



District of Columbia Government Advisory Neighborhood Commission 6A Agenda for May 12, 2016



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

- 7:00 pm **Call to order**
- 7:01 pm **Approve Previous Meeting's Minutes, Adopt Agenda**
- 7:02 pm **Community Presentations**
Deputy Mayor for Greater Economic Opportunity Courtney Snowden
Insight (1300 H St) - Rebecca Snyder & Trent Smith
- 7:45 pm **Officer Reports**
Chair
Vice-Chair
Secretary
Treasurer *pg. 10*
1. Approve Treasurer's Report
2. Approve FY16 Second (2nd) Quarter Financial Report
- 7:53pm **Standing Committee Reports:**
Community Outreach pg. 12
1. No report. Committee did not meet in April 2016.
2. Next meeting - 7:00 pm, May 23, 2016 (4th Monday)
- 7:54 pm **Alcohol Beverage Licensing pg. 14**
1. Approve April 2016 committee report.
2. **Recommendation:** The ANC protest the license renewal of Ben's Chili Bowl (1001 H Street NE) unless a Settlement Agreement is approved prior to the protest hearing date, and authorize Jay Williams, Christopher Seagle, and Phil Toomajian to represent the ANC in this matter.
3. **Suggested Motion:** The ANC protest the request for a substantial change in the license of Sol Mexican Grill (1251 H Street NE) for an increase in occupancy from 60 to 155, increase weeknight closing time from 11:00 pm to 2:00 am, increase weekend closing time from 2:00 am to 3:00 am, add entertainment weeknights from 6:00 pm to 1:00 am (previously none), and extend entertainment hours on weekends from 1:00 am to 2:00 am, unless an agreement with the ANC is reached regarding trash management prior to the protest date, and authorize Jay Williams, Christopher Seagle, and Phil Toomajian to represent the ANC in this matter.
4. **Suggested Motion:** The ANC authorize a protest of the license renewal of the following establishments if the ABL Committee recommends a protest at its May 17, 2016 meeting, and authorize Jay Williams, Christopher Seagle, and Phil Toomajian to represent the ANC in these matters:
 - Atlas Performing Arts Center at 1333 H Street NE
 - Granville Moore's at 1238 H Street NE
 - Imm on H at 1360 H Street NE



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Second (2nd) Thursdays at 7:00 pm, Miner Elementary, 601 Fifteenth (15th) Street NE
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- Maketto at 1351 H Street NE
 - Redrocks at 1348 H Street NE
 - Sally's Middle Name at 1320 H Street NE
 - H & Pizza at 1118 H Street NE
 - Smith Commons at 1245 H Street NE
5. Next meeting - 7:00 pm, May 17, 2016 (3rd Tuesday)

8:10 pm Transportation and Public Space *pg. 18*

1. Approve April 2016 committee report.
2. **Recommendation:** ANC 6A send a letter to DDOT Public Space Committee expressing conditional support for BAB Korean Fusion's (1387 H Street NE) application for a sidewalk cafe permit. Conditions agreed to with owner are as follows:
 - a. Owner agrees to follow hours and terms of sidewalk cafe operation stipulated in ANC6A's standard voluntary agreement (SA), including closing at 11:00 pm Sunday through Thursday and 12:00 am Friday and Saturday. This agreement includes no music on the sidewalk café and only food and drink service;
 - b. Food will be plated; it will not be light-weight paper or plastic that is prone to litter the area;
 - c. Attractive fencing consistent with DDOT requirements and other sidewalk cafes on H Street, with a preference for fencing that contains trash in the sidewalk café area by having bars that go down to the ground;
 - d. Owners agree to move chairs and tables to the side and lock them up when not in use;
 - e. Regularly maintain any adjacent tree boxes and keep all areas in front of the business and the sidewalk café area clean, including the adjacent sidewalk and street gutter; and
 - f. Ensure the sidewalk café allows for an adjacent sidewalk that maintains a consistent width with the sidewalk on the rest of the block.
3. **Recommendation:** ANC 6A send a letter to DDOT in support of the petition for residential permit parking by residents of the 1000 block of 10th St.
4. **Recommendation:** ANC 6A send letter to DDOT requesting an assessment of pedestrian safety issues and traffic flow at the intersection of 18th Street NE and Benning Road NE, and possible remedies.
5. Next meeting - 7:00 pm, May 16, 2016 (3rd Monday)

8:20 pm Economic Development and Zoning *pg. 24*

1. Approve April 2016 committee report.
2. **Recommendation::** The ANC write a letter to the BZA in support of the requested special exceptions at 920-922 H Street NE (BZA 19250) based on the revised design with the following restrictions: a. continuation of exterior façade materials along the side of the building; b. residential parking restrictions; c. complete shadow study prior to ANC meeting to prove that there is no adverse effect on neighboring sites; d. the developer provide a transit subsidy; e. seek alternative parking options for residents; and f. reach out to neighbors.



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for May 12, 2016**



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

3. **Recommendation:** The ANC write a letter to the BZA in support of the relief requested at 1234 Duncan Place, NE (BZA 19276) on the conditions that the design be changed to extend brick to the sides of the addition for all areas visible from the street, and that a site-line report be given to the Committee before it goes to the full ANC.
4. **Recommendation:** The ANC write a letter to the BZA in support the requested relief at 1018 9th Street NE (BZA 19265) on the condition that the design use stucco or stucco paneling on all visible sides to match the design of the existing structure.
5. Next meeting - 7:00 pm, May 18, 2016 (3rd Wednesday)

- 8:40 pm **New Business pg.33**
Councilmember Allen's Legislation to launch pilot sign language program for ANC meetings
- 8:46 pm **Single Member District reports** (1 minute each)
- 8:55 pm **Community Comments** (2 minutes each)
- 9:00 pm **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes of April 14, 2016



Advisory Neighborhood Commission (ANC) 6A Minutes Miner Elementary School April 14, 2016

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

The meeting convened at 7:00 pm.

The minutes for the ANC March 2016 meeting and the agenda for the April 2016 meeting were accepted without changes or objection.

Community Presentations

H Street Connection Redevelopment - Emily Strunk, Rappaport Co. and Nick Finelli, WC Smith

Ms. Strunk and Mr. Finelli provided an update on the progress of the H Street Connection Redevelopment Project. Building demolition is scheduled to begin in June 2016. No date certain has been scheduled for the initiation of construction, but once started, the project should be completed in roughly twenty-eight (28) months. The first community construction meeting is will be scheduled to take place by June 2016. The developer advised that a website providing information to the public on the progress of the project on a monthly basis is currently under development. Neighbors interested in signing up for regular email updates should contact Commissioner Omar Mahmud or Chairman Phil Toomajian.

Metropolitan Police Department (MPD) Fifth District Commander William Fitzgerald

Commander Fitzgerald advised that he meets with First District Commander Robert Contee twice a week, due to the overlap in boundary lines between these two districts. There has been a thirty-four percent (34%) increase in the officers deployed in the Fifth District. The Fifth District officers will be directed to put emphasis on decreasing violent crimes. MPD cameras will be placed in several “hot spots” where activity is most frequent. Increased presence by MPD officers will be observed in and around these areas as well. In response to community concerns, the Fifth District will also be assign officers to playground and recreation centers during the daytime hours during the summer. In response to questions raised by the Commissioners, Commander Fitzgerald offered detailed information regarding whom or which city agency should be contacted for follow-up. As in a prior meeting with MPD First District Commander Contee, Fifth District Commander Fitzgerald concurred with the Commissioners regarding the benefits to the community in having MPD Bicycle Patrol Officers in the Fifth District.

