



District of Columbia Government Advisory Neighborhood Commission 6A Agenda for November 10, 2022



Second (2nd) Thursdays at 7:00 pm

Virtual Meeting via Zoom

For those attending via Zoom: use this link: <https://us06web.zoom.us/j/83132001147>

Call-in Number: +1 301 715 8592

Webinar ID (access code): 831 3200 1147

One tap mobile: +16465588656,,83132001147#

Public Meeting - All Are Welcome to Attend

- 7:00 pm **Call to order**
- 7:01 pm **Adoption of Agenda and Approval of Minutes**
- 7:02 pm **Community Presentations**
- Capitol Hill Village - Mary Bloodworth, Director of Operations
 - Rosedale Recreation Center - Henry Moton, Recreation Manager, Department of Parks and Recreation
- 7:40 pm **Consent Agenda** **pg. 49**
- Alcohol Beverage Licensing (ABL)**
- Recommendation:** ANC 6A write a letter of support in favor of Biergarten Haus, Inc. t/a Biergarten Haus at 1355 H Street NE (ABRA-083695) for renewal of its Class C Tavern License.
- Recommendation:** ANC 6A write a letter of support in favor of DC Culinary Academy, LLC t/a Brine at 1357-1359 H Street NE (ABRA-110889) for renewal of its Class C Tavern License.
- Recommendation:** ANC 6A write a letter of support in favor of Rosato, LLC t/a Sospeso at 1344 H Street NE (ABRA-100766) for renewal of its Class C Tavern License.
- Recommendation:** ANC 6A write a letter of support in favor of Par Bar, LLC t/a H Street Country Club at 1335 H Street NE (ABRA-076649) for renewal of its Class C Tavern License.
- Recommendation:** ANC 6A write a letter of support in favor of Dangerously Delicious DC LLC t/a Pie Shop at 1339 H Street NE (ABRA-087422) for renewal of its Class C Tavern License.
- Recommendation:** ANC 6A oppose the license renewal application of Lattice Partners LLC t/a Copycat Co. at 1110 H Street NE (ABRA-096474) unless a new settlement agreement is entered into prior to the protest date, and further that the Chairs of the ABL Committee, as well as Committee member Velasquez, and the Chairs of the ANC represent the ANC in this matter.
- Recommendation:** ANC 6A write a letter of support in favor of Capitol Square Bar and Grill LLC t/a DC Capitol Square Bar & Grill at 1500 East Capitol Street NE (ABRA-118000) for renewal of its Class C Restaurant License.
- Recommendation:** ANC 6A write a letter of support in favor of Langston Bar & Grille, LLC t/a Langston Bar & Grille at 1831 Benning Road NE (ABRA-076260) for renewal of its Class C Tavern License.



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Economic Development and Zoning (EDZ)

Recommendation: ANC 6A send a letter of support to HPRB for a plan to construct a rear three-story addition; add a partial third floor on the existing house, and renovate the existing house for a home at 223 8th Street NE (HPA22-329) in the Capitol Hill Historic District.

Recommendation: ANC 6A send a letter of support to the DC council for the Green New Deal for Housing Act Green New Deal for Housing Act (B24-0802) with recommended changes to the Act.

- 7:45 pm **Officer Reports** **pg. 84**
1. Accept Treasurer's Report
- 7:50 pm **Standing Committee Reports:**
Community Outreach (COC) **pg. 85**
1. Accept October 2022 committee report.
2. Next meeting - 7:00 pm, November 28, 2022 (4th Monday)
- 8:00 pm **Alcohol Beverage Licensing** **pg. 88**
1. Accept October 2022 committee report.
2. **Recommendation:** ANC 6A write a letter of support in favor of Capitol Square Bar and Grill LLC t/a DC Capitol Square Bar & Grill at 1500 East Capitol Street NE (ABRA-118000) for renewal of its Class C Restaurant License.
3. Next meeting - 7:00 pm, November 22, 2022 (4th Tuesday)
- 8:10 pm **Transportation and Public Space (TPS)** **pg. 92**
1. Accept October 2022 committee report.
2. Next meeting - 7:00 pm, November 21, 2022 (3rd Monday)
- 8:20 pm **Economic Development and Zoning** **pg. 94**
1. Accept October 2022 committee report.
2. **Recommendation:** ANC 6A send a letter of support to the city with recommendations to assist the tenants at the Havana Building at 1219 K Street NE.
3. **Suggested Motion:** ANC 6A provide EDZ with a mandate to further investigate ANC 6A support to sponsor a text amendment for zoning districts NC-9, NC-10, NC-11, NC-12, NC-13, NC-14, NC-15, NC-16 and NC-17 to actively encourage use for the arts.
4. Next meeting - 7:00 pm, November 16, 2022 (3rd Wednesday)
- 8:35 pm **Commission Business** **pg. 151**
New Business
• **Suggested Motion:** ANC 6A send a letter to Councilmembers Vincent Gray and Robert White, Department of General Services (DGS) Director Keith Anderson and DCPC



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Chancellor Lewis Ferabee to request urgent support for repairs and improvements to Eastern High School Athletic Facilities. (Alcorn)

- **Suggested Motion:** ANC 6A approve the appointment of Ayisha Lockett as members of the Economic Development and Zoning Committee. (Dooling)
- **Suggested Motion:** ANC 6A send a letter to DDOT to ask for a deadline extension of Chick Fil A's (1401 Maryland Avenue NE) application for the replacement of their fence so the TPS and full ANC may review the application. (Dooling)

8:45 pm **Single Member District reports** (1 minute each)

8:55 pm **Community Comments** (2 minutes each)

9:00 pm **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes of October 13, 2022



Advisory Neighborhood Commission (ANC) 6A Minutes

Virtual Meeting via Zoom
October 13, 2022

Present: Commissioners Amber Gove (Chair), Keya Chatterjee, Robb Dooling, Brian Alcorn, Sondra Phillips-Gilbert, Mike Soderman, and Laura Gentile were present. Commissioner Phil Toomajian was absent.

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

Chair Amber Gove called the meeting to order and noted the presence of a quorum. The minutes for the ANC 6A September 2022 meeting were accepted, and the agenda for the October 2022 meeting was accepted by unanimous consent.

Community Presentations:

DOEE's Solar for All - Angela Simmons, Community Engagement and Advancement Manager, GRID Alternatives

Ms. Angela Simmons gave an overview of GRID Alternatives, a nonprofit agency based in California with offices across the country whose goal is to bring the benefits of clean energy to underserved communities. The organization partners with DOEE to offer solar installations at no cost to qualifying homeowners and renters (with homeowner permission) through the Solar for All program. The program aims to bring solar to 100,000 income qualified households by 2032; steep roofs, roofs without sunlight, inaccessible roof rafters or main service panels, and old roofs all prevent solar installation. GRID Alternatives also runs an employment and training program, Solar Works DC, preparing residents for careers in solar through hands-on training. GRID Mid-Atlantic offers a referral bonus of \$200. Funding for installation comes from third party lenders and grants; the third-party lenders are then the recipients of any Solar Renewable Energy Credits. Interested community members can find more information at the following websites or call (202) 602-0191:

www.gridalternatives.org/midatlantic

www.gridsolar.org/midatlantic

Installation of Residential Pollinator Gardens - Thorne Rankin, Co-Founder, DC Natives

Ms. Thorne Rankin from DC Natives presented about the organization, noting that they are a grant-funded organization that installs pollinator gardens and are heavily focused in Ward 7 but would like to expand into Capitol Hill. The gardens consist of native plants, allowing local ecosystems, including insects and birds, to thrive. They combat the rapid decline of insect species. DC Natives encourages community members to build gardens, help neighbors build gardens, and to volunteer with the organization. When planting, DC Natives advises 3 species for 3 seasons and in groups of at least 3 of each variety of plant. Representatives from the organization will bring plants, soil, and mulch and help plan and plant the garden as long as residents have cleared the area. Interested individuals can reach Ms. Rankin at [thornerankin\[at\]gmail.com](mailto:thornerankin[at]gmail.com) and get more information on this Google form:



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<https://docs.google.com/forms/d/e/1FAIpQLSfWJ8SzTFtmFPmmwLrUyaDEW68Cw2RITWlkUAbH26GzPirwMA/viewform>

Consent Agenda

The following items were adopted by unanimous consent:

Alcohol Beverage Licensing (ABL)

- ANC 6A send a letter of support to ABRA for the Class C Tavern license renewal of The Pursuit Wine Bar and Kitchen at 1025 H Street NE (ABRA-113810).
- ANC 6A send a letter of support to ABRA for the Class C Tavern license renewal of VibeZ on H at 1378 H Street NE (ABRA-117753).
- ANC 6A send a letter of opposition to ABRA regarding the Class C Tavern license renewal of Bar Bullfrog/Bullfrog Bagels at 1341 H Street NE (ABRA-112890) unless a settlement agreement is entered into prior to the protest date, and that the Chair and Vice-Chair of the ANC, the Co-Chairs of the ABL Committee, and ABL Committee member Krisch, represent the ANC in this matter.
- ANC 6A send a letter of opposition to ABRA regarding the Class C Tavern license renewal of The Queen Vic at 1206 H Street NE (ABRA-083930) unless an updated settlement agreement is entered into prior to the protest date, and that the Chair and Vice-Chair of the ANC and the Co-Chairs of the ABL Committee represent the ANC in this matter.
- ANC 6A send a letter of support to ABRA for the Class C Tavern license renewal of Mythology, Lore, & Dirty Water/Beetle House DC at 816 H Street NE (ABRA-095033).
- ANC 6A take no action with respect to the substantial change request of Ocean Lounge at 1220 H Street NE (ABRA-114106) to add a Summer Garden to their existing license.

Community Outreach (COC)

- ANC 6A edit the Standard Operating Procedures (SOP) language (page 4, section IV. D) to add new text (noted in italics below):
Committee Chairs, and/or the Commissioner for the specific SMD, may jointly recommend the removal of any committee member who has three or more unexcused absences without good cause within a 12-month period or about whom the ANC has received one or more complaints of significant concern that may be considered inconsistent with the ANC 6A Code of Conduct or other reasonable standard.

Transportation and Public Space (TPS)

- ANC 6A send a letter to the District Department of Transportation (DDOT) requesting that School Parking Zone permits cover a radius that does not extend to neighboring ANCs should any permit be issued to Capitol Hill Montessori or other schools that are more than a few blocks away from the adjacent ANC.

Officer Reports:



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1. The October 2022 Treasurer's report by Commissioner Brian Alcorn reviewed the six expenditures accrued in September: \$765.89 for September webmaster services, \$250 for notetaking, two payments of \$58.29 for Zoom Pro/Webinar, \$216.00 for USPS Box Renewal and \$196.02 for Web Hosting Services (Checks #2033-2038, respectively). The ANC had \$5,077.19 in uncashed checks (Checks #2026, #2027, #2031, and #2032). The opening uncommitted funds available were \$29,527.70 and ANC6A received an OANC allotment of \$10,891.12. After disbursements totaling \$1,544.49 and cashed checks and the OANC allotment, the closing available checking balance is \$33,797.14. Commissioner Alcorn offered an amendment to the report to include an additional disbursement of \$4,452.00 to the Hill Rag for 2023 ANC6A meeting advertisement; OANC advised ANCs to pay certain 2023 bills now if possible. After this amendment, new closing funds are \$29,345.14. The savings account opened at \$100.05, gained no interest, and closed at \$100.05. Petty cash remained at \$25.00. The Treasurer's report was approved by unanimous consent.
2. Commissioner Alcorn moved and Commissioner Mike Soderman seconded the motion that ANC 6A approve the FY22 4th Quarter budget as presented in the agenda package. The motion passed 7-0.
3. Commissioner Alcorn moved and Commissioner Laura Gentile seconded the motion that ANC 6A approve the FY22-23 Budget Plan as presented in the agenda package. The proposed plan has been open to Commissioner and community comment for a month, and while ANC 6A can vote to approve and adopt the plan, it can be changed and updated at any time. The motion passed 7-0.
4. Commissioner Alcorn moved and Commissioner Sondra Phillips-Gilbert seconded the motion to renew and redocument the service agreements with ANC 6A's community volunteers who perform package, prep, and web and meeting minute services. Both volunteers to serve for another year. The motion passed 7-0.

Standing Committee Reports: Community Outreach

3. The September 2022 committee report was accepted by unanimous consent.
4. Next meeting - 7:00 pm, October 24, 2022 (4th Wednesday)

Alcohol Beverage Licensing

1. The September 2022 committee report was accepted by unanimous consent.
2. The Committee thanked Co-Chair Ian Stanford for his committee service and noted that he moved out of ANC 6A and will no longer be serving on the committee.
3. Next meeting - 7:00 pm, October 25, 2022 (4th Tuesday)

Transportation and Public Space

1. The September 2022 committee report was accepted by unanimous consent.
2. The Committee recommended and Commissioner Gentile seconded the motion that ANC 6A send a letter to DDOT in support of an Open Streets event on 8th Street from Florida Avenue NE to M Street SE.

ANC 6A resident Mark Sussman shared a proposal for an Open Streets 8th Street NE/SE event, noting that there has never been an Open Streets event in Ward 6. Open Streets offers



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communities the opportunity to experience their city streets in new ways as the event temporarily loses roadways to vehicles and provides safe walking, biking, and skating spaces. ANC 6A and ANC 6C TPS committees support the proposal and ANC 6B is meeting next week. The proposal is for a 2-mile span from Florida Avenue NE to M Street SE and includes several small businesses in Ward 6. The event would be on a Saturday from 9:00 am to either 1:00 or 3:00 pm and bring foot traffic to local businesses and include several activities for community members. Mr. Sussman reported that, according to DDOT, this event would not greatly interrupt the popular 90s bus services. Mr. Sussman is hoping for joint ANC letters of support to DDOT, then DDOT will decide and coordinate logistics with the ANCs.

Commissioner Soderman moved Commissioner Gilbert seconded the motion that ANC 6A table this discussion and decision until the November 2022 meeting. The motion failed 2-5. Commissioner Robb Dooling moved and Commissioner Gentile seconded the motion that the proposed letter be edited to amend the event ending time to 3:00 pm rather than 1:00 pm to align with other ANCs' letters of support. The motion passed as amended 6-0-1; Commissioner Soderman abstained.

3. The Committee recommended and Commissioner Soderman seconded the motion that ANC 6A send a letter to DDOT expressing concern about need to provide ANCs with adequate opportunity to review and provide comment on school applications for street parking permits under the School Parking Zone program for School within School (SWS) at Goding and other future applications and that ANC 6A send a letter to DDOT requesting that signage for south side of G Street NE (adjacent to Sherwood Recreation Center), which is currently not RPP parking, be adjusted to permit holders of the School Parking Zone permits for School-Within-School to park there.

The Commission and community agreed on the community benefit of supporting teachers and the need for better communication from DDOT, comments which will be included in the letter. The motion passed 6-1-0; Commissioner Dooling opposed.

4. Next meeting - 7:00 pm, October 17, 2022 (3rd Monday)

Economic Development and Zoning

1. The September 2022 committee report was accepted by unanimous consent.
2. The Committee recommended and Commissioner Soderman seconded the motion ANC 6A send a letter of support to BZA for Special Exception zoning relief pursuant to Subtitle E § 205.5, Subtitle E § 5201, and Subtitle X § 901.2 from the rear addition requirements of Subtitle E § 205.4 to construct a third story addition, and a two-story with cellar rear addition, and convert to a flat, an existing, semi-detached, two-story with cellar, principal dwelling unit at 726 11th Street NE (BZA 20814) in the RF-1 zone on condition that the owner make best efforts to get a letter of support from the neighbor at 724 11th Street. *Scheduled for BZA hearing on 12/07/2022.*

The developer has made contact with the neighbor and has received no objection, but has not gotten an official letter of support. The addition will only extend two feet past the



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neighboring building and there will be no shadow to the south; there is an alley to the north. The motion passed 7-0.

5. The Committee recommended and Commissioner Soderman seconded the motion ANC 6A send a letter of support to HPRB for historic relief to construct a third floor partial addition and roof deck at 813 Massachusetts Avenue NE (HPA 22-439) on condition that the owner make best efforts to get letters of support from 807 and 811 A Street and 811 and 815 Massachusetts Avenue, and the owner do a site-line survey from A Street, similar to the one done from Massachusetts Avenue already (from the perspective of 807 A Street). Scheduled for HPRB Hearing in October 2022.

The owner has received two letters of support and has made best efforts to receive the same from remaining neighbors. The motion passed 7-0.

6. Next meeting - 7:00 pm, October 19, 2022 (3rd Wednesday)

Commission Business

New Business:

1. Commissioner Gove moved and Commissioner Gentile seconded the motion that ANC 6A send a letter of support for DDOT's request to consolidate the B2 bus stops on 14th Street NE from three to two stops, with a preference for retaining the stops at 14th and D Streets NE and 14th Street and North Carolina Avenue NE in their current locations. The request was made as part of the traffic calming proposal for the 1100-1500 blocks of C Street NE, which includes moving bus stops to prevent drivers from using the bus bays to jump the red light.

Commissioner Gove noted that she has spoken to community members around the bus areas and has not heard objection to removing the bus stop, and Commissioners Keya Chatterjee and Dooling noted that, according to DDOT, removing certain bus stops actually increases ridership as routes become faster and more streamlined. Some residents expressed concern about removing the stop and are curious whether other stops will be removed. There is currently no infrastructure other than a trash can at the bus stop being removed. The motion passed 7-0.

2. Commissioner Dooling moved and Commissioner Soderman seconded the motion that ANC 6A appoint current ABL member Erin Sullivan as Co-Chair of the Alcohol Beverage Licensing Committee. The motion moved 7-0.

Single Member District reports

Commissioner Soderman (6A03) reported two robberies and has seen an increase in Metropolitan Police Department (MPD) MPD cars on street corners, but not on bike or foot patrol. The Commissioner would like to see DC support young people, divert crime and encourage community members to be cognizant of their surroundings and to report anything suspicious to MPD. There is a block party on 10th Street next weekend.

Commissioner Phillips-Gilbert (6A07) is continuing to work on multiple concerns in her community and is organizing a third annual Christmas basket giveaway.



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Commissioner Chatterjee (6A01) is grateful to the ANC and her SMD neighbors for all of their support and work during a personal family tragedy. The Commissioner encourages drivers to avoid driving on Halloween if at all possible and reminds everyone that the COVID-19 vaccine is still available for free in the neighborhood.

Commissioner Dooling (6A06) concurred that there has been an increase in package thefts and encourages a neighbor network to pick up packages for each other when possible. The Miner Elementary Parent-Teacher Organization (PTO) had their first in-person meeting recently since the pandemic and he congratulated their success in this endeavor. The Commissioner invites everyone to visit Atlas Theater and will be participating in a trash pick-up this weekend.

Commissioner Alcorn (6A08) attended a community crime meeting that was called in response to recent gun discharge in ANC 6B and continues to support the efforts of installing a camera in the area. The Commissioner heard neighbor concerns about a blighted property at 212 21st Street NE which has been reported to the Department of Buildings. November 2022 election ballots have been mailed out and he encouraged residents to be mindful that they received the correct ballots, as redistricting may have impacted that. There is no declared candidate for the Commissioner of ANC 7D07 position; the position will be decided by write-in votes.

Commissioner Gentile (6A05) reported that the recent 11th Street community walk was a successful one with roughly 25 community members walking and sharing concerns with the MOKR and DDOT representatives. DDOT reported that there were ten times more cars going south than north and requests that all accidents are reported to them. The Commissioner hosted a community cleanup with various candidates from ANC 6A.

Commissioner Gove (6A04) promoted MPD's anonymous tipline - (202) 727-9099 - and was on the scene of a recent armed robbery. The Commissioner reiterates the need for holistic approaches to crime and will continue working with MPD; as always, community members are encouraged to install security cameras and be reimbursed up to \$500.00. The C Street project is progressing well and she asked that community members continue raising concerns and questions. The ANC received notice that the city plans to extend the ANCs' ability to conduct virtual meetings, but the Commission is considering hybrid meetings as well. MPD is hosting the Addams Family in Lincoln Park at 6:00 pm and the Commissioner will be hosting a sidewalk-palooza at 5:00 pm. Della Barba Pizza on East Capitol Street NE had a soft opening and will currently only be offering takeout. The Eastern High School Blue & White Marching Machine had their homecoming parade and the Commissioner is grateful to the community for the last-minute street closure.

Community Comments

Willie Smith encourages visiting the Rosedale community and will be reaching out to Commissioners for their participation.

Mr. Brett Astmann is running for ANC 7D07 Commissioner; he has been a Capitol Hill resident for 12 years and wants to ensure his community has a strong voice in upcoming issues and projects. He can be reached at [brett7d07\[at\]gmail.com](mailto:brett7d07@gmail.com).



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Commissioner Dooling noted that if the upcoming recall election for ANC 6A04 does result in a recall, there will be no Commissioner in that SMD for two months and the work of that Commission would have to be shared among the rest of the serving Commissioners, who are already at capacity with their own SMDs. Commissioner Dooling requests that residents consider this and vote in the November general election.

Jen DeMayo reported that the Department for Hire Vehicles emergency law was passed, giving the Department authority to enforce laws and fines when delivery drivers block traffic lanes or crosswalks. Ms. DeMayo joined Councilmember Charles Allen at a groundbreaking of the Paxton, a new all-affordable building at 16th Street and Benning Road NE to be delivered in 2025.

The meeting adjourned at 9:50 pm.



Advisory Neighborhood Commission 6A Community Presentations





Commission Correspondence of October 13, 2022 Meeting



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



October 21, 2022

Director Everett Lott
District Department of Transportation
250 M St. SE
Washington, DC 20003

Re: ANC6A Comments on School Parking Zone permits for School-within-School at Goding and Capitol Hill Montessori

Dear Director Lott,

At a regularly scheduled and properly noticed meeting¹ on October 13, 2022, our Commission voted 6-1-0 (with 5 Commissioners required for a quorum) to send a letter to your agency expressing our views on recent permit applications under the School Parking Zone (SPZ) program made by School-within-School (SWS) at Goding and Capitol Hill Montessori.

With respect to all applications under the SPZ program, the Commission is concerned about the failure to provide ANCs with adequate time to review and comment on school applications for street parking permits under the School Parking Zone program. We request that prior to DDOT issuing permits, ANCs receive the full package of materials submitted by schools, with adequate time to review and comment.

With respect to SWS's application, the Commission requests that signage for the south side of G Street NE (adjacent to Sherwood Recreation Center), which is currently not Residential Permit Parking (RPP), be adjusted to accommodate permit holders of the School Parking Zone permits for School-Within-School. With respect to the Capitol Hill Montessori's application, the Commission requests that the SPZ permits cover a radius that does not extend to neighboring ANCs should any permit be issued to Capitol Hill Montessori or other schools that are more than a few blocks away from the adjacent ANC.

Should you wish to discuss this letter with the Commission, please feel free to reach out to me at 6A04@anc.dc.gov.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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



Commission Correspondence of October 13, 2022 Meeting



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



October 21, 2022

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

Re: HPA 22-438 (813 Massachusetts Avenue, NE)

Dear Ms. Heath,

At a regularly scheduled and properly noticed meeting¹ on October 13, 2022, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to support the design of the proposed plan to construct a third floor partial addition and roof deck in the Capitol Hill Historic District at 813 Massachusetts Avenue, NE. The design has taken measures to ensure that while the addition is visible from A Street, it does not detract from the historic character of the neighborhood.

Please be advised that Brad Greenfield and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at 6A04@anc.dc.gov and Mr. Greenfield can be contacted at brad.greenfield@gmail.com.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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Commission Correspondence of October 13, 2022 Meeting



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



October 21, 2022

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. 20814 (726 11th Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on October 13, 2022, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to support the Request for Special Exception zoning relief pursuant to Subtitle E § 205.5, Subtitle E § 5201, and Subtitle X § 901.2 from the rear addition requirements of Subtitle E § 205.4 to construct a third story addition, and a two-story with cellar rear addition, and convert to a flat, an existing, semi-detached, two-story with cellar, principal dwelling unit in the RF-1 zone at 726 11th Street, N.E.

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

Please be advised that Brad Greenfield and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at 6A04@anc.dc.gov and Mr. Greenfield can be contacted at brad.greenfield@gmail.com.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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Commission Correspondence of October 13, 2022 Meeting



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



October 21, 2022

Director Everett Lott
District Department of Transportation
250 M St. SE
Washington, DC 20003

Re: ANC6A Support for an Open Streets Event on 8th Street NE/SE

Dear Director Lott,

At a regularly scheduled and properly noticed meeting¹ on October 13, 2022, our Commission voted 6-0-1 to send a letter to your agency in support of an Open Streets event on 8th Street from Florida Avenue NE to M Street SE from 9 AM to 3 PM. We request that prior to finalizing a plan for this event that your agency present plans for activities, transit re-routing, and other considerations to our Commission.

Should you wish to discuss this letter with the Commission, please feel free to reach out to me at 6A04@anc.dc.gov.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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Commission Correspondence of October 13, 2022 Meeting



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



October 21, 2022

Director Everett Lott
District Department of Transportation
250 M St. SE
Washington, DC 20003

Re: Supplementary comment regarding bus stop consolidation under NOI 22-221-TESD

Dear Director Lott,

At a regularly scheduled and properly noticed meeting¹ on October 13, 2022, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to send an additional comment regarding bus stop consolidation under NOI #22-221-TESD, which was initiated in response to resident requests for traffic calming from 1100 to 1500 C Street NE.

The DDOT bus team has requested ANC support for the consolidation of the B2 bus stops in the 300 and 400 blocks of 14th Street NE. Currently, there are bus stops located at the NE corner of 14th Street at C NE and another one at the NE corner of 14th Street at D NE. Elimination of the stop at 14th Street at C would improve safety for pedestrians by preventing drivers from using the bus bay to jump the light at this intersection (there is a stop sign at the D Street intersection, so queue jumping is less of an issue there). Consolidation of bus stops has been shown to improve bus transit speeds and increase ridership. Removal of this stop would also add residential parking, which we know is a concern to our community. DDOT noted there are two transfers per day from the D6 to the B2 bus at the 14th Street at C Street stop. The distance between the stops is 381 feet (a 2-minute walk) according to Google Maps. For these reasons we support the elimination of the B2 bus stop at the corner of 14th Street at C Street NE and request notification to residents of this change through WMATA and DDOT communication channels.

Thank you for giving great weight to the recommendations of this Commission. I can be contacted at 6A04@anc.dc.gov and Commissioner Gentile can be contacted at 6A05@anc.dc.gov.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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Advisory Neighborhood Commission 6A

Standard Operating Procedures

Revision History

Name	Date	Reason for Changes
Laura Gentile	December 12, 2021	Original
Laura Gentile	October 16, 2022	Update language in Section IV. E. (Committee membership)



Commission Correspondence of October 13, 2022 Meeting



This Standard Operating Procedures document includes procedures, general guidelines, and other information to assist ANC 6A's efforts to conduct organized, efficient, and effective meetings, and to support the community.

I. Address Information

The official mailing address of ANC 6A is:
P.O. Box 75115
Washington, DC 20013

II. Declaration of Purpose

Mission

As elected officials, Commissioners are responsible for representing the interests of their community, including those who are historically underrepresented and underserved by government decision-makers.

The mission of the Commission is to represent all residents of 6A, while paying special attention to historic ramifications of systemic racism that have profound consequences on our community. The Commission recognizes and remembers all those who have been historically underserved and/or marginalized, including the Indigenous People on whose lands DC currently sits—the Nacotchtank, Piscataway, Doeg-Tauxenant, and Pamunkey Nations and Tribes—who have stewarded these lands for millennia, as well as the enslaved Africans and Black Americans, separated from their families and native lands by force, and made to labor to build this city and much of our region and the latest impact these histories have today. The Commission also recognizes that, as a result of gentrification, DC has one of the highest rates of displacement of native residents.¹ In addition, DC has one of the highest rates of incarceration in the nation.² Further, residents of ANC 6A have varying relationships with law enforcement and government.³

The Advisory Neighborhood Commission system traces its origins to the Adams Morgan Organization (AMO), which was founded in 1972 by neighborhood advocates.⁴ During DC's transition to Home Rule, the AMO served as a powerful model of how local self-government could thrive. As community members serving on behalf of neighbors, Commissioners and Committee members (ANCs) must

¹ https://www.washingtonpost.com/local/in-the-district-gentrification-means-widespread-displacement-report-says/2019/04/26/950a0c00-6775-11e9-8985-4cf30147bdca_story.html

² <https://www.prisonpolicy.org/profiles/DC.html>

³ <https://dccouncil.us/police-reform-commission-full-report/>

⁴ <https://storymaps.arcgis.com/stories/724d1a6c62184eb1a2122262365a2314>



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recognize that doing the right thing does not always mean acting on the wishes of the loudest voices. While ANCs must listen to all voices, ANC decisions and deliberations should always be made on behalf of all of the neighbors, including those that, for many reasons, are not contributing or unable to contribute during discussions.

And while ANCs must ensure that the voices of neighborhood residents are considered and heard, this does not necessarily mean that their individual views will be followed. In a similar vein, although government agencies are obligated to give “great weight” with respect to ANC recommendations and comments, they are not obligated to act in direct concert with those recommendations and comments. Government agencies must weigh the voices of all ANCs against the broader needs of the community and goals of the government.

ANC 6A values and promotes inclusiveness, diversity, and an environment that values respect, fairness, and integrity. ANC 6A acts in accordance with these values by treating fellow commissioners, committee chair and members, and the public with dignity, civility, and respect.

ANC Oath

Prior to assuming their official duties, each Commissioner must take the following oath:

“I (name), having been duly elected as a Commissioner of the Advisory Neighborhood Commissioners of the District of Columbia do solemnly swear or affirm that: I, will support and defend the Constitution of the United States; that I will perform such duties as may be assigned to me as a member of said Commissions to the best of my ability without fear or favor; that I will exercise my best judgment and will consider each matter before me from the viewpoint of the best interest of the District of Columbia, as a whole; and that I will faithfully discharge said duties.”

III. Meetings – Accessibility & Scheduling

- A. All Commission meetings shall be held at locations that are designed to reasonably accommodate the residents of the Commission area, depending on the issues to be considered by the Commission.
- B. Each participant is entitled to equal rights and treatment, no participant will be denied these rights because of race, color, creed, class, national origin, immigration status, sex, age, religion, ethnic identity, ethnicity, language, culture, housing status, sexual orientation, gender, gender identity, economic status or disability, as defined by the Americans with Disabilities Act of 1990 (ADA).



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- C. The Commission will strive toward full accessibility for all of its residents.
- D. Whenever feasible and financially viable, the Commission will strive to make online participation available for all ANC meetings.
- E. In scheduling meetings, the Commission shall consider the occurrence of religious holidays that may affect levels of participation by both Commissioners and the community.

IV. Committees

- A. Committees consider matters on behalf of the Commission in order to make recommendations for action by the Commission.
- B. Committee meetings are designed to allow for extended dialogue about proposed projects and issues. Commissioners and community members are encouraged to participate in these meetings. Commissioners are entitled to vote on committee business when in attendance at committee meetings. Commissioners in attendance are counted as members of a quorum, but do not increase the number of members required for a quorum to be present.
- C. At Committee meetings, the Chair will outline, to the extent possible, clarify, and share the amount of time per agenda item at each meeting, including times specifically reserved for community member feedback.
- D. Prospective Committee members are typically recommended for membership by their SMD Commissioner after consultation with the Committee Chair. The Commission will take into consideration the diversity of representation in the residents that it may appoint to Committees.
- E. Committee Chairs, and/or the Commissioner for the specific SMD, may jointly recommend the removal of any committee member who has three or more unexcused absences without good cause within a 12-month period or about whom the ANC has received one or more complaints of significant concern that may be considered inconsistent with the ANC 6A Code of Conduct or other reasonable standard.
- F. Committees or Committee members may not represent the Commission before any agency or forum unless authorized by the Commission to do so. Authorization to present a report or finding by citizens who are not members of ANC 6A may be granted by a majority vote, and must be accompanied by a letter of authorization.
- G. The Executive Committee, Standing Committees and Special Committees are created as defined in the Bylaws. See Appendix A for a description of the



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Standing Committees.

- H. If so desired, a Standing Committee may, by majority vote of the Committee, recommend to the Commission that its official name be changed.

V. Meeting & Public Procedures

- A. Commissioners may raise or propose agenda items for inclusion in Commission meetings eight (8) days in advance of the meeting. In order to allow for extended discussion or review, it is preferred that such items be raised and reviewed by the relevant Committee before they are advanced to the full Commission.
- B. Anyone wishing to make a presentation before the Commission is encouraged to make a request through their SMD Commissioner or the Chair at least ten (10) days in advance of the meeting.
- C. The appropriate Committee Chair or SMD Commissioner is responsible for preparing resolutions, motions, reports and/or letters under whose jurisdiction the action falls.
- D. Materials for Commission meetings are included in the agenda package which is posted to the ANC 6A website 24 hours in advance of the meeting.
- E. Materials for Committee meetings are posted to the ANC 6A website 24 hours in advance of the respective meeting and updated as necessary.
- F. At the start of each meeting, the Commission may choose to vote to amend the agenda to include new, urgent items that were not included in the agenda in advance of the public notification.
- G. The Chair is responsible for setting the agenda and number of presenters at each meeting and, as such, with consent of the Commission, may choose to place limits on discussion time and number of presenters in the interests of managing the agenda.
- H. Unless the Commission authorizes other individuals to do so, the Chair is responsible for signing all official correspondence on behalf of the Commission, including motions, resolutions, reports, and related documents.

