Velasquez noted concerns that placing public restrooms will encourage bad behaviors, and asked if Throne had any relevant data. Ms. Heinzelman responded that they have not seen increases in negative behavior in existing locations as a result of Throne bathrooms. They use tech and behavioral science to add accountability. After walking in the Throne begins an audio announcement that explains the 10-minute limit and provides other instructions. She also noted there is good evidence that there is less graffiti in Metro stations and elevators and less public defecation where bathrooms exist. There is something about providing a nice facility that people value, giving them dignity. Lots of evidence shows it is critical to keep the facility clean. Commissioner Velasquez asked if **the Throne could be moved at a moment's notice if, for instance, it was set on fire or damaged** or for any other reason. Ms. Heinzelman responded that they serve at the pleasure of DPW and the DC Council. If the community thinks something shady is happening, Throne can work with the District to fix it. The company is incentivized to ensure it works well.
- iii. **Committee Member Bloomfield echoed Commissioner Chatterjee's** comment about extending the operating hours. At the intersection of two 24-hour bus routes (92 and X2), there are lots of service workers stuck at a bus stop for 10 minutes at 3:00 am. As for the loitering alarm, there may be folks standing next to it for 10 to 15 minutes and suggested that be dialed back given proximity to bus shelters.
- iv. **Chair Lynch repeated a question from the Q&A about the effects of DC's current budget crunch** on this program, and how much the maintenance costs will be. Ms. Heinzelman responded that the contract is already signed, so any budget shortfall will not impact this pilot. Maintenance costs are \$3,750/month in low-traffic areas but can reach up to \$6,000/month in higher-**trafficked areas**. **The amortized cost of a permanent "brick-and-mortar" bathroom would be approximately the same cost after 15 years.**
- v. Community Member Brian Gehrke expressed significant concern over crime and violence at the intersection of 8<sup>th</sup> and H Streets NE, including personal impacts, and asked what would be done to ensure this bathroom does not attract more of such behavior. Ms. Heinzelman responded that one effect of bringing the Throne to this location is that MPD is involved in the conversation already.
- vi. Community Member Patrick Lyden said he understands the project is well-intentioned, but noted this location is a known open-air drug market. He has lived here since 2009 and has noted a constant battle with the District about address that drug market. He suggested moving the bathroom farther down the street, closer to restaurants and questioned the idea of placing it at this intersection in the first place. He suggested Ms. Heinzelman walk the block with neighbors to see what they are concerned about. Commissioner Velasquez asked about the required proximity to the intersection, and Ms. Heinzelman responded that it is supposed to be within 500 feet per DPW.
- vii. Chair Lynch repeated a question from Q&A: Will cameras be trained on the entrance of the bathroom? And has there been evidence of an increase in crime around any Throne locations? Ms. Heinzelman responded that they can direct security cameras at the



## Committee Reports Transportation and Public Space (T&PS)



entrance; they have done that at times. She added that Throne Labs does not have evidence of an increase in crime. The advantage of the unique user ID is that the company knows who is using it. When people return too often or outstay their time repeatedly, they will be sent a warning.

- viii. Ms. Heinzelman closed the discussion noting that they are looking to work with communities and gather feedback. If it is not working at 8th and H Streets NE, we can move it somewhere else.

V. Community Comment.

A. None.

VI. Meeting adjourned at 8:45 pm.





Committee Reports  
Transportation and Public Space (T&PS)



April XX, 2024

Interim Director Sharon Kershbaum  
Mr. Ali Shakeri, Infrastructure Project Management Division  
District Department of Transportation  
250 M Street SE  
Washington, DC 20003

Re: Urgent Replacement of Crosswalk on Florida Avenue NE and Need for Signal Timing to Reduce Speeds

Dear Interim Director Kershbaum and Mr. Shakeri:

At a regularly scheduled and properly noticed meeting<sup>1</sup> on xxx our Commission voted x-x-x (with 5 Commissioners required for a quorum) to request two modifications to the Florida Avenue NE Streetscape Project.