Sean Moore, DC Streetcar Outreach Public Engagement Manager

Mr. Moore advised that streetcar operations began on February 25, 2016, and that over 36,000 patrons have used the service. Five (5) of six (6) cars are in operation with the sixth (6th) car pending repairs. The streetcar transportation service will be free to the public for the first six (6) months of operation. Mr. Moore further advised that the DC Department of Transportation (DDOT) will be holding a meeting for public comment on Wednesday, May 11, 2016, from 6:30 - 8:30 pm regarding the East Capitol Street Bridge Rehabilitation.



Advisory Neighborhood Commission 6A Meeting Minutes of April 14, 2016



Officer Reports

Chairman Toomajian mentioned the Sherwood Neighborhood Volunteers Spring Cleanup will take place on Saturday, May 21, 2016, from 9:00am - 12:00 pm, at the Sherwood Recreation Center, 640 Tenth (10th) Street, NE.

Vice Chairman Mahmud advised of a DC Department of Transportation (DDOT) public meeting regarding the Florida Avenue Project.

Treasurer's Report.

Commissioner Stephanie Zimny presented the Treasurer's Report. The opening balance in the checking account was \$15,650.29, with a forwarding balance of \$6227.93. There were disbursements of \$450.00 to Irene Dworakowski (Check 1738) for agenda/web master services; \$200.00 for March 2016 minutes; (Check 1739); \$311.00--\$183.60 (Feb.) and \$127.50 (March)(Check 1740) to FedEx; \$768.15 (Check 1741) for Sign Language Services; \$20.76 (Check 1742); travel for Phil Toomajian (ABC Board meeting); \$300.00 (Check 1743) Ludlow-Taylor PTO grant; leaving a balance of \$13,600.38, in the checking account and \$13,721.47, including a \$.024 interest deposit in the savings account. A Petty Cash Summary was included in the report showing a forwarding balance of \$25.00. The report was accepted without objection.

Committee Reports

Community Outreach Committee (COC)

No report. The COC Committee did not meet in March 2016.

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

Alcohol Beverage Licensing (ABL)

The March 2016 ABL Committee Report was accepted without objection.

Motion: Chairman Toomajian moved and Commissioner Mahmud seconded a motion that the ANC authorize a protest of the license renewal of Da Luft (1242 H Street NE), if the ABL Committee votes in favor of a protest at its April 19, 2016 meeting. The motion passed (8-0).

Next meeting - 7:00 pm, April 19, 2016 (3rd Tuesday)

Transportation and Public Space Committee (TPS)

No report. The TPS Committee did not meet in March 2016.

Next meeting - 7:00 pm, April 18, 2016 (4th Monday)

Economic Development and Zoning (EDZ)

The March 2016 EDZ Committee report was accepted without objection.

Mr. Felipe Serpa and Ms. Meredith Moldenhauer of Valor Development addressed the Commissioners regarding proposed development of 1603-1625 Benning Road NE.

Recommendation: The Committee made a recommendation that the ANC write a letter to the board of Zoning Adjustment (BZA) in support of the requested special exceptions by 920 H LLC, pursuant to 11 DCMR section 3103.2, for variances from the lot occupancy requirements under section 1324.4, the off-street parking requirements under section 2101.1, and the parking space requirements under section



Advisory Neighborhood Commission 6A Meeting Minutes of April 14, 2016



2115.1, to allow the construction of a mixed-use building with a restaurant and nine residential units in the HS-R/C-2-A District at 920-922 H Street NE (Square 933, Lots 57 and 803) with the following restrictions: continuation of exterior façade materials along the side of the building; residential parking restrictions; complete a shadow study prior to the April 2016 ANC 6A meeting to prove that there is no adverse effect on neighboring sites; the developer provide a transit subsidy; seek alternative parking options for residents; and reach out to neighbors.

Motion: Chairman Toomajian moved and Commissioner Mahmud seconded the motion that the above-referenced recommendation be tabled pending further discussion and review by the Commission's Economic Development and Zoning of the developer's plan to seek a density bonus for preserving the historic facade. The developer agreed to postpone BZA review of the project until June, so that the ANC may provide input at that time. The motion passed (8-0).

Next meeting - 7:00 pm, April 20, 2016 (3rd Wednesday).

New Business:

Mr. David Holmes gave an overview of the issues raised as a result of the DC Department of Energy and the Environment (DDOE) Remedial Investigation and Feasibility Study (RI/FS) of the Benning Road Pepco Plant. Mr. Holmes suggested that ANC 6A forward a letter to the DDOE requesting an additional public comment period based on the DDOE's Draft Remedial Investigation Report.

Motion: Chairman Toomajian moved and Commissioner Ward seconded a motion that ANC 6A send a letter to the DDOE requesting that the Benning Road Pepco Plant RI/FS public comment period be extended. The motion passed (8-0).

Single Member District Reports

Commissioner Calvin Ward (6A08) advised that construction of the new playground at Twentieth (20th) and C Streets NE should be completed by the end of spring. He encouraged those present to spread the word about Capitol Hill Little League Baseball. There will be a neighborhood walk-through with the DC Department of Public Works (DPW) specifically targeting Nineteenth (19th) Street between D and E Streets NE.

Commissioner Mike Soderman (6A03) spoke about the positive response of MPD to community residents raising issues about crime and shared that he will be preparing traffic calming requests for Tenth (10th) and Massachusetts Avenue NE, and the 200th block of Tenth (10th) Street NE.

Commissioner Stephanie Zimny (6A06) mentioned plans to hold a community gathering at the Pursuit Wine Bar at a date yet to be determined, and ongoing efforts to implement a language immersion program at the Miner Elementary School. Commissioner Zimny advised that Ward 6 Councilmember Charles Allen has indicated his support for this effort.

Commissioner Sondra Phillips Gilbert (6A07) advised of a recent public safety walk in the Rosedale community with the Deputy Mayor Keven Donohue, MPD Fifth District Commander Fitzgerald, and others. There was a tour of the Monument Academy with concerned community residents.

Vice Chairman Mahmud (6A01) mentioned that community residents should be aggressive in reporting suspicious or criminal activity to MPD, and that residents should be persistent contacting DC Department of Consumer and Regulatory Affairs (DCRA) regarding nightclub noise.



Advisory Neighborhood Commission 6A Meeting Minutes of April 14, 2016



Chairman Toomajian (6A02) indicated that the Ludlow-Taylor playground will be closed until scheduled renovations have been completed.

Commissioner Matt Levy (6A04) mentioned pending traffic calming requests. He spoke briefly about Maury Elementary School expansion plans. There was a neighborhood walk-through with one of Mayor Bowser's Ward 6 Outreach Specialists, Rachel Mariman and a recent alley cleanup at Thirteenth (13th) Street, NE.