VI. Commission & Committee Meetings

- A. Commission and Committee meetings are official sessions to be conducted with the greatest of decorum and respect. As such, Commissioners should be addressed by their official title and last name. Both types of meetings are open



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to the public except when discussing personnel issues.

- B. The Commission Chair or Vice Chair will ensure that any items referred to the appropriate Committee are placed on the agenda for the next monthly meeting. The Chair reserves the right to defer to SMD Commissioners on matters that may be deemed time-sensitive or emergency in nature.
- C. For both Commission and Committee meetings, the Chair may open the floor to the public for its input on issues and place limits on discussion time and number of respondents.
- D. As outlined in Section V.A. of this document, to the extent possible, issues should be routed through Committees to allow for appropriate discussion and public notice prior to being raised before the full Commission.

VII. Consent Agenda

- A. The purpose of the consent agenda is to group routine Commission business items and reports into one agenda item. The consent agenda can be approved in one action, rather than filing motions on each item separately.
- B. If a Commissioner makes a motion to support an item at a Committee meeting and place it on the consent agenda, and if that motion passes unanimously, the item is placed on the consent agenda for the full Commission meeting. If, at the Committee level, any Committee member or Commissioner in attendances votes “no” on the motion, the item cannot be placed on the consent agenda.
- C. Any Commissioner may request to have an item removed from the consent agenda prior to the full Commission meeting by sending a written request to the Chair.
- D. At the beginning of the Commission’s full monthly meeting, after adopting the minutes from the previous meeting and the agenda for the present meeting, the Chair will move to adopt the consent agenda as drafted. If the motion passes, there will be no more discussion of the items on the consent agenda during the full Commission meeting.

VIII. Reports & Minutes

- A. Committee Reports. Committee Chairs will distribute reports to all Commissioners at least five (5) days in advance of the next regularly scheduled meeting in order to provide sufficient time for review. Commissioners should contact Committee Chairs with their comments as soon as possible to enable



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incorporation into the report prior to the next meeting.

- B. Commission Meeting Minutes. The Commission staff will prepare and share draft minutes from the previous month's meeting with the Secretary, or Designee, for review at least five (5) days before the next meeting. Following review, the Secretary, or Designee, will distribute to all Commissioners at least three (3) days before the next meeting to give Commissioners sufficient time to review and provide input.
- C. Financial Reports. The financial report will be emailed as a pdf file for inclusion in the agenda package at least three (3) days in advance of the next regularly scheduled meeting in order to give Commissioners sufficient time for review. Commissioners should contact the Treasurer with any comments as soon as possible to enable incorporation into the report prior to the next meeting.

IX. Use of Confidential Information

Commissioners may not⁵:

- A. Willfully or knowingly disclose or use confidential or privileged information acquired by reason of their position unless authorized or required by law to do so; or
- B. Divulge information in advance of the time prescribed for its authorized issuance or otherwise make use of or permit others to make use of information not available to the general public.

X. Dispute Resolution

- A. The Office of ANC (oanc@dc.gov) is the primary point of contact for any concerns or complaints about commissioners, questions or concerns regarding the operational procedures of Commission, and related issues.
- B. The ANC 6A Bylaws is the governing document for the Commission.
- C. Robert's Rules of Order is the official document governing parliamentary proceedings of the Commission.
- D. Applicable federal and District of Columbia law supersedes any rule, regulation or parliamentary procedure.

⁵ <https://dccouncil.us/wp-content/uploads/2021/01/PR24-0001b.pdf>



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APPENDIX A: ANC 6A COMMITTEES

The Committees described below serve as forums to address issues that need more discussion and cannot be accommodated at a full Commission meeting due to time constraints. With the exception of the Executive Committee, ANC 6A Committee membership and chair positions are open to all ANC 6A residents. Committee Chairs are selected by vote of the Commission and serve for one year. The number of times that a Chair may be reelected is not limited.

The following roles and responsibilities are common to each Committee:

- Draft correspondence, which could include resolutions and letters, for Commission action;
- Coordinate public meetings, as necessary, to gather input for the Commission's consideration;
- Coordinate with the appropriate SMD Commissioner(s) on SMD-specific issues; and
- Promote membership and maintain a list of its members.

The roles and responsibilities that are unique to each committee are included below:

ALCOHOLIC BEVERAGE LICENSING (ABL) COMMITTEE

The ABL Committee advises the Commission on issues related to the DC government's Alcoholic Beverage Regulation Administration (ABRA). The ABL provides the community with the first opportunity to engage in all alcohol license issues in ANC 6A. As part of this effort, the Committee:

- Tracks applications for new licenses, license changes, and license renewals for ABRA-licensed establishments within ANC 6A;
- Works with appropriate SMD Commissioner(s) to negotiate and maintain settlement agreements on behalf of the ANC with ABRA-licensed establishments within ANC 6A;
 - *Settlement agreements that address noise, safety, and/or trash management are required for each request for a new or renewal ABC license with ABRA.*
- Assists Commissioners and community members in addressing concerns pertaining to ABRA-licensed establishments within ANC 6A; and
- As appropriate, represents ANC 6A in ABRA proceedings.

COMMUNITY OUTREACH COMMITTEE (COC)

The COC serves as a conduit for broader community outreach within the Commission. The Committee provides a sounding board for the community and advances specific concerns to the ANC. As part of this effort, the Committee:

- Holds presentations and offers forums and workshops of interest to the ANC 6A community;
- Works with the ANC to manage applications and make recommendations for grant funding; and



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- Manages the social media for ANC 6A, in collaboration with the administrator.

ECONOMIC DEVELOPMENT & ZONING COMMITTEE (EDZ)

The EDZ Committee reviews, analyzes and publicly discusses proposed projects that are requesting relief from zoning regulations through the Board of Zoning Administration (BZA) or have an impact on the historic nature of Capitol Hill. As part of this effort, the Committee:

- Identifies appropriate issues related to job creation and business development [including housing development and policy as well as project development];
- Work with developers and other project proponents to encourage the inclusion of affordable housing and multi-family units wherever possible;
- Makes recommendations to the Commission to support or oppose requests for zoning relief;
- Researches and reports findings and provide recommendations to the Commission; and
- Tracks and notifies the Commission of all relevant hearing dates.

TRANSPORTATION AND PUBLIC SPACE COMMITTEE (TPS)

The TPS Committee reviews, analyzes and publicly discusses public space permit applications, DDOT and other public transportation or public space related proposals. The Committee also identifies areas of concern and works with the Commission and residents to facilitate the process with DDOT and other city agencies to remedy transportation and public space issues when determined appropriate. As part of this effort, the Committee:

- Hears from public space permit applicants, reviews applications and makes recommendations to the Commission for support or disapproval of public space permit applications;
- Develops transportation and public space related letters and resolutions for the Commission's consideration; and
- Tracks Traffic Safety Assessments (TSAs) and DDOT 311 requests and works with residents and the Commission to ensure requests are adequately fulfilled by DDOT and other city agencies.



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APPENDIX B: GUIDELINES FOR ANC 6A GRANT APPLICATIONS

ANCs may award grants to organizations for public purposes as described in Section 310.13 of the DC Code. The Commission reserves the right to fund or not fund any legal grant application at its sole discretion, without explanation.

Monetary Amounts: When the Commission adopts an operating budget within sixty (60) days of receiving notice of its next fiscal year allotment from the District Government, it will include a line item amount for the Commission to support community grants during that fiscal year.

Public Notice of Availability of Funding: At the beginning of the fiscal year, the Commission will provide the Community Outreach Committee (COC) with a bifurcated allocation for grantmaking, subject to the availability of funding. Prior to the third quarter of the fiscal year, the Commission will perform a second analysis and, if additional funds are available, will inform the COC. The COC Chair shall publish the grant application form and the timeline for consideration to the ANC 6A website with grant applications being accepted at least twice a year. The COC may issue additional notices of grant opportunities based on the availability of funding.

I. Process

A. Eligibility

Only 501(c)(3) organizations based within the geographic boundaries of ANC 6A or those organizations which directly serve the community of ANC 6A may apply for funding. The applicant must propose to provide services, public in nature, that will benefit persons who live, work, learn, play or gather within the Commission boundaries and that do not duplicate those services already performed by DC government.

B. Applications

Applicants must include a written grant application; detailed description of the proposed project and public benefits; and detailed budget, statement of the total costs of the project, and other sources of funding.

Applications must be received by the COC Chair at least seven (7) days prior to action for approval/denial of application. A representative of the potential grantee organization must appear at the COC meeting when the grant request is first made, and then must appear at the Commission meeting when the grant application is considered.



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II. Community Support

In an effort to support applications by 501(c)(3) organizations of all sizes and types, the COC is permitted to provide technical assistance regarding specific grant applications. On an annual basis, the COC shall consider ways to encourage non-traditional organizations, new organizations, and minority-led organizations to apply for grants.

III. Financial Reporting Requirements

A. Required Documentation

Payment of grant awards will be supported by documentation, including vouchers, grant request letter or proposal, completed grant application form, receipts from the recipient organization detailing its expenditures, minutes of the meeting in which the Commission approved the grant and any other supporting information that may be required by the OANC or the DC Auditor.

B. Timetable for Financial Reporting

All funds granted must be used in a manner consistent with the grant application approved by the Commission. Within sixty (60) days after a grantee receives the grant award, the grantee must forward to the Commission a statement as to the use of the funds as described below:

- 1) For grantees that have expended all funds -- provide receipts totaling the grant amount.
- 2) For grantees that have not expended all funds – provide a status report. Every month thereafter, the applicant should submit a status report until the funds are exhausted.

C. Failure of Grantee to Comply

Should a grantee fail to comply with Commission requirements or should it become known to the Commission that the grantee failed to comply with DC or federal requirements related to receipt and use of a grant the Commission may, at its sole discretion, refuse to provide future funding to the grantee.



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Made this 3rd day of June, 2022

by and between

Hakuna Matata DC LLC, t/a Hakuna Matata Kitchen and Bar (ABRA-121081)
1128 H Street NE
Washington DC 20002

and

Advisory Neighborhood Commission 6A

Preamble

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

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

Witnesseth

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

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

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

The Parties Agree As Follows:

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

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

2. Business Operations and Practices.

- a. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person or to any person who appears to be intoxicated.
- b. Applicant agrees to take all necessary steps to prevent patron rowdiness, including refusing admission/service to rowdy and/or unruly persons.
- c. Applicant agrees to ensure that no patron shall bring an open container of an alcoholic beverage into the establishment from outside sources, nor exit the establishment with an open container of an alcoholic beverage.
- d. Applicant will not provide or sell alcoholic beverages “to go” except as authorized by DC law.
- e. Applicant agrees not to promote or participate in bar or pub “crawls” or any other event of this nature unless the event has been reviewed and approved by the ABC Board.
- f. The licensed establishment will be managed in person by Applicant or a board-licensed manager.
- g. Applicant, and all employees that are designated to serve alcoholic beverages, shall attend and complete an alcoholic beverage server training course/seminar.
- h. Applicant shall post a notice kept in good repair and visible from point of entry a sign that states:
 - i. Proper ID is required to be served and that the establishment will check IDs at all times prior to serving alcoholic beverages to patrons;
 - ii. It is illegal to sell alcohol to anyone under age 21;
 - iii. Patrons are requested not to litter, loiter, or make excessive noise in the neighborhood as they arrive or depart;
 - iv. Warning: Drinking alcoholic beverages during pregnancy can cause birth defects; and
 - v. The establishment requests that customers do not contribute to panhandlers.
- i. Applicant shall make every effort to prohibit and prevent criminal activity on or in front of the establishment premises, to include:
 - i. Calling appropriate emergency services if illegal activity is observed;
 - ii. Keeping a written record of dates and times (a “call log”) when emergency services are called for assistance; and
 - iii. Applicant will maintain a detailed incident log. An incident is defined as any activity by patrons of the establishment inside or immediately outside the establishment that could lead to an ABRA investigation. Each incident will contain the date, time, and location of each incident with a concise summary. Guests and staff involved or witnesses of the incident will be identified and listed. If there is a medical or police response, that information will also be noted.
- j. Upon request of the Board, Applicant’s call log and incident log shall be provided to the Board.
- k. Applicant will utilize and maintain high-intensity floodlights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn, consistent with District of Columbia light

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pollution regulations, 12-K DCMR § 409.

1. Applicant shall provide valet parking services only with valet parking companies as defined, licensed, and in compliance with D.C. Municipal Regulations Title 24 Chapter 16. Applicant will not engage in valet parking that results in vehicles parked in residential parking spaces.

3. **Music / Dancing / Entertainment.**

- a. Applicant agrees to ensure that sounds originating from within the establishment are mitigated by installing adequate soundproofing.
- b. No sound, noise, music, or voices emanating from the licensed establishment shall be of such intensity that it may be heard in any premises other than the licensed establishment. This restriction does not apply to: (1) sound, noise, music, or voices heard in any premises which are located within a C-1, C-2, C-3, C-4, C-M, or M zone, as defined in the zoning regulations for the District, and (2) sound, noise, music, or voices occasioned by the normal opening of entrance and exit doors for the purpose of ingress and egress.
- c. In order to mitigate noise on a sidewalk café or summer garden the following steps will be taken:
 - i. Applicant shall not offer any type of entertainment on the summer garden and/or sidewalk café; pre-recorded music may only be played until 10:00 pm (at a volume no greater than 60 decibels), unless the applicant has completed an enclosure of the sidewalk café (substantially meeting the specifications of Attachment A) such that the noise level from the sidewalk café and/or summer garden is consistent with Section 3(b);
 - ii. A fence with plastic or other similar barrier will enclose the entire perimeter;
 - iii. No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume;
 - iv. Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones; and
 - v. Potted plants, trees, fountains, or other types of noise mitigation techniques will be incorporated into the decor.
- d. The ANC will establish a three-month trial of noise levels from the sidewalk café and/or summer garden with limited hours until 11:00 pm Sunday through Thursday evenings and 12:00 am on Friday and Saturday evenings. If noise levels do not create a repeated disturbance to the neighborhood during this time period and the licensee has a record of good conduct during this time period, the hours for service on the patio may be extended to be consistent with Section 3(e). The three-month time period for this applicant will be the first three months of the applicant's operations.
- e. After the trial period described in Section 3(d), the hours of operation for a sidewalk café and/or summer garden are limited until 12:00 am Sunday through Thursday evenings and 2:00 am on Friday and Saturday evenings, as well as evenings before federal holidays, unless the applicant has completed an enclosure of the sidewalk café (substantially meeting the specifications of Attachment A) such that the noise level from the sidewalk café and/or summer garden is consistent with Section 3(b).
 - i. However, if the licensed establishment incurs three valid noise complaints during any calendar year, the ANC may, upon a vote at a regular and properly-noticed meeting, elect to restrict the hours of the sidewalk café (or any other outdoor space) to a closing time of 11:00 pm Sunday through Thursday evenings and 12:00 am on Friday and Saturday evenings, as well as evenings before federal holidays. Such restriction shall remain in place for six months and will automatically revert to the hours listed in Section 3(e) above after those six months have elapsed, provided there have been no further valid noise complaints during that six month period. Applicant agrees that it shall not challenge such restriction provided that the ANC has identified a sufficient number of valid noise complaints during the calendar year.
 - ii. For purposes of this Section, "valid noise complaint" means (1) A complaint made to ABRA where an ABRA inspector has investigated the complaint and confirmed that the Applicant is in violation of any DC noise ordinance and/or Section 3(b) of this Settlement Agreement; or

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- (2) A written citation issued by the DC Metropolitan Police Department for a violation of any DC noise ordinance.
 - iii. The sale and consumption of alcoholic beverages must end at the time specified in this Section 3 and the patio must be cleared of all patrons and staff.
 - f. Applicant may offer facilities for dancing for patrons only with an entertainment endorsement and may have recorded and background music without an entertainment endorsement. "Entertainment" means live music or any other live performance by an actual person, including live bands, karaoke, comedy shows, poetry readings, and disc jockeys. The term "entertainment" shall not include the operation of a jukebox, a television, a radio, or other prerecorded music.
 - g. All CT license holders with an entertainment endorsement must have an ABRA-accepted security plan in place.
 - h. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.
4. **Cooperation with ANC 6A.** Applicant is encouraged to work with ANC 6A, the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the ABL Committee, and other Commissioners whose SMDs are adjacent to the location of the establishment to address concerns arising from violations of this agreement.
5. **Modifications.** This Agreement may be modified and such modification implemented by Applicant only by mutual agreement of the parties in writing and the subsequent approval of the modification by the ABC Board pursuant to DC Official Code § 25-446 or as required by District law.
6. **Miscellaneous.**
- a. Applicant shall retain a copy of this Settlement Agreement in the establishment and have it available for review upon request.
 - b. Applicant will operate in compliance with all applicable DC laws and regulations. Any reference to specific laws and regulations in this Settlement Agreement is meant for informational purposes only. ANC 6A does not intend for a violation of any DC law or regulation to also be considered a violation of this Settlement Agreement.
 - c. Applicant is encouraged to participate in a Business Improvement District if one exists.
 - d. If any provision of this agreement, or any portion thereof, is held to be invalid or unenforceable, the remainder of the agreement shall nevertheless remain in full force and effect.
7. **Enforcement.**
- a. If any party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant. The applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default. In cases where the defaulting Party reasonably requires more than ten (10) days to come into compliance, the defaulting Party shall, within ten (10) days, make substantial efforts toward compliance and pursue those efforts until the default is corrected.
 - b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement and fail to come into compliance or make substantial efforts toward compliance as provided by Section 7(a) of this agreement, it is understood by all parties that the ANC 6A and/or its committees, or others may immediately petition the Alcohol Beverage Regulatory Administration (ABRA) to investigate violations of this agreement and take appropriate actions per 23 D.C.M.R.
 - c. This Settlement Agreement is binding on the applicant and its successors and will continue in force for any and all subsequent license holders at this location.

In Witness Whereof

Settlement Agreement between Hakuna Matata DC LLC, t/a Hakuna Matata Kitchen and Bar and ANC6A
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The parties have affixed hereto their hands and seals.

Applicant:

By: Justine Mwebaza Date: 6/3/2022

Signature: _____

Advisory Neighborhood Commission 6A Representative:

By: Mona Hatoun, co-chair ASL Date: 6/3/22

Signature: _____



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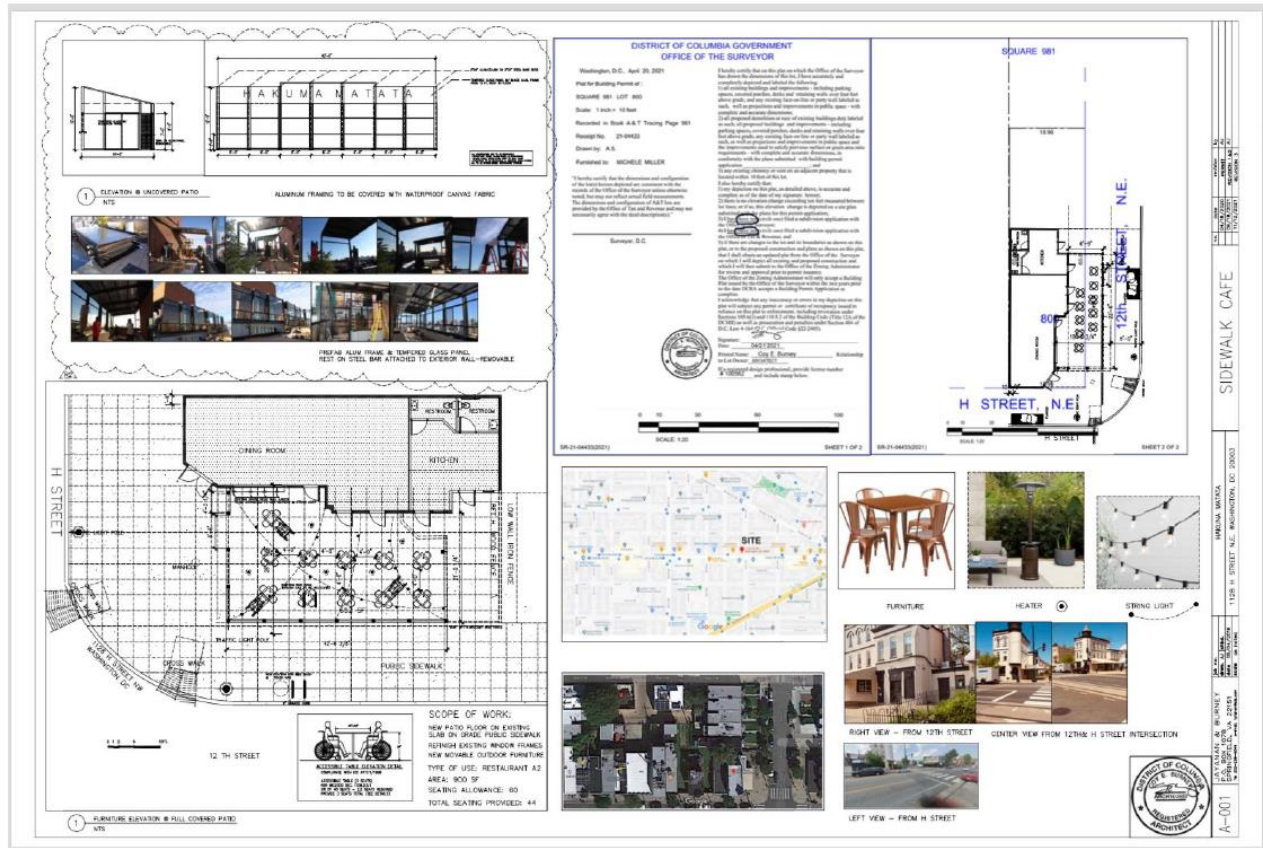
ATTACHMENT A

(ANC 6A and Hakuna Matata Kitchen and Bar Settlement
Agreement)

Settlement Agreement between Hakuna Matata DC LLC, t/a Hakuna Matata Kitchen and Bar and ANC6A
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Commission Correspondence of October 13, 2022 Meeting



Settlement Agreement between Hakuna Matata DC LLC, t/a Hakuna Matata Kitchen and Bar and ANC6A
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Commission Correspondence of October 13, 2022 Meeting



Made this 13 day of July, 2022

by and between

Kitchencray H LLC (ABRA – 113864)
1301 H Street, NE
Washington DC 20002

and

Advisory Neighborhood Commission 6A

Preamble

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

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

Witnesseth

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

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

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

The Parties Agree As Follows:

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

Settlement Agreement between Kitchencray H LLC and ANC6A

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

2. Business Operations and Practices.

- a. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person or to any person who appears to be intoxicated.
- b. Applicant agrees to take all necessary steps to prevent patron rowdiness, including refusing admission/service to rowdy and/or unruly persons.
- c. Applicant agrees to ensure that no patron shall bring an open container of an alcoholic beverage into the establishment from outside sources, nor shall exit the establishment with an open container of an alcoholic beverage.
- d. Applicant will not provide or sell alcoholic beverages “to go” except as authorized by DC law.
- e. Applicant agrees not to promote or participate in bar or pub “crawls” or any other event of this nature unless the event has been reviewed and approved by the ABC Board.
- f. The licensed establishment will be managed in person by Applicant or a board-licensed manager.
- g. Applicant, and all employees that are designated to serve alcoholic beverages, shall attend and complete an alcoholic beverage server training course/seminar.
- h. Applicant shall post a notice kept in good repair and visible from point of entry a sign that states:
 - i. Proper ID is required to be served and that the establishment will check IDs at all times prior to serving alcoholic beverages to patrons;
 - ii. It is illegal to sell alcohol to anyone under age 21;
 - iii. Patrons are requested not to litter, loiter, or make excessive noise in the neighborhood as they arrive or depart;
 - iv. Warning: Drinking alcoholic beverages during pregnancy can cause birth defects; and
 - v. The establishment requests that customers do not contribute to panhandlers.
- i. Applicant shall make every effort to prohibit and prevent criminal activity on or in front of the establishment premises, to include:
 - i. Calling appropriate emergency services if illegal activity is observed;
 - ii. Keeping a written record of dates and times (a “call log”) when emergency services are called for assistance; and
 - iii. Applicant will maintain a detailed incident log. An incident is defined as any activity by patrons of the establishment inside or immediately outside the establishment that could lead to an ABRA investigation. Each incident will contain the date, time, and location of each incident with a concise summary. Guests and staff involved or witnesses of the incident will be identified and listed. If there is a medical or police response, that information will also be noted.
- j. Upon request of the Board, Applicant’s call log and incident log shall be provided to the Board.
- k. Applicant will utilize and maintain high-intensity floodlights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn, consistent with District of Columbia light

Settlement Agreement between Kitchencray H LLC and ANC6A

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pollution regulations, 12-K DCMR § 409.

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

Settlement Agreement between Kitchencray H LLC and ANC6A

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- for review upon request.
- b. Applicant will operate in compliance with all applicable DC laws and regulations. Any reference to specific laws and regulations in this Settlement Agreement is meant for informational purposes only. ANC 6A does not intend for a violation of any DC law or regulation to also be considered a violation of this Settlement Agreement.
 - c. Applicant is encouraged to participate in a Business Improvement District if one exists.
 - d. If any provision of this agreement, or any portion thereof, is held to be invalid or unenforceable, the remainder of the agreement shall nevertheless remain in full force and effect.

7. Enforcement.

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

In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: Srdan Will Srdan William Date: 7/23/22

Signature: Srdan Will

Advisory Neighborhood Commission 6A Representative:

By: Mona Hetoum Mona Hetoum Date: 7/25/22

Signature: [Signature]

Modified June 2022



Commission Correspondence of October 13, 2022 Meeting



Made this 7th day of July, 2022

by and between

Old City 1 LLC, t/a Old City Café (ABRA – 121029)
1307 H Street NE
Washington DC 20002

and

Advisory Neighborhood Commission 6A

Preamble

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

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

Witnesseth

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

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

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

The Parties Agree As Follows:

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

Settlement Agreement between Old City 1 LLC and ANC6A

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

2. **Business Operations and Practices.**

- a. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person or to any person who appears to be intoxicated.
- b. Applicant agrees to take all necessary steps to prevent patron rowdiness, including refusing admission/service to rowdy and/or unruly persons.
- c. Applicant agrees to ensure that no patron shall bring an open container of an alcoholic beverage into the establishment from outside sources, nor shall exit the establishment with an open container of an alcoholic beverage.
- d. Applicant will not provide or sell alcoholic beverages “to go” except as authorized by DC law.
- e. Applicant agrees not to promote or participate in bar or pub “crawls” or any other event of this nature unless the event has been reviewed and approved by the ABC Board.
- f. The licensed establishment will be managed in person by Applicant or a board-licensed manager.
- g. Applicant, and all employees that are designated to serve alcoholic beverages, shall attend and complete an alcoholic beverage server training course/seminar.
- h. Applicant shall post a notice kept in good repair and visible from point of entry a sign that states:
 - i. Proper ID is required to be served and that the establishment will check IDs at all times prior to serving alcoholic beverages to patrons;
 - ii. It is illegal to sell alcohol to anyone under age 21;
 - iii. Patrons are requested not to litter, loiter, or make excessive noise in the neighborhood as they arrive or depart;
 - iv. Warning: Drinking alcoholic beverages during pregnancy can cause birth defects; and
 - v. The establishment requests that customers do not contribute to panhandlers.
- i. Applicant shall make every effort to prohibit and prevent criminal activity on or in front of the establishment premises, to include:
 - i. Calling appropriate emergency services if illegal activity is observed;
 - ii. Keeping a written record of dates and times (a “call log”) when emergency services are called for assistance; and
 - iii. Applicant will maintain a detailed incident log. An incident is defined as any activity by patrons of the establishment inside or immediately outside the establishment that could lead to an ABRA investigation. Each incident will contain the date, time, and location of each incident with a concise summary. Guests and staff involved or witnesses of the incident will be identified and listed. If there is a medical or police response, that information will also be noted.
- j. Upon request of the Board, Applicant’s call log and incident log shall be provided to the Board.
- k. Applicant will utilize and maintain high-intensity floodlights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn, consistent with District of Columbia light

Settlement Agreement between Old City 1 LLC and ANC6A

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- pollution regulations, 12-K DCMR § 409.
1. Applicant shall provide valet parking services only with valet parking companies as defined, licensed, and in compliance with D.C. Municipal Regulations Title 24 Chapter 16. Applicant will not engage in valet parking that results in vehicles parked in residential parking spaces.
 3. **Music / Dancing / Entertainment.**
 - a. Applicant agrees to ensure that sounds originating from within the establishment are mitigated by installing adequate soundproofing.
 - b. No sound, noise, music, or voices emanating from the licensed establishment shall be of such intensity that it may be heard in any premises other than the licensed establishment. This restriction does not apply to: (1) sound, noise, music, or voices heard in any premises which are located within a C-1, C-2, C-3, C-4, C-M, or M zone, as defined in the zoning regulations for the District, and (2) sound, noise, music, or voices occasioned by the normal opening of entrance and exit doors for the purpose of ingress and egress.
 - c. In order to mitigate noise on a sidewalk café or summer garden the following steps will be taken:
 - i. Applicant shall not offer any type of entertainment or pre-recorded music on the summer garden and/or sidewalk café;
 - ii. A fence or other barrier will enclose the entire perimeter;
 - iii. No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume;
 - iv. Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones; and
 - v. Potted plants, trees, fountains, or other types of noise mitigation techniques will be incorporated into the decor.
 - d. The hours of operation for a sidewalk café and/or summer garden are limited until 11:00 pm Sunday through Thursday evenings and 12:00 am on Friday and Saturday evenings. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons and staff.
 - e. Applicant may offer facilities for dancing for patrons only with an entertainment endorsement and may have recorded and background music without an entertainment endorsement. "Entertainment" means live music or any other live performance by an actual person, including live bands, karaoke, comedy shows, poetry readings, and disc jockeys. The term "entertainment" shall not include the operation of a jukebox, a television, a radio, or other prerecorded music.
 - f. All CT license holders with an entertainment endorsement must have an ABRA-accepted security plan in place.
 - g. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.
 4. **Cooperation with ANC 6A.** Applicant is encouraged to work with ANC 6A, the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the ABL Committee, and other Commissioners whose SMDs are adjacent to the location of the establishment to address concerns arising from violations of this agreement.
 5. **Modifications.** This Agreement may be modified and such modification implemented by Applicant only by mutual agreement of the parties in writing and the subsequent approval of the modification by the ABC Board pursuant to DC Official Code § 25-446 or as required by District law.
 6. **Miscellaneous.**
 - a. Applicant shall retain a copy of this Settlement Agreement in the establishment and have it available for review upon request.
 - b. Applicant will operate in compliance with all applicable DC laws and regulations. Any reference to

Settlement Agreement between Old City 1 LLC and ANC6A

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

- c. Applicant is encouraged to participate in a Business Improvement District if one exists.
- d. If any provision of this agreement, or any portion thereof, is held to be invalid or unenforceable, the remainder of the agreement shall nevertheless remain in full force and effect.

7. Enforcement.

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

In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: Nusereldin Wagiealla (Old City 1 LLC) Date: 7/7/2022

Signature: 

Advisory Neighborhood Commission 6A Representative:

By: Mona Hatoum Date: 7/7/22

Signature:  

Modified June 2022



Commission Correspondence of October 13, 2022 Meeting



Made this 29th day of June, 2022

by and between

1291 Hospitality Group, LLC, t/a Stable DC
1324 H St. NE
Washington, DC 20002

and

Advisory Neighborhood Commission 6A

Preamble

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

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

Witnesseth

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

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

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

Settlement Agreement between 1291 Hospitality Group, LLC and ANC6A

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- c. Depositing trash, garbage, and recycling only in authorized, rodent-proof dumpsters, and seeing that dumpster covers fit properly and remain fully closed except when trash, recycling, or garbage is being added or removed.
- d. Exercising due diligence to prevent and/or rid vermin infestation in and around the establishment, including following, minimally, the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
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- f. Generally tending to tree boxes directly in front of the subject premises, if any.
- g. Promptly removing or painting over any graffiti written on the exterior walls of the property.
- h. Requiring the owner and employees not to park on public space between the building and the curb.
- i. Not locating trash bins, chairs, tables, or other equipment on public space without a valid space permit.

2. Business Operations and Practices.

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- e. Applicant agrees not to promote or participate in bar or pub “crawls” or any other event of this nature unless the event has been reviewed and approved by the ABC Board.
- f. The licensed establishment will be managed in person by Applicant or a board-licensed manager.
- g. Applicant, and all employees that are designated to serve alcoholic beverages, shall attend and complete an alcoholic beverage server training course/seminar.
- h. Applicant shall post a notice kept in good repair and visible from point of entry a sign that states:
 - i. Proper ID is required to be served and that the establishment will check IDs at all times prior to serving alcoholic beverages to patrons;
 - ii. It is illegal to sell alcohol to anyone under age 21;
 - iii. Patrons are requested not to litter, loiter, or make excessive noise in the neighborhood as they arrive or depart;
 - iv. Warning: Drinking alcoholic beverages during pregnancy can cause birth defects; and
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 - iii. Applicant will maintain a detailed incident log. An incident is defined as any activity by patrons of the establishment inside or immediately outside the establishment that could lead to an ABRA investigation. Each incident will contain the date, time, and location of each incident with a concise summary. Guests and staff involved or witnesses of the incident will be identified and listed. If there is a medical or police response, that information will also be noted.
- j. Upon request of the Board, Applicant’s call log and incident log shall be provided to the Board during meetings or hearings involving future renewals or contested proceedings involving Applicant’s license.