1. First, we would like the recently removed crosswalk at M Street NE replaced as soon as possible. We made this request by letter in January 2024 and received a response from DDOT stating:

*“Once the sidewalk expansion has been completed, DDOT will observe to see if pedestrians start using the south sidewalk and crossing at the signalized intersections at 6th and 7th Street. We will make a future determination about whether to eliminate the M Street crosswalks accordingly.”*

This agreement to preserve the crosswalk until there could be a future determination was not followed by the project team, however, and the crosswalk was removed without any observation period.

The current status is that there is no pathway for a bicycle rider westbound on Florida Avenue NE to turn onto M Street NE to get to the NoMa-Gallaudet U Metro station other than to ride all the way to 6th St NE and take a U-turn to come back to M Street NE. No one is going to do this, and nor should they have to go so far out of their way to get to the metro station. During a twenty-minute observation period on April 5, 2024, Commissioners Chatterjee (6A01), Kwan (6C01), and Roblin (5D03); Ms. Jen DeMayo from Councilmember Allen’s office; and contractors from the project team observed multiple families and individuals risk their lives to cross Florida Avenue NE to get to M Street NE. Bicycle and scooter riders were crossing four lanes of traffic mid-block with no crosswalk in order to get to M Street NE. The project as designed is a death trap for the many people trying to access the metro station on foot, bike, and scooter.

2. With the new pavement on Florida Avenue NE, drivers are now traveling much higher than the 25 mph speed limit. Along the entire corridor from 2nd to 14th Streets NE, we request that pedestrian signals to cross Florida Avenue NE be lengthened and request that the traffic signal division review and adjust signal timing to slow driver speeds to the existing speed limit on Florida Avenue NE.

The goal of the Florida Avenue NE project is to calm traffic and improve safety and with some changes we believe that goal can be achieved. Unfortunately, the current conditions in the sections that have been repaved are far more dangerous than before this project began. **Please take immediate action for the health and safety of our community and create a design for Florida Avenue NE and M Street NE that will restore at least one signalized crosswalk so that the metro is accessible to those in our community who walk, bike, or scoot**

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



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**again. Please also change the traffic signal timing to slow speeds immediately.**

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

On Behalf of the Commission,

Amber Gove  
Chair, Advisory Neighborhood Commission 6A

cc: Christy Kwan, ANC 6C01  
Anna Roblin, ANC 5D03



# Committee Reports Economic Development and Zoning Committee



Minutes  
ANC 6A Economic Development & Zoning Committee  
7:00-9:00 pm, Wednesday, March 20, 2024  
Virtual Meeting via Zoom

Attending: Joal Mendonza (committee co-chair), Michael Cushman (committee co-chair).  
Commissioner Keya Chatterjee joined at 7:35 pm at which point a quorum was present.

In situations where there is no quorum, the Committee practice is to hear the presentations and make “suggested motions” **to the full ANC but to require a presentation to the ANC as well.**

Subsequent to Commissioner Keya Chatterjee joining the presentations were repeated and binding votes was taken.

Community Comments - no comments

Resolution of previously heard BZA/HPRB cases - none to report

Old Business - none

### New Business

216 11th Street, NE (HPA #[24-174](#)): To construct a new two-story and basement rear addition to an existing two-story rowhouse. This is an HPRB case, without any zoning issues.

Missy Boyette of Old City Design Studio presented on behalf of the owners, Auden and Elizabeth Kaler. The project is to add a front porch roof and to rebuild and extend an existing one-story enclosed porch to **10 feet beyond the existing footprint which is also 10 feet beyond the neighbor’s rear wall.**

Architectural details were presented. HPO has not issued an opinion. Applicant has letter of support from neighbor to the south (214) and has been in communication with neighbor at 218.