Commissioner Patrick Malone (6A05) spoke about the effectiveness and responsiveness of Rachel Mariman, one of two Ward 6 Outreach Specialists. Commissioner Malone also mentioned that congratulations are in order for former EDZ Committee member Dan Golden who recently became a father.

The meeting adjourned at 9:00 pm.



Advisory Neighborhood Commission 6A Community Presentations





Commission Letters of April 14, 2016 Meeting



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



April 15, 2016

Tommy Wells, Director
Department of Energy and the Environment
1200 First Street NE
Washington, DC 20002

Re: Study of pollutants at and around the Benning Road Pepco Plant

Dear Director Wells:

At a regularly scheduled and properly noticed meeting on April 14, 2016,¹ our Commission voted 8-0 (with 5 Commissioners required for a quorum) to submit the following comments regarding the Remedial Investigation/Feasibility Study preliminary draft:

1. Since the current RI/FS is provisional or preliminary, the DOEE should provide an additional public comment period when the new necessary studies and evaluation have been completed. Additionally, Pepco and DOEE should provide another public presentation that incorporates any new findings from the upcoming new Field Investigation.
2. A fuller explanation is needed of the movement of pollutants within and adjacent to the site from this time forward. What will 25, 50, 100 year floods do to pollutants currently under the river bed or under the new hard-surface top cover of the Plant site? Will flood damage to the ground cover (vegetation or rock/cement) carry covered and buried pollutants from the Pepco site into the River?
3. DOEE/Pepco should provide a brief explanation near the beginning of the RI/FS document about why the deposition of the substantial air pollutants from the Power Plant is not included in this study. This is probably the greatest neighborhood adverse-effect of the many years of uncontrolled pollution from coal burning. An explanation seems required for the community to understand why this is not being considered in this Remedial Investigation.
4. The EPA has cited and continues to fine Pepco for the amount of heavy metal pollutants transiting from the Benning Road site. Do the measured levels of metal pollutants found at Outfall 13 indicate that this is a sufficient catch basin for all of the metals moving offsite? The investigation has found heavy metals at no other location. Why is there no evidence of a downstream plume of heavy metal deposition from Outfall 13?

Thank you for this opportunity to comment on the preliminary draft. If you have any questions, I can be contacted at philanc6a@gmail.com.

On Behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A

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



Officer Reports - Treasurer



ANC 6A Treasurer's Report April 2016

Period Covered 4/1/2016-4/30/2016

Checking Account:

Balance Forwarded			\$	7,372.45
Total Receipts			\$	6,227.93
Total Funds Available			\$	13,600.38
Disbursements:				
Irene Dworakowski (Agenda/Web Master ServicesMar	CK#1744	\$	450.00	
Note Taking (Apr2016 Minutes)	CK#1745	\$	200.00	
Fed Ex (Apr)	CK#1746	\$	159.50	
Travel for Jay Williams ABL	CK#1748	\$	10.56	
Total Disbursements			\$	820.06
Ending Balance			\$	12,780.32

Savings Account:

Balance Forwarded			\$	13,721.47
Receipts: Interest	04/21/16		\$	0.24
Deposit -				
Total Receipts			\$	0.24
Total Funds Available			\$	13,721.71
Disbursements			\$	-
Ending Balance			\$	13,721.71

PETTY CASH SUMMARY

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



Officer Reports - Treasurer



Quarterly Report - ANC 6A, 2016 Q2

Balance Forward		\$15,483.50
<hr/>		
Receipts		
District Allotment	\$0.00	
Interest	\$0.00	
Other	\$0.00	
Transfer From Savings	\$0.00	
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Total Receipts	\$0.00	
Total Funds Available		\$15,483.50
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Disbursements		
1. Personnel		\$1,950.00
2. Direct Office Cost		\$0.00
3. Communication		\$0.00
4. Office Supplies, Equipment, Printing		\$471.00
5. Grants		\$0.00
6. Local Transportation		\$36.78
7. Purchase of Service		\$565.45
8. Bank Charges, Transfers and Petty Cash		\$0.00
9. Other		\$25.00
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Total Disbursements		\$3,048.23
Ending Balance		\$12,435.27

Approval Date By Commission: _____

Treasurer: _____

Chairperson: _____

Secretary Certification: _____

Date: _____

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



Committee Reports
Community Outreach Committee (COC)



No report. Committee did not meet in April 2016.



Committee Reports

Alcohol Beverage and Licensing (ABL)



Minutes

Alcoholic Beverage Licensing (ABL) Committee

Advisory Neighborhood Commission (ANC) 6A

April 19, 2016

Pursuant to notice duly given, a meeting of the Alcoholic Beverage Licensing Committee (“Committee”) of ANC 6A was held commencing at 7:00 pm on April 19, 2016 at Sherwood Recreation Center, 640 Tenth (10th) Street NE, Washington, DC 20002.

Committee Members Present: Christopher Seagle (Co-Chair), Jay Williams (Co-Chair), Justin Rzepka, and Michael Herman.

Committee Members Absent: David Oberting, Roger Caruth, and Mark Samburg.

Commissioners Present: Omar Mahmud

Community Members Present: Andrea Culoe, Frank White (Ben’s Chili Bowl), Logan Welton (Ten 01/Ben’s Chili Bowl), Jason Martin (Sticky Rice, Dangerously Delicious, Chupacabra), Sarosh Hussain (Cusbah), Pam Johnson (DC Conscious Café), James Lee (Khan’s), Steve Hessler (Gallery O on H), others.

I. Call to Order

Mr. Williams called the meeting to order at 7:05 pm. The meeting having been duly convened was ready to proceed with business with a quorum. There were no additions or edits to the agenda as published.

II. Community Comment

None.

III. Old Business

A. Mr. Williams reported that the protest hearing of Touché recently took place. He stated that he was optimistic in the outcome. Upon a question from the audience, Mr. Williams described the history with Touché and why the ANC was protesting. Mr. Williams thanked the neighbors who took time to attend the hearing and assist, and Mr. Seagle thanked Mr. Williams for representing the ANC at the hearing, which lasted more than five hours.

IV. New Business

A. Discussion of license renewal of Khan’s BBQ (1125 H Street NE) (CR License)

- Mr. Lee stated that two years ago, he agreed to amend the Settlement Agreement (SA) for Khan’s to limit the hours of his public space patio to 11:00 pm on weeknights and 12:00 am on weekends. Mr. Lee stated that he believed he had been misled and that other establishments nearby had later hours. Mr. Lee stated that he wanted to keep his patio open until 1:00 am.
- Mr. Williams explained that the ANC was committed to keeping the earlier patio hours, and that the few exceptions in 6A were due to unique issues that were not present here.
- Commissioner Mahmud stated that a few years ago, other establishments pointed to Khan’s as their justification for asking for later hours, but since then the ANC has stuck to earlier hours, except for a few places that were further from residences.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Hussain stated that one reason for his later hours was because he had ensured soundproofing on his patio and spent money to enclose it.
- Commissioner Mahmud stated that the ANC's position is an attempt to maintain harmony between businesses and the community.
- Mr. Williams stated he was disinclined to approve any request by Khan's to change its current hours.
- The Committee took no action on the request.