Settlement Agreement between 1291 Hospitality Group, LLC and ANC6A

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- k. Applicant will utilize and maintain high-intensity floodlights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn, consistent with District of Columbia light pollution regulations, 12-K DCMR § 409.
 - l. Applicant shall provide valet parking services only with valet parking companies as defined, licensed, and in compliance with D.C. Municipal Regulations Title 24 Chapter 16. Applicant will not engage in valet parking that results in vehicles parked in residential parking spaces.
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 - b. No sound, noise, music, or voices emanating from the licensed establishment shall be of such intensity that it may be heard in any premises other than the licensed establishment. This restriction does not apply to: (1) sound, noise, music, or voices heard in any premises which are located within a C-1, C-2, C-3, C-4, C-M, or M zone, as defined in the zoning regulations for the District, and (2) sound, noise, music, or voices occasioned by the normal opening of entrance and exit doors for the purpose of ingress and egress.
 - c. In order to mitigate noise on a sidewalk café or summer garden the following steps will be taken:
 - i. A fence or other barrier will enclose the entire perimeter;
 - ii. No fewer than two signs will be clearly posted to remind guests to keep their voices at normal speaking volume;
 - iii. Staff will monitor the outdoor area to make sure guests do not raise their voices above normal speaking tones; and
 - iv. Potted plants, trees, fountains, or other types of noise mitigation techniques will be incorporated into the decor.
 - d. The hours of operation for a sidewalk café and/or summer garden are limited until 12:00 a.m. The sale and consumption of alcoholic beverages must end at that time and the patio must be cleared of all patrons and staff.
 - e. Applicant may offer facilities for dancing for patrons only with an entertainment endorsement and may have recorded and background music without an entertainment endorsement. "Entertainment" means live music or any other live performance by an actual person, including live bands, karaoke, comedy shows, poetry readings, and disc jockeys. The term "entertainment" shall not include the operation of a jukebox, a television, a radio, or other prerecorded music.
 - f. All CT license holders with an entertainment endorsement must have an ABRA-accepted security plan in place.
 - g. The kitchens for all CR license holders shall remain open and operational up until at least one hour prior to closing.
4. **Cooperation with ANC 6A.** Applicant is encouraged to work with ANC 6A, the Single Member District (SMD) ANC Commissioner within whose boundaries the establishment is located, the Chair of the ABL Committee, and other Commissioners whose SMDs are adjacent to the location of the establishment to address concerns arising from violations of this agreement.
5. **Modifications.** This Agreement may be modified and such modification implemented by Applicant only by mutual agreement of the parties in writing and the subsequent approval of the modification by the ABC Board pursuant to DC Official Code § 25-446 or as required by District law.
6. **Miscellaneous.**
- a. Applicant shall retain a copy of this Settlement Agreement in the establishment and have it available for review upon request.
 - b. Applicant will operate in compliance with all applicable DC laws and regulations. Any reference to specific laws and regulations in this Settlement Agreement is meant for informational purposes only.

Settlement Agreement between 1291 Hospitality Group, LLC and ANC6A

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ANC 6A does not intend for a violation of any DC law or regulation to also be considered a violation of this Settlement Agreement.

- c. Applicant is encouraged to participate in a Business Improvement District if one exists.
- d. If any provision of this agreement, or any portion thereof, is held to be invalid or unenforceable, the remainder of the agreement shall nevertheless remain in full force and effect.

7. Enforcement.

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

In Witness Whereof

The parties have affixed hereto their hands and seals.


Applicant:

By: Silvan Kraemer Date: 6/23/2022

Signature: 

Advisory Neighborhood Commission 6A Representative:

By: Mona Hatoun, Co-Chair ABL Date: 6/29/2022

Signature: Mona Hatoun 

Settlement Agreement between 1291 Hospitality Group, LLC and ANC6A

Page 4 of 4



Consent Agenda



Alcohol Beverage Licensing (ABL)

Recommendation: ANC 6A write a letter of support in favor of Biergarten Haus, Inc. t/a Biergarten Haus at 1355 H Street NE (ABRA-083695) for renewal of its Class C Tavern License.

Recommendation: ANC 6A write a letter of support in favor of DC Culinary Academy, LLC t/a Brine at 1357-1359 H Street NE (ABRA-110889) for renewal of its Class C Tavern License.

Recommendation: ANC 6A write a letter of support in favor of Rosato, LLC t/a Sospeso at 1344 H Street NE (ABRA-100766) for renewal of its Class C Tavern License.

Recommendation: ANC 6A write a letter of support in favor of Par Bar, LLC t/a H Street Country Club at 1335 H Street NE (ABRA-076649) for renewal of its Class C Tavern License.

Recommendation: ANC 6A write a letter of support in favor of Dangerously Delicious DC LLC t/a Pie Shop at 1339 H Street NE (ABRA-087422) for renewal of its Class C Tavern License.

Recommendation: ANC 6A oppose the license renewal application of Lattice Partners LLC t/a Copycat Co. at 1110 H Street NE (ABRA-096474) unless a new settlement agreement is entered into prior to the protest date, and further that the Chairs of the ABL Committee, as well as Committee member Velasquez, and the Chairs of the ANC represent the ANC in this matter.

Recommendation: ANC 6A write a letter of support in favor of Capitol Square Bar and Grill LLC t/a DC Capitol Square Bar & Grill at 1500 East Capitol Street NE (ABRA-118000) for renewal of its Class C Restaurant License.

Recommendation: ANC 6A write a letter of support in favor of Langston Bar & Grille, LLC t/a Langston Bar & Grille at 1831 Benning Road NE (ABRA-076260) for renewal of its Class C Tavern License.

Economic Development and Zoning (EDZ)

Recommendation: ANC 6A send a letter of support to HPRB for a plan to construct a rear three-story addition; add a partial third floor on the existing house, and renovate the existing house for a home at 223 8th Street NE (HPA22-329) in the Capitol Hill Historic District.

Recommendation: ANC 6A send a letter of support to the DC council for the Green New Deal for Housing Act Green New Deal for Housing Act (B24-0802) with recommended changes to the Act.



Consent Agenda



November XX, 2022

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. 20827 (223 8th Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on November 10th, 2022, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Request for Special Exception zoning relief Subtitle E § 205.5, Subtitle E § 5201, and Subtitle X § 901.2 from the The rear addition requirements of Subtitle E § 205.4 To construct a rear two story with basement and third story addition, and convert to a principal dwelling unit, a two story with basement flat in the RF-1 zone at 228 8th Street, N.E.

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

Please be advised that Brad Greenfield and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at 6A04@anc.dc.gov and Mr. Greenfield can be contacted at brad.greenfield@gmail.com.

On Behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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



HISTORIC PRESERVATION REVIEW BOARD STAFF REPORT AND RECOMMENDATION

Landmark/District:	Capitol Hill Historic District	<input checked="" type="checkbox"/> Agenda
Address:	223 8th Street, N.E.	<input type="checkbox"/> Consent
ANC:	6A	<input checked="" type="checkbox"/> Concept
		<input checked="" type="checkbox"/> Alteration
Meeting Date:	September 29, 2022	<input type="checkbox"/> New Construction
Case Number:	22-329	<input type="checkbox"/> Demolition
		<input type="checkbox"/> Subdivision

Applicants Rashmi and Wade Sutton, with plans by Lacy Brittingham, seek concept review for a three-story rear addition and rooftop addition at a property located in the Capitol Hill Historic District.

Property Description

223 8th Street NE was built in 1886 by T. M. Carpenter as one in a row of eight. There is an existing ell (dogleg) at the rear. It appears doglegs are intact in the whole row.

Proposal

The existing rear ell and deck would be demolished and replaced with a full-width addition extending back 36 feet. The upper two stories on the rear addition have an inset that roughly replicates the inset of the historic dogleg. At the third story, the addition would extend forward onto the main block a little over six feet. The height of this rooftop addition would be about eight feet. The rear elevation would have large undivided windows and full-lite doors. The walls appear to be clad in a panel system of unspecified material.

Evaluation

The rooftop addition was mocked up and did not appear to be visible from 8th Street. It is unfortunate that the design does not retain and add on to the rear ell. However, the scale, materials, and design of the addition are compatible with this historic district and in line with many previous approvals. The Board has often approved the infill of a dogleg on the first floor when there is an inset on the upper stories. The compatibility of the addition as seen from the alley could be improved by revising the window and door configuration as well as exploring a more traditional cladding material like a siding board.

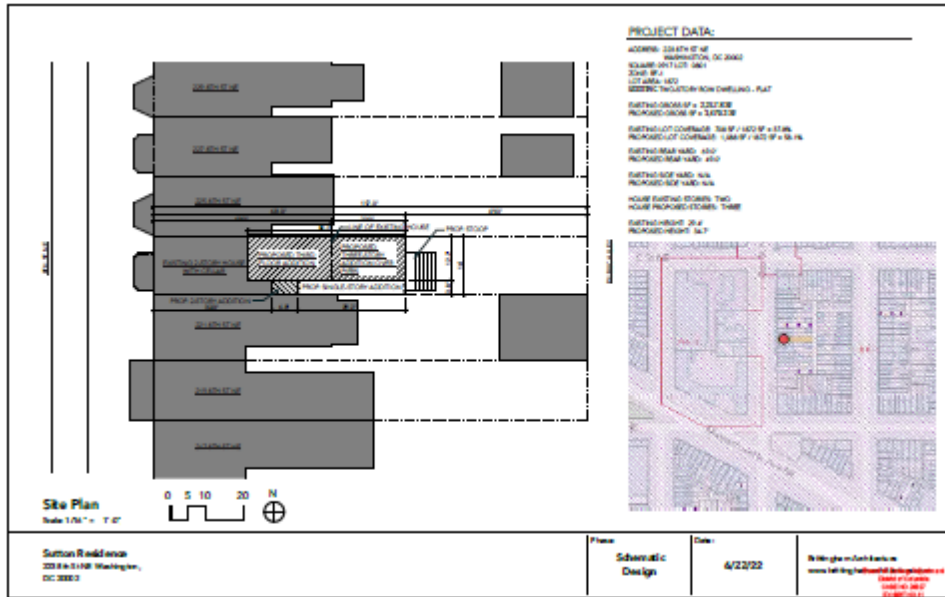
Recommendation

The HPO recommends the Board find the project to be compatible with the Capitol Hill historic district, and delegate final approval to staff.

Staff contact: Moira Nadal



Consent Agenda



EXISTING FRONT FACADE



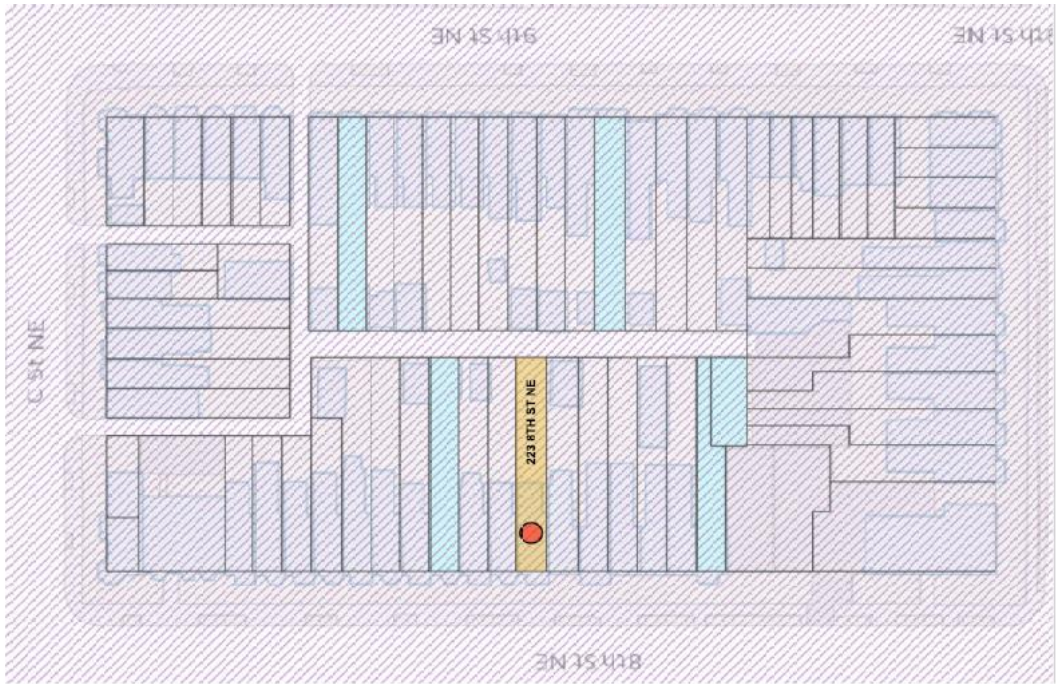
EXISTING REAR FACADE

SUTTON RESIDENCE
2225 8TH ST. NE WASHINGTON, DC 20002

March 17, 2022
BRITTINGHAM ARCHITECTURE PLLC



Consent Agenda

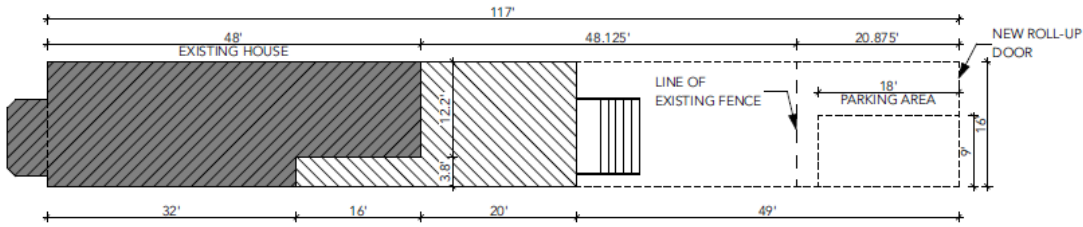


BLOCK PLAN
Scale: NTS



SUTTON RESIDENCE
223 8TH ST, NE WASHINGTON, DC 20002

March 17, 2022
BRITTINGHAM ARCHITECTURE PLLC



Site Plan
Scale: NOT TO SCALE



Sutton Residence
223 8th St NE Washington,
DC 20002

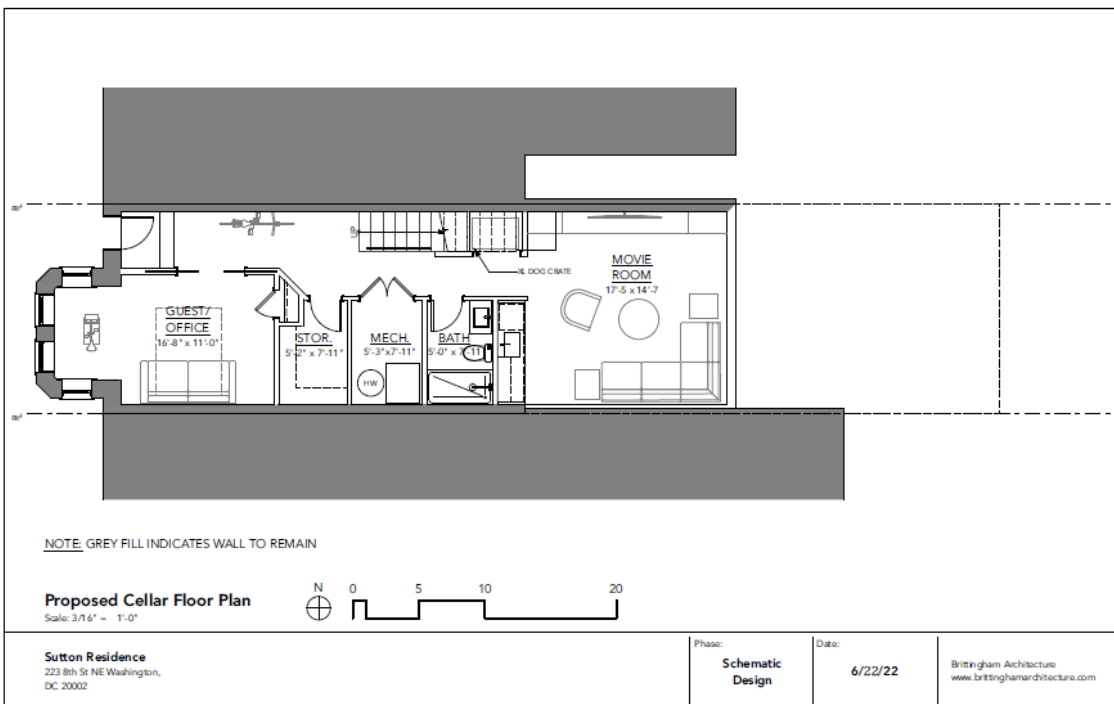
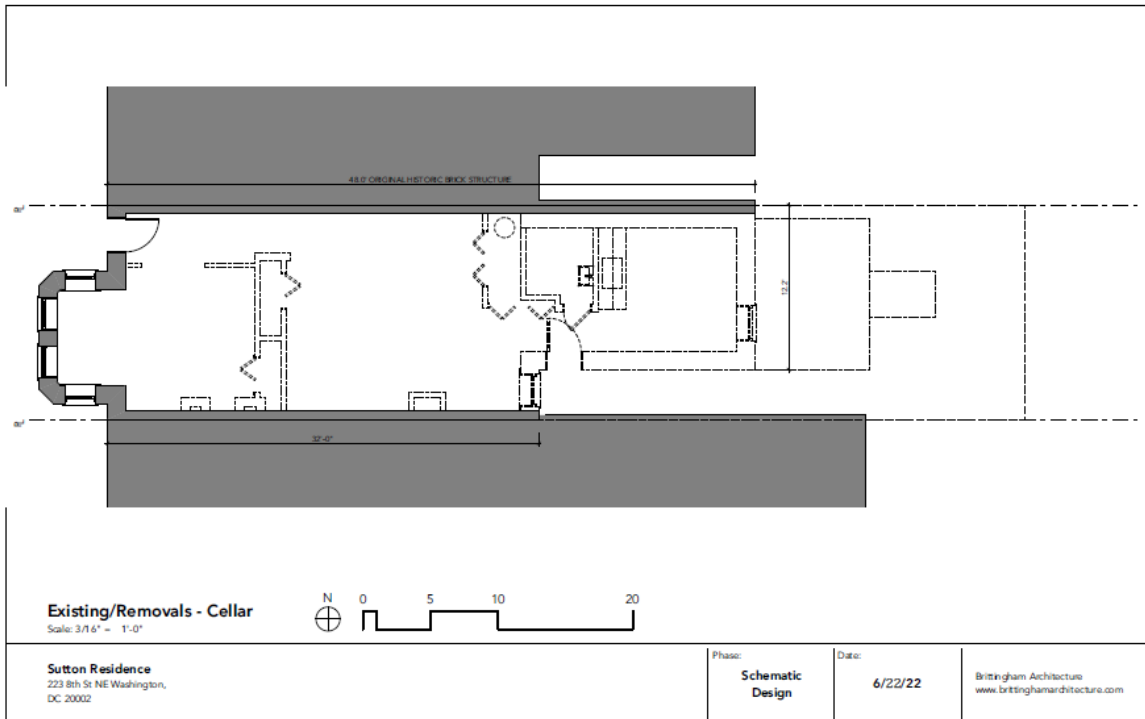
Phase:
**Schematic
Design**

Date:
3/17/22

Brittingham Architecture
www.brittinghamarchitecture.com

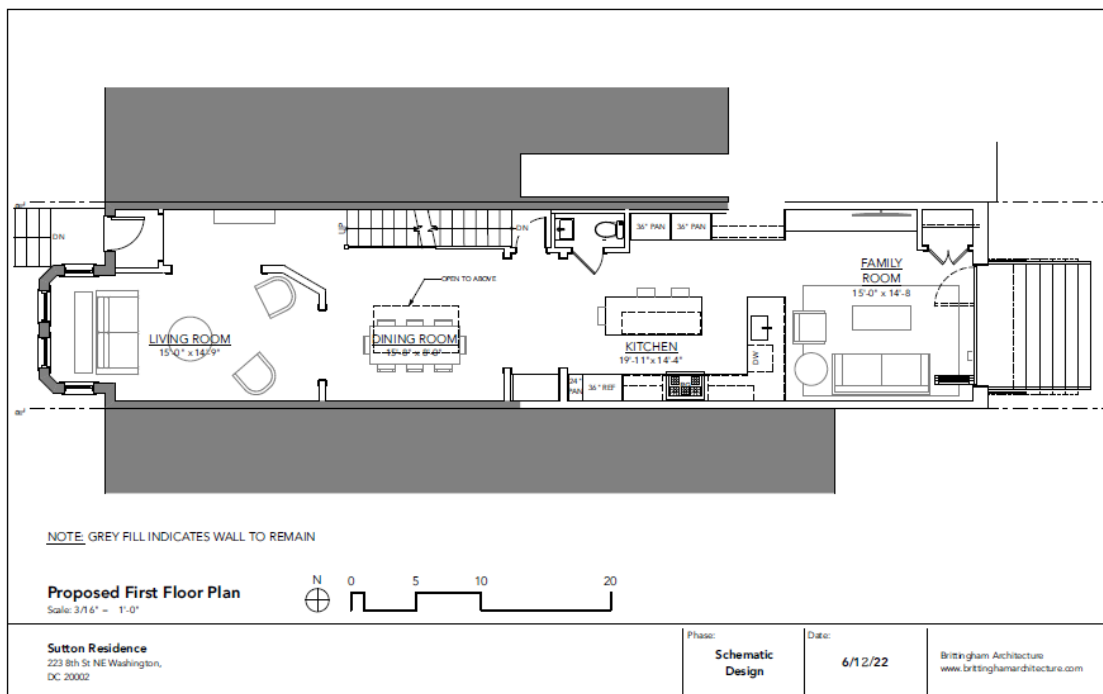
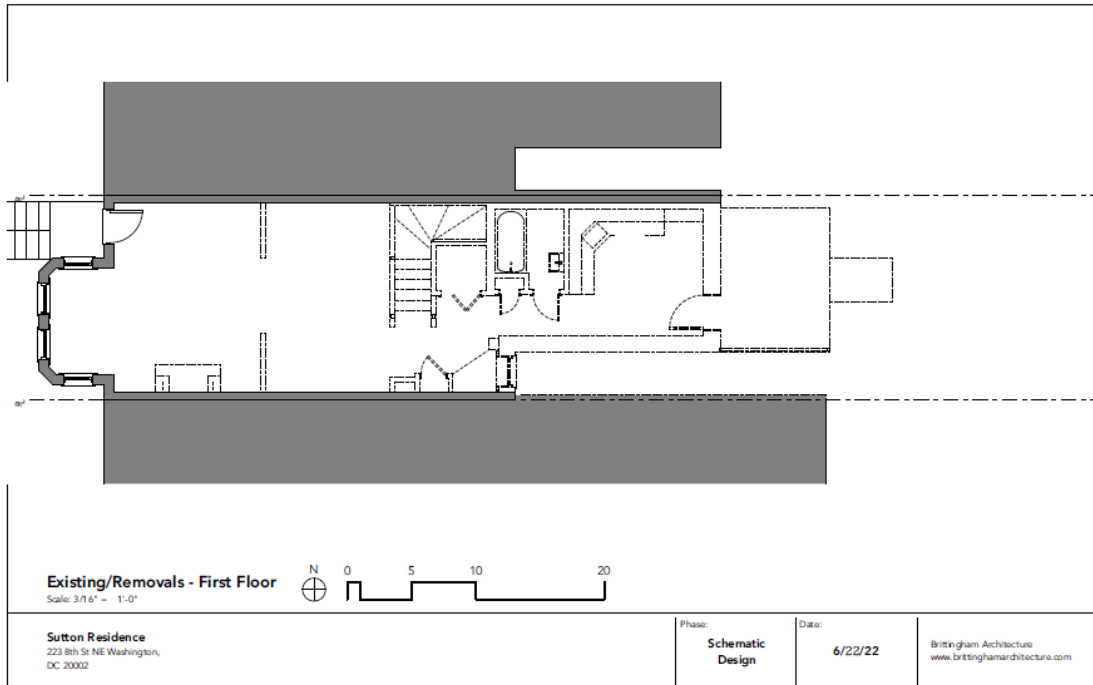


Consent Agenda



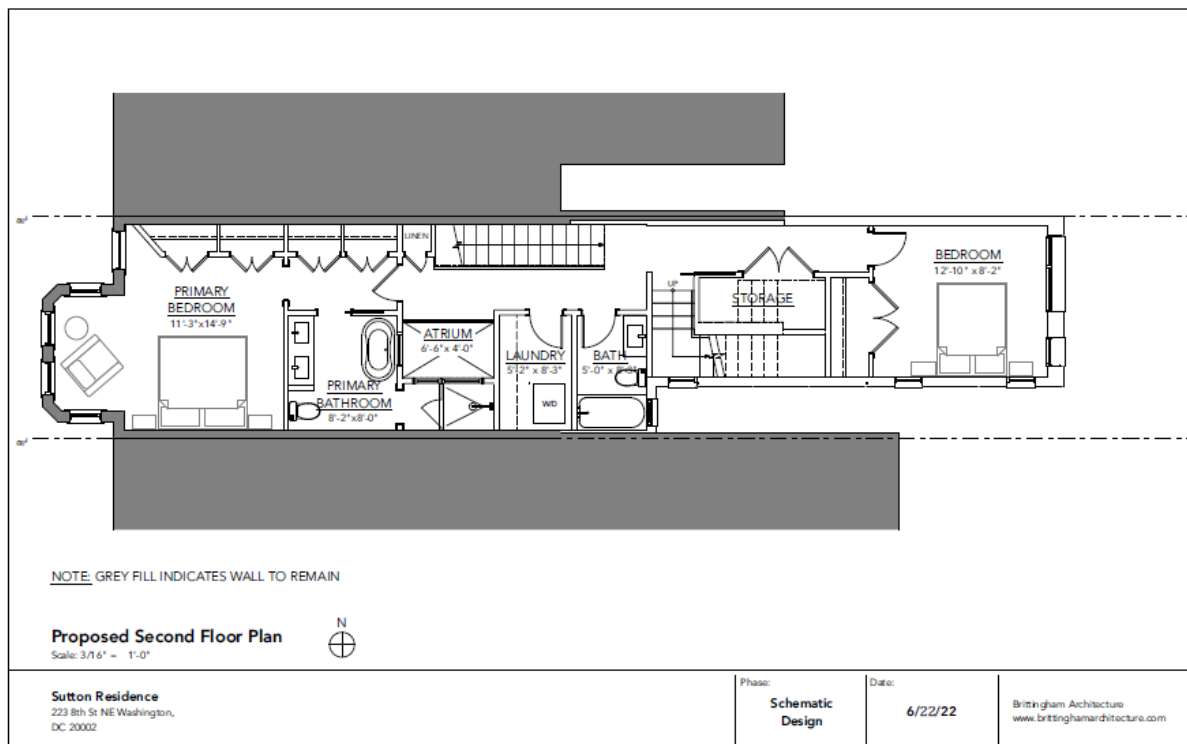
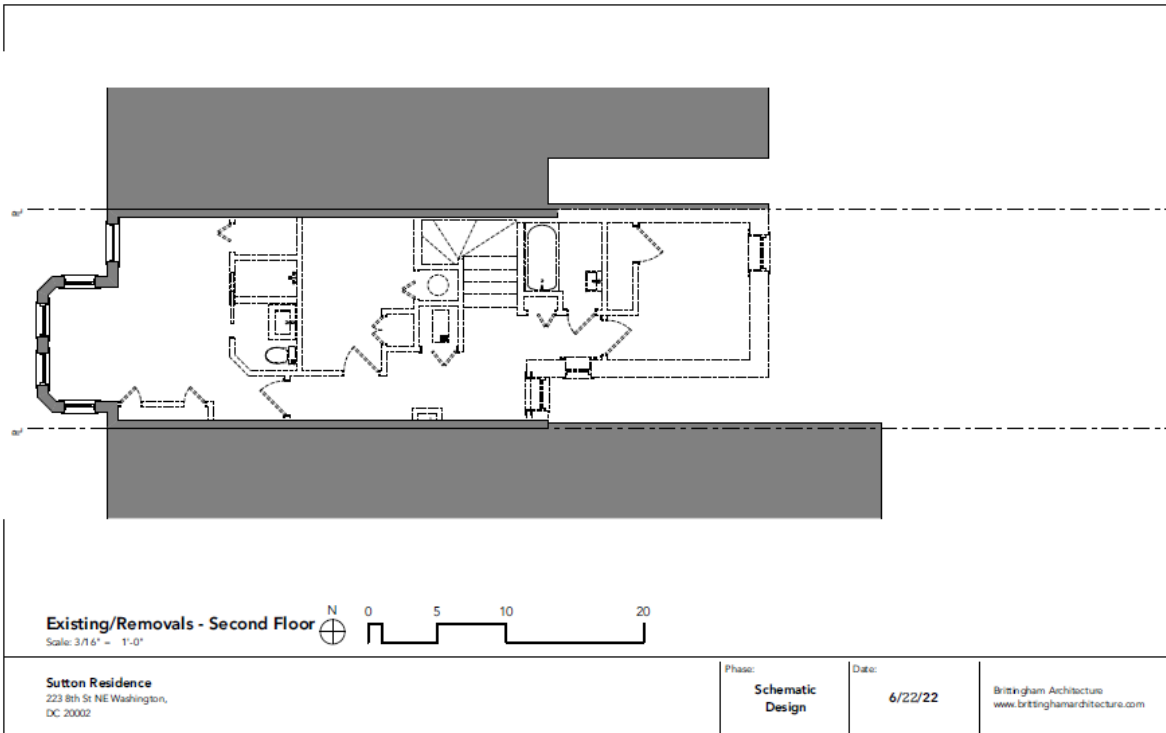


Consent Agenda



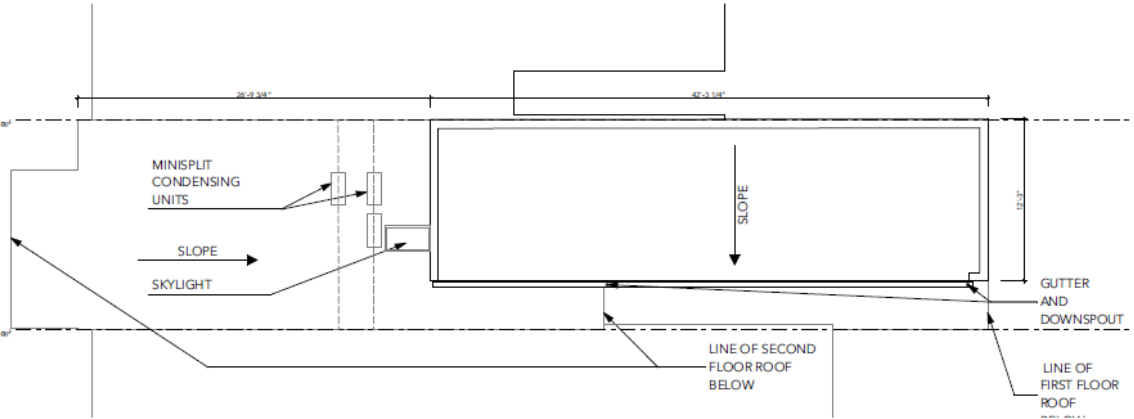
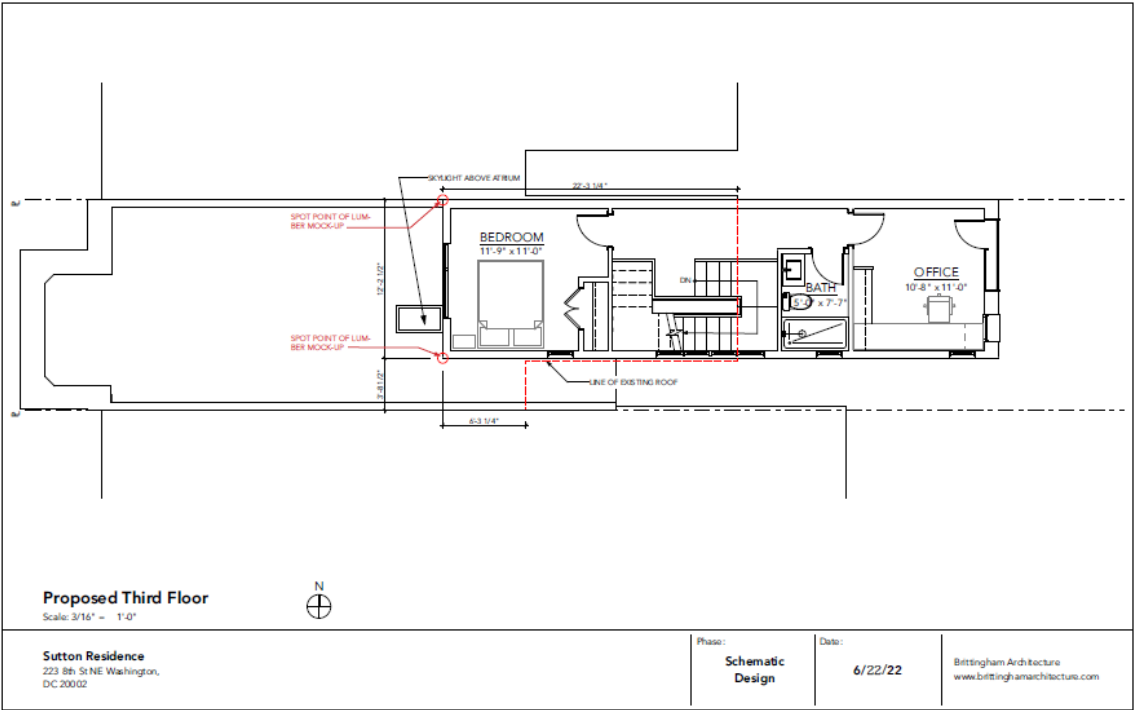