The Committee members recommended approval but, lacking a quorum did not make an official motion. When Commissioner Chatterjee joined the meeting and a quorum was present, a motion was made that ANC 6A send a letter of support to the HPRB re: HPA #24-174: new two-story and basement rear addition to an existing two-story rowhouse at 216 11th Street. This motion was unanimous.

1127 G Street, NE (BZA #[20687A](#)): To construct a new detached, two-story, accessory garage with second story dwelling unit to an existing, attached, two-story principal dwelling unit in the RF-1 zone. **This is a “Modification of Consequence” from BZA Order Number 20687, effective date 5/7/2022.**

Ms. Jennifer Fowler presented on behalf of the owners, Lloyd and Margaret Belcher.

The BZA had previously approved a project with requested relief to build a garage with a rental apartment above. The owners have decided to change the plans from rental apartment to an artist studio. The zoning reviewers thought the change in plans merited a re-hearing. While the project has a reduced scope there are some massing changes that rise to level to rehear the project.

Prior plans: had requested and were granted 3 different elements of relief, for this project.

- lot occupancy,



## Committee Reports Economic Development and Zoning Committee



- accessory building area requirement
- use as a rental

Since the original approval the owners re-evaluated the plans when the cost figures were calculated. They decided to switch from a second story rental apartment to instead create an owner-occupied artist studio -- removing the prior planned kitchen and bathroom and bedroom to create a studio space with storage above a garage.

Massing increases: Height increased to 22 feet (the current max alley height) from prior max height of 20.5 feet. Removed the 2<sup>nd</sup> floor balcony looking out over the alley to increase artist studio space. Removed the alley offset; new plans are flush with the buildable lot on the alley.

Neighbor outreach: No letters of support presented. But neighbors are aware of the project and project changes. The neighbors to the north at 1129 will be adding a garage using the same architect and builder. Neighbors at 1125 and 1121 are reported (by owner) to have expressed interest in constructing garages.

The Committee members recommended approval. When Commissioner Chatterjee joined the meeting and a quorum was present, a motion was made that ANC 6A send a letter of support to the BZA re: BZA #20687A: Request for a Modification of Consequence from Board of Zoning Adjustment Order 20687, pursuant to Subtitle Y § 703 to construct a new detached, two-story, accessory garage with second story dwelling unit to an existing, attached, two-story principal dwelling unit at 1127 G Street NE This motion was unanimous. .

235 10th Street NE, (BZA #21094): To construct a two-story with cellar, rear addition, to an existing, attached, three-story, principal dwelling unit in the RF-1 zone. This is a special exception request with requested relief from the lot occupancy requirements

Jennifer Fowler presenting on behalf of the owners, Sherry and Del Fox.

The current lot occupancy is 53% and the proposed addition brings that to 67.3%. So, we are going 77.3% over the allowable. There are no other zoning issues on this project. This project is within the historic district so will return for historic review later.

**Both abutting neighbors' houses go back further than 235 does now. Post addition the rear of the house will essentially line up with the neighbor at 237 and the neighbor on, at 233 is still going to be just a little bit deeper.**

The project has letters of support from the two abutting neighbors at 233 and 237 10<sup>th</sup> St NE.

At this point (7:35 pm) Commissioner Chatterjee joined the meeting. The presentation was reprised and a motion was made that ANC 6A send a letter of support to the BZA re: BZA #21094: Request for a Special Exception from the lot occupancy requirements of Subtitle E § 210.1, pursuant to Subtitle E § 5201.1 and Subtitle X § 901.2 to construct a two-story with cellar, rear addition, to an existing, attached, three-story, principal dwelling unit at 235 10th Street NE. Motion passed unanimously.

Reprise of prior cases followed:

Ms. Fowler reprised the project at 1127 G Street NE was for Commissioner. The motion to support was made, passed unanimously.



Committee Reports  
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Ms. Missy Boyette re-joined the meeting, 216 11<sup>th</sup> Street NE project was reprised/summarized for Commissioner **Chatterjee's consideration. Motion** to support was made, passed unanimously.

The meeting was adjourned at 7:46 pm.



New Business