B. Discussion of license renewal of Ocopa (1324 H Street NE) (CR License).

- Mr. Williams stated that he had received no complaints, and that Ocopa currently had a standard ANC 6A Settlement Agreement in place.
- There was no further discussion.

C. Discussion of license renewal of Ben's Chili Bowl (1001 H Street NE) (CR License)

- Mr. Williams explained that when Ben's Chili Bowl initially applied for its license, it refused to agree to the ANC's request for 11:00 pm/12:00 am hours on its roof deck and patio. The disagreement eventually went to a hearing, where the Alcoholic Beverage Control (ABC) Board imposed the requested hours, but that also meant there is not a Settlement Agreement in place with Ben's.
- Commissioner Mahmud reported that Ben's was willing to discuss a Settlement Agreement and that he would be setting up a time soon to meet with them. Commissioner Mahmud noted that there had been complaints related to music coming from the roof deck.
- Mr. White stated that from the beginning, the Ali family has been cooperative with the ANC and they want to be a functioning business that works with the community. Mr. White stated that Ben's Chili Bowl was open to negotiating a Settlement Agreement, but wants to make sure there is "balance" and "give and take."
- Mr. Welton admitted that he had not considered the issue of neighbors wanting to sleep in their homes nearby with the windows open, and clarified whether the main noise issue is with voices or music.
- Commissioner Mahmud reported that he had not recently spoken with nearby neighbors but that his perspective was that the issue had to do with both. However, Commissioner Mahmud stated that he was fine with voices, but the music issue was out of control recently.
- Mr. Welton stated that the establishment wants to be a great neighbor, but he felt it was unfair for businesses further from residences to have advantages.
- Commissioner Mahmud explained that the ANC had originally taken an "across-the-board" approach to hours but had to change that when the ANC realized that such an approach may not work in front of the ABC Board.

Mr. Williams moved, seconded by Commissioner Mahmud, that the ANC protest the license renewal of Ben's Chili Bowl unless a Settlement Agreement is approved prior to the protest hearing date. The motion carried 5-0, with Commissioner Mahmud voting.

D. Discussion of license renewal of Dangerously Delicious Pies (1339 H Street NE) (CR License)

- Mr. Williams stated that he had received no complaints, and that Dangerously Delicious currently had a standard ANC 6A Settlement Agreement in place.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- There was no further discussion.
- E. Discussion of license renewal of Gallery O On H (1354 H Street NE) (CM License)**
- Mr. Williams stated that he had received no complaints, and that Gallery O currently had a standard ANC 6A Settlement Agreement in place.
 - Mr. Hessler reported that Gallery O has quintupled the amount of plants used to mitigate noise and added a tent. Mr. Hessler thanked neighbors for working with the establishment.
 - A neighbor who lives behind the establishment stated that she had no complaints.
 - There was no further discussion.
- F. Discussion of license renewal of The Argonaut (1433 H Street NE) (CR License)**
- Mr. Williams stated that he had received no complaints, and that the Argonaut currently had a standard ANC 6A Settlement Agreement in place. He also noted that he believed Argonaut was an example of an ideal good neighbor.
 - There was no further discussion.
- G. Discussion of license renewal of Da Luft (1242 H Street NE) (CR License)**
- A neighbor of Da Luft stated that last year there was a “big incident” at the establishment that spilled onto the sidewalk, and that she had concerns about safety related to the establishment.
 - Mr. Williams reported that the ANC was aware of the incident, that the Alcoholic Beverage Regulation Administration (ABRA) was still investigating it and there was a future hearing before the Board related to it. He stated that, in the past, he has heard noise complaints about the establishment.
 - Commissioner Mahmud stated that he had received some complaints, and planned to continue to monitor the establishment.
 - Mr. Williams stated that he did not believe a protest was justified at the time; he felt that the ANC and neighbors should continue to pay close attention and report concerns to ABRA.
 - There was no further discussion.
- H. Discussion of license renewal of Chupacabra (822 H Street NE) (CR License)**
- Mr. Williams stated that he had received no complaints, and that Chupacabra currently had a standard ANC 6A Settlement Agreement in place.
 - Commissioner Mahmud thanked the owners and management of Chupacabra for working out a Settlement Agreement with the community. He believes that process was a model of what the ANC tries to encourage with local businesses. He reported that he had received no complaints, including from the neighbors who were involved in negotiating the Settlement Agreement.
 - There was no further discussion.
- I. Discussion of license renewal of DC Conscious Café (1413 H Street NE) (CR License)**
- Ms. Johnson reported that the establishment was open for private events only at the moment, but expects to open fully in May 2016.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Williams reported that the ANC did have a standard Settlement Agreement in place with the establishment, and that he had received no complaints related to the private events or otherwise.
- There was no further discussion.

J. Discussion of license renewal of Cusbah (1128 H Street NE) (CR License).

- Mr. Williams stated that he had received no complaints, and that Cusbah currently had a standard ANC 6A Settlement Agreement in place.
- Mr. Hussain stated that if there are complaints related to noise, neighbors could contact him. Mr. Hussain stated that he had just one issue with ABRA responding to a noise complaint, and it did not lead to a fine.
- Commissioner Mahmud stated that the noise issues he had heard of in the past had to do with music being played inside the establishment being heard outside.
- Mr. Hussain stated that he hoped the ANC would consider Mr. Lee's request for additional time on his patio, because he felt that he was being treated unfairly.
- There was no further discussion.

K. Discussion of license renewal of Kitty's Saloon (1208 H Street NE) (CR License)

- Mr. Williams stated that he had received no complaints, and that Kitty's Saloon currently had a standard ANC 6A Settlement Agreement in place.
- There was no further discussion.

L. Discussion of license renewal of Sticky Rice (1222-1224 H Street NE) (CR License)

- Mr. Williams stated that he had received no complaints, and that Sticky Rice currently had a standard ANC 6A Settlement Agreement in place.
- Mr. Hessler stated that Sticky Rice was a very good neighbor, and had assisted with the H Street Festival.
- Commissioner Mahmud stated that he had concerns related to trash in the alley.
- Mr. Martin stated that residents had been hanging bags of trash on their fences, which would come open and litter the alley. He also stated that some of the trash in the alley could be from Sticky Rice, and that they would be doing better in this area.
- Mr. Seagle stated he had heard of a trash issue out front as well.
- Mr. Martin stated some of it had to do with people who hang out in front of Popeye's next door.
- Commissioner Mahmud requested that Sticky Rice perform more trash sweeps, and that they needed to ensure their trash bins were kept in the fenced-in area.
- Mr. Williams recounted the establishment's obligations for preventing litter in its Settlement Agreement and encouraged Sticky Rice to make sure it was complying.
- There was no further discussion.

V. Adjourn

The Committee adjourned at 8:10 pm.