Consent Agenda





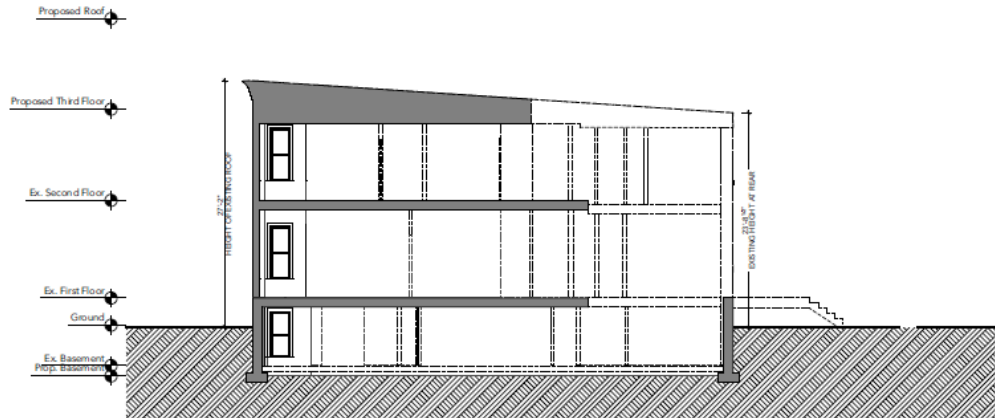
Consent Agenda



Proposed Roof Plan



Consent Agenda



Existing/Removals - Building Section

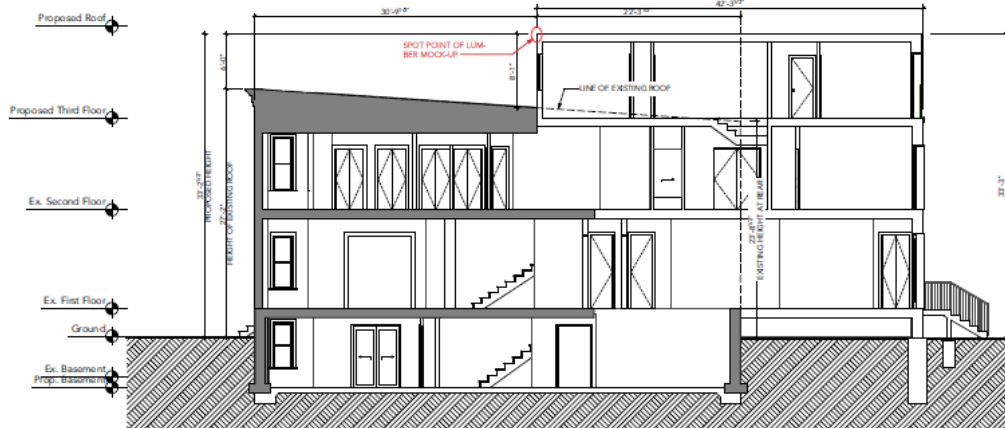
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Sutton Residence
223 8th St NE Washington,
DC 20002

Phase:
**Schematic
Design**

Date:
6/22/22

Brittingham Architecture
www.brittinghamarchitecture.com



Proposed Building Section

Scale: 1/8" = 1'-0"

Sutton Residence
223 8th St NE Washington,
DC 20002

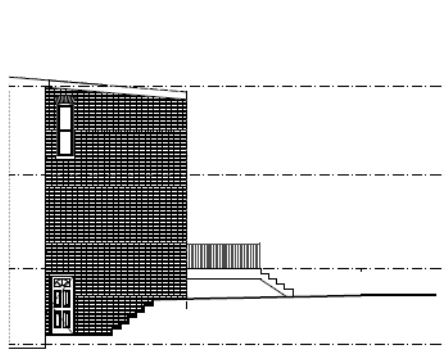
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**Schematic
Design**

Date:
6/22/22

Brittingham Architecture
www.brittinghamarchitecture.com

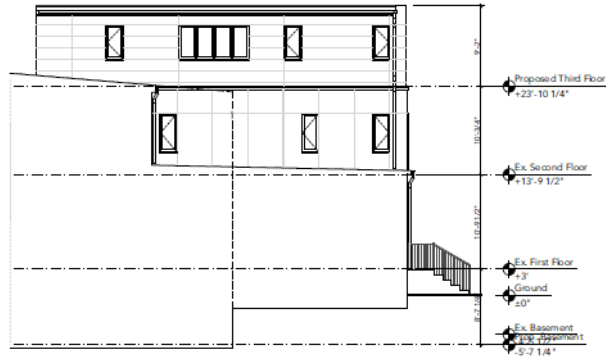


Consent Agenda



② Side (South) Elevation Existing
1/8" = 1'-0"

Side Elevation - Existing & Proposed
Scale: 1/8" = 1'-0"



① Side (South) Elevation Proposed
1/8" = 1'-0"

Sutton Residence
223 8th St NE Washington,
DC 20002

Phase:
Schematic
Design

Date:
6/22/22

Brittingham Architecture
www.brittinghamarchitecture.com

Rear (East) Elevation - Existing & Proposed
Scale: 1/4" = 1'-0"



Sutton Residence
223 8th St NE Washington,
DC 20002

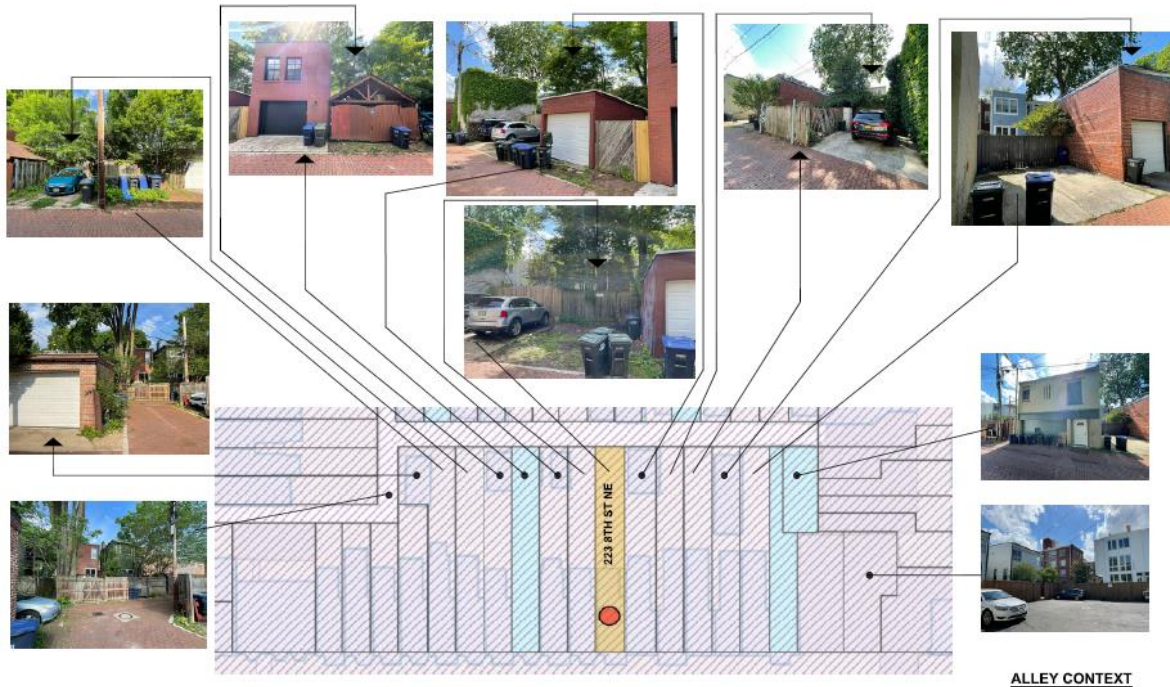
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Schematic
Design

Date:
6/22/22

Brittingham Architecture
www.brittinghamarchitecture.com

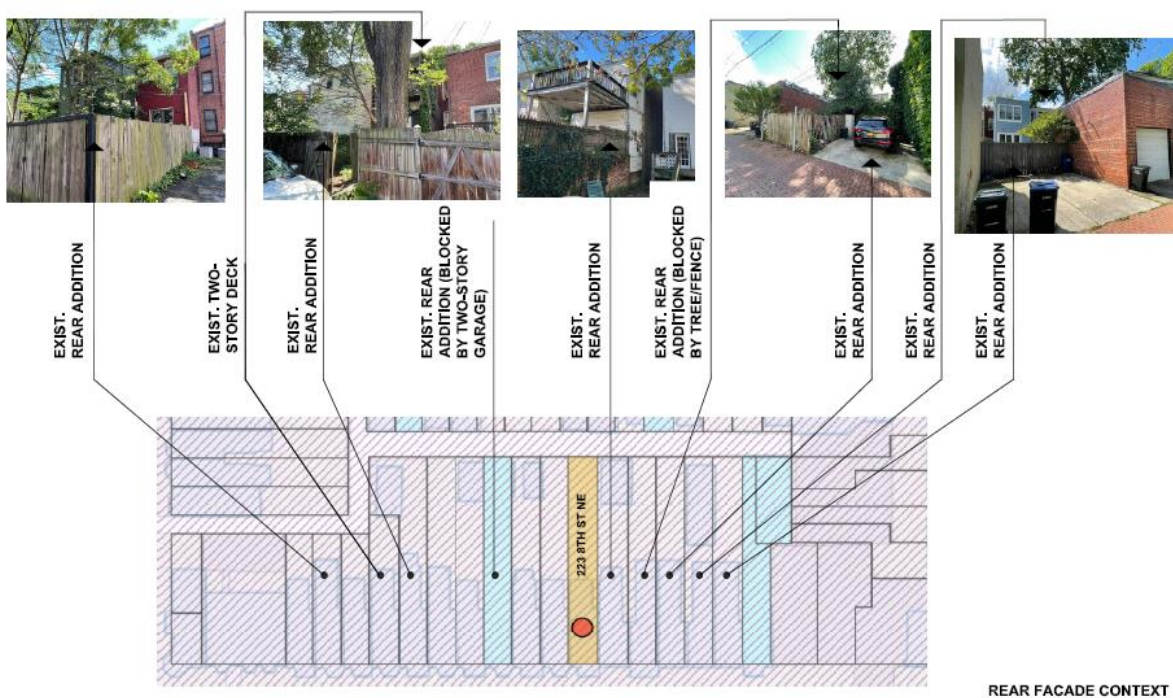


Consent Agenda



SUTTON RESIDENCE
223 8TH ST, NE WASHINGTON, DC 20002

March 17, 2022
BRITTINGHAM ARCHITECTURE P.L.L.C.



SUTTON RESIDENCE
223 8TH ST, NE WASHINGTON, DC 20002

March 17, 2022



Consent Agenda





Consent Agenda



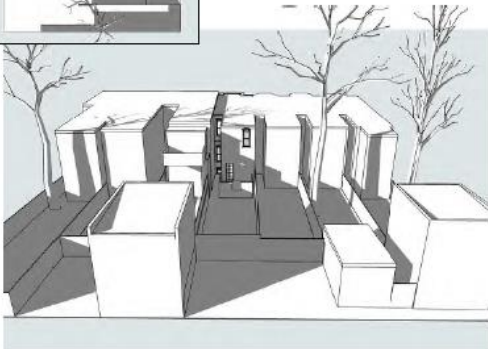
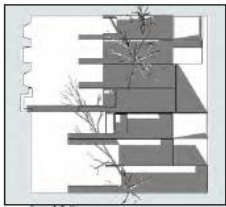


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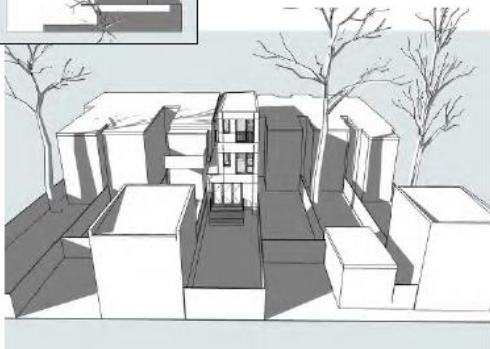
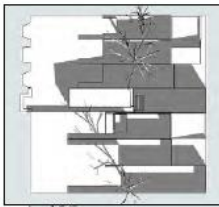




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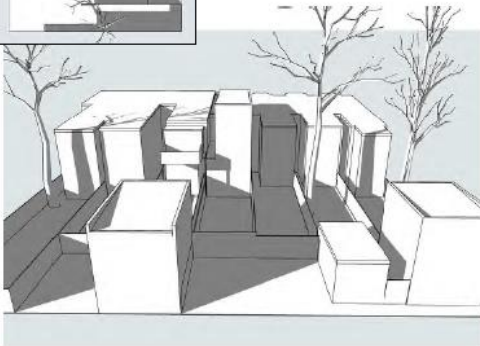
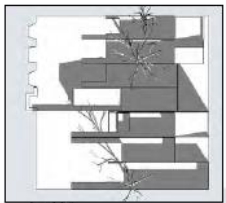
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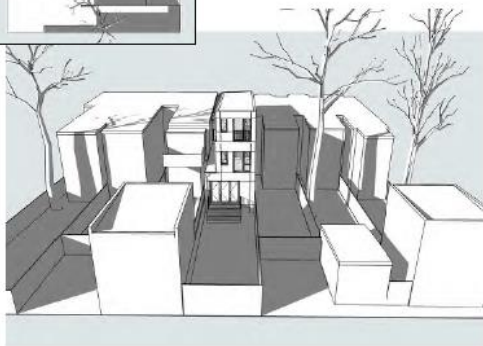
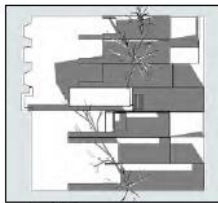
Proposed December 10am

Sun Study - December AM

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By-Right December 10am



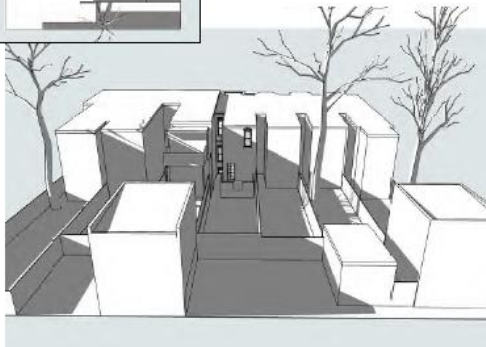
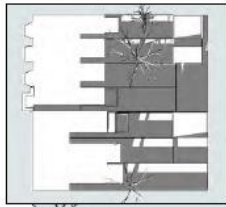
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Sun Study - By Right - December AM

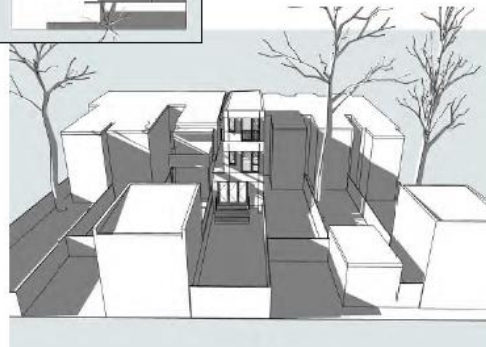
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223 8th St NE Washington, DC 20002	7/1/922 BRITTINGHAM ARCHITECTURE PLLC



Consent Agenda



Existing - December Noon



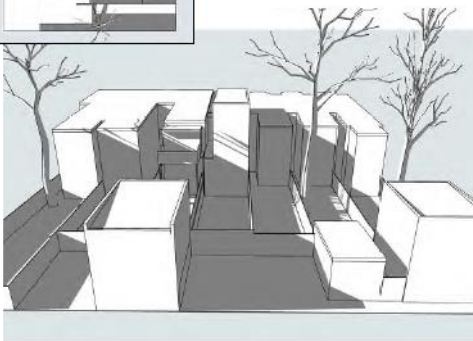
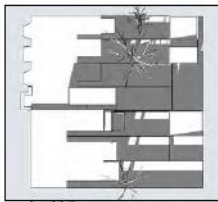
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Sun Study - December Noon

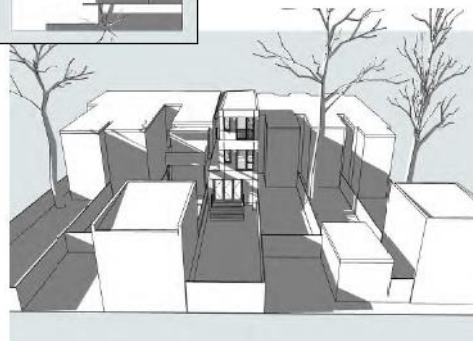
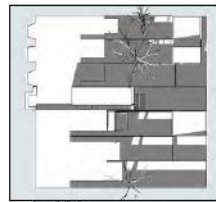
SUTTON RESIDENCE

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7/19/22
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By-Right December Noon



Proposed - December Noon

Sun Study - By Right - December
Noon

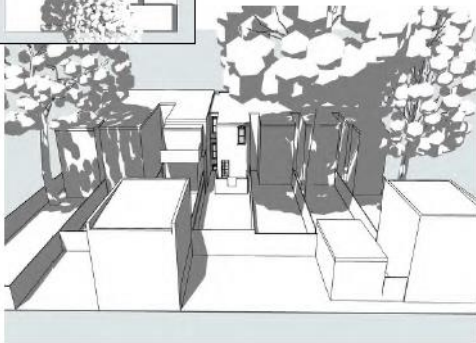
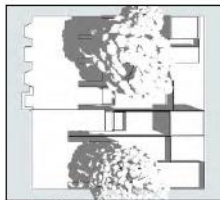
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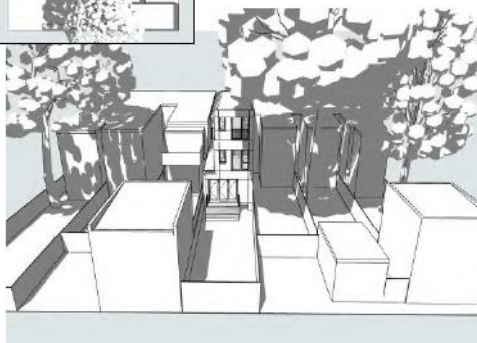
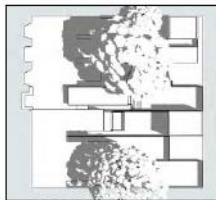
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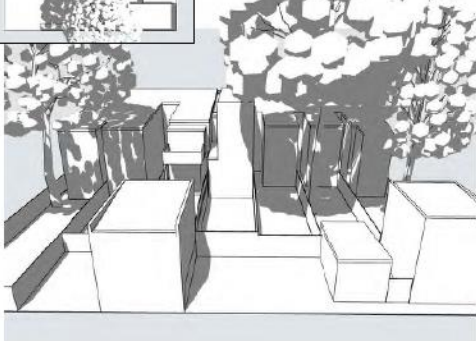
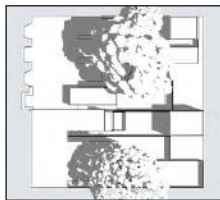


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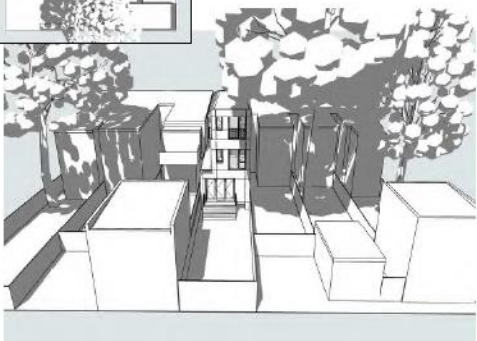
Sun Study - June AM

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223 8th St NE Washington, DC 20002

7/7/22
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By-Right - June 9am



Proposed - June 9am

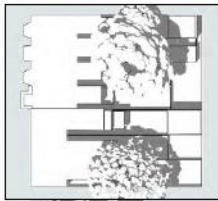
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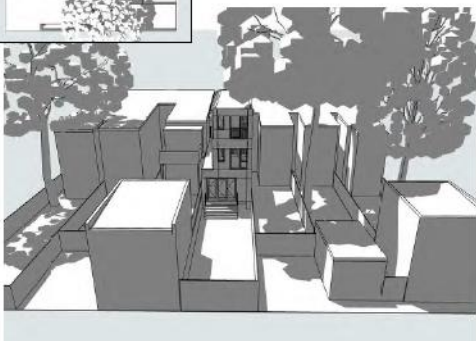
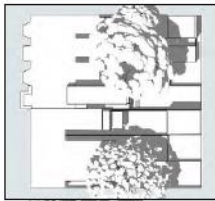
7/7/22
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Consent Agenda



Existing - June Noon

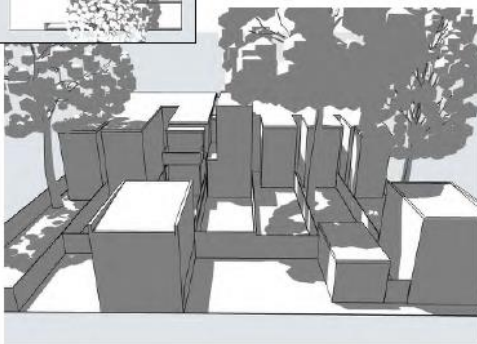
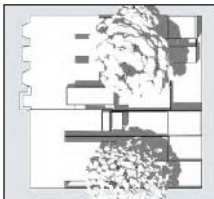


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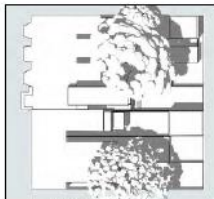
Sun Study - June Noon

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223 8th St NE Washington, DC 20002

7/15/22
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By-Right - June Noon



Proposed - June Noon

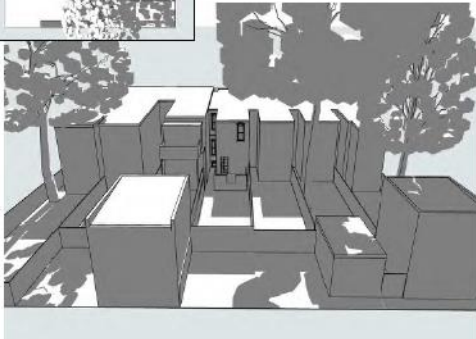
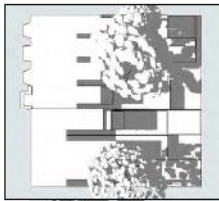
Sun Study - By Right - June Noon

SUTTON RESIDENCE
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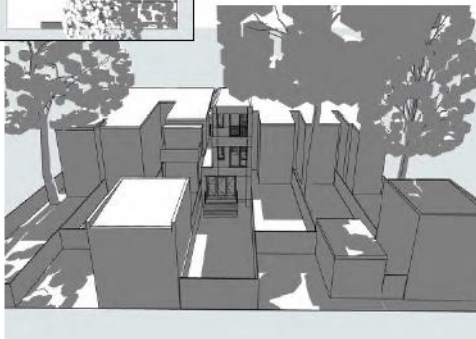
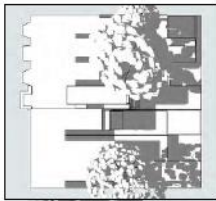
7/15/22
BRI TINGHAM ARCHITECTURE PLLC



Consent Agenda



Existing - June 3pm

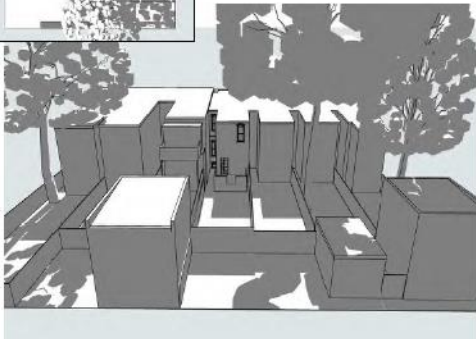
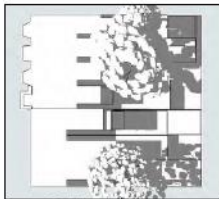


Proposed - June 3pm

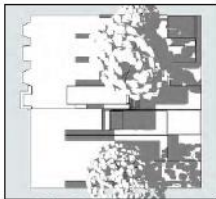
Sun Study - June PM

SUTTON RESIDENCE
223 8th St NE Washington, DC 20002

7/19/22
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Existing - June 3pm



Proposed - June 3pm

Sun Study - June PM

SUTTON RESIDENCE
223 8th St NE Washington, DC 20002

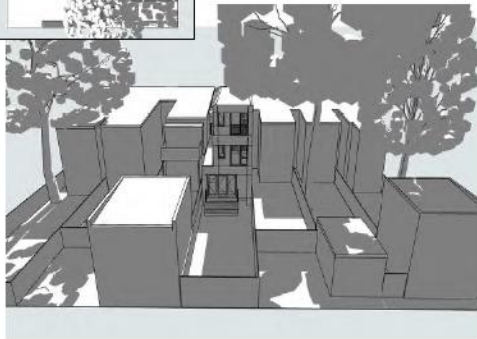
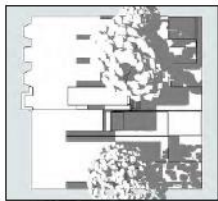
7/19/22
BRITTINGHAM ARCHITECTURE PLLC



Consent Agenda



By-Right - June 3pm

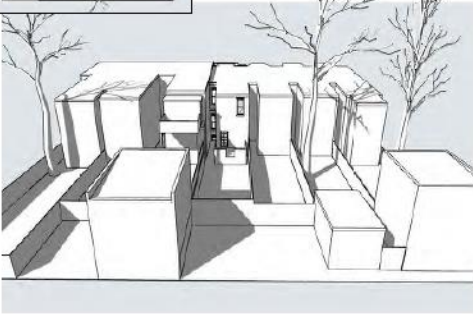
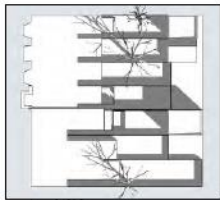


Proposed - June 3pm

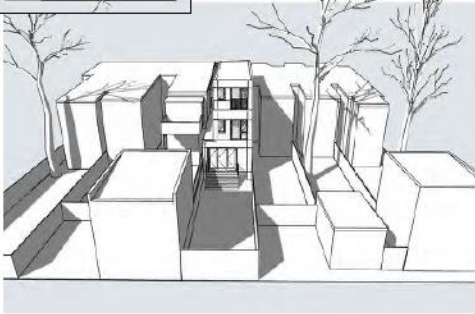
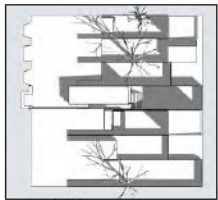
Sun Study - By Right - June PM

SUTTON RESIDENCE
223 8th St NE Washington, DC 20002

7/15/22
BRI TINGHAM ARCHITECTURE PLLC



Existing - March 10am



Proposed - March 10am

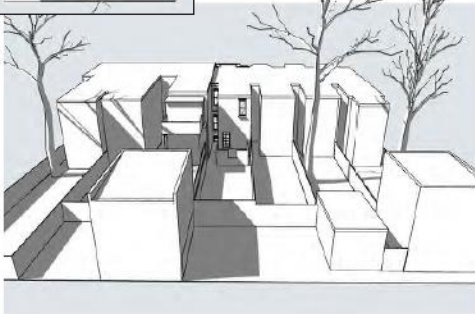
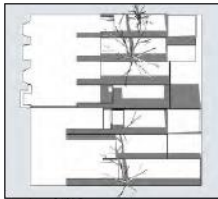
Sun Study - March AM

SUTTON RESIDENCE
223 8th St NE Washington, DC 20002

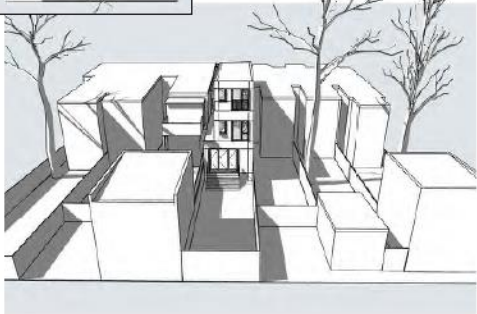
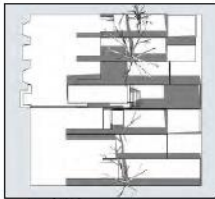
7/15/22
BRI TINGHAM ARCHITECTURE PLLC



Consent Agenda



Existing - March Noon

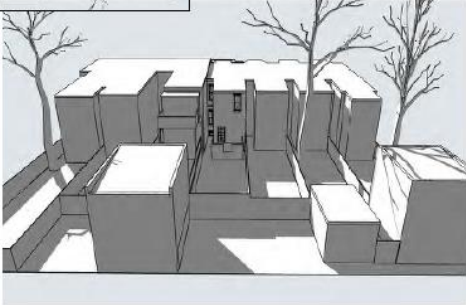
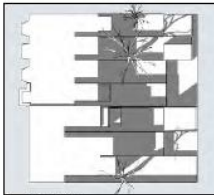


Proposed - March Noon

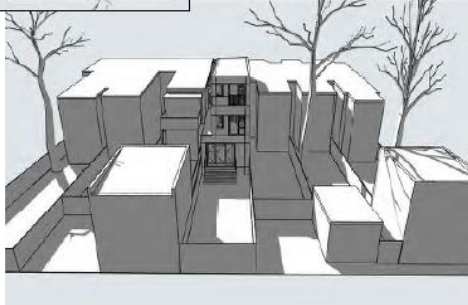
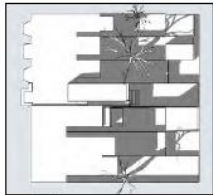
Sun Study - March Noon

SUTTON RESIDENCE
223 8th St NE Washington, DC 20002

7/19/22
BRI TINGHAM ARCHITECTURE PLLC



Existing - March 3pm



Proposed - March 3pm

Sun Study - March PM

SUTTON RESIDENCE
223 8th St NE Washington, DC 20002

7/19/22
BRI TINGHAM ARCHITECTURE PLLC



Consent Agenda



November XX, 2022

Phil Mendelson, DC Council Chair
1350 Pennsylvania Ave NW
Washington, DC 20004

Re: ANC 6A Support for the Green New Deal for Housing

Dear Chairman Mendelson,

At a regularly scheduled and properly noticed meeting¹ on November 10th, 2022, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Green New Deal for Housing bill, currently before the D.C. City Council. The Green New Deal for Housing would prioritize currently owned D.C. properties to be used to provide affordable housing to D.C. residents. This bill would establish an agency that would be responsible for the development of affordable housing that is environmentally sustainable.

Our ANC enthusiastically supports the goals of this legislation, and feels that it could improve the supply of affordable housing in D.C., and also encourage environmentally sustainable housing. This is a critical need, and this model provides an innovative, sustainable way to address the needs. ANC 6A fully supports the Green New Deal for Housing, but would recommend that the Council make the following changes or address these questions:

- Existing D.C. laws be modified to provide an exception for the new agency created by the Green New Deal for Housing to be able to purchase land without legislation being passed by the D.C. Council, with proper oversight.
- The city may look at the initial goals of the program, and whether it can immediately reach it's goals for affordable housing, particularly if the agency is supposed to be self-sustaining.
- The bonds issued by the new agency should be backed by the full faith and credit of the District of Columbia.
- The agency is encouraged to look at the parking requirements for the buildings developed by the Green New Deal for Housing, particularly to encourage alternatives to private cars and parking, and using public transportation.

Many thanks for your attention to these matters.

On Behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

CC: Charles Allen, Ward 6 Councilmember

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



Consent Agenda



Councilmember Robert C. White, Jr.

Councilmember Janeese Lewis George

Councilmember Trayon White, Sr.

Councilmember Brianne K. Nadeau

Councilmember Charles Allen

Councilmember Brooke Pinto

Councilmember Anita Bonds

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish an Office of Social Housing Developments to foster the construction, maintenance, and growth of District-owned residential properties designed to be mixed-income housing with up to two-thirds priced to be permanently affordable for extremely and very low income households; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to provide for the appointment of the Director of the Office, to amend the Green Finance Authority Establishment Act of 2018 to allow investments in District-owned social housing developments; to amend an Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to require that the Mayor evaluate such properties for conversion into social housing developments before disposing of them; to amend the Housing Production Trust Fund Act of 1988 to make social housing developments eligible to receive loans and grants; and to amend The Rental Housing Conversion and Sale Act of 1980 to allow the District to purchase residential property for conversion into social housing developments;

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Green New Deal for Housing Amendment Act of 2022”.

Title I: SOCIAL HOUSING DEVELOPMENTS.

Sec. 101. Definitions.