Committee Reports

Transportation and Public Space (T&PS)



Minutes

ANC 6A Transportation & Public Space Committee Meeting
Capitol Hill Towers (900 G Street NE)
April 18, 2016 at 7:00 pm

- I. Meeting called to order at 7:03 pm.
- II. Introductions
 - A. Committee members: Commissioner Omar Mahmud (co-chair), Todd Sloves (co-chair), Elizabeth Nelson, Hassan Christian, Lara Levison, and Andrea Adleman.
- III. Announcements
 - A. DDOT meeting on Seventeenth (17th) and Nineteenth (19th) Street NE redesign projects to be held on May 3, 2016 at 6:30 p.m. at the Rosedale Community Center, 1700 Gales Street NE. At this Committee's meeting in February 2016, Commissioner Sondra Phillips-Gilbert asked for an update for the community on these projects.
 - B. There will be a Ward 6 budget town hall on April 21, 2016, 6:30-8:30 pm at 645 H Street. NE.
- IV. Community Comment - none
- V. Discussion with Department of Public Works (DPW) and the District Department of Transportation (DDOT) Public Space Committee representatives on alley trash receptacles
 - A. In attendance were Reginald May, Deputy Associate Administrator, Solid Waste Education and Enforcement Program (SWEEP), DPW; and Matthew Marcou, Associate Director, Public Space Regulation Administration, DDOT.
Commissioner Mahmud outlined the topic: trash stored behind restaurants in alleys (public space) that are shared by residences. How do these agencies address problems with alley trash storage? (The Department of Consumer and Regulatory Affairs (DCRA) can enforce licensure requirements.)
 - B. Mr. May:
 - i. DPW has responsibility for making sure that public space is maintained in a clean and orderly manner. For residences, to the curb; for businesses, 18 inches into the road; behind businesses as well. For violations, we issue warnings; for repeated violations, we issue citations. We do not work on weekends, and we have to see it to enforce.
 - C. Mr. Marcou (DDOT):
 - i. This is not a process that goes through a public space process (trash receptacles). You do not need a permit to store trash receptacles in an alley.
 - ii. DDOT gets involved when they obstruct public space - if a standard-width vehicle cannot pass through the alley. The regulations are silent in Title 24 on where trash receptacles go, unless they are permanent, such as with fences or lids, or a shed. DDOT issues permits for structures to store trash.
 - iii. If you are asking businesses to have a trash plan to store trash on their property (as a condition of their permit), that is a DCRA issue.
 - iv. There are more rules storing trash on a sidewalk or "public parking." ("Public parking" is the public space between the sidewalk and the property line.) There are more rules on



Committee Reports

Transportation and Public Space (T&PS)



- that. DDOT would investigate trash storage in these areas and determine appropriate path forward. Per the regulations, trash cannot be stored next to or in a sidewalk café.
- D. Mr. Sloves asked if these agencies have a process of referring a problem to DCRA if it is not under their agencies' authorities.
 - i. Mr. Marcou: unlikely, since we may not know if it is a DCRA matter.
 - ii. Mr. May: we routinely refer issues to other agencies. For solid waste issues in Ward 6, call 202-645-7190 and ask for Inspectors Hood, Satchell, or Brown
 - E. A neighbor said that the trash cans are left by the street out all the time on certain blocks in the vicinity.
 - i. Mr. May: If collection is on Monday, you can put the trash can out at 6:00 pm on Sunday and cans must be taken back in by the end of the pick-up day. I will follow up on this tomorrow morning.
 - F. The neighbor also raised a concern about rats in the dumpster behind this building and from the H Street Connection shopping center.
 - i. Co-chair Mahmud said he has been working with the shopping center to kill the rats before they tear the building down, so they will not scatter through the neighborhood, and he will also talk to the manager of this building, Ms. Higgins. Mr. May: contact Gerard Brown, Department of Health, for rodent control. Keep food tightly sealed in containers; rodents will travel as far as ½ mile for food when they are nesting.
- VI. New Business
- A. Sidewalk café permit application for BAB Korean Fusion (1387 H Street NE, southwest corner of Fourteenth (14th) & H) (Sloves)
 - i. Co-chair Sloves: Applicant could not attend tonight's meeting. The request is for just four (4) tables, each seating two (2) people, for a total of eight (8) seats. The enclosed space comes about seven (7) feet out from the bay window facing Fourteenth (14th) Street. It is pretty small compared to other establishments on the corridor. We asked the applicant to put away the furniture when not in use so it will not be accessible for misuse. Having people out there may better activate the space. Sidewalk hours: (Sunday-Thursday, no later than 11:00 pm, Friday-Saturday, no later than 12:00 midnight); Thursday is too late in her plan, and we will tell the applicant that that needs to be adjusted.
 - ii. ***Mr. Sloves offered a motion, seconded by Ms. Nelson, that the Committee recommends that ANC 6A send a letter expressing support of this application, with the following conditions: 1. Owners agree to follow hours and terms of sidewalk cafe operation stipulated in ANC6A's standard voluntary agreement (SA), including closing at 11:00 pm Sunday through Thursday and 12:00 am Friday and Saturday. This agreement includes no music on the sidewalk café and only food and drink service; 2. Food will be plated; it will not be light-weight paper or plastic that is prone to litter the area; 3. Attractive fencing consistent with DDOT requirements and other sidewalk cafes on H Street, with a preference for fencing that contains trash in the sidewalk café area by having bars that go down to the ground; 4. Owners agree to move chairs and tables to the side and lock them up when not in use; 5. Owners will regularly maintain any adjacent tree boxes and keep all areas in front of the business and the sidewalk café area clean, including the adjacent sidewalk and street gutter; 6. Ensure the sidewalk café allows for an adjacent sidewalk that maintains a consistent width with the sidewalk on the rest of the block. The motion passed unanimously.***



Committee Reports

Transportation and Public Space (T&PS)



- B. Residential Permit Parking (RPP) request for 1000 block of Tenth (10th) Street NE
 - i. To obtain RPP, neighbors have to petition DDOT, and DDOT asks the ANC commissioner to weigh in.
 - ii. ***Mr. Mahmud offered a motion, seconded by Ms. Nelson, that the Committee recommends that ANC 6A send a letter of support for the RPP request for the 1000 block of 10th St. The motion passed unanimously.***

- C. Pedestrian crossing at Benning Road and Eighteenth (18th) Street NE
 - i. Ms. Bowens explained why the crossing is dangerous for pedestrians. There is no light and no stop sign. There are apartment buildings, stores, a church, and the streetcar all near the intersection. There are a lot of elderly people and children crossing at this location. Additionally, the lights at Seventeenth (17th) and Nineteenth (19th) Streets are not timed to allow a complete stop in traffic flow for pedestrians to cross at Eighteenth (18th) Street. Pedestrians have been hit at this location. Ms. Bowens suggested installing a HAWK (pedestrian-activated) signal or adjusting the timing of the lights at Seventeenth (17th) and Nineteenth (19th) Streets NE.
 - ii. ***Mr. Sloves offered a motion, seconded by Mr. Mahmud, that the committee recommends that ANC 6A send letter to DDOT requesting an assessment of pedestrian safety issues and traffic flow at the intersection of Eighteenth (18th) Street NE and Benning Road NE and asking for possible remedies. The motion passed unanimously.***

- VII. Additional Community Comment
 - A. Question: People are congregating at Eighth (8th) and H Streets NE; where are they coming from? Commissioner Mahmud responded that the 90, 92 and X2 are major bus lines and many people are transiting on bus lines and transfer at this intersection. The city does not have anti-loitering laws, so nothing can be done unless people are doing something illegal, and then MPD can enforce. If you see anything illegal, call 911. Call even if you think the person will be gone, because MPD keeps statistics on the calls and will devote more resources to those areas.
 - B. Neighbor: question about the trash at the 7-11 on the corner at Eighth (8th) and H Streets NE. Commissioner Mahmud: 7-11 is responsible. There was an H Street Main Street organization that was cleaning up, and the businesses got lazy because someone else was cleaning up. Call the number provided by Mr. May at DPW; also, Mahmud will email Mr. May about it.