For the purposes of this chapter, the term:



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- 42 (1)(A) “Area Median Income” means:
- 43 (i) For a household of 4 persons, the area median income for a household
- 44 of 4 persons in the Washington Metropolitan Statistical Area as set forth in the periodic
- 45 calculation provided by the United States Department of Housing and Urban Development;
- 46 (ii) For a household of 3 persons, 90% of the area median income for a
- 47 household of 4 persons;
- 48 (iii) For a household of 2 persons, 80% of the area median income for a
- 49 household of 4 persons;
- 50 (iv) For a household of one person, 70% of the area median income for a
- 51 household of 4 persons;
- 52 (v) For a household of more than 4 persons, the area median income for a
- 53 household of 4 persons, increased by 10% of the area median income for a family of 4 persons
- 54 for each household member exceeding 4 persons (e.g., the area median income for a family of 5
- 55 shall be 110% of the area median income for a family of 4; the area median income for a
- 56 household of 6 shall be 120% of the area median income for a family of 4).
- 57 (B) Any percentage of household income referenced in this chapter (e.g., 80% of
- 58 household income) shall be determined through a direct mathematical calculation and shall not
- 59 take into account any adjustments made by the United States Department of Housing and Urban
- 60 Development for the purposes of the programs it administers.
- 61 (2) “Bonds” means any bond, note, debenture, interim certificate, or other
- 62 evidence of financial indebtedness of the Office authorized to be issued under the provisions of
- 63 this chapter.



Consent Agenda



- 64 (3) “Development costs” means any cost associated with the construction,
65 rehabilitation, or conversion of a social housing development.
- 66 (4) “Extremely Low income” means a household income equal to, or less than,
67 30% of the area median income.
- 68 (5) “Low income” means a household income equal to between 50% and 80% of
69 the Standard Metropolitan Statistical Area median.
- 70 (6) “Mixed-income” means a property that includes a range of income levels,
71 including extremely low, very low, low, moderate, and above moderate income.
- 72 (7) “Moderate income” means a total income equal to between 80% and 120% of
73 the Standard Metropolitan Statistical Area median.
- 74 (8) “Net-zero emissions” means a facility in which all energy is produced on-site,
75 and to the degree that off-site energy production is necessary, it is provided via contracts for
76 electricity produced from renewable sources. No energy produced in net-zero facilities may
77 result from combustion or other sources that emit greenhouse gases.
- 78 (9) “Operating costs” means any costs associated with maintaining a Social
79 Housing Development including management expenses, maintenance, utilities, taxes, and
80 associated services.
- 81 (10) “Permanently affordable” means a property in which a majority of units will
82 remain affordable to extremely low, very low-, low-, and moderate-income households relative
83 to area median income, in perpetuity.
- 84 (11) “Personal mobility device” shall have the same meaning as provided in § 50-
85 2201.02(13).
- 86 (12) “Rent” means the money tenants pay to occupy a unit, including:



Consent Agenda



87 (A) Money paid directly by a tenant, and

88 (B) Any District of Columbia administered housing voucher

89 (14) “Rent cross-subsidization” means a system in which rents paid by
90 households residing in units priced for extremely- and very low-income households are balanced
91 by rents paid, in the same property, by households residing in units priced for moderate-income
92 earners and above to create an overall balance in property revenue to meet recurring operational
93 costs and reimburse outstanding debts from development costs.

94 (14) “Revenue neutrality” means a system in which all monetary expenditures
95 that result from the development and maintenance of social housing owned by the District are
96 returned to the District through rents or other public and private subsidies received by the
97 District.

98 (15) “Social Housing Development” means a property owned by the District that
99 uses the revenue it generates from rent towards construction and maintenance of permanently
100 affordable mixed-income social housing.

101 (16) “Very low income” means a household income equal to between 30% and
102 50% of the Standard Metropolitan Statistical Area median.

103 Sec. 102. Office of Social Housing Development Establishment.

104 (a) Pursuant to section 404(b) of the District of Columbia Home Rule Act, approved
105 December 24, 1973 (87 Stat. 787; D.C. Official Code § 1-204.04(b)), the Council establishes an
106 Office of Social Housing Development as a subordinate agency within the executive branch of
107 the District government.



Consent Agenda



108 (b) The purpose of the Office of Social Housing Development is the ownership,
109 development, conversion, retention, and maintenance of District-owned, permanently affordable,
110 mixed-income housing accommodations for District residents.

111 (c) The Office shall be headed by a Director, who shall report to the Mayor. The Mayor
112 shall appoint the Director with the advice and consent of the Council pursuant to section 2(a) of
113 the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code §
114 1-523.01(a)). Sec. 103. Duties of the Office of Social Housing Development.

115 (a) The duties of the Office shall be as follows:

116 (1) Develop and maintain permanently affordable, mixed-income housing
117 accommodations that pay for themselves through rent cross-subsidization;

118 (2) Upon the purchase of privately-owned housing accommodations pursuant to
119 The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law
120 3-86; D.C. Official Code § 42-3401.01 *et seq.*), convert these housing accommodations into
121 social housing developments;

122 (3) Use federal and local grants and loans including the Housing Production Trust
123 Fund and Green Finance Authority to develop mixed-income, permanently affordable housing
124 accommodations;

125 (4) To issue bonds and to give security pursuant to § 8-173.43; provided, that the
126 Office's debts shall not be backed by the full faith and credit of the District of Columbia;

127 (5) Hire and supervise, with approval and consultation from current social
128 housing development residents, private management companies to oversee the day-to-day
129 operations and maintenance of each social housing development in accordance with Section 108;
130 and



Consent Agenda



(6) To the greatest extent possible, lease ground-floor commercial space to defray operational and development costs and provide beneficial community amenities such as childhood development centers, grocery stores, and small locally-owned businesses.

(b) (1) The Director of the Office of Social Housing Development shall establish and sustain a social housing coordinating council to advance the creation and maintenance of social housing developments.

(2) The social housing coordinating council shall include:

(A) District government housing agencies;

(B) District-based private sector affordable housing developers and financiers;

(C) Non-profit housing providers and advocates; and

(D) Not less than five District renters or tenants of social housing developments.

(3) Meeting of the social housing coordinating council shall be subject to the requirements of the Open Meetings Amendment Act of 2010, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*)

Sec. 104. Social Housing Development Fund.

(a) There is established as a special fund the Social Housing Development Fund ("Fund"), which shall be administered by the Mayor in accordance with subsection (c) of this section. The purpose of the Fund is to collect and use rent from social housing developments to construct and maintain more social housing developments while maintaining revenue neutrality.

(b) Monies obtained pursuant to Section 105 shall be deposited into the Fund and shall not revert to the unassigned fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.



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155 (c) Money in the Fund shall be used for the following:

156 (1) Development costs associated with creating social housing developments;

157 (2) Operating costs associated with maintaining social housing developments; and

158 (3) Administrative costs of the Office of Social Housing Development, provided

159 that not more than 3% of Social Housing Development Fund may be used to defray these costs.

160 Sec. 105. Affordability Levels for Social Housing Developments.

161 (a) To the extent practicable, social housing developments shall structure residential rents

162 at the following distribution:

163 (1) One-third of units should be affordable for households at the extremely low

164 income level;

165 (2) One-third of units should be affordable for households earning at the very low

166 income level; and

167 (3) One-third of units available at rates necessary to achieve rent cross-

168 subsidization.

169 (b) Residential rent shall be based on households spending approximately 30% of their

170 annual income on housing. Housing vouchers, either District or federal, shall not count towards

171 household income for this calculation.

172 (c) Commercial rent rates should be based on the market rate and shall adjust not more

173 than once in a two-year period.

174 Sec. 106. Environmental Standards for Social Housing Developments.

175 (a) Social housing developments shall be constructed to high environmental standards,

176 including:



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177 (1) Net-zero emissions, including no energy from combustion or any sources that
178 emit greenhouse gases;

179 (2) On-site solar energy production to the maximum extent practicable, including
180 using the District's solar installation program and employing labor through the District's solar
181 installation workforce training programs;

182 (3) Landscape architecture to maximize natural cooling; and

183 (4) Multimodal transportation access, including pedestrian linkages and facilities
184 for bicycles and personal mobility devices.

185 (b) Social housing developments should incorporate the following technologies:

186 (1) All electric heating and cooling using only highly efficient systems; and

187 (2) Energy-efficient appliances and lights.

188 (c) Social housing developments shall not include the following:

189 (1) Natural gas for heating, hot water, or cooking;

190 (2) Off-street parking in excess of zoning regulations.

191 Sec. 107. Construction Labor Standards for Social Housing Developments.

192 (a) Social housing developments shall be constructed in compliance with federal and
193 District law, including:

194 (1) Procurement laws pursuant to Subchapter VI of Chapter 3A of Title 2;

195 (2) First source employment laws pursuant to Subchapter X of Chapter 2 of Title
196 2;

197 (3) Small and local business enterprise development laws pursuant to Subchapter
198 IX-A of Chapter 2 of Title 2;

199 (4) Clean Hands requirements pursuant to Subchapter II of Chapter 28 of Title 47;



Consent Agenda



- 200 (5) Green building requirements pursuant to Chapter 14A of Title 6;
- 201 (6) Whistleblower protections pursuant to Subchapter XII of Chapter 2 of Title 2;
- 202 (7) Prevailing wage requirements pursuant to the Davis-Bacon Act of 1931,
- 203 approved March 3, 1931 (46 Stat. 1494; 40 U.S.C. § 3141 et seq.); and
- 204 (8) Labor peace agreements pursuant to Chapter 8A of Title 32.
- 205 Sec. 108. Tenant Governance.
- 206 (a) Social housing developments may maintain tenant leadership boards at each property,
- 207 responsible for the following administrative duties:
- 208 (1) Establish by-laws and a process by which residents elect leadership;
- 209 (2) Establish and maintain community rules and expectations; and
- 210 (3) Manage a budget for community initiatives.
- 211 (b) (1) Tenant leadership boards shall have the right to review and approve any service
- 212 agreements in place related to their property, including any private management companies hired
- 213 to maintain the building and its systems.
- 214 (2) Tenant leadership boards shall have the right to initiate a process with the
- 215 Office of Social Housing Development to procure a new vendor for building management if a
- 216 majority of the a tenant leadership board finds the current company's performance unsatisfactory
- 217 and the board conducts a recorded vote to initiate a process to hire a new vendor.
- 218 (c) (1) The Office of Social Housing Development shall facilitate a relationship between
- 219 each social housing development and the Office of Tenant Advocate to establish the Office of
- 220 Tenant Advocate as a primary tenant-rights resource for residents of the development
- 221 (2) Tenant leadership boards may seek outside support or technical assistance, as
- 222 needed, to exercise their rights and execute their duties.



Consent Agenda



223 (d)(1) The Office of Social Housing Development shall work with tenant leadership
224 boards and property management companies to produce biannual reports on each development's
225 finances, expenditures, revenues, and any projected rent adjustments. The report shall be
226 provided electronically to all tenants.

227 (2) A tenant may request a report copy be provided to them as a paper copy.

228 **Title II: CONFORMING AMENDMENTS.**

229 Sec. 201. Section 301(q) of the District of Columbia Government Comprehensive Merit
230 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
231 603.01(17)), is amended as follows:

232 (a) Paragraph (56) is amended by striking the word "and" at the end.

233 (b) Paragraph (57) is amended by striking the phrase "District of Columbia Public
234 Schools." and inserting the phrase "District of Columbia Public Schools; and" in its place.

235 (c) A new paragraph (58) is added to read as follows:

236 "(58) Office of Social Housing Developments."

237 Sec. 202. Section 301(b) of the Green Finance Authority Establishment Act of 2018,
238 effective August 22, 2018 (D.C. Law 22-155; D.C. Official Code § 8-173.31(b)) is amended by
239 striking the period and inserting the phrase "including Social Housing Developments as defined
240 pursuant to Title I of the Green New Deal for Housing Amendment Act of 2022, introduced
241 April __, 2022 (B24-__)."

242 Sec. 203. Section 1(a-1)(2)(A) of An Act Authorizing the sale of certain real estate in the
243 District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat.
244 1211; D.C. Official Code § 10-801(a-1)(2)(A)), is amended to read as follows:



Consent Agenda



245 “(A) Whether the real property could have any use by the District,
246 including:
247 “(i) A description of the District’s current needs for real property,
248 “(ii) A description of potential public uses considered by the
249 Mayor,
250 “(iii) The square footage of green space on the real property,
251 “(iv) A narrative explaining why the real property is unsuited for
252 each public use considered; and
253 “(v) If the property is being disposed of in order to provide
254 affordable housing, a justification and mathematical assessment for why the proposed disposition
255 will result in more permanently affordable housing for extremely and very low income
256 households than would be created if the property were converted into a social housing
257 development as defined pursuant to Title I of the Green New Deal for Housing Amendment Act
258 of 2022, introduced April __, 2022 (B24-____).”.

259 Sec. 204. The Housing Production Trust Fund Act of 1988, effective March 16, 1989
260 (D.C. Law 7-202; D.C. Official Code § 42-2801 *et seq.*), is amended as follows:

261 (a) Section 2 (D.C. Official Code § 42–2801) is amended by adding a new paragraph (13)
262 to read as follows:

263 “(13) “Social Housing Development” means a District-owned property that uses
264 the revenue it generates from rent towards construction and maintenance of permanently
265 affordable mixed-income housing.

266 (b) Section 3(b) (D.C. Official Code § 42–2802(b)) is amended by adding a new
267 paragraph (12) to read as follows:



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268 “(12) Funds for Social Housing Developments.”

269 Sec. 205. Section 431 of the Rental Housing Conversion and Sale Act of 1980, effective
270 September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.31), is amended by adding a
271 new subparagraph (b-1) to read as follows:

272 “(b-1) If the Mayor assigns the District’s purchasing rights pursuant to §
273 42-3404.36, they must first issue a justification and mathematical assessment for why doing so
274 will create more permanent affordable housing for extremely and very low income households
275 than converting it into a social housing development as defined pursuant to Title I of the Green
276 New Deal for Housing Amendment Act of 2022, introduced April __, 2022 (B24-__).”.

277 **TITLE III. FISCAL IMPACT STATEMENT.**

278 Sec. 8. Fiscal impact statement.

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

282 **TITLE IV. EFFECTIVE DATE.**

283 Sec. 9. Effective date.

284 This act shall take effect following approval by the Mayor (or in the event of veto by the
285 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
286 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
287 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
288 Columbia Register.



Officer Reports - Treasurer



ANC 6A Treasurer's Report November 2022

Period Covered 10/1/2022 - 11/7/2022

Checking Account:

Opening Account Statement			\$	40,418.82
Credits	None		\$	-
New Disbursements				
Irene Dworakowski (Webmaster/Agenda October 2022 Services)	Check #2039	\$	765.89	
Anna Tsaur (Notetaker/October 2022 Meeting)	Check #2040	\$	250.00	
Robb Dooling (Zoom Reimbursement)	Check #2041	\$	58.29	
Total New Disbursements		\$	1,074.18	
Cashed Checks		\$	6,241.10	
Uncashed Checks				
#2026, #2027, #2035, #2036, #2037		\$	4,832.58	
Closing Available Checking Balance			\$	34,512.06

Savings Account:

Balance Forward	\$	100.05
Receipts: Interest	\$	-
Total Funds Available	\$	100.05
Closing Available Savings Balance	\$	100.05

PETTY CASH SUMMARY

Balance Forwarded	\$	25.00
Total Funds Available	\$	25.00
Ending Balance	\$	25.00



Committee Reports

Community Outreach Committee (COC)



Minutes

ANC 6A Community Outreach Committee (COC) of Advisory Neighborhood Commission (ANC) 6A Regular Meeting - October 28, 2022

Meeting called to order at 7:00 pm

Quorum present

COC members present: Roni Hollmon (Chair), Marc Friend, Sarah Bell, Stefany Thangavelu, Adina Wadsworth, Jessica Clark (training)

COC members absent: Jason Gresh, Gladys Mack, Kelsey Grimes

Commissioners present: Amber Gove,, Brian Alcorn, Robb Dooling

Panelists present: Lieutenant Araz Alali, Metropolitan Police Department (MPD) First District; Sergeant JD Hansohn, MPD Fifth District; Christopher Wade, Community Outreach Specialist 1D, US Attorney's Office

Community members present: 6

A round of introductions were made.

Sergeant JD Hansohn (5D) began with an update on F Street NE and Azeeze -Bates Apartments. A camera has been put up in the alley in the 1500 block of Isherwood Street NE. All the cameras are up and running at 1500 F Street as well. Several MPD officers have been employed by the complex to provide security. During those hours they will be paid by the complex and not the city.

Chair Roni Hollmon inquired about the status of Benning Courts and the Pentacle. Sgt. Hansohn responded that there have been some domestic incidents and a theft but it is quiet as far as the uptick in violence that is being seen across the city.

Commissioner Robb Dooling thanked the Sergeant for the cameras with MPD's limited resources. He asked if the camera in the alley would be able to stay for the foreseeable future. Sgt. Hansohn responded that he does not anticipate the camera will be moved.

Commissioner Amber Gove inquired what information has been given to residents about the DC camera rebate program. Sgt. Hansohn responded that usually when a neighborhood is canvassed, residents are given information about the camera program and the tipline program as well.

Commissioner Alcorn also thanked the Sergeant for the cameras and he was glad that these actions provided some solutions for the police as well as the community. He inquired if there was anything the Committee or ANC 6A could do since the activity predictably moved from the alley. Sgt. Hanson responded that it would help if Azeeze-Bates installed cameras in the courtyard and on the side that is out of the range of the crime camera. In addition, the security company could consider barring folks who are not residents or visiting someone at the property from being in the courtyard.



Committee Reports

Community Outreach Committee (COC)



Commissioner Alcorn inquired if the security presence has been improved since the shooting two months ago. Sgt. Hansohn responded there is a more regular presence. He also added that on the night of the shooting, officers reported the lack of security personnel on the premises.

Committee Member Marc Friend inquired what the rules of engagement are for off-duty police officers now working security on the property.

Sgt Hansohn responded they are insured by the management company and are compensated by them; however they still are police officers and have the same powers as when they are on duty and being compensated by MPD.

Lieutenant Araz Alali gave an overview of the last 30 days in the area in comparison to the same 30 day period last year. He also gave an update on the armed carjacking in the 1300 block of D Street NE.

Chair Hollmon asked, on behalf of Commissioner Chatterjee, who could not attend due to a family emergency; about the incident near the White House involving 1D officers, specifically why 1D officers were near the White House. Lt. Alali responded that it was an active investigation, so he was limited in what he could share; but did explain that 1D's jurisdiction includes the Capitol and the White House.

Committee Member Friend wanted to encourage caution regarding residents playing dice games and possibly being arrested. Lt. Alali responded that they were not looking to tie up officers for hours on quality of life issues; however, the data does bear out that in some cases these things can escalate to a violent crime.

Commissioner Alcorn inquired about the status of a case concerning King-Greenleaf Recreation Center. Lt. Alali responded that the case was still open.

Commission Alcorn inquired about the armed security that is present at Eastern High School (EHS) now and why EHS opposed to other places. Lt. Alali responded that the District of Columbia Public Schools (DCPS) has hired armed security guards. In addition, DCPS felt they were needed due to the increase in fights at Eastern.

Chair Hollmon inquired about the Relisha Rudd case. LT Alali said that the case was still open and the Youth Division handles cases involving missing and exploited children and would be more adept at explaining their process.

Chair Hollmon did some housekeeping with Committee Members regarding the ANC 6A Facebook page and contacts for schools for the November 2022 meeting.

Mr. Wade gave an overview of the US Attorney's office and what his job entails as the Community Outreach Specialist. He went over the various programs they offer and resources that are available.

Chair Hollmon inquired about the Bullying Forum that was just held. Mr. Wade had a panel which included the Office of Attorney General (OAG), DCPS and others for bullying prevention month. He was very excited about having another opportunity to collaborate with schools.



Committee Reports

Community Outreach Committee (COC)



Commissioner Alcorn inquired about the Court Report and whether it is regularly published. Mr. Wade explained that it had fallen behind due to the Covid epidemic and the need for him to cover 5D in addition to his 1D duties. He was happy to report there is now a 5D Community Outreach Specialist and he is working on the Court Report now as they begin to transition from telework back to their offices.

Committee Member Jessica Clark inquired what was the best way to share the resources available from the US Attorney's Office with constituents. Mr. Wade said residents should reach out to the Outreach Specialist for their District and to the MPD for help. If they cannot assist directly, they are sure they have a partner that will be beneficial. He also does not mind residents emailing him directly.

Community Comments were announcements of upcoming meetings and a discussion about Eastern High School Band in light of the Washington Post Article.

Meeting adjourned 7:58 pm.



Committee Reports

Alcoholic Beverage and Licensing (ABL)



Minutes

Alcoholic Beverage Licensing (ABL) Committee Advisory Neighborhood Commission (ANC) 6A Tuesday, October 25, 2022, 7:00 pm Virtual Meeting via Zoom

Pursuant to notice duly given, a meeting of the Alcohol Beverage Licensing Committee (“Committee”) of ANC 6A was held commencing at 7:00 pm EST on October 25, 2022, on a publicly posted Zoom event.

Committee Members Present: Mona Hatoum, Erin Sullivan, Kara Hughley, Mike Velasquez, Joe Krisch
Commissioners Present: None

Establishment Representatives Present: Aaron McGovern (Biergarten Haus and Brine), Michael Rosat o (Sospeso), Blair Zervos (Sospeso), Sandra Basanti (Pie Shop)

I. Call to Order/Approval of Agenda/Approval of Minutes

- Co-Chair Hatoum called the meeting to order at 7:01 pm. She noted that this is Ms. Sullivan’s first meeting as Co-Chair.
- Co-Chair Hatoum moved to amend the agenda by moving Pie Shop to after H Street Country Club and update the date of the next meeting which will be November 22, 2022. The agenda, as amended, was approved without objection.
- The minutes from the September 27, 2022 meeting of the Committee were approved without objection.

II. Community Comment

- Co-Chair Hatoum asked if any members of the community in attendance had any comments. Ms. Pat Broom and Ms. Julia Coulter introduced themselves, and Ms. Coulter provided comments with respect to Biergarten Haus and Pie Shop.

III. New Business

- Discussion of application by Biergarten Haus, Inc. t/a Biergarten Haus at 1355 H Street NE (ABRA-083695) for renewal of its Class C Tavern License.
 - Mr. Aaron McGovern appeared on behalf of Biergarten Haus and Brine. With respect to Biergarten Haus, he noted that it is going into its thirteenth year and recently went through a cosmetic facelift and menu relaunch.
 - Ms. Coulter, a community member and vice present of the condominium board at The Maryland Apartments, shared her concerns with respect to amplified noise during trivia on Tuesdays. Mr. McGovern apologized and indicated that he would address that with the outside vendor and turn off the amplifiers and sound systems at 10:00 pm. Mr. McGovern also offered to provide his personal phone number to resolve any issues quickly.
 - In response to a question from Ms. Coulter, Mr. McGovern also provided a preview of the World Cup plans for Biergarten Haus.
 - Co-Chair Hatoum noted that the settlement agreement with Biergarten Haus was signed in 2010, and asked if Mr. McGovern would be open to updating the settlement agreement to be in line with the current form. Mr. McGovern indicated that he would, as long as it would not require restricting hours.



Committee Reports

Alcoholic Beverage and Licensing (ABL)



- Ms. Hughley moved that the ABL Committee recommend to ANC 6A that they write a letter of support in favor of Biergarten Haus' renewal application.
 - Ms. Sullivan seconded the motion and the motion passed unanimously with a vote of 5-0.
- Discussion of application by DC Culinary Academy, LLC t/a Brine at 1357-1359 H Street NE (ABRA-110889) for renewal of its Class C Tavern License.
 - Mr. McGovern shared that Brine teaches culinary arts through the DC Department of Health, and that even though they have a tavern license, they operate as a restaurant. He noted that there has never been an ABRA violation at Brine.
 - Co-Chair Hatoum noted that the settlement agreement with Brine was signed in 2016, and that it may be helpful to update.
 - Mr. Velasquez moved that the ABL Committee recommend to the ANC that they write a letter of support in favor of Brine's renewal application.
 - Ms. Sullivan seconded the motion and the motion passed unanimously with a vote of 5-0.
- Discussion of application by Rosato, LLC t/a Sospeso at 1344 H Street NE (ABRA-100766) for renewal of its Class C Tavern License.
 - Mr. Michael Rosato appeared on behalf of Sospeso. He noted that they are not making any changes to their license, and they are going into their sixth year of operations.
 - A Committee member noted that the settlement agreement was signed in 2016. Co-Chair Hatoum indicated that she would send the current form to Mr. Rosato.
 - Ms. Sullivan moved that the ABL Committee recommend to the ANC that they write a letter of support in favor of Sospeso's renewal application.
 - Mr. Velasquez seconded the motion and the motion passed unanimously with a vote of 5-0.
- Discussion of application by Par Bar, LLC t/a H Street Country Club at 1335 H Street NE (ABRA-076649) for renewal of its Class C Tavern License.
 - Mr. Blair Zervos appeared on behalf of H Street Country Club. He noted that they are not changing hours or operations. He shared that they are currently operating on a reduced schedule, and they have a large rooftop deck that is partially covered. He indicated that he worked on a settlement agreement with the neighborhood many years ago, and he would be happy to take a look at the new form. He also shared that they had a scheduling issue with ABRA recently that resulted in a fine for not having an ABL manager on duty, but they quickly resolved the issue.
 - Co-Chair Hatoum indicated that she would send the current form of the settlement agreement after the meeting. Mr. Zervos noted that the current settlement agreement reflects earlier hours for the back portion of the deck than the front.
 - Ms. Hughley moved that the ABL Committee recommend to the ANC that they write a letter of support in favor of H Street Country Club's renewal application.
 - Mr. Krisch seconded the motion and the motion passed unanimously with a vote of 5-0.
- Discussion of application by Dangerously Delicious DC LLC t/a Pie Shop at 1339 H Street NE (ABRA-087422) for renewal of its Class C Tavern License.
 - Ms. Sandra Basanti appeared on behalf of Pie Shop.



Committee Reports

Alcoholic Beverage and Licensing (ABL)



- Co-Chair Hatoum gave Ms. Coulter a chance to provide comments. Ms. Coulter raised that residents of The Maryland Apartments sometimes hear people screaming and yelling in the back of the establishment at night. Ms. Basanti indicated that she would have security keep a closer eye and make sure the space is not being used by people who are not authorized to be there.
- Ms. Basanti noted that they are not seeking any substantial changes to their license.
- Co-Chair Hatoum indicated that an addendum to Pie Shop's settlement agreement was recently signed, so it is up to date.
- Ms. Sullivan moved that the ABL Committee recommend to the ANC that they write a letter of support in favor of Pie Shop's renewal application.
 - Ms. Kara seconded the motion. Mr. Velasquez abstained. The motion passed with a vote of 4-0, with one abstention.
- Discussion of application by Lattice Partners LLC t/a Copycat Co. at 1110 H Street NE (ABRA-096474) for renewal of its Class C Tavern License.
 - Co-Chair Hatoum stated that no one from the establishment was present, and that she attempted to contact them via their website. She noted that there is no settlement agreement in place with them.
 - Mr. Velasquez noted that it is the Committee's practice to have settlement agreements in place, and he volunteered to make contact with them with respect to entering into a settlement agreement.
 - Mr. Velasquez moved that the ABL Committee recommend that the ANC oppose Copycat Co.'s license renewal application unless a new settlement agreement is entered into prior to the protest date, and further that the Chairs of the ABL Committee, as well as Committee member Velasquez, and the Chairs of the ANC represent the ANC in this matter.
 - Ms. Sullivan seconded the motion and the motion passed unanimously with a vote of 5-0.
- Discussion of application by Ceetapitol Square Bar and Grill LLC t/a DC Capitol Square Bar & Grill at 1500 East Capitol Street NE (ABRA-118000) for renewal of its Class C Restaurant License.
 - Co-Chair Hatoum stated that she was unable to reach anyone from the establishment, but they signed a settlement agreement in August 2021, as they opened recently.
 - Ms. Hughley moved that the ABL Committee recommend to the ANC that they write a letter of support in favor of DC Capitol Square Bar & Grill's renewal application.
 - Ms. Sullivan seconded the motion and the motion passed unanimously with a vote of 5-0.
- Discussion of application by Langston Bar & Grille, LLC t/a Langston Bar & Grille at 1831 Benning Road NE (ABRA-076260) for renewal of its Class C Tavern License.
 - Co-Chair Hatoum stated that she was unable to reach anyone from the establishment, and the most recent addendum to the settlement agreement was from 2010.
 - The Committee members discussed how to handle the recommendation when no representatives from the establishment attend the meeting. The Committee noted the importance of establishment representatives attending the meetings so there is an opportunity for dialogue with the community, but that there is a difference between not



Committee Reports

Alcoholic Beverage and Licensing (ABL)



being able to make contact and the representative willfully not attending. It was noted that the Committee can make more of an effort to get in contact with the establishments prior to the meeting.

- Ms. Sullivan volunteered to try to get in touch with Langston Bar & Grille with respect to updating the settlement agreement.
- Ms. Hughley moved that the ABL Committee recommend to the ANC that they write a letter of support in favor of Langston Bar & Grille's renewal application.
 - Ms. Sullivan seconded the motion and the motion passed unanimously with a vote of 5-0.
- Discussion of application by LMW, LLC t/a Little Miss Whiskey's Golden Dollar at 1104 H Street NE (ABRA-079090) for renewal of its Class C Tavern License.
 - The discussion with respect to Little Miss Whiskey's Golden Dollar was moved to the end of the agenda, as the representative was not present.
 - Co-Chair Hatoum stated that she made contact with the establishment, but they were unable to attend the meeting due to a conflict.
 - Co-Chair Hatoum noted that settlement agreement is from 2008 with an addendum in 2016, and that their summer garden hours are expansive. She stated that the addendum was with respect to no live music on the patio and recorded music ending by a certain time. She noted that she has not heard any complaints and they do not appear to be asking for anything substantially different. She noted that it may make sense to reach out to them regarding updating the settlement agreement.
 - Ms. Sullivan moved that the ABL Committee recommend to the ANC that they write a letter of support in favor Little Miss Whiskey's Golden Dollar's renewal application.
 - Ms. Hughley seconded the motion and the motion passed unanimously with a vote of 5-0.
- Closing Remarks
 - It was noted that the Committee should be mindful that any unique circumstances from the original settlement agreements are not lost when they are updated to the current form of agreement.
 - The Committee members thanked Ms. Sullivan for stepping up as co-chair.

The meeting was adjourned at 8:20 pm.



Committee Reports

Transportation and Public Space (T&PS)



MINUTES

ANC 6A Transportation & Public Space Committee Meeting Public Meeting via Zoom Monday, October 17, 2022 at 7:00 pm

- I. Call meeting to order.
The meeting was called to order by Chair Maura Dundon.
Committee members present: Hassan Christian, Maura Dundon (Chair) Jeff Fletcher, Shaun Lynch, Caitlin Rogger
Commissioners present: Brian Alcorn, Robb Dooling, Phil Toomajian, Keya Chatterjee
- II. Introductions & Announcements
- III. Old Business
 - A. Review pending Traffic Safety Investigation (TSI) requests.
The Committee requested updates from the District Department of Transportation (DDOT) representative Abraham Diallo on outstanding Traffic Safety Investigation (TSI) requests. Mr. Diallo shared a few details about some TSIs and informed the Committee he would return to a future meeting with further updates.
 - D Street NE from 1200 to 1300: Mr. Diallo stated that a work order had been created for safety improvements, and the work was scheduled for completion by the end of the first quarter of 2023.
 - 11th Street NE from Florida Avenue to East Capitol Street (SR 22-00217219): Mr. Diallo stated that a report with recommendations would be available by late October or early November 2022, and that these would be shared with the Committee and made public.

The Committee supplied the full list of additional outstanding TSIs from the TSI dashboard to Mr. Diallo, and asked that he provide updates on each at a future meeting.

Community Member Michael Cushman asked for further details concerning DDOT's signage and classification of roads eligible for the 20 mile per hour speed limit that Mayor Muriel Bowser had previously announced as applicable for all local roads. Mr. Diallo stated that he would investigate and provide further details at a future meeting.

Community Member Sinclair Holiday queried the status of TSI 21-00168899 and was told by Mr. Diallo that there was no information available. Chair Dundon offered to re-submit the TSI request with Mr. Holiday and thanked him for his interest.

- B. Discuss curbside electric vehicle charging with DDOT representative including progress on vendor permits granted under the DDOT regulation (<https://ddot.dc.gov/page/electric-vehicle-charging-station-program>), alternative/additional curbside solutions beyond the DDOT regulation, and limitations on use of Level 2 charging cables over the sidewalk.

Chair Dundon introduced the item, noting that no representative from DDOT who could speak to the process or regulations was present although DDOT had been invited. Members agreed that DDOT would be asked to send a representative for the November 2022 meeting to answer



Committee Reports

Transportation and Public Space (T&PS)



questions, such as how long the permitting process would take, how a recent \$17 million federal grant for electric vehicle infrastructure awarded to the District would be spent, and which corridors might be considered suitable for charging.

- IV. New Business
None.
- V. Additional Community Comment (time permitting)
None.
- VI. Adjourn meeting



Committee Reports Economic Development and Zoning Committee



MINUTES

ANC 6A Economic Development & Zoning Committee Meeting
Virtual Meeting via Zoom
Wednesday, October 19, 2022 at 7:00 pm

Present:

Members: Brad Greenfield (Chair), Mike Cushman, Roberta Shapiro, Sam DeLuca, Jake Joyce

Commissioners: Keya Chatterjee

Brad Greenfield chaired the meeting.

Introductions of Committee Members and Commissioners

Community Comment

None

Previously Heard Cases

Mr. Greenfield summarized previously heard cases.

- 647 16th Street NE (BZA Case #20612): BZA agreed to the request for relief, even though ANC 6A was opposed.
- Racial Equity Analysis Toolkit Roundtable: Mr. Greenfield delivered ANC 6A's comments at the roundtable.
- 1341 H Street (BZA Case #19358). Modification of consequence; approved by BZA.
- 814 14th Street NE (BZA Case #20744): BZA granted special exception relief.

Old Business

None

New Business

1. 223 8th St NE (BZA 20827): Request for Special Exception zoning relief Subtitle E § 205.5, Subtitle E § 5201, and Subtitle X § 901.2 from the The rear addition requirements of Subtitle E § 205.4 To construct a rear two story with basement and third story addition, and convert to a principal dwelling unit, a two story with basement flat in the RF-1 zone at 228 8th Street, N.E. *Case scheduled for December 11, 2022.*
Lacy Brittingham represented the project. She noted that the description in the agenda was incorrect, it was BZA relief being sought, not historic preservation. Ms. Brittingham noted that this case had been heard for historic relief by the EDZ in July. The HPO had requested that the dogleg be preserved, and so the plans have been changed to reflect that.

Questions from the Committee included the status of outreach to neighbors. Mr. Greenfield moved that ANC 6A support the request for relief with no conditions. The motion was seconded by Mr. Joyce. The motion passed unanimously, six votes in favor and none opposed.
2. 1717 E St NE (BZA20821): Request for Special Exception zoning relief pursuant to Subtitle C § 305 and Subtitle X § 901.2 from the subdivision requirements of Subtitle C § 302.1, special exception zoning relief pursuant to Subtitle E § 205.5, Subtitle E § 5201, and Subtitle X § 901.2 from the rear addition



Committee Reports Economic Development and Zoning Committee



requirements of Subtitle E § 205.4, area variance zoning relief pursuant to Subtitle X § 1002 from the building height requirements of Subtitle E § 303.1, area variance zoning relief pursuant to Subtitle X § 1002 from the front setback requirements of Subtitle E § 305.1, area variance zoning relief pursuant to Subtitle X § 1002 from the rear yard requirements of Subtitle E § 306.1, and use variance zoning relief pursuant to Subtitle X § 1002 from the matter-of-right uses of Subtitle U § 301 to construct two new, semi-detached, four-story, 4-unit, apartment houses in the RF-1 zone.

At the request of the owner, this case was tabled until the November meeting.

3. 1219 K St NE (No BZA/HPRB Case): Discussion of the situation facing tenants at the Havana Building at 1219 K Street NE, and what support and actions the ANC could take to support them. Commissioner Chatterjee described the current status of the Havana. Conditions are currently terrible, with the top floor occupied by squatters, and trash not being collected. 100% of the units in the building are paid for by D.C. vouchers. The owner has been derelict, and there has been a default judgement, so the bank that held the mortgage (Westbank) has taken over the property.

Commissioner Chatterjee described two scenarios from the auction; with it either being purchased by a new owner, or no new owner coming forward. Commissioner Chatterjee recommended that the EDZ prepare two letters, one in the event that there is a new owner from the auction, and the other if there is no new owner.

Mr. Greenfield noted that the city council would need to pass legislation for the city to purchase the building. Mr. Greenfield also noted that eminent domain was not applicable. Questions from the committee included a description of the rapid rehousing voucher program, whether the Office of Attorney General is investigating this case, the use of the TOPA and DOPA programs, who the bank was that owned the building and whether they could be pressured to take action, the trash situation, the status of the Certificate of Occupancy, whether voucher payments should be withheld or held in escrow to force addressing the issues at the building, and whether the current fines for violations will convey with the building. Mr. Greenfield expressed his belief that the best case scenario is that a non-profit take over the building, and provide holistic services to the residents. Commissioner Chatterjee expressed her belief that no residents should be dispossessed in this process.

Mr. Greenfield moved that the EDZ prepare two letters to go before the ANC; one in case there is a buyer at the auction, and one if there is no buyer. Mr. DeLuca seconded the motion. The motion passed unanimously, six votes for and none opposed.

4. Text Amendment to zones NC-9 through NC-17: Discussion and consideration of sponsoring a text amendment to zoning districts NC-9, NC-10, NC-11, NC-12, NC-13, NC-14, NC-15, NC-16 and NC-17 to actively encourage use for the arts. Mr. Greenfield discussed the impetus for this discussion; that even though the H Street zones are designated as a “Commercial Arts District”, there isn’t much in the zoning to encourage arts establishments. Mr. Maxwell Tondro and Alexandra Cain from the Land Use Department of the Office of Attorney General attended to discuss on the zoning regulations. Mr. Greenfield described this session as a brain storming session, and it would likely be several meetings before any zoning amendment was recommended.

Mr. Cushman noted that the Arts District was only from 12th Street to 15th Street. Mr. Tondro outlined the text amendment process, and the role of the zoning commission. Mr. Tondro noted that it would



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be helpful if we gave him an idea of what the ANC wanted from any changes, and then they could develop some options.

Questions from the Committee included what the motivation for the ANC in getting more arts on H Street was, the scope of any text amendment so it is just focused on ANC6A, how light manufacturing is addressed, particularly related to kilns and other arts manufacturing activities, why there aren't more arts establishments on H Street, incentives that could be offered, and whether the focus should be on events or zoning.

5. Green New Deal for Housing Act (B24-0802): Consideration for ANC 6A's input to the Green New Deal in Housing Act, currently before the DC City Council.

Commissioner Chatterjee introduced the discussion of the Green New Deal for Housing. This is a bill that is currently in front of the D.C. city council. It calls for the creation of a new agency to turn District owned property into sustainable, affordable housing. Rather than just sell land to developers, this agency would develop the properties themselves. The agency would be self-sustaining, using revenue from properties to pay for operations. It has been co-sponsored by Councilman Allen.

Questions from the Committee included where the land would come from, the process for purchase of property, whether other municipalities have similar programs, and how sustainable and realistic this model is. Considerations that were noted included:

- Existing D.C. laws be modified to provide an exception for the new agency created by the Green New Deal for Housing to be able to purchase land without legislation being passed by the D.C. Council, with proper oversight.
- The city may look at the initial goals of the program, and whether it can immediately reach its' goals for affordable housing, particularly if the agency is supposed to be self-sustaining.
- The bonds issued by the new agency should be backed by the full faith and credit of the District of Columbia.
- The agency is encouraged to look at the parking requirements for the buildings developed by the Green New Deal for Housing, particularly to encourage alternatives to private cars and parking, and using public transportation.

Mr. Greenfield made a motion that the EDZ recommend ANC 6A support the Green New Deal for Housing, with the conditions outlined above. The motion was seconded by Mr. DeLuca. The motion passed unanimously, six votes for and none opposed.

Next Scheduled ED&Z Committee Meeting
Wednesday, November 16, 2022
7:00-9:00 pm
Zoom information to be posted on ANC 6A Website



Committee Reports Economic Development and Zoning Committee



The Honorable Elizabeth Gunn

U.S. Bankruptcy Court for the District of Columbia

333 Constitution Avenue N.W.

Washington, DC 20001

Ms. Kristen Eustis

Office of The United States Trustee

1725 Duke Street, Suite 650

Alexandria, VA 22314

Re: 22-00198-ELG

Dear Judge Gunn and Ms. Eustis:

I am a resident of the 1200 block of I Street NE, Washington DC, 20002. I share an alley with 1219 K Street NE, which is also known as the Havana and is the sole asset of K Street LLC, the debtor in case 22-00198-ELG.

The Havana is a 5-story, 50-unit building. One-hundred percent of its tenants are District or federal voucher holders. Since the building opened, Mr. Sequar, K Street LLC's sole director, has grossly mismanaged the property and caused its tenants to live in deplorable conditions. This letter is intended to provide a brief summary of issues with the property, and to support the appointment of a case trustee in this matter.

In 2021, at least two shooting incidents that involved individuals associated with the Havana occurred and myriad other concerns were documented, which prompted Advisory Neighborhood Commission 6A to write a letter to Mayor Bowser and other District officials seeking assistance with the building. (Attachment A). In response to the ANC letter, then-Deputy Mayor for Public Safety and Justice, Chris Geldart, confirmed, that from January 1, 2021 to March 14, 2022 (Attachment B):



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Economic Development and Zoning Committee



- 166 calls were placed to MPD related to the address
- MPD responded to 23 criminal events representing 35 criminal offenses
- MPD made 6 arrests, including one for possession of an unregistered firearm/ammunition

The ANC letter documented the following concerns:

1. Lack of secure exterior doors and an insecure vacant floor:

- a. The unoccupied 5th floor, which has been locked but which non-residents use all manner of tools to unlock and do whatever they will in, including urination, defecation, sex, and drugs;
- b. Smells of urine and feces when heat is turned on (coming from the 5th floor) and lack of heating altogether in some units, with temporary space heaters provided;
- c. Defecation in stairwells;
- d. Unlocked front and back doors & general use of premises by non-residents, including high school-aged youth, for unlawful/unsanitary purposes;

2. Other health and safety issues:

- a. Gunfire inside the building and outside the building;
- b. Missing persons tracked to the fifth floor of the building;
- c. Individuals sleeping/passed out in hallways and common areas;
- d. Drugs frequently left in common areas;
- e. Broken/unusable elevator;
- f. Overflowing trash and lack of adequate trash containers to service demand;
- g. Illegal parking in the rear of the building, which is not managed and blocks entrances, trash removal, and adjacent property access.

Since the foreclosure order was entered against the property in September 2022, conditions have further deteriorated.

1. The two dumpsters that service the property have not been emptied in at least 4 weeks. The Department of Public Works has once removed overflowing bags, but heaps of waste continue to pile up,



Committee Reports Economic Development and Zoning Committee



blocking access to the rear entrance of the building (photos included). The Department of Public Works issued an \$8,000 citation on October 6 to no effect.

2. Residents report a roach infestation;
3. Residents were left without power for a period of time on November 3, 2022;
4. City officials and neighbors completed a walk-through on October 25, and noted the following:
 - a. Nonworking elevator;
 - b. Dead rat rotting by the rear of the property;
 - c. Hallways have never been cleaned;
 - d. Water damage in common areas;
 - e. Broken windows and evidence of water issues;
 - f. Unsecured 5th floor;
 - g. Over 30 shopping carts near parking garage entrance;
 - h. At least 3 abandoned or stolen vehicles on the property.

The Havana's "owners" currently owe the District over \$50k in fines from housing code violations.

The property has repeatedly been fined for housing code violations. Following ANC 6A's letter to Mayor Bowser in January 2022, the District inspected the property in April and May and found multiple housing code violations. As of October 7, fines for those violations and a prior 2021 violation totaled nearly \$54,000.

Outstanding Fines for Housing Code Violations at 1219 K Street NE "Havana" as of 9/25/2022			
Notice of Infraction	Infraction Date	Amount w/ interest	Link to DOB payment portal
21ENF-HOUS-04968	5/22/2021	\$ 1,060.00	link



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22ENF-HOUS-03978	3/24/2022	\$ 2,216.00	link
22ENF-HOUS-03980	3/24/2022	\$ 15,722.00	link
22ENF-HOUS-03981	3/24/2022	\$ 1,108.00	link
22ENF-HOUS-03983	3/24/2022	\$ 7,092.00	link
22ENF-HOUS-03984	3/24/2022	\$ 2,216.00	link
22ENF-HOUS-03985	3/24/2022	\$ 8,860.00	link
22ENF-HOUS-03987	3/24/2022	\$ 4,428.00	link
22ENF-HOUS-03989	3/24/2022	\$ 2,216.00	link
22ENF-HOUS-03990	3/24/2022	\$ 4,430.00	link
22ENF-HOUS-03998	4/6/2022	\$ 2,216.00	link



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22ENF-HOUS-04002	4/6/2022	\$ 2,216.00	link
Total:		\$ 53,780.00	

These fines are in addition to the \$50,000 in fines assessed against the Havana in 2021 and earlier in 2022. It is worth noting that these fines are assessed against Woodbranch Havana LLC. Woodbranch, as owner, has disclaimed liability for the violations because the debtor, and Mr. Sequar hold the long-term lease for the building.

The Havana presents an immediate health and safety risk to its residents and the community. Mr. Sequar has proven completely incapable of managing the property. I therefore ask that a case trustee be appointed as soon as possible to abate the existing health and safety issues and ensure that the property is properly managed for the duration of this case.

Thank you for your consideration.

Sincerely,

Lauren Mendonsa



Committee Reports Economic Development and Zoning Committee



November XX, 2022

Mayor Muriel Bowser
1350 Pennsylvania Ave NW
Washington, DC 20004

Re: ANC 6A Request for Immediate Action Related to the Havana, 1219 K St NE

Dear Mayor Bowser:

At a regularly scheduled and properly noticed meeting¹ on November 10th, 2022, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to request that the city take action to address the situation at the building at 1219 K St NE (The Havana). The Havana has been a long-standing issue in the neighborhood, and the situation has become more intolerable. The Havana is a five-story, 50-unit structure, but the fifth floor is “vacant,” and has not been secured by the owner. That top floor has become the site of illegal and unsalutary activities, including drug use, vandalism, and open defecation. Additionally, the absentee landlord of the building has stopped paying for trash collection, creating an extreme health emergency caused by the build-up of trash on the property. Since the current owner purchased the building, it has been cited for a number of housing code violations.

We request that either the D.C. City Council authorize the purchase of the Havana, or the D.C. government find and work with a non-profit partner who can purchase the building and provide services to the residents. All of the rents paid at the Havana are paid by the D.C. government, mostly through Rapid Rehousing vouchers. As such, it is imperative that D.C. make sure that a reputable and responsive partner takes over the building, or the city directly ensure the building is properly maintained and the residents receive the services they need. Until long-term ownership can be resolved, we ask that the city undertake efforts to abate unsafe and unsanitary living conditions at the Havana, which we believe to contribute to incidents of crime and gun-violence in the vicinity. The old owner should be held accountable for the deplorable conditions at the building, even as he attempts bankruptcy protections. There are a number of laws and regulations that were regularly violated and multiple agencies are failing residents by allowing the deplorable conditions at the Havana to persist. The building residents have reported horrific living conditions since the spring of 2021, which have been reported to DC agencies. There is no question that the property is a public nuisance, and that the District should take immediate action to remediate the conditions for the safety of the residents and the surrounding community.

The housing provider is receiving 100% of his rents from DC and Federal voucher programs and continuously fails to maintain the building to ensure the residents’ safety and dignity. These are substandard living conditions in a brand new building, and based on resident feedback, no one would pay their own money to live there. We support the City’s efforts to house its vulnerable residents and welcome them in our neighborhood, but we urge your administration to examine the consequences of permitting a private housing provider to fill a 50-unit apartment complex exclusively with voucher holders without comprehensive supportive services to the residents and assistance to a building owner who is overwhelmed and not able or

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



Committee Reports Economic Development and Zoning Committee



willing to maintain a safe environment. Just a few blocks from the Havana, we have a relatively well-maintained affordable housing building at The Baldwin at 1300 H St NE, developed by an experienced affordable housing developer and property manager, Dantes Partners/Faria Management. One model is working and the other is not.

Many thanks for your attention to these matters. We look forward to a comprehensive response.

On Behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

CC:
Kevin Donahoe, City Administrator
Ernest Chrappah, Director of DCRA
Christine Davis, Interim Director of DPW
Laura Zeilinger, DHS
Robert Contee, Chief of MPD
Charles Allen, Ward 6 Councilmember
Elissa Silverman, At-Large Councilmember
Robert White, At-Large Councilmember
Brienne Nadeau, Ward 1 Councilmember
Anita Bonds, At-Large Councilmember
Phil Mendelson, DC Council Chair



Committee Reports Economic Development and Zoning Committee



November XX, 2022

Mayor Muriel Bowser
1350 Pennsylvania Ave NW
Washington, DC 20004

Re: ANC 6A Request for Immediate Action Related to the Havana, 1219 K Street NE

Dear Mayor Bowser:

At a regularly scheduled and properly noticed meeting¹ on November 10, 2022, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to request that the new ownership of the building at 1219 K Street NE (The Havana) take immediate action to address the deplorable conditions at the building. The Havana has been a long-standing issue in the neighborhood, and the situation has become more intolerable. The Havana is a five-story, 50-unit structure, but the fifth floor is “vacant,” and has not been secured by the owner. That top floor has become the site of illegal and unsalutary activities, including drug use, vandalism, and open defecation. Additionally, the previous landlord of the building has stopped paying for trash collection, creating an extreme health emergency caused by the build-up of trash on the property. Since the previous owner purchased the building, it has been cited for a number of housing code violations.

ANC 6A seeks to partner with the new owner to address the conditions quickly and provide adequate services to the residents of The Havana. All of the rents paid at the Havana are paid by the D.C. government, mostly through Rapid Rehousing vouchers. We ask the DC government work with the new owner to undertake immediate efforts to abate unsafe and unsanitary living conditions at the Havana, which we believe to contribute to incidents of crime and gun-violence in the vicinity. The multiple violations at the Havana should stay in place, although if the new ownership immediately addresses these conditions and provides a safe, clean environment for residents, we would support not having those fines levied against the new ownership. The old owner should be held accountable for the deplorable conditions at the building, even as he attempts bankruptcy protections. There are a number of laws and regulations that were regularly violated and multiple agencies are failing residents by allowing the deplorable conditions at The Havana to persist. The building residents have reported horrific living conditions since the spring of 2021, which have been reported to DC agencies. There is no question that the property is a public nuisance, and that the ownership should take immediate action to remediate the conditions for the safety of the residents and the surrounding community.

Many thanks for your attention to these matters. We look forward to working with you to make The Havana a safe, clean living space for a vulnerable community.

On Behalf of the Commission,

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



Committee Reports Economic Development and Zoning Committee



Amber Gove
Chair, Advisory Neighborhood Commission 6A

CC: Kevin Donahoe, City Administrator
Ernest Chrappah, Director of DCRA
Christine Davis, Interim Director of DPW
Laura Zeilinger, DHS
Robert Contee, Chief of MPD
Charles Allen, Ward 6 Councilmember
Elissa Silverman, At-Large Councilmember
Robert White, At-Large Councilmember
Brienne Nadeau, Ward 1 Councilmember
Anita Bonds, At-Large Councilmember
Phil Mendelson, DC Council Chair,



CMAP



Arts and Culture Planning: A Toolkit for Communities





Acknowledgements

Special thanks to:

Elizabeth H. Armistead, Village of Schaumburg

Jennifer Armstrong, Illinois Arts Council

Julie Burros, City of Chicago

Jeff Cory, City of Evanston

Lisa DiChiera, Landmarks Illinois

Brian Inman, Arts Alliance Illinois

Ra Joy, Arts Alliance Illinois

Benjamin Mason, Village of Algonquin

Wendell Mosby, Union Street Gallery

Marisa Novara, Metropolitan Planning Council

Irene Sherr, Cook County

Joanna Trotter, University of Chicago

Laura Weathered, Near Northwest Arts Council



Chicago Metropolitan
Agency for Planning

The Chicago Metropolitan Agency for Planning (CMAP) is the region's official comprehensive planning organization. Its GO TO 2040 planning campaign is helping the region's seven counties and 284 communities to implement strategies that address transportation, housing, economic development, open space, the environment, and other quality of life issues.

See www.cmap.illinois.gov for more information.

Funding Acknowledgement

CMAP would like to thank the U.S. Department of Housing and Urban Development (HUD) for funding the development and production of this document. This project is funded through HUD's Sustainable Communities Regional Planning grant, which supports CMAP's Local Technical Assistance (LTA) program.

Cover photo: Bryn Mawr Avenue underpass bricolage Living 2007, Chicago, Illinois. Credit: Chicago Public Art Group.



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Introduction

Metropolitan Chicago is home to a rich, robust, and diverse cultural ecosystem, with a varied tapestry of artists, nonprofit cultural organizations, for-profit commercial enterprises, arts service organizations, funders, institutions of higher education, and “unincorporated arts,” such as street fairs and festivals.

The region’s artistic and cultural community continues to earn national and international acclaim on both the nonprofit and for-profit sides. Its world class museums, dance companies, and cultural institutions attract millions of visitors each year. It has been called a “musical omnivore’s paradise,” offering every style of music to every style of fan in every style of venue. Its architecture and public arts have made history. And it is emerging as a key player in creative industries, from advertising to fashion.

In fact, its historical and cultural narrative is imbued with a richness and intensity equaled by only a handful of other metropolitan areas around the world. In the process, it has become one of the leading creative regions in the world.



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Umbrella Music Festival, Hideout, Chicago, Illinois. Credit: Flickr user cattoo.

Arts and Culture: Essential to the Regional Economy

Metropolitan Chicago's arts and cultural resources are not only cause for great pride, but they also contribute significantly to the region's economic health. The region's nonprofit arts and culture sector is an estimated \$2.43 billion industry. These resources serve as an economic engine for investments and employment opportunities, a magnet for cultural tourism, and a key component in improving quality of life in the region, which helps attract the kind of talent that's highly prized in the 21st Century—creative talent capable of tackling complex problems and helping to envision a brighter future.

While arts and culture are sometimes marginalized and seen as a nice “extra,” they are necessary ingredients for making communities attractive and vibrant places to live and work.

One of the central goals of the GO TO 2040 comprehensive regional plan is to make the northeastern Illinois region a better place to live. Though opinions differ on what makes a community appealing, livable communities tend to share some common traits. They are healthy, safe, and walkable. They offer choices for timely transportation to schools, jobs, services, and basic needs. They are more cost-effective for individuals and local governments. They make the region more economically competitive.

Livable communities also offer their residents opportunities for participation, whether through involvement in their governance, recreation, or creative expression. People pursue artistic and creative expression through a variety of outlets, formal and informal, as professionals, dedicated amateurs, and consumers. Furthermore, many forms of arts and culture naturally manifest as aspects of daily human activity. Whatever the means of creative expression, livable communities tend to facilitate that activity.

Whether we choose to live and work in a newer community or one that has been around for decades, livable communities are imbued with strength and vitality, possessing a unique “sense of place” that draws people and makes us feel at home and welcome. Arts and culture can play a vital role in the definition, preservation, and enhancement of this essential character of a community.

While abstract, livability is seldom an accident. Livable communities are created through effective planning and decisions by local officials, developers, and individual residents. Arts and culture already plays an important role in the region, but it has even greater potential to help communities achieve their objectives through local planning that is creative, smart, and resourceful.



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INTRODUCTION

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Arts and Culture Planning in Northeastern Illinois

Not only is metropolitan Chicago rich in arts and culture, it is also home to outstanding examples of planning for arts and culture. In 2012, the City of Chicago Cultural Plan reassessed what arts and culture means to the residents of the third-largest city in the nation, defining its vision and priorities for the future and identifying specific strategies to get the job done. Seeking to cultivate a more attractive and cohesive image for itself, the Village of Algonquin developed a comprehensive public art master plan that has guided its ambitious but financially sustainable arts program, which has

evolved into a key facet of the Village's identity. Woodstock saved its Old Court House, the anchor of the Village's iconic town square, from being demolished to make way for a parking lot, transforming it into a multiuse complex that is home to consignment art galleries, artist studios, space for special event rental, and a French restaurant.

These and countless other examples provide inspiration and guidance for municipalities that want to incorporate—or enhance—arts and culture in their community.

Purpose of Toolkit

This toolkit is intended to help municipalities incorporate arts and culture into their communities, enhance livability by improving quality of life, and become more attractive places to live, work, and play. It offers a primer on different types of arts and culture and their inherent primary needs and secondary impacts, then proceeds to detail steps that can be taken by communities:

- 1. Preparation.** Creating a local definition for arts and culture, setting goals, and articulating a desired result early in the process.
- 2. Participation and Input.** Identifying key stakeholders, exploring and establishing partnerships, soliciting and processing feedback from the community, and vetting and refining of goals and strategies as they are formed.
- 3. Assessment.** Evaluating current conditions and identifying potential obstacles as they relate to established goals, essentially asking the question, “What do we need that we don’t currently have, and what is stopping us from getting it?”
- 4. Implementation.** Formulating policies and regulatory approaches to achieve the vision of the community.

While all steps are important, implementation is where the rubber meets the road. To that end, the toolkit provides model regulatory language that can be used by municipalities to define allowed arts and culture activities within a zoning district, standards for uses to mitigate impacts, provisions to allow and encourage the adaptive reuse of existing institutional structures, as well as guidance as to how to construct an arts district—whether as an overlay district or as base zoning. Because each community is unique, much of this model language is written to allow for modification.

While the toolkit is designed to be comprehensive, it is not intended to be exhaustive. There are too many variations in local context to cover every possible scenario that may be faced by the primary audience—municipal staff and elected officials. Furthermore, a reality of the times is that most municipal staff are stretched as never before, often with one person responsible for the duties of several people who have departed or have been reassigned. This document aims to give those individuals the tools they need to take action by explaining the essential matters to consider and guiding them along a path to implementation unfamiliar to most.

There is extraordinary potential for arts and culture to help communities achieve their broader goals, strengthening the entire region in the process. The Chicago Metropolitan Agency for Planning (CMAP) hopes that this toolkit will help communities assess their options and choose the arts and culture policies that are right for them.



Defining Community Goals for Arts and Culture

This toolkit will be most helpful to communities that understand the role of arts and culture in their community and that identify clear goals for arts and culture development.

Assessing the Role of Arts and Culture in One's Community

"Arts and culture" is a broad term that needs to be refined to reflect local identity, goals, and resources. The demographics, local history, unique assets, traditions, and preferences of a community influence its definition of arts and culture and provide the context for reaching its goals in the future.

People pursue artistic and creative expression through a variety of outlets, from theatrical performances and paintings to food festivals and local craft groups. Some participants are professionals, many are dedicated amateurs, and even more are consumers. As a whole, many forms of arts and culture naturally manifest as aspects of daily human activity.

Similarly, the locations and spaces where such activities are held include professional venues such as theaters, arenas, museums, and galleries, as well as less formal settings such as local community and recreation centers, businesses, libraries, clubs, parks, schools, and other local gathering places. (Of course, individual arts activities can occur anywhere and at any time.)

Together, these artistic and cultural activities constitute a community's cultural assets and are essential to a community's well-being, economic and cultural vitality, sense of identity, and heritage.

In addition to a community's assets and strengths, it is vital to candidly assess the weaknesses and gaps in the fabric of the local arts landscape. By completing an inventory of local arts and culture resources, a community can begin to develop an understanding of what is already in place and what may be lacking. Some communities are strong in just one or two types of arts and culture, while others are home to a wide range. Regardless of how many different types are present, communities will need to evaluate whether they are meeting the primary functional needs of the types of arts that are currently present or desired in the future. In addition, many communities are considering other needs, such as the availability of affordable housing for artists, live/work dwellings, and flexible "incubator" spaces for new creative enterprises.

Some communities have regulations that unintentionally hinder the vitality of local arts and culture activity. Oftentimes these regulatory hurdles are anachronisms contained in a zoning code and may no longer be serving the purpose for which they were originally intended. To foster arts and culture in the community, many municipalities will need to reexamine its regulations to identify potential conflicts.

This toolkit provides step-by-step guidance for communities to:

- Define the local meaning of "arts and culture."
- Identify, tally, and understand its local arts and culture community and resources.
- Assess the strengths, weaknesses, and gaps in the fabric of its local arts landscape.



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Foster Avenue underpass bricolage *Indian Land Dancing*, Chicago, Illinois. Credit: Chicago Public Art Group.

Considering Broader Community Benefits

Based on specific needs, existing resources, and identified strengths and weaknesses, a municipality should determine the objectives, goals, and/or targets of the planning effort. These can include improving the geographic distribution of the arts throughout the municipality as a whole or targeting a specific neighborhood, increasing affordability for artists to practice their craft, and removing regulatory “red tape” that may hinder or prohibit the practice of certain arts.

But there are broader benefits to one’s community that should be acknowledged as well and factored into the goals for the future. This allows community members to see the value of arts and culture, even if not directly related to their day-to-day life. Describing the benefits will also build public support from various sectors of the community, which is critical to any successful planning process.

Revitalizing Neighborhoods

Arts and culture can be used as a revitalization tool—a catalyst to create active, vibrant environments and neighborhoods, helping municipalities to increase tax revenues, property values, retail activity, and job creation. Collaborative relationships can develop between arts and culture activities and local businesses, as well as aid in the attraction of tourist dollars—even the creation of a tourist economy.

Arts and cultural activity can increase attention and foot traffic to an area, including attracting visitors and increasing the length of time and money they spend, thereby contributing to continued development. Similarly, the presence of public art and related streetscape amenities, such as artist-designed lighting, signs, and benches, are ways to attract pedestrians. Communities can also develop creative ways to make artistic activity happen in vacant properties and underutilized spaces, visually enlivening areas of town that might otherwise seem deserted and uninviting.



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First Thursdays gallery walk, Pop-Up Art Loop at Block 37, Chicago, Illinois. Credit: Chicago Loop Alliance.

Improving Public Safety

Many of these same initiatives aimed at increasing economic activity can help communities struggling with crime. For example, higher levels of pedestrian activity mean more “eyes on the street,” which usually increases public safety. Public art by or emblematic of the community, such as murals, can be an effective deterrent to the pervasive spread of graffiti in problem areas, reinforcing a sense of place—and order—in the community. Improvements like these make day-to-day life better for current residents, businesses, and workers, as well as increase the attractiveness of the community, laying the groundwork for further development in the future.

Defining Community Identity and Sense of Place

Perhaps above all, arts and culture activities and initiatives can help define a community's identity and create a sense of place. Whether through low-investment arts and culture programming or more elaborate projects such as public art master plans, they can tap into, preserve, and enhance the artistic, cultural, and historical characteristics and assets of a community or neighborhood, such as its people, local history, architecture, ethnic heritage, unique customs, and food, to name but a few.

Attracting the Creative Class

In addition to strengthening the identity of a community, arts and culture can elevate the quality of life of its residents and workers. There is evidence that many individuals with advanced education and high-level skills increasingly prefer to live and work in locations with creative amenities, a culture of innovation, and a sense of place. Accordingly, their employers—as well as businesses and services targeting this demographic—seek to locate in these areas as well. Therefore, arts and culture planning can become a tool for improving a community's ability to compete in an increasingly global market for talent and the economic incentives that accompany it.

Expanding Access to the Arts

Along with helping communities achieve their local economic development goals, arts and culture activities and initiatives can improve access to the arts for all community members. Arts and culture promotes the formation of cognitive and emotional development and social connections in everyone from the youngest participants to the most senior of citizens.

Particularly important is arts education. But while there appears to be broad agreement on the value of arts education, competing priorities have led to a decline in the allocation of funding, faculty, and time to support arts education for children in grades K-12. In addition, surveys evaluating the amount of art instruction students receive have found disparities among urban and suburban schools, and students living in rural areas and those attending classes in small school districts receive the least amount of all. Resourceful municipal planning for arts and culture that builds upon partnerships and capitalizes on a community's existing resources and infrastructure can help to fill these gaps in art education.

Creating and Nurturing Local Artist Networks

The creation and nurturing of local artist networks is commonly a part of many arts and culture planning efforts. Doing so leverages a community's arts and culture resources and fosters collaboration among its residents that can pay dividends beyond the current project. The benefits of local artist networks can extend beyond the community, helping to connect its arts and culture planning to the even more extensive networks, information, and resources within the larger region—not to mention expanding the opportunity for the community to publicize its efforts and attract new visitors and, potentially, residents.



Defining Arts and Culture and its Needs

When a community undertakes arts and culture planning, it is important to understand that it includes many different types of arts and culture activities. When one thinks of a community with a vibrant arts scene, that no longer means a street lined with art galleries—it includes musicians, chefs, filmmakers, artisans, and more; a community’s “arts identity” is multi-faceted.

Creating this type of arts identity requires a thoughtful and coordinated process. During the planning stages, it is important to understand the many different types of arts and culture uses and activities, and, just as importantly, the needs and impacts unique to each. This section of the toolkit provides guidance in defining arts and culture and assessing related needs and impacts.



Understanding the Range

Arts and culture is comprised of a number of different elements. Just as each community is unique, so is the relevance of certain types of arts to a community. Even more so, communities are made up of neighborhoods that may identify more closely with, or have physical resources in place, that nurture certain types of arts.

- **Visual Arts.** The visual arts are composed of a range of fine arts, including painting, sculpture, photography, and printmaking. These can range from relatively low-impact activities, such as painters, to industrial artisan trades with significant outside impacts, like metalworking, furniture making/refurbishing, and woodworking.
- **Theater Arts.** A variety of stage performances make up the theater arts: playwrights, dance troupes, comedians, spoken word artists, and performance artists.
- **Music Arts.** Numerous communities are known for their local music scenes, which can range from amateur and professional orchestras to local bands in a wide variety of genres.
- **Culinary Arts.** While a vibrant restaurant scene contributes to thriving commercial areas, there are also a range of small-scale operations that provide a chance for chefs to practice their craft: small-scale specialty food production, catering, mobile food trucks, food stands, and microbreweries.
- **Applied Arts.** A number of the arts are more business-oriented, but nonetheless are part of local culture. These applied arts include uses such as industrial design and graphic design.
- **Fashion Design.** The design of clothing and accessories can be a large-scale operation as well as a small business, or even home-based retail use. The internet has also opened up opportunities for local designers to sell their creations online through numerous craft websites.
- **Media Arts.** Film and animation are no longer limited to major cities and can tap into local talent in communities of a variety of sizes.



New Pantheon Quartet, San Francisco, California. Credit: Flickr user Orin Zebest.



Glass blowing, Harmony, California. Credit: Flickr user Don DeBold.

Understanding Primary Functional Needs

Each of these types of arts and culture has certain functional needs. When looking at these uses and ways to encourage their growth, it is important to understand what each type of arts and culture needs to be successful.

- **Visual Arts.** In addition to studio space, the visual arts rely on exhibition space. In burgeoning art scenes, this requires both dedicated galleries as well as permissions for more informal opportunities, such as local art fairs and the secondary uses of facilities like community centers, historical societies, and recreational centers.

Community sponsored programs can open up opportunities for other non-traditional gallery spaces, as well as educational opportunities, such as inviting local artists into schools to teach children about art. Finally, the use of “makerspace” is another way to meet the needs of the visual arts. A “makerspace” is a shared studio where members share access to facilities and equipment, such as screen printing equipment.

The industrial arts, because of their nature, require unique spaces that can accommodate large-scale, high-impact activities. Often, the reuse of older industrial or warehouse buildings can provide the right type of space for these uses.

- **Theater Arts.** Generally, theater arts need performance spaces, which can range from large theaters to storefront performance spaces. Often, as these uses grow, they add on classroom spaces as well.
- **Music Arts.** Like the theater arts, music arts require performance spaces, which range from large venues, to ancillary uses within bars and restaurants, to a variety of facilities that hold special events or unconventional spaces, such as art galleries, reception facilities, and social clubs. In addition to a place to perform, the music arts need rehearsal spaces and recording studios. Depending on scale, these facilities can be integrated into neighborhoods or may be more appropriate in heavier commercial and even industrial areas due to issues of noise and traffic.
- **Culinary Arts.** Considering the cost of opening a restaurant, emerging chefs look to take advantage of a number of different types of facilities. Small-scale specialty food production can begin in a residence and move to more traditional commercial spaces. Home-brewing can start—as the name implies—at home and move to a microbrewery or brewpub. Restaurants can pop up in the form of a food truck. Generally, the functional needs of the culinary arts can be accommodated in a number of ways. However, it is important to note that the local department of health may have specific regulations for how these uses operate; in some cases, local building codes may also require a commercial kitchen depending on the nature of the operation.



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Maker space, Caldas da Rainha, Portugal. Credit: Flickr user Joao & Raquel.

- Applied Arts.** The applied arts function most like a traditional office use, and have the same needs as an office. However, when looking at permissions for these uses, regulations may frequently need modification to allow for the construction of prototypes, which is often prohibited as part of a standard office use. Similar to visual arts, the applied arts also benefit from “hackerspace” (a community lab space), where members can work on individual projects or collaborate as a group with access to shared resources such as software and hardware.
- Fashion Design.** As described previously, fashion design can range from a non-intrusive home occupation, which has limited functional needs, to a large-scale operation. Generally, larger floor plate structures are appropriate for these uses as they evolve from just design to production.
- Media Arts.** Depending on which aspect of film and animation production is undertaken, these arts can be practiced anywhere from an office with no outside impacts to a movie studio with a full range of uses: film sets, editing facilities, and recording studios. Depending on the intensity of the use, municipalities may or may not need to specifically accommodate these types of uses.

The following table summarizes the functional needs of each type of arts. It is important to remember that the arts are always evolving and that this summary is not intended to draw clear lines, but rather show key needs, which may in time grow to involve more uses and additional facilities.

Primary Needs of Arts and Culture

	Studio Space	Performance Space	Rehearsal Space	Display Space	Production Facility	Retail Space	Classroom Space
Visual Arts							
Theater Arts							
Music Arts							
Culinary Arts							
Applied Arts							
Fashion Design							
Media Arts							



Understanding Secondary Functional Needs

In addition to the key needs outlined above, many of the arts also have secondary functional needs that must be considered. Arts don't exist in a vacuum and so, to encourage an emerging artist community and arts identity, other aspects of community development that influence the success must be considered.

Many young artists just beginning their careers have very limited financial means to pursue their craft. For this reason, making affordable housing available should be considered. In addition to traditional affordable housing approaches, such as inclusionary housing based on U.S. Department of Housing and Urban Development (HUD) standards, affordable housing can include allowances for a variety of housing types rather than just single-family dwellings in key areas or conversions of larger dwellings.

Perhaps one of the best examples of addressing housing for artists is the creation of opportunities for live/work dwellings. Live/work dwellings allow for an active arts space and/or business to be conducted within a principal dwelling by an occupant of the dwelling. Live/work is distinguished from a home occupation in that it may include additional employees or assistants who are not residents of the home and typically has more customer traffic. When considering live/work dwellings, there are a number of standards that the community can include to limit the impacts on neighbors, particularly in primarily residential neighborhoods, such as:

- Limitations on floor area for the work use.
- Limits on the numbers of employees or assistants at any one time.
- Limits on hours and/or days of operation.
- Limits on the types of activities that may be considered the "work" use. This can also be refined by the context of the location; more high-impact uses may be permitted within more mixed-use areas, while low-impact uses may be allowed in residential neighborhoods.
- No outside activities associated with the work use; again, potentially refined by the larger neighborhood context.

The benefits of live/work dwellings are that artists are not required to find a secondary space to ply their craft and can even expand to additional uses, such as classrooms or galleries. For example, a live/work catering space can offer cooking classes, or an artist can include both studio space and a small gallery.

When defining typical uses within regulations, it is important not to draw the standard definitions too tightly for uses such as offices, retail establishments, and arts studios. These standard uses also serve a secondary functional need for arts and culture uses as they have evolved into shared arts space. A recent type of new use that has emerged is that of an arts incubator retail use. This is a retail use that rents "spaces" to local artists to sell their wares, often with a rotating schedule of artists. Often sponsored by a local arts organization that maintains the building and runs the retail end of the operation, these incubators both expose local artists to a wider audience and provide an opportunity for artists to make additional income.

The maker/hackerspaces described are another incubator-like environment. From a regulatory perspective, these are treated as an arts studio or office space, but in practice they create a supportive environment for artists by creating low-cost work space that allows artists to expand their craft with resources they may not be able to afford on their own. Typically, such a space is operated by an elected board comprised of members and may or may not include additional sponsors. A collaborative environment emerges through the presence of these spaces as the member artists work together, visitors from other arts organizations are welcomed, and through larger gatherings such as open houses.

Communities should also take advantage of existing physical resources to create space. Adaptive reuse of larger structures, particularly older institutional structures, such as schools and industrial buildings, provide opportunities to expand resources for artists. When located in residential neighborhoods, reuse of institutional structures brings opportunities for affordable housing, office space, and low impact arts uses. Industrial/warehouse buildings are ideal for more high-impact uses, such as industrial artisans, fashion design, culinary arts, and the like, and can also be converted into live/work dwelling units. However, it is important to keep in mind that any adaptive reuse of an existing structure should work in concert with any historic preservation program. The planning staff or the local historic preservation commission should check to see if the building is listed in or is eligible for listing in the National Register of Historic Places. If such is the case, there may need to go through regulatory design review with the State Historic Preservation Office – Illinois Historic Preservation Agency. In addition, depending on the development scenario, grants and/or tax credits may also be available when rehabilitating a historic structure.

Temporary uses provide a unique opportunity to further expand possibilities. Generally, a temporary use does not function as a studio space or production facility, but rather offers an opportunity for display and exhibition. The benefit to the community is that this often enhances the community's identity and brings visitors from outside. Whether publicly or privately sponsored, the following types of temporary uses can boost the local arts and culture environment:

- Art fairs and music festivals
- Pop-up storefront galleries
- Open air markets, where crafts and clothing can be sold
- Farmers' markets, where locally produced specialty foods can be marketed
- Mobile food trucks, both on public property (i.e., the right-of-way) and for the use of vacant lots or spaces like parking lots

Similarly, community sponsored programs help to support the local arts community. This can be done through actions such as introducing local artists into the arts education programming, providing opportunities to showcase local works in public facilities, and funding artist grants.



Understanding Secondary Functional Needs

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- Limits on hours and/or days of operation.
- Limits on the types of activities that may be considered the "work" use. This can also be refined by the context of the location; more high-impact uses may be permitted within more mixed-use areas, while low-impact uses may be allowed in residential neighborhoods.
- No outside activities associated with the work use; again, potentially refined by the larger neighborhood context.

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When defining typical uses within regulations, it is important not to draw the standard definitions too tightly for uses such as offices, retail establishments, and arts studios. These standard uses also serve a secondary functional need for arts and culture uses as they have evolved into shared arts space. A recent type of new use that has emerged is that of an arts incubator retail use. This is a retail use that rents "spaces" to local artists to sell their wares, often with a rotating schedule of artists. Often sponsored by a local arts organization that maintains the building and runs the retail end of the operation, these incubators both expose local artists to a wider audience and provide an opportunity for artists to make additional income.

The maker/hackerspaces described are another incubator-like environment. From a regulatory perspective, these are treated as an arts studio or office space, but in practice they create a supportive environment for artists by creating low-cost work space that allows artists to expand their craft with resources they may not be able to afford on their own. Typically, such a space is operated by an elected board comprised of members and may or may not include additional sponsors. A collaborative environment emerges through the presence of these spaces as the member artists work together, visitors from other arts organizations are welcomed, and through larger gatherings such as open houses.

Communities should also take advantage of existing physical resources to create space. Adaptive reuse of larger structures, particularly older institutional structures, such as schools and industrial buildings, provide opportunities to expand resources for artists. When located in residential neighborhoods, reuse of institutional structures brings opportunities for affordable housing, office space, and low impact arts uses. Industrial/warehouse buildings are ideal for more high-impact uses, such as industrial artisans, fashion design, culinary arts, and the like, and can also be converted into live/work dwelling units. However, it is important to keep in mind that any adaptive reuse of an existing structure should work in concert with any historic preservation program. The planning staff or the local historic preservation commission should check to see if the building is listed in or is eligible for listing in the National Register of Historic Places. If such is the case, there may need to go through regulatory design review with the State Historic Preservation Office – Illinois Historic Preservation Agency. In addition, depending on the development scenario, grants and/or tax credits may also be available when rehabilitating a historic structure.

Temporary uses provide a unique opportunity to further expand possibilities. Generally, a temporary use does not function as a studio space or production facility, but rather offers an opportunity for display and exhibition. The benefit to the community is that this often enhances the community's identity and brings visitors from outside. Whether publicly or privately sponsored, the following types of temporary uses can boost the local arts and culture environment:

- Art fairs and music festivals
- Pop-up storefront galleries
- Open air markets, where crafts and clothing can be sold
- Farmers' markets, where locally produced specialty foods can be marketed
- Mobile food trucks, both on public property (i.e., the right-of-way) and for the use of vacant lots or spaces like parking lots

Similarly, community sponsored programs help to support the local arts community. This can be done through actions such as introducing local artists into the arts education programming, providing opportunities to showcase local works in public facilities, and funding artist grants.



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Laurel Main Street Festival, Laurel, Maryland. Credit: Flickr user Eddie Welker.

Support for Public Art

In addition to the primary and secondary functional needs for the arts, creating a community identity through public art is an effective way to show support for the arts community and emphasize the priority that the community has placed on arts and culture.

Public art can be funded through linkages to publicly funded projects and as part of private development. Some of the common ways this is established include:

- Public art can be considered a required public benefit or amenity within private development agreements, such as planned unit developments.
- A “Percent for Art” program linked to capital improvement projects paid for wholly or in part by the municipality to construct or remodel any building, decorative or commemorative structure, park, plaza, bridge, sidewalk, parking facility, or any portion thereof. A certain percentage of the construction value, typically one percent is set aside for the addition of public art to the site or to be placed into an arts fund.

- A private “Percent for Art” program that requires new development in certain districts valued over a certain amount to provide public art or funding for an arts fund, similar to that described previously linked to capital improvement projects. (It should be noted that requiring a percent for art for all development, whether publicly or privately funded, can be a more difficult type of ordinance to adopt as concerns are often raised that it will serve as a disincentive to private development.)

In addition to funding, the administration of a public art requirement is essential. Creation of an arts commission is needed to run the program, manage the public art fund, select and oversee artist commissions, and cultural programming. In many municipalities, this is established as a commission on its own or sub-committee of a larger administrative body, but can also be assigned to the municipality’s planning department or the parks and recreation department as one of their responsibilities. Appendix A (Model Regulatory Language) of this toolkit describes how such public art requirements can be established.



Understanding Secondary Impacts

It is important to acknowledge that these arts uses may have secondary impacts, which many residents in the community may not want next door to them. For example, live performance venues, both as a primary use or accessory to a bar, can impact neighbors with noise, late night crowds, traffic, and alcohol-related impacts. When evaluating how to address these uses within the community, it is important to keep these impacts in mind.

Some of the potential secondary impacts are described in the following table for the arts and culture categories highlighted in this toolkit. However, it is important to remember that these categories are not rigid definitions; impacts vary by degree of intensity. For example, a painting studio and related gallery space

could be accommodated in a wider variety of neighborhoods than a metalworking studio and related gallery space, which would have more significant outside impacts and must be more sensitive to surrounding uses. These uses also possess a spectrum of different functional needs and therefore produce varying impacts based upon particular combinations or functional orientations.

Generally, concerns regarding these secondary impacts can be addressed through various municipal regulations, such as the thoughtful sorting of uses into the right districts, occasionally requiring special approval, creation of special districts, and drafting standards to mitigate impacts.

Secondary Effects of Arts and Culture

	Impact Level	Potential Secondary Effects
Visual Arts: General	Low	There are generally little to no secondary effects from the activity itself. If the use includes or evolves to include gallery space or art lessons, increased foot or auto traffic may occur. With regular exhibitions, the impact is similar to other performance-type events. Generally, it does not present any issues in commercial areas.
Visual Arts: Industrial Artisan	Medium to High	These types of visual arts uses tend to have outside impacts associated with more industrial production. Depending on the type, there may be issues with noise, odor, fumes, and/or dust. These are best suited for higher intensity commercial or industrial areas. Any associated gallery use presents the same impacts as above (Visual Arts: General).
Theater Arts	Medium	Theater uses present issues during times of scheduled performances, primarily foot and auto traffic. Specific types of this use, such as comedy clubs, may also cause concern regarding late-night crowds and alcohol-related impacts. High-intensity commercial areas, particularly those that concentrate other entertainment uses, are more appropriate in terms of location.
Music Arts	Medium to High	The impacts of music vary. Rehearsal spaces may have issues with noise if not properly noise attenuated. In addition, loading may need to be addressed as equipment is moved in and out. Performance venues function as theaters do. When performances are scheduled more irregularly or during seasons, such as orchestras, the concerns are primarily foot and auto traffic. Clubs that schedule nightly performances may cause additional concerns regarding late night crowds and alcohol-related impacts. High-intensity commercial areas, particularly those that concentrate other entertainment uses, are most appropriate in terms of location.
Culinary Arts	Low to Medium	Depending on the level of food production, there may be issues with proper ventilation away from neighbors. Generally, though, these are low-impact uses. Food trucks have two distinct sets of impacts based on location. Food trucks that locate on the right-of-way and change location frequently can find themselves in conflict with brick-and-mortar restaurants, which dislike the additional competition. Food trucks that locate on private property may also find conflict with restaurants, but also have to mitigate impacts of outdoor food service, traffic, and litter control. Typically, any type of culinary art will have to maintain compliance with public health regulations.
Applied Arts	Low	The impacts from such uses are those of a typical office use.
Fashion Design	Low	Any type of home-based fashion design is relatively low-impact. If clients visit for custom fittings, the impacts are no different – and should not be treated differently – that that of a home occupation. When moving to full-scale production facilities, they function as any light-industrial production facility and, when properly located within the right area, have few impacts and in fact encourage other uses, such as fabric supply wholesale stores, to locate around them.
Media Arts	Low to Medium	Media arts (animation, video game production, print/online media) where production is “contained” have no impacts, as they function as offices. Production facilities, soundstages or an all-purpose movie studio may have impacts related to traffic, noise, light trespass, and loading. For these reasons, these uses should be located in higher intensity commercial or industrial areas with similar uses.



Process

How to Plan for Arts and Culture

This section presents four key components, each broken down into a series of steps, to serve as a framework for arts and culture planning within a community. Though the components are presented in a comprehensive manner, each of the steps can be tailored to work for one's community, regardless of specific goals and/or project scope. They can be adapted to aid in the development and implementation of a single specific policy or broadened to aid in the development of an entire series of policy and regulatory recommendations for a community.

This framework is intended to serve as a guide and should be taken as descriptive of the process, rather than prescriptive. In other words, this document is not intended to promote or provide a predetermined result, and it acknowledges that users will have a variety of goals and results in mind. Therefore, it is important to note that though each component and step serves an important purpose in the process, users may reconfigure this framework to suit their particular needs and desired outcomes, using it in part or as a whole. Lastly, every community is different, and the local knowledge of those who use this toolkit is integral to the structure and success of the process.



The Four Key Components of Arts and Culture Planning

The four key components of arts and culture planning are:

- **Preparation.** The preparation component consists of some critical thinking and a series of decisions that must be made before embarking on the planning process, including creating a definition for arts and culture, setting goals, and articulating a desired result early in the process. During this initial component, the community should also take stock of existing arts and culture resources that may inform the planning process. The products of the preparation component will be continually refined throughout the process via an ongoing feedback loop of participation and input.
- **Participation and Input.** The participation component involves identifying key stakeholders, exploring and establishing partnerships, soliciting and processing feedback, and the vetting and refining of goals and strategies as they are formed. Input from citizens and stakeholders should inform each step, from the creation and refinement of project goals to the formulation of implementation strategies.
- **Assessment.** The assessment component demands an evaluation of current conditions and identification of potential obstacles as they relate to established goals. This component asks the question, “What do we need that we don’t currently have, and what is stopping us from getting it?”
- **Implementation.** Once goals and obstacles have been clearly identified and the public has had ample opportunity to provide feedback, policies and regulatory approaches should be formulated to achieve the vision of the community. These strategies should be based on established priorities and should be continually refined, vetted through the public, and evaluated as needed to ensure their effectiveness.

An example of how this process might work is as follows:

- **Preparation.** The community defines arts and culture, tallies existing resources, and identifies and articulates a goal of revitalizing a series of historic buildings that are currently vacant.
- **Participation and Input.** The residents and key stakeholders point out that the buildings would be a wonderful opportunity for artist loft live/work space, something that currently does not exist in that part of the community. They like the idea and the public supports it, as it would bring vitality back to a currently idle part of the community.
- **Assessment.** Challenges are outlined, and it is learned that live/work space is currently impossible to implement here as zoning does not permit the right uses or mixed-use development generally. Certain building code requirements may also stand in the way of reconfiguring these buildings for any type of adaptive reuse. It is noted that there is strong community support for the reuse of these buildings and there is market demand for this type of space. Needs are identified—policy directives that support adaptive reuse and community revitalization, as well as an adjustment to the regulations to allow for live/work space.
- **Implementation.** Policies are developed and supported, allowing for adaptive reuse and public art along the streetscape to encourage revitalization. The community evaluates its capacity and decides to adopt language into its comprehensive plan that supports these policies. Further, development regulations are reconsidered and changed to allow residential and commercial use simultaneously, adopted as an amendment to the current zoning ordinance using some of the model language contained in this toolkit.

Four key components of Arts and Culture Planning Toolkit





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Preparation

Preparation is key to the planning process. Before any progress can be made, there must be a solid base from which to build. This requires taking stock of existing arts and culture resources and answering a series of key questions:

- What does arts and culture mean to our community?
- What resources are already present in our community?
- What do we hope to accomplish with the planning process?
- How do we clearly articulate our goals for the planning process?
- How will we measure our success?

To move forward in an effective manner, a community must know where it is beginning in the process and what it ultimately hopes to achieve. Through a tally of existing resources, as well as thoughtful discussion surrounding the questions posed herein, a more complete picture of the arts and culture will begin to take shape.

Step One: Define Arts and Culture

The first step in the process is critical, yet it is something that may be easily overlooked. Before embarking on any type of arts and culture planning process, one must first have a clear understanding of what arts and culture means within their community. There is no strict definition that can be used globally; the demographics, local history, unique assets, traditions, and preferences of a community influence that community's definition of arts and culture, and no two communities are alike.

The definition of arts and culture that is created early in the process will help to set the tone and direction for the process overall, as well as establish what the community considers to be policy relevant uses or aspects that need to be addressed.

Some questions that should be asked in order to arrive at a suitable definition of arts and culture include:

- Is there a particular flavor or feel to the local community that expresses itself through cultural or arts uses and initiatives in the community?
- What does the community consider arts and culture to be?

This will vary from place to place. Some communities may have a broader understanding of arts and culture, or may have a more narrow understanding in terms of vocations, as described in the previous section. Some initial outreach efforts may be necessary in order to gauge the perceptions of various constituencies.

Once established, this definition can be either flexible or rigid in its approach to arts and culture. It can be fully inclusive of all types of arts and culture or targeted to a narrow range of uses that the community deems appropriate. A definition may also address perceived divisions in the arts community between formal arts programming and informal arts communities, arts versus crafts, etc. No matter its emphasis, the established definition should be as descriptive as possible to provide clarity and help the public understand the process.

The decisions made during the act of defining arts and culture within the community are critical, as they help to narrow the community's focus in terms of what is considered policy relevant when it comes to arts and culture.



Glass blowing, New Orleans, Louisiana. Credit: Tulane Public Relations.



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ARTS & CULTURE PLANNING: A TOOLKIT FOR COMMUNITIES

Step Two:

Tally Existing Arts and Culture Resources

Completing an inventory of existing arts and culture resources is a critical component of the planning process. A thorough inventory will help to broaden the potential list of partnerships that may be established, as well as to define the goals and a vision for the community based upon a broader understanding of what is already there and what may be lacking. Further, taking stock of existing resources will help to clarify the arts and culture character of the community, which can help establish a clear identity for the project. Throughout this process, the definition created in step one should be revisited and refined with an understanding of what is already at work in the community, what makes the community unique, and what may be leveraged in the effort to plan for arts and culture. For instance, creating a definition that is exclusive of arts and cultural resources already in the community could greatly weaken the legitimacy and/or broad appeal of the project and may cause problems when attempting to partner with organizations already at work in the community.

When looking for existing arts and culture resources, the full range of potential resources should be considered, which are listed as follows:

- For-profit arts organizations or businesses
- Not-for-profit arts organizations
- Cultural facilities (local theatres, galleries, museums, etc.)
- Organizers of annual events, festivals, etc.
- School arts programs
- Access to the arts initiatives, existing plans, or programs
- Social clubs or block groups
- Local artists

There are also a series of questions that may be valuable in identifying existing resources that may not be immediately apparent, yet may have a great deal of influence over the character of a community and its arts and cultural identity. These include:

- What are the community's most popular gathering places?
- Are there any historic buildings or sites in your community?
- Are there any significant natural features that help to define your community?
- Are there any products (i.e. furniture, food, industrial) that are unique to your community? Where are they made, and who makes them?

These questions can help to identify resources that are critical to an arts and cultural identity, yet may be rarely thought of as traditional arts and culture resources.



First Thursdays gallery walk, Pop-Up Art Loop at the Inland Steel Building, Chicago, Illinois.
Credit: Chicago Loop Alliance.



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Step Three:

Set Initial General Goals and Project Scope

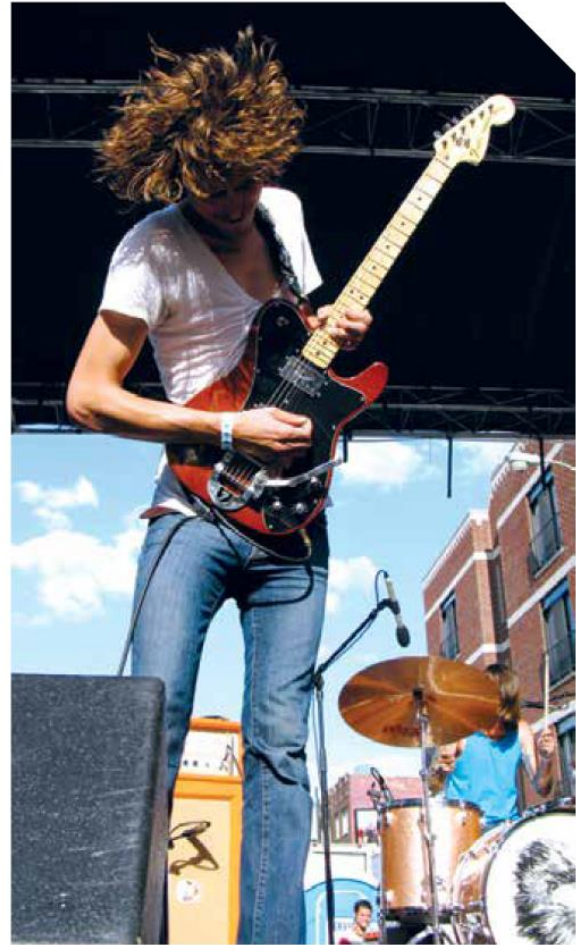
Once a definition is established, and existing resources identified, it is important to begin setting goals and a scope for what the planning process should accomplish. These goals will typically fall into one of three categories: economic, regenerative, or cultural.

Economic goals are those that may be targeted to impact job growth, output, and public sector revenue either on a community-wide scale or a more focused scale—for instance, a downtown arts district or more widespread integration of arts uses within a broader use mix. Regenerative goals are those that may include reinvestment, revitalization, or reuse of older buildings, land, or infrastructure. Cultural goals are somewhat more amorphous in form and can include larger issues of equity, preservation, community identity, and access to the arts.

Whether small in scale or large and transformative in scope, it is critical to set goals early in the process of planning for arts and culture. Goals may include anything from launching a local arts council to revitalizing existing community assets (e.g. underutilized or unoccupied buildings, land, or infrastructure), to fostering the creation of arts-based attractions and retail. They may also be as limited in scope as creating an after-school program to allow greater access to the arts for children in the community. Though the goals established at this point in the planning process will be continually revisited and refined throughout the course of the project, it is important that they be as specific as possible to establish a base from which to build a vision for the future.

Step Four: Establish a Clear Vision for the Project

Based upon the goals articulated and accepted during step three of the process, a vision statement should be created that combines the established definition for arts and culture within the community, and clearly states the overarching goals of the project. This is a critical step, necessary in attracting valuable partnerships, gaining initial feedback through a participatory process, and creating a clear understanding among both stakeholders and the public regarding what the project is and what it hopes to accomplish. Clarity will help to create buy-in among the public, stakeholders, and potential partners in the planning process. The statement should be representative of the community's identity and values and should get people excited about the process and its anticipated benefits. Once created, this vision statement should be used in communicating with the public and stakeholders and referred to for direction and refinement of strategies throughout the process to ensure that the work remains on course.



Belmont Arts and Music Festival, Chicago, Illinois. Credit: Flickr user TheeErin.

Further, the creation of a clear vision for the project allows for the establishment benchmarks to measure success. It is critical that the project be able to state clear goals and demonstrate the degree to which those goals have been met, as well as to provide the public and stakeholders with data regarding the impact of the planning process. Documenting the impact of regulatory and policy changes on arts and culture in the community, and the economic, regenerative, or cultural benefits of those changes, is key to the success of future projects both in the community and throughout the region.



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ARTS & CULTURE PLANNING: A TOOLKIT FOR COMMUNITIES

Participation and Input

At this point in the process, there should be a definition for arts and culture, a tally of existing community assets, initial goals, and a clear vision to measure success. A clear public participation program will then assist in refining each of these. Public participation efforts should reach out to the broader community in order to establish a base of participation and input that is representative of the arts and culture community, as well as to ensure that the goals and vision developed during the preparation component are valid, supported, and achievable. Participation and input are critical components of the planning process, and all decisions made to this point, as well as the inventory of existing assets, should be vetted and reinforced or refined based upon input received from key stakeholders.



Hyde Park Jazz Festival, Oriental Institute, Chicago, Illinois. Credit: Flickr user Marc Monaghan.

Identify and Interview Key Stakeholders

Key stakeholders should be identified and interviewed, with a focus on refining decisions made to this point and identifying current issues and desired outcomes. It is critical that stakeholders be a heterogeneous mix, representative of the broadest range of arts and culture in the community; every group must feel like they have a stake in the process and that their interests, their needs, and their voices are heard. Stakeholders can often be identified based upon the initial inventory that compiled earlier in the process and may include representatives of:

- Arts organizations
- Cultural facilities
- Schools
- Local artists
- Local galleries, performance venues, and similar businesses
- Local chambers of commerce and similar business improvement organizations
- A cross-section of residents, including teenagers and seniors

In addition to reviewing the goals and direction already established, interviews with these key stakeholders should help to inform the process in terms of the identification of major impediments to arts and culture in the community, as well as desired outcomes. It is often useful to conduct these interviews in small groups, to allow participants to engage and to play-off of one another's comments. Some initial questions that should be asked include:

- Do you feel that the community is currently supportive of arts and culture?
- What do you think are the major issues regarding arts and culture in the community?
- What challenges have you faced as a representative/practitioner/business owner/etc. related to arts and culture within the community?
- Are there any strategies that you have employed that have been successful in overcoming these challenges?
- What do you think the community needs most?
- What would you change?

These key person interviews are critical to evaluating initial direction, identifying current roadblocks, and outlining potential strategies for overcoming them. They may illuminate new issues, provide valuable insights into the state of the arts and culture community, and inform potential solutions or policy direction. Further, they may help to identify gaps in thinking, particularly as they relate to the initial list of assets. It is important to remember that stakeholder interviews are focused on obtaining key information related to the issues; therefore, those invited to participate should provide certain expertise and/or relevant experience rather than just interviewing a broad cross-section of the community. For key stakeholder interviews, it is quality, not quantity, of input that is the goal.



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Explore Potential Partnerships

Partnerships should be explored with a range of local government agencies, artist communities, and private sector businesses, among others. These types of partnerships may be able to contribute particular resources, skills, or support to the planning process. Potential partnerships should be evaluated based upon the particular goals of one's community, as they relate to these types of organizations or businesses. For example, a project with the goal of revitalizing existing buildings for live/work artist space may consider partnering with a local bank to negotiate special borrowing provisions or low interest loans for artists to purchase and renovate existing structures.

A project with the goal of increasing access to the arts for youth in the community may find particular interest in partnering with local nonprofits arts organizations, businesses, and schools to coordinate the creation of after-school or extra-curricular programs. The goal of planning for public art in the community may benefit from partnering with local businesses and schools to encourage displaying public art on their campuses or partnering with the department of transportation to negotiate placement of public art pieces in the public realm.

Partnerships can be critical to the planning process and often create pathways to achieving success through cooperation, as is demonstrated in a number of the case studies found in Section 5 of this document. Therefore, it is critical to consider a range of partnerships throughout the planning process for a variety of reasons. If interested partners come forward, consider letting them contribute to the process in whatever way they may be able to help. Maintaining focus and keeping an eye toward accomplishing the goals established at the outset of the process is critical. However, it is also important to remember that allowing contributions from a range of stakeholders and partners will increase community ownership over the process in the long-term.



Gate, John F. Collins Park, Philadelphia, Pennsylvania. Credit: Camiros.

Public Participation

As goals and strategies are developed, they should be vetted through a thorough public participation process. This process should continue throughout the course of the project.

Various participation strategies can be used to take the public's temperature in regard to acceptance of certain ideas and actions. To gain the maximum amount of public input, focus groups, public workshops, and open houses should be conducted and ongoing feedback should be encouraged through participation techniques such as surveys, both hard-copy and online.

- **Focus Groups.** Focus group sessions seek to reach a better understanding of key issues and the degree of consensus concerning how they should be addressed. Focus groups allow for in-depth identification and discussion of key issues and concerns. They also provide the opportunity to probe for reasons underlying certain concerns and to begin to test possible solutions. They are particularly useful in exploring the issues and possible solutions associated with key groups or uses within the arts and culture community.
- **Public Workshops.** Public workshops are highly creative working sessions, designed to focus participants' attention on specific issues and to result in well thought-out concepts and strategies. They may include members of the community, technical experts, implementation partners, and local officials, among others. These working sessions should be well monitored and choreographed to ensure that the focus remains on the specific issues intended for discussion and to ensure maximum productivity.
- **Open Houses.** Open houses can provide an opportunity to publicly present the project vision, issues, goals, and strategies. Such events are generally open to the entire community and structured to allow for residents to ask questions and provide comments and input on the project and its direction, in part through surveys and one-on-one conversation.

Project Steering Committee

In most cases, a project can benefit from a steering committee made of key stakeholders that will be central to the process—reviewing documents, refining goals, determining appropriate implementation strategies. This steering committee may include elected officials, representatives of local arts organizations, knowledgeable and interested citizens, and any number of individuals identified as key stakeholders in the process. This group can provide invaluable input and direction in the development of strategies and help to broaden participation in the planning process by reaching out to their respective organizations and community circles.



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Mosaic mural, Philadelphia, Pennsylvania. Credit: Camiros.

Assessment

The assessment component of the process involves taking stock of what is currently working to allow arts and culture in the community and what current roadblocks may be in place. This process should be heavily influenced by the results of the key person interviews conducted, as well as the goals formulated earlier in the process. If the process to this point has served to define arts and culture and establish goals, then the assessment phase serves to identify what may currently be working for or against those goals.

An audit of current roadblocks and strengths should be conducted, specifically to evaluate what has supported existing arts and culture uses and where land use policies or specific regulations have restricted or prohibited arts uses. A series of potential strengths and roadblocks have been described as follows:

- **Regulatory hurdles or roadblocks vs. regulatory permissions.** Many cities and towns may have zoning codes that make it difficult or impossible to produce the right mix of uses to foster arts and culture, such as artists' live/work space. Further, additional regulatory hurdles may exist that make it difficult to establish the character desired for these uses, e.g. public safety and anti-music ordinances preventing the establishment of performance venues. Often these regulatory hurdles are anachronisms contained in a zoning code and they may no longer be serving the purpose for which they were originally intended. It is important in these cases that they be identified and evaluated to ensure that creative uses are accommodated through their adjustment or elimination.
- **Challenging partnerships vs. successful partnerships.** Are there existing partnerships between government and community organizations, grassroots efforts, and local artisans? Or is there a history of unfruitful partnerships that may need more attention and nurturing? The lack of strong, focused partnerships can cut into the time spent on productive work and can create problems for a planning effort over the long term. It is important to identify these issues up-front and work to overcome what may be a challenging situation. Creating successful partnerships is a challenge and requires listening, accommodating other's agendas and/or timelines, and teaching and sharing of skills and information. It also requires constant evaluation and the wherewithal to admit when a relationship needs adjustment for the better of the long-term goals.



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"SamichBox" food truck, Chicago, Illinois. Credit: Flickr user Jamie Manley.

- **Community skepticism vs. community buy-in.** Skepticism can be a crippling opponent to the success of arts and culture planning, whether it comes from individuals and organizations who may feel left out of the process or that their needs are not being addressed, or local residents who simply may not understand the initiative. It is critical to be inclusive in the process from the out-set and to ensure that all voices are heard throughout the effort. A clear and straight-forward agenda can be articulated to the public to achieve buy-in and support on a large scale. Any "hot-button" issues should always be tackled head-on and in a transparent manner.
- **Long-lived and well-maintained vs. unsustainable initiatives.** It is often a more successful endeavor to attract support for establishing arts centers, revitalizing streetscapes, and creating spaces for artists than it is to attract support for their maintenance and operation in the long-term. It is important both to identify and acknowledge the long-term maintenance needs of these types of initiatives during the planning process so that solutions can be built into the process, as well as to garner support for their upkeep and maintenance to ensure longevity.

If planning for arts and culture in a community is a difficult process, it may be said that monitoring and evaluating the success of that process is more difficult still. It is critical during the process to establish a means of monitoring the impacts of these planning efforts as a tool for demonstrating their impact on a community in terms of the presumed benefits of improved local economies, increased property values, improved public safety, increased access to arts for people of all ages, and general increases in quality-of-life metrics, among others. Building strategies for collecting, analyzing and presenting this data is a critical step in the process, and communities must be aware of the importance of making the case for their efforts. Key organizations, such as Arts Alliance Illinois, are in the process of developing tools to help communities quantify the benefits of their arts and culture improvements, and the continued refinement and evolution of these types of tools should be supported.

By comparing the established list of arts and culture goals with this assessment of existing strengths and potential obstacles to arts and culture policies, a list of needs can begin to take shape. For instance, if a community has the goal of increasing artists' live/work spaces and current zoning ordinance prohibits such types of development, a need has been identified—an update to the community's zoning code that allows for residential and commercial use on the same lot.

Once a list of needs and potential policy and regulatory strategies for fulfilling those needs has been formulated and vetted, the implementation component may begin.



Implementation

Once policy and regulatory needs have been established, and direction for how to accommodate those needs has been agreed upon, the implementation component of the process can begin. There are a number of ways that arts and culture policies and/or regulations can be implemented. It is important to understand that the policy and regulatory approaches are not exclusive and can be combined to achieve maximum impact.

Policy Plans

There are two main types of arts and culture policies—those that primarily drive private endeavors and investments, and those that drive public initiatives and investments. Typically, policies related to private development and investments include items such as allowances for certain types of development in specific areas; for instance, art galleries, music studios, or space for industrial arts. Public policies may be those related to initiatives such as public art programs, after-school arts classes for local children, artist grants, etc. These typically require a policy shift or accommodation for funding, grants, and allocation of administrative resources.

From a policy perspective, the community may choose to take two main paths toward implementation. The community may undertake a stand-alone strategic arts and culture plan or may choose to incorporate arts and culture policies into its comprehensive plan. Though these paths are in many respects the same, there are some differences in how they may be executed, adopted, and perceived. Further, the community should remain realistic in terms of available funding, staffing, and ability to complete either of these plans.

- **Strategic arts and culture plan.** Strategic arts and culture plans exist in a variety of forms, from those that comprehensively address all arts and cultural aspects of the community as a whole, to those that address one specific issue (e.g. music performance venues), to those that address one specific district (e.g. a downtown cultural plan). A stand-alone document such as a strategic arts and culture plan is more likely to be widely publicized and can set the tone for arts and culture policy within the community.

However, it is important to note that for such a plan to have the same legal standing as the comprehensive plan, it should be introduced and adopted as a component of the comprehensive plan, including the same process for adoption.

- **Arts and culture as a component of a larger policy document.** These same types of arts and culture policies can be incorporated into any of a number of larger policy documents. For example, a community may choose to integrate arts and culture policies into a new comprehensive plan or as amendments to an existing plan. Similarly, arts and culture can also be a key part of policy documents such as neighborhood plans or downtown plans.



One-day workshop, Open Studio Project, Evanston, Illinois. Credit: Open Studio Project.

More specifically, incorporating arts and culture into a comprehensive plan can be accomplished in one of two ways. The plan can create a section that specifically targets arts and culture within the community, as done with sections reserved for housing or economic development. In this approach, arts and culture policies are detailed, typically address a wide range of issues, and involve specific implementation actions. An alternate approach is to weave arts and culture policies throughout the various topic areas where they would support and benefit other policies. For example, if a comprehensive plan includes policies to create a downtown identity, public art may play a role in that. In another example, if the plan looks at social issues, such as youth programs, policies to implement arts education programming may be included.

Like any planning effort, how arts and culture finds a home within a comprehensive plan is unique to each community, influenced by numerous factors such as history, community character, physical resources, funding, and many others.



Chinese New Year parade, Chicago, Illinois. Credit: Flickr user Kymberly Janisch.

Development Regulations

One way to encourage the growth of arts and culture in a community is to eliminate roadblocks within the municipality's development regulations. By allowing for the range of uses that encompass arts and culture, zoning can accomplish two things—first, it is easier for the arts to establish themselves in a community and take root, and second, the standards can address the concerns of others in the community regarding the secondary impacts. But it is important to remember that development regulations are only one part of this effort—regulations can permit arts and culture uses, but removing the roadblocks doesn't mean an artist community will emerge quickly. Zoning needs to work in concert with public policies and programs. The following outline provides an understanding of the importance and limitations of regulations:

How can zoning stand in the way of encouraging arts and culture?

- An older use structure often unintentionally excludes arts and culture uses.
- Limitations on mixed-use development reduce opportunities for artist communities, which thrive in such areas.
- Regulations can limit opportunities for affordable housing.
- Standards that are too strict and/or require too many special approvals discourage new arts uses (art galleries, performance venues, etc.) to locate in a community.
- Regulations that prevent adaptive reuse can take key physical resources "out of play."

What are the benefits of creating regulations to accommodate arts and culture?

- Often artist communities start underground without zoning permissions because an ordinance is out of date. This can lead to later conflicts when an arts hub has taken root, but is not allowed. This can cause strain on the artist community and, at times, undermine its viability.

- Zoning can distinguish the various scales of arts uses and respective impacts. This includes anticipating situations where the scale of use may begin with little to no impact on others and then grow over time.

What do development regulations do well?

- Regulations can control the off-site impacts of a use.
- Where impacts are felt more strongly when certain types of uses cluster together, zoning can space uses effectively and create specific areas where clustering is desired (i.e., entertainment district, gallery district).
- Zoning allows the sorting of uses into appropriate districts where certain uses are more acceptable than others.

What do development regulations not do well?

- Regulations must remain content neutral. This means that uses must be regulated on their impacts not their "type." For example, zoning cannot say that a "rock club" is prohibited but a "jazz club" is allowed.
- Development regulations do not regulate the quality of a use or operator. This must be enforced through existing ordinances or codes, such as licenses and nuisance ordinances.
- Permits, licenses, and regulations related to occupancy limits, alcohol service, and public health requirements for food production are outside of the purview of development regulations.

Examples of these types of planning efforts can be found in Section 5, including how plans and policies have related to the "anticipated benefits" listed in Section 2 of this document and regulatory revisions undertaken by communities to remove roadblocks to arts and culture environments.



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Case Studies Related to Policy Goals

Algonquin, IL - Public Art Program

The Village of Algonquin saw a need to enhance—and to some extent redefine—the community's sense of place, cultivating a more attractive, cohesive image that drew upon the Village's unique historical and cultural legacy, the beauty of its natural and built environments, and its vitality. After deciding that a vigorous public art program had the potential to help them reach this goal, in 2005 the Village developed a comprehensive master plan for an ongoing public art program that included the identification of areas throughout the Village that would be appropriate for the display of public art, creation of a system of diverse funding sources (from developer donations, grants, and private donations), and the establishment of a Public Arts Commission to identify contributing artists and evaluate the appropriateness of individual pieces of art. Algonquin's public art program has been a success, breathing unexpected color and new life into its indoor and outdoor spaces, linking art to the everyday life of residents and visitors, and helping to cultivate a new image for the Village.

For more information:

algonquin.org/departments/board.php?FDD=7-20



Public art, Algonquin, Illinois. Credit: Village of Algonquin.

Chicago, IL - Beverly Arts Center

Located in Chicago's historic Beverly/Morgan Park neighborhood, the Beverly Arts Center offers fine arts education, programming, and entertainment for all ages in many disciplines. The original Beverly Art Center was created in the late 1960s as a result of efforts by community organizations such as the Beverly Theater Guild. The Center's new location was completed in 2002. The BAC has classes in art, music, dance, and theater. The Center also rotates exhibitions of art by both established and emerging artists. The Center's performing arts program is considered one of the most dynamic in the city. As a nonprofit organization, the Center is sustained by its members and by a strong local arts community, many of whom volunteer. The BAC also rents its performing arts and exhibition spaces for social, charitable, and business events, providing an additional revenue support.

For more information: beverlyartcenter.org

Chicago, IL - North River Commission

The NRC is a community development corporation that unites over 100 civic associations, businesses, schools, institutions, and places of worship on the northwest side of Chicago to improve the quality of life for all constituents in the community. As part of the Building Community through the Arts initiative of the Local Initiatives Support Corporation (LISC) Chicago, the NRC sought to foster community development by integrating arts into the NRC's other programs, such as education and economic development. Following the strategies in the BCA program, the NRC created an "Arts-in-Action Plan" in 2006, identifying a series of projects to comprehensively address different issues and opportunities in the community, including a sculpture garden, public art in the community's Chicago Transit Authority stations, neighborhood cultural festivals, community banners and planters, and tours highlighting the diversity, food, art, and cultural offerings, and other amenities of the community. Within six years, all projects were either completed or fully initiated, and the NRC has recently updated the plan, determining its priorities for the next three to five years.

For more information: northrivercommission.org



NRC neighborhood cultural festival, Chicago, Illinois. Credit: North River Commission.



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CASE STUDIES

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Chicago Heights, IL - Union Street Gallery

Housed in a reclaimed Elks Lodge that was built in 1927, the gallery provides two floors of professional gallery space and a third floor with 16 individual studios for artists. Union Street offers classes and workshops that are open to all residents in the community, but is especially focused on providing arts education not offered by the community's public schools. As part of a small business incubation project funded by a local economic development corporation, the gallery was founded in 1995 as a working arts incubator and gallery. After its initial funding ended, the studio/gallery was forced to vacate the building. However, a deal between the City of Chicago Heights and a local developer allowed the building to be rehabilitated and retrofitted for specific use as a gallery and art studio space. After moving back in and paying rent to the developer for several years, the City offered a ten-year lease directly to the Union Street Gallery for \$1 a year in 2012.

For more information: unionstreetgallery.org

Cleveland, OH - Gordon Square Arts District

LISC funds enabled an arts master plan to be created in the late 1990s, with support from the City of Cleveland and community development corporations. One result of the process is the Gordon Square, where neglected historic theatres have become the anchors for a vibrant new arts district.

For more information: gordonsquare.org

Elgin, IL - ArtSpace Lofts

Elgin has included arts and culture in its downtown revitalization planning, and the City was able to leverage support from Kane County and the Illinois Housing Development Authority, among others, to develop the ArtSpace Lofts. A former Elgin Community College facility, and before that a Sears Roebuck store, was renovated and enlarged to create 55 units of affordable, live/work space for artists and their families, as well as 6,000 square feet of art-focused retail and community space. The City's arts community and local officials worked collaboratively with ArtSpace on the \$15.2 million project, one of 31 ArtSpace developments around the country, with the goals of catalyzing further development in the area and bringing vibrancy to the downtown area. A similar ArtSpace live-work space is currently being completed in downtown Waukegan through renovation of the historic Karcher Hotel.

For more information:

artspace.org/our-places/elgin-artspace-lofts

Harvard, IL - Starline Factory

After inventing and patenting the hay carrier in 1883, Henry Ferris was persuaded to move his shop to the basement of a hardware store in Harvard, Illinois. Over the years, Ferris and the hardware owners, Helm and Hunt, manufactured more than 50 products and acquired more than 250 patents on equipment designed to streamline farm work. More than a decade ago, Orrin Kinney rescued the hardware and manufacturing building from demolition. Kinney has repurposed the old factory into 20 artist studios and 7,000 square feet of exhibition space. The Starline Factory also raises revenue by serving as a venue for meetings, parties, weddings, and special events.

For more information: starlinefactory.com



Historical photograph and present-day, Starline Factory, Harvard, Illinois. Credit: Starline Factory.



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Paducah, KY – Artist Relocation Program

The City of Paducah works to acquire neglected properties and market them for rehab as live/work space for artists through a partnership with a local bank that provides low interest loans for the rehabilitation. The City designated the Lower Town area (where the properties are located) a historic district, and it enforces design guidelines to maintain the neighborhood character throughout the rehabilitation. Since 1999, 70 artists have rehabilitated 80 properties and constructed 20 new buildings in the neighborhood, resulting in a 10-1 return on investment for the city.

For more information:

paducahalliance.org/artist-relocation-program

Philadelphia, PA – Mural Arts Program

Philadelphia's Mural Arts Program is a City agency funded through both private contributions and public assets. Over the course of 26 years, large scale mural artwork created by local artists, neighborhood youth, prison inmates, and re-entrant workers has helped to stabilize and uplift Philadelphia neighborhoods, improving community perceptions and public safety, and providing opportunity for residents.

For more information: muralarts.org/

Phoenix, AZ – Public Art Master Plan

In 1988, Phoenix adopted the nation's first public art master plan, applying "an arts perspective to city-shaping systems ranging from transportation to water to housing." The ordinance contains a flexible structure that allows resources to be pooled by department, creating opportunities for high-impact interdepartmental public art projects.

For more information: phoenix.gov/arts/publicart

San Jose, CA – Creative Entrepreneur Project

In 2008, San Jose's Office of Economic Development and Cultural Affairs launched the CEP to nurture artists and link them to the region's technology community. Partnerships with nonprofits, public organizations, and private businesses aim to help artists become successful as business owners in the region—an acknowledgement of the important role of the arts in the vitality of the region. San Jose provides an effective model for investigating partnerships between city organizations and local businesses to produce synergies that result in economic gains and community vitality through the arts.

For more information: sanjoseculture.org/?pid=7000

Schaumburg, IL – Prairie Center for the Arts

Opened in 1986, Prairie Center is owned and operated by the Village of Schaumburg. It has become one of the premiere performance venues in the northwest suburban area, hosting local entertainment as well as international touring acts. Prairie's 442-seat theatre has exceptional sightlines and outstanding acoustics. The Center offers a diverse range of music, dance, and theatre programming, as well as an outdoor summer concert series. Many of the Center's spaces can be rented for private events. The Prairie Center Arts Foundation is a

501(c)(3) chartered to support to support the Center through fundraising and promotion. The Foundation hosts events throughout the year and acts as a liaison between the Center and other community institutions such as local schools and arts organizations.

For more information: prairiecenter.org

Seattle, WA – City of Music

Musicians and music entrepreneurs challenged city regulations to demand recognition of the economic and cultural role of the music industry in the City of Seattle. Beginning in 2002, local "anti-music" ordinances have been repealed or adjusted, and the city embraced the role of music/musicians in its economic vitality. Among other changes, music venues are now exempt from Seattle's 5-percent tax on admissions fees, helping more venues to open, and musicians have access to affordable health care at a local "pay-what-you-can" musician's clinic.

For more information: cityofmusic.com

Woodstock, IL – Old Court House Arts Center

Woodstock's Old Courthouse was constructed in 1857, and was later enhanced with a sheriff's building and jail. After being saved from demolition by local residents, extensive renovation was accomplished to coincide with America's Bicentennial, leading to the building's inclusion on the National Register of Historic Places. The Old Court House Art Center now occupies much of the building, with galleries showcasing contemporary artists from Illinois and Wisconsin. Art is offered for sale on a consignment basis, with an Executive Committee evaluating submissions from artists who would like to exhibit their works. The Arts Center complex includes a renovated, third-floor courthouse for rental for special events, as well as housing a French restaurant in the former Sheriff's House. Woodstock's courthouse and town square gained visibility when the Village was used for filming of the 1993 movie Groundhog Day. Such a recognizable building clearly serves as an anchor for the well-visited square, as well as providing a premier venue for art exhibition.

For more information: oldcourthouseartscenter.com



Old Court House Art Center, Woodstock, Illinois. Credit: Flickr user Jimmy Emerson.



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CASE STUDIES

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Case Studies Related to Development Regulations

When implementing arts and culture policies and updating associated regulations, communities will assess the potential roadblocks to arts and culture uses within their ordinances. This requires updating of uses and definitions, examination of all regulations to identify those that impede arts uses, temporary use permissions, creation of new adaptive reuse provisions, etc. The following case studies highlight some zoning initiatives from across the country that show how this has been accomplished. This is only a small sampling of the many unique regulatory actions that cities have taken.

Baltimore, MD

Acknowledging the arts community emerging from the city's arts colleges and the existing physical resource of older, unused industrial buildings, the code includes an Industrial Mixed-Use Zoning District to encourage the reuse of older industrial buildings for a variety of other non-industrial uses, such as artist space, live/work dwellings, and institutional uses, creating a mixed-use artist-oriented environment.

Boston, MA

An artist space initiative facilitates an increase in artist housing and work space within the city. Blanket zoning changes for artist housing enable live/work developments in industrial, residential, and commercial areas. Zoning overlays, use permissions, and "space guidance" are used as tools to maintain compatibility.

Denver, CO

Denver's Space Matters is oriented toward providing affordable space for artists. The report identified area specific zoning to accommodate for a wide range of arts uses, reduced parking requirements to encourage adaptive reuse, removal of use barriers to arts-related home occupations, and removal of barriers associated with form requirements that impede additions to accessory structures like garages.

Jersey City, NJ

The Powerhouse Arts District increases the concentration of arts-oriented uses in underutilized former industrial areas. It was designed to increase concentration of arts uses within designated industrial areas of the city using tools such as overlay districts, "artist certification" to ensure appropriate occupancy, minimum gross space or concentration indices, and use permissions.

Lowell, MA

An artist overlay district for artist live/work was created for the downtown that encourages artists to live/work downtown by providing access to space. Tools include use permissions, overlay districts, unit/space standards, and development "bonusing" allow increase in floor area where the project is in the downtown district and constitutes a live-work project.

New Orleans, LA

The New Orleans Arts and Culture Overlay District accommodates a series of live entertainment uses, but with additional permissions to sustain established and promote new arts and cultural uses, including a limited number of small-scale live entertainment venues in neighborhood business or mixed-use areas compatible with the character of nearby residential neighborhoods.

Paducah, KY

As part of the Artist Relocation Program highlighted previously, Paducah created specific zoning for the Lower Town neighborhood to allow live/work spaces where artists could both live and run galleries, arts studios, restaurants, and other mixed uses.

Phoenix, AZ

Following adoption of its Public Art Master Plan, Phoenix's zoning structure was examined to see the permissions needed by and the ramifications of the master plan. One such addition to the Ordinance was the "Arts, Culture, and Small Business Overlay," which is described as an overlay that will "allow greater flexibility in land uses and standards that will contribute to the vitality of the downtown area and will enhance community events." This overlay permits a greater mix of arts-oriented uses, live/work space, and temporary outdoor entertainment events.



Appendix A

Model Regulatory Language

As referenced in this toolkit, this appendix provides models of arts and culture ordinance language.

The following model language is provided in this section:

- A. Arts and culture related definitions
- B. Standards for uses
- C. Adaptive reuse of existing structures
- D. District models
- E. Public art programming

Because each community is unique and has local traditions and tolerances, much of this model language is written to allow for modification. Where the model contains [bracketed language], it is direction for how a community should consider regulating such use.



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Arts and Culture Definitions

Select arts and culture definitions are provided as follows:

Art Gallery

A commercial establishment that engages in the sale, loan, and/or display of paintings, sculpture, photography, video art, or other works of art. An art gallery does not include uses such as a library, museum, or non-commercial gallery that may also display paintings, sculpture, video art, or other works of art.

Artist Community

Land and structures used as a meeting place, retreat, and exhibition center for the exchange of ideas between artists, members of the professional art community, and the general public, which may provide exhibition space, work space, meeting space, lecture halls, performance space, and sculpture parks, as well as living and dining facilities for the staff, artists, and participants in the center's retreat programs.

Artist Studio - General

A studio for artist activities, such as painting, sculpture, photography, or video art, with little to no outside impacts.

Artist Studio - Artisan Industrial

A studio for artisan-related crafts, which are more intensive uses, such as metalworking, glassblowing, furniture making, pottery, leathercraft, and related items.

Arts Studio - Commercial

A commercial establishment where an art, type of exercise, or activity is taught, practiced, or studied, such as dance, martial arts, photography, music, painting, gymnastics, or yoga. An Arts Studio-Commercial may have performance-space related to the classes taught on-site.

Cultural Facility

A facility open to the public that provides cultural services and facilities including, but not limited to, museums, cultural centers, historical societies, and libraries operated by a public, private, or nonprofit organization.

Farmers' Market

A temporary marketplace offering fresh fruits, vegetables, juices, flowers, plants, herbs, and spices produced or grown by vendors, and baked goods, dairy goods, meats, and prepared foods made by vendors, and crafts made by vendors for sale, including vendors that have taken such items on consignment for retail sale.

Food Processing - Light

A facility for the preparation, processing, canning, or packaging of food products where all processing is completely enclosed and there are no outside impacts. Light food processing facilities may include areas for accessory retail sales or restaurants that serve the products processed on site.

Live Entertainment

Any one or more of any of the following that is performed live by one or more persons, whether or not done for compensation and whether or not admission is charged: musical act, including karaoke, theatrical act, including stand-up comedy, play, revue, dance, magic act, disc jockey, or similar activity. Live entertainment is conducted in conjunction with another use, such as a restaurant or bar, where such other use is open for business even when there are no performances scheduled and/or maintains hours of operation distinct from times of scheduled performances. Live entertainment does not include any form of entertainment related to an adult use or sexually-oriented business.



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Live Performance Venue

A facility for the presentation of live performances, including musical acts, theatrical plays or acts, including stand-up comedy and magic, dance clubs, and disc jockey performances using vinyl records, compact discs, computers, or digital music players. A live performance venue is only open to the public when a live performance is scheduled and does not include any form of entertainment related to an adult use or sexually-oriented business.

Live/Work Dwelling

A structure combining a dwelling unit with a non-residential use permitted in the zoning district in which the structure is located that is principally used by one or more of the residents. A live/work dwelling may also include the combination of a dwelling unit with arts-related activities, such as painting, photography, sculpture, music, and film, principally used by one or more of the residents. Live/work dwellings are subject to the standards for the individual uses contained within the ordinance.

Microdistillery

A facility for the production and packaging of alcoholic beverages in quantities not to exceed 12,000 gallons per year and may include a tasting room. A tasting room allows customers to taste samples of products manufactured on site and purchase related sales items. Sales of alcohols manufactured outside of the facility are prohibited. A separate liquor license is required for sales of alcohols manufactured on site.

Microbrewery

A facility for the production and packaging of malt beverages of low alcoholic content for wholesale distribution, with a capacity of less than 12,000 barrels per year and may include a tasting room. A tasting room allows customers to taste samples of products manufactured on site and purchase related sales items. Sales of alcohols manufactured outside of the facility are prohibited.

Movie Studio

Facilities for the production of motion pictures and film, including stages, exterior sets, film laboratories, sound recording facilities, construction, repair and storage facilities, caretaker and temporary housing, related commercial vehicles, and accessory fabrication activities.

Recording and Rehearsal Studio

A facility for sound recording and mixing and/or rehearsal space.

Temporary Open Air Market

A temporary outdoor public marketplace where goods are sold, such as flea markets, arts and crafts fairs, and art fairs.

Temporary Outdoor Entertainment Events

A temporary live entertainment event, such as the performance of live music, revue, or play within an outdoor space.

Temporary Mobile Food Establishment

A vehicle-mounted food establishment, where food preparation and service is housed in a truck or a trailer, typically called a food truck.

Temporary Storefront Gallery

A temporary gallery within storefront windows where artwork is displayed to the public.



Standards for Uses

Depending on the community, certain uses need specific standards to help mitigate impacts and encourage good relationships with neighbors. For arts and culture related uses some of the most important are live/work dwellings, live entertainment, and temporary uses. The following are model standards that deal with some of the most common impacts.

Live Entertainment

1. Live entertainment is considered a separate principal use, which requires separate approval and must be allowed within a zoning district and in conjunction with a permitted bar, restaurant, or amusement facility.
2. Live entertainment must submit the following impact management plans:
 - a. A loading management plan when the use is over 10,000 square feet in gross floor area.
 - b. A security plan.
 - c. A noise abatement plan.
3. Live entertainment must submit the following operation plan:
 - a. The days and hours of operation for the establishment's general operations as a bar, restaurant, or indoor amusement facility, and the days and hours of operation for the live entertainment component.
 - b. Intended use of amplification and noise attenuating techniques to be used.
 - c. The size of the establishment and the size, location, and configuration of the live entertainment area within the establishment.
 - d. Maximum occupancy loads.
4. If the live entertainment use plans an increase in intensity, such as an expansion of floor area, increase in live performance area, or increase in permitted occupancy, the impact management plans and operation plans must be updated and resubmitted for approval. Revised impact management plans and operation plans must be approved prior to the issuance of any permits.

Live Performance Venue

1. Live performance venues must submit the following impact management plans:
 - a. A loading management plan.
 - b. A security plan.
 - c. A noise abatement plan.
2. Live performance venues must submit the following operation plan:
 - a. The anticipated hours of operation when performances are scheduled.
 - b. Intended use of amplification and noise attenuating techniques to be used.
 - c. The size of the establishment and the size, location and configuration of the performance area within the establishment.
 - d. Maximum occupancy loads.
3. If the live performance venue plans an increase in intensity, such as an expansion of floor area, increase in live performance area, or increase in permitted occupancy, the impact management plans and operation plans must be updated and resubmitted for approval. Revised impact management plans and operation plans must be approved prior to the issuance of any permits.

Live/Work Dwelling

1. The work component must be located within a fully enclosed principal or accessory building owned or occupied by a resident.
2. No processes or equipment may be used that creates undue noise, vibration, glare, fumes, or odors detectable off the property.
3. Outdoor storage is prohibited.
4. The maximum floor area of the work component within the dwelling unit may not exceed 60 percent of the total floor area [this number can range from 30 percent to 60 percent]. The work component may also extend to an accessory structure.
5. No more than [number] non-resident employees may be present at any one time during the hours of operation.
6. Hours of operation of the work component that are open to the public are limited to [the community should set limitations in line with surrounding businesses and the nature of the "work" components anticipated].



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Temporary Uses

Temporary Outdoor Events

The following types of temporary outdoor events should be required to provide a management plan and should be limited to certain a number of events per year and a maximum duration per event:

- Farmers' Market
- Temporary Open Air Market
- Temporary Outdoor Entertainment Events

The following standards should be refined to apply to each type of temporary outdoor event:

1. A management plan is required as part of the temporary use permit application that demonstrates the following:
 - a. The on-site presence of a manager during hours of operation who shall direct the operations and all participants [vendors, performers, exhibitors].
 - b. An established set of operating rules addressing the governance structure of the event, hours of operation, maintenance, and security requirements.
 - c. General layout of [vendor stalls, performance areas, exhibition areas], visitor facilities, such as seating areas and restrooms, and all ingress and egress points to the site.
 - d. Provision for recycling and waste removal.
 - e. The days and hours of operation, including set-up and take-down times.
2. Such events are limited to [number] events per calendar year and a maximum duration of [number] days per event.

Temporary Mobile Food Establishment

The following model standards regulate food trucks located on private property. Separate ordinances, located outside of zoning, are needed for those that locate on the right-of-way or on public property.

1. All mobile food establishments must be properly licensed by the [municipality], including compliance with all public health regulations.
2. If the mobile food establishment operator is not the owner of the site where the truck or trailer will be located, written permission from the property owner must be submitted as part of the temporary use permit application.
3. Sale of alcohol is prohibited.

4. During business hours, the permit holder must provide a trash receptacle for customer use and must keep the area clear of litter and debris at all times.
5. Outdoor seating may be provided on the site, but no seating may be permanently installed.
6. A permanent water or wastewater connection is prohibited.
7. Electrical service may be provided only by temporary service or other connection provided by an electric utility or an on-board generator.
8. Drive-through service is prohibited.
9. A mobile food establishment is limited to signs attached to the exterior of the truck or trailer that must be mounted flat against the truck or trailer with a maximum projection of six inches, and one A-frame/sidewalk sign.

Temporary Storefront Gallery

Temporary storefront galleries provide a unique way to activate ground floor space within commercial structures. Rather than paper over windows or leave views into vacant stores, the storefront windows allow artists to display their work to the public and increase the visual interest along a commercial street. From a regulatory perspective, very little is needed to allow for such a temporary use as this is a private agreement between the building owner and the artist. However, listing it as a permitted temporary uses indicates that the municipality is supportive of such use. In particular, a temporary storefront gallery use should be exempt from any permit requirements. To this end, an ordinance can include the following control:

1. A temporary storefront gallery is permitted within any non-residential structure, including mixed-use structures, must be completely internal to the storefront space (i.e., no exterior display of artwork), and does not require a temporary use permit. A temporary storefront gallery has no time limit on display.



Adaptive Reuse

The following provisions allow for and encourage the reuse of existing institutional structures, such as educational facilities, places of worship, and warehouse and industrial structures, and can be expanded to other structures as needed as well as restricted only to certain districts. These provisions apply to existing buildings that are no longer used for their original purpose and can be converted into a use compatible with the zoning district.

1. Adaptive reuse requires special use approval [this can also be allowed by right or a separate process created]. If the adaptive reuse is proposed for a structure on the National Register of Historic Places, approval is required [the regulations should reference any required reviews and approvals, as well as the appropriate commission, for a designated historic structure].
2. Site plan review is required [if the community does not have site plan review, it is recommend to make adaptive reuse a special use approval].
3. Adaptive reuse is subject to the following standards:
 - a. The existing structure is clearly non-residential in its construction and original use.
 - b. If the existing structure is altered or expanded, it must comply with the development standards of the district.
 - c. No additional off-street parking is required for the new use. However existing parking spaces must be maintained. [This provision can be revised so that parking must be provided either in the full amount required by the ordinance or with a certain percentage or formula reduction from the amount.]
 - d. Unless permitted by the district, outside storage or display is prohibited. All servicing, processing, and storage uses must be located within the structure.

- e. Adaptive reuse in a residential or mixed-use district [districts may be specified]. The following uses, or combination of the following uses, are permitted [uses should be tailored to ensure compatibility]:

- i. Artist studio - general
- ii. Cultural facility
- iii. Day care center
- iv. Multi-family dwelling
- v. Office

Adaptive reuse in a mixed-use district [districts may be specified]. The following uses, or combination of the following uses, are permitted through a special use permit [these uses should be tailored to ensure compatibility and only allowed if the areas have larger industrial structures within a residential or mixed-use district]:

- i. Art Gallery
- ii. Artist studio - artisan industrial
- iii. Arts studio - commercial
- iv. Bar
- v. Food processing - light
- vi. Live entertainment
- vii. Live/work dwelling
- viii. Microbrewery
- ix. Micro-distillery
- x. Restaurant



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District Model

The following provides guidance as to how to construct an arts district, whether as an overlay district or as base zoning