- VIII. The meeting was adjourned at 8:03 pm.



Committee Reports Transportation and Public Space (T&PS)



May 12, 2016

Mr. Matthew Marcou
Deputy Director for Public Space Regulation
District Department of Transportation
55 M Street SE, Suite 400
Washington, DC 20003

Re: Sidewalk café public space application for BAB Korean Fusion at 1387 H Street NE

Dear Mr. Marcou,

At a regularly scheduled and properly noticed meeting¹ on May 12, 2016, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to express our conditional support for the above-referenced sidewalk café application.

The motion provides our support based on the following conditions the ANC has asked the applicant to fulfill prior to and during the use of public space for a sidewalk café:

1. the sidewalk café shall not be open for use past 11 pm Sunday through Thursday and midnight on Friday and Saturday;
2. the sidewalk café shall only be used for food and drink service, and not for any other use, including the playing of any music, amplified or otherwise;
3. food served in the area will be plated; it will not be light-weight paper or plastic that is prone to litter the area;
4. the applicant shall use easily moveable chairs (no tables) that shall be secured or locked away when not in use;
5. the applicant shall ensure no trash container of any sort will be stored on or adjacent to the sidewalk café itself;
6. the enclosure will consist of attractive fencing consistent with DDOT requirements and other sidewalk cafes on H Street, with a preference for fencing that has bars that go down to the ground to keep any incidental trash from falling outside the area;
7. the applicant shall regularly clean and maintain the adjacent tree boxes, sidewalk and street gutter, and keep all areas in front of the business and within the sidewalk café area clean; and
8. the applicant will ensure the sidewalk café allows for an adjacent sidewalk that maintains a consistent width with the sidewalk on the rest of the block.

Thank you for giving consideration to our ANC's feedback on this public space proposal. We respectfully request that you include the attached conditions with any approved public space application for this applicant. Should you wish to discuss this letter with the Commission, please feel free to reach out to me at philanc6a@gmail.com or the ANC 6A Vice-Chair, J. Omar Mahmud, at mahmud6a01@gmail.com.

On behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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



Committee Reports Transportation and Public Space (T&PS)



May 12, 2016

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

Re: Support for Residents' Residential Parking Permit Petition

Dear Director Dormsjo,

At a regularly scheduled and properly noticed meeting¹ on May 12, 2016, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support a residential petition for Residential Parking Permit designation for the 1000 block of 10th Street NE. The residents' petition, which has already been submitted to DDOT, is attached.

Many of the blocks in the immediate vicinity already have Residential Parking Permit requirements. However, this block remains available to non-resident vehicles for parking to the detriment of those who live on the block and in the vicinity. We strongly support this application and also urge DDOT to address this request soon given the scarcity of parking in the neighborhood due to the increasingly popular H Street NE business corridor.

Thank you for giving great weight to the recommendation of ANC 6A. Should you wish to discuss this letter with the Commission, please feel free to reach out to me at philanc6a@gmail.com or the ANC 6A Vice-Chair, J. Omar Mahmud, at mahmud6a01@gmail.com.

On behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A

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Committee Reports Transportation and Public Space (T&PS)



May 12, 2016

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

Re: Traffic at intersection of 18th Street NE and Benning Road NE

Dear Director Dormsjo,

At a regularly scheduled and properly noticed meeting¹ on May 12, 2016, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to request that the District Department of Transportation (DDOT) examine the intersection of 18th Street NE and Benning Road NE for improvements designed to enhance pedestrian, bicyclist and driver safety.

This intersection poses a number of problems to pedestrians and drivers alike. First, there is no traffic light or stop sign, meaning cars on Benning Road have the right of way, and any cars crossing Benning or making turns must make a precarious attempt to do so. Additionally, the lights at neighboring intersections at 17th Street NE and 19th Street NE are not timed to allow a complete stop in traffic flow in both directions for pedestrians to cross at 18th Street or drivers to make left turns onto Benning Road or cross completely. While there are crosswalks and pedestrian-yield signs, most drivers are either moving too quickly to stop in time or flatly disobey the signage. There are multiple apartment buildings, retail stores, and a church in the vicinity of this intersection, making for significant pedestrian traffic often populated by elderly citizens and children. This intersection is too dangerous to continue under current conditions.

Based on the testimony of residents in ANC 6A, the Commission strongly recommends that DDOT conduct an examination of this intersection and implement solutions to resolve safety concerns. Thank you for giving great weight to the recommendation of ANC 6A. Should you wish to discuss this letter with the Commission, please feel free to reach out to me at philanc6a@gmail.com or the ANC 6A Vice-Chair, J. Omar Mahmud, at mahmud6a01@gmail.com.

On behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A

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



Committee Reports Economic Development and Zoning Committee



Report of the Economic Development and Zoning (ED&Z) Committee of
Advisory Neighborhood Commission (ANC) 6A
Sherwood Recreation Center
640 Tenth (10th) Street NE
April 20, 2016

The meeting convened at 7:00 pm.

Present

Members: Brad Greenfield, Michael Hoenig, Matt Turkstra
Commissioners: Stephanie Zimny, J. Omar Mahmud
Brad Greenfield chaired the meeting.

Community Comment

There were no community comments at the beginning of the meeting.

Update

Chairman Greenfield provided an update on items from the previous month's meeting.

Old Business

920 - 922 H Street NE (BZA 19250): Application of 920 H LLC, pursuant to 11 DCMR § 3103.2, for variances from the lot occupancy requirements under § 1324.4, the off-street parking requirements under § 2101.1, and the parking space size requirements under § 2115.1, to allow the construction of a mixed-use building with a restaurant and nine residential units in the HS-R/C-2-A District at premises 920-922 H Street NE (Square 933, Lots 57 and 803).

At the previous EDZ meeting, the Committee voted to recommend the ANC support the applicant's requested relief. The ANC, however, requested the Committee to revisit the application with regard to the applicant's use of the facade preservation bonus. The ANC felt that the preservation does not meet the intent of this bonus through their preservation activities and that we should take another look at this issue.

Meredith Moldenhauer spoke on behalf of the applicant and noted that there was a question regarding a communication from Matt Legrand as to whether glass is part of the façade for purposes of preservation that counts toward meeting the requirements of the bonus. Ms. Moldenhauer noted that the previous plans were sufficient to qualify for the bonus, but after hearing the ANC's concerns, increased the amount being preserved. Under the previous plans, 50% of the façade was to be removed, under the new plans, only 21% will be removed. The project's architect reviewed the plans to demonstrate the changes that make this possible.

Commissioner Mahmud asked for clarification as to which parts of the façade would be removed. The project architect compared the old plans to the new to clarify the changes.

Chairman Greenfield asked if the 78% to be maintained includes the sign on the building. He was informed that it does not, but that the sign will be moved inside and preserved.



Committee Reports Economic Development and Zoning Committee



Commissioner Mahmud asked why we are not considering the whole front of the building as the façade and where does the interpretation of the regulation come from that glass does not count toward the façade? Chairman Greenfield clarified that this is an interpretation by Matt Legrand.

Chairman Greenfield then noted that the glass portion of the façade does look different from the existing glass. The project architect noted that the doors had been moved, but otherwise the design was the same.

Chairman Greenfield noted that in the past, other developers had assured the Committee and the ANC that they would “repair” the façade, but instead demolished and re-built, while still qualifying for the bonus. The project architect assured the Committee that they want to keep the existing façade to the extent possible and that the existing structure is in good enough condition that it can be repaired.

Commissioner Zimny noted that with the removal of columns in the new design, the building looks very different. The project architect clarified that the columns on the design were representations of shadows, and the only change is to move the doors.

Chairman Greenfield asked what the effect of the FAR bonus is. He was informed that with the bonus, the units can be 530 square feet, whereas without the bonus, they will be 400 square feet. Ms. Moldenhauer also clarified that under the new regulations about to take effect, the FAR bonus will only be applied to non-residential units, so it is unlikely this issue will be before the Committee again.

Commissioner Mahmud noted that it does not appear that the façade is being preserved. He is concerned that other project may take advantage of Mr. Legrand’s interpretation to obtain the FAR bonus, yet completely destroy the façade. He asked if there is another way to get the FAR bonus without requesting the bonus for preserving the façade? He was informed that there is not, and that the bonus is not part of the relief the project is requesting. He was informed that the ANC can opine to the Bureau of Zoning Adjustment (BZA), but ultimately, Mr. Legrand decides.

Commissioner Mahmud compared the project to buildings downtown, where the existing structure and façade is kept, and new construction is built around it. The H Street Overlay was designed to incentivize new construction yet keep the look of the existing building. Commissioner Mahmud again expressed concern that the principal here can be applied to other projects where significant changes can be made to existing buildings using the exception laid out by Mr. Legrand.

Chairman Greenfield summarized the conditions discussed during the previous meeting. In reviewing the conditions, Chairman Greenfield affirmed that all previous conditions had been satisfactorily met. Commissioner Zimny asked how many bikes the in-building bike room will hold. She was informed it will hold nine (9). Commissioner Mahmud asked for a letter from the developers describing mitigating factors for the parking variance and was informed it will be provided.

Committee member Turkstra commented that the look of the building façade should be maintained. Commissioner Zimny noted that it makes sense to swap out old glass and outdated materials, but the look should be maintained, or else it can set a bad precedent.

Commissioner Mahmud stated that he is sympathetic to the situation, but the standard should be that if you want the FAR bonus, you should have to maintain the façade. You get the benefit of the bonus, so you should maintain the look and character of the building.



Committee Reports Economic Development and Zoning Committee



Chairman Greenfield moved the Committee reaffirm the support for the relief requested with the previous conditions in place, based on the revised design. The motion was seconded, and passed (4-0-1) (Commissioner Mahmoud abstaining).

New Business

1234 Duncan Place NE (BZA 19276): Application pursuant to 11 DCMR § 3104.1, for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2, and the nonconforming structure requirements under § 2001.3, and special exceptions from the height requirements under §§ 400.23 and 400.24, to construct a third floor addition to an existing two-story, one-family dwelling in the R-4 District.

The project architect described the existing structure and the third-floor addition the owner wishes to add to the home. The existing structure is two stories and is situated in the middle of a row of similarly designed two-story homes.

Committee Member Turkstra asked why the project only needs a special exception, and not a variance. The project architect responded the lot occupancy will stay below 70%. The project architect also clarified that they are not asking for height relief, because the project will stay below 35 feet. The special exception is needed because of changes being made to the existing mansard.

The project architect noted that they could do a less attractive addition by right, but that the design they are proposing requires the relief.

Chairman Greenfield asked about the materials to be used. He was informed that the project will use historic materials and the project will have the same architectural vocabulary. When asked about the sides of the addition, he was informed it will be siding.

Chairman Greenfield noted that because the third floor will rise above all of the surrounding homes, siding will stick out like a sore thumb and the materials should be uniform for all areas visible from the street.

The homeowner noted that the project had received support from other homes on the block and claimed that the project will have no effect on the homes behind his. The project architect and homeowner again noted that what they can do by right is less in character with the neighborhood.

Commissioner Zimny asked if they had done site-line studies for the project, and was informed that they had not.

The project architect asserted that the neighborhood is not in a historic district and the design should not be under such scrutiny. Chairman Greenfield acknowledged that the project is not in a historic district, but pointed to the language of the regulation with regard to third story additions, and noted that the ANC frequently puts conditions on requests for relief. The Architect again pointed out that they can do the project by right, but it will not look as nice.

Committee Member Hoenig stated that he did not appreciate the Architect and Homeowner's repeated claims that if they were not given the relief they sought, they would simply build a less aesthetically pleasing addition as a matter of right. He stated that the argument felt like a threat.



Committee Reports Economic Development and Zoning Committee



Committee Member Turkstra asked if there is a chimney on the project, and was informed that the existing chimney will not change.

Commissioner Zimny again expressed the importance that the addition look uniform in the front and on the sides. She stated it should all be brick, rather than siding.

Committee Member Turkstra asked if there was any plan to make this a multi-unit building. He was informed that was not in the home-owner's plans. Committee member Turkstra also expressed his concern that the addition use the same materials on the front and the side.

Chairman Greenfield moved that the Committee recommend the ANC support the relief requested on the conditions that the design be changed to extend brick to the sides of the addition for all areas visible from the street, and that a site line report be given to the Committee before it goes to the full ANC. The motion was seconded and passed (4-1) (Committee Member Hoenig against).

1018 9th Street NE (BZA 19265): Application, pursuant to 11 DCMR § 3104.1, for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2, and special exceptions from the rooftop structure requirements under § 400.24, the rooftop mechanical equipment requirements under § 411.5, and the penthouse screening requirements under § 411.18, to construct a rear addition to an existing two-story, one-family dwelling in the R-4 District.

The project architect noted that additional relief is being requested to that listed on the agenda. The project architect described the project, noting that although it is a third story addition, there are mitigating factors that demonstrate the project meets the requirements of the regulations. The lot on which the property sits as at the corner, rather than in the middle of a row of houses. And the lot itself is unique. The project architect described the existing structure: the home has a brick front with stucco sides and rear. Other homes on the block have already built up, so this addition will not disrupt an otherwise uniform row of houses. There are also precedents for taller structures at the end-of-a-row houses, creating a book-end effect. Neighbors have also expressed support for the project and the homeowner has letters of support to be provided to the ANC.

The owner noted that he is willing to change the design so that there is consistency in the design. Rather than siding, the sides and back of the addition will be stucco (or stucco paneling) to match the design of the existing structure.

Committee member Hoenig moved to support the requested relief on the condition that the design use stucco or stucco paneling on all visible sides to match the design of the existing structure. The motion was seconded and passed unanimously.

401 11th Street NE (HPA 16-303): Concept/curb cut. No one representing the project was present at the meeting.

Meeting was adjourned.



Committee Reports Economic Development and Zoning Committee



STANDING ON SIDEWALK SAME SIDE AS 1234

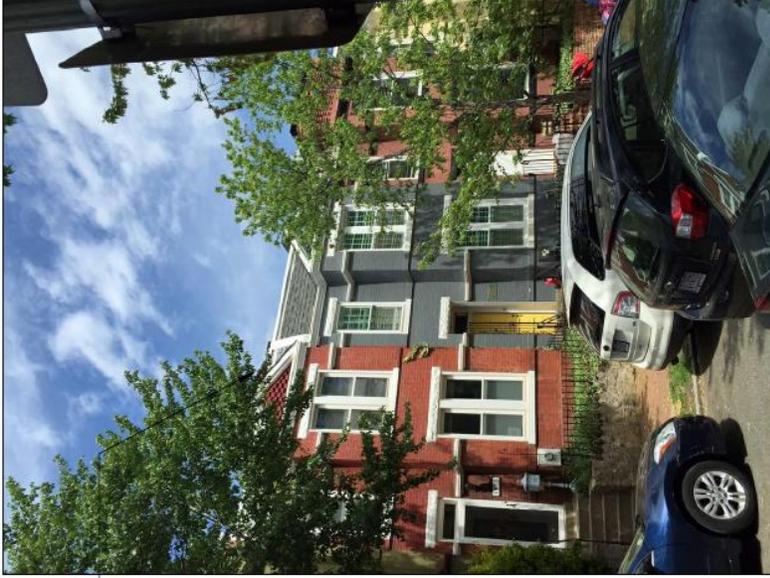
1234 DUNCAN PL., SIGHT LINES - NORTH SIDE OF STREET



STANDING ON SIDEWALK SAME SIDE AS 1234

1234
DUNCAN
PL. —
EXISTING
CHIMNEYS
ARE
NOT
VISIBLE

UNTER RESIDENCE
34 Duncan Pl. NE Washington, DC 20002
May 9, 2016
BRITTINGHAM ARCHITECTURE



STANDING ON SOUTH SIDE SIDEWALK

1234 DUNCAN PL., SIGHT LINES - NORTH SIDE OF STREET



STANDING ON SOUTH SIDE SIDEWALK

EDGE OF
EXISTING
CHIMNEYS

UNTER RESIDENCE

34 Duncan Pl. NE Washington, DC 20002

May 9, 2016
APPROPRIATE AGENCY REVIEW



Committee Reports Economic Development and Zoning Committee



May XX, 2016

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

Re: BZA Case No. 19250 (920-922 H Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on May 12, 2016,¹ our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Applicant's request for special exceptions by 920 H LLC, pursuant to 11 DCMR § 3103.2, for variances from the lot occupancy requirements under § 1324.4, the off-street parking requirements under § 2101.1, and the parking space size requirements under § 2115.1, to allow the construction of a mixed-use building with a restaurant and nine residential units in the HS-R/C-2-A District at 920-922 H Street NE (Square 933, Lots 57 and 803).

The Commission believes that the location and size of the proposed development create an extreme burden to meet the off-street parking size and space requirement. The special exception for lot occupancy is warranted since the lot occupancy will be decreased with the development from its current state. The Commission is concerned about the applicant's use of the FAR bonus for facade preservation. We believe that this bonus should only be allowed if the developer preserves the majority of the facade (in our opinion, 90% of the existing facade should be preserved), and this design falls short of that threshold amount. Despite this concern, the Commission believes that the design preserves as much of the facade as is practicable, given the change in use and the nature of the existing facade.

The Commission believes the development will not unduly diminish neighboring properties or result in additional parking in the neighborhood, and supports granting the requested special exception with the following restrictions: continuation of exterior façade materials along the side of the building; residential parking restrictions; the developer provide a transit subsidy to building residents; and seek alternative parking options for residents.

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

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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Committee Reports
Economic Development and Zoning Committee



May XX, 2016

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

Re: BZA Case No. 19276 (1234 Duncan Place, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on May 12, 2016,¹ our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Applicant's request for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2, and the nonconforming structure requirements under § 2001.3, and special exceptions from the height requirements under §§400.23 and 400.24, to construct a third floor addition to an existing two-story, one-family dwelling in the R-4 District.

The Commission supports granting the requested special exception because the design for the exterior of the addition preserves the character of the block and does not adversely impact the enjoyment of neighboring properties. The applicant's design preserves the roof top architectural elements and maintains the character of the neighborhood. The Commission supports this applicant on the condition that the materials used on the front of the design be extended to all areas on the addition that are visible from the street.

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

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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Committee Reports Economic Development and Zoning Committee



May XX, 2016

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

Re: BZA Case No. 19265 (1018 9th Street NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on May 12, 2016,¹ our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Applicant's request for a special exception under §223, not meeting the lot occupancy requirements under § 403.2, and special exceptions from the rooftop structure requirements under § 400.24, the rooftop mechanical equipment requirements under § 411.5, and the penthouse screening requirements under § 411.18, to construct a rear addition to an existing two-story, one-family dwelling in the R-4 District.

The Commission supports granting the requested special exception because the design for the exterior of the addition preserves the character of the block and does not adversely impact the enjoyment of neighboring properties. The applicant's design preserves the roof top architectural elements and maintains the character of the neighborhood. The Commission supports this applicant on the condition that the materials used on the front of the design be extended to all areas on the addition that are visible from the street.

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

On Behalf of the Commission,

Phil Toomajian
Chair, Advisory Neighborhood Commission 6A

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Councilmember Kenyan McDuffie

Councilmember Charles Allen

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Advisory Neighborhood Commissions Act of 1975 to require the Office of the Advisory Neighborhood Commission to conduct a pilot program to provide access to sign-language interpreters, upon request, for Commission meetings and subcommittee meetings, and to require the Office to submit a report to Council assessing the pilot.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Advisory Neighborhood Commissions Access to Sign-Language Interpreters Amendment Act of 2016”.

Sec. 2. Section 18 of the Advisory Neighborhood Commissions Act of 1975, effective June 27, 2000 (D.C. Law 13-135; D.C. Official Code § 1-309.15), is amended by adding a new subsection (d) to read as follows:

“(d)(1) Beginning October 1, 2016, the Office shall conduct a one-year pilot program to provide sign-language interpreters, upon request, for Commission meetings and subcommittee meetings.

“(A) The Office shall establish a procedure for Commissions to submit requests.

“(B) The provision of interpreters shall be subject to available funding.

“(2) On April 1, 2017, the Office shall submit a mid-year report to the Council that includes:



New Business



- “(A) The number of interpreters requested;
- “(B) The number of requests approved;
- “(C) The average length of time the interpreters were needed;
- “(D) The average hourly cost of interpreters;
- “(E) The total amount spent on the pilot through the date of submission; and
- “(F) An assessment of the effectiveness of the pilot, including recommendations on

its future.”.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

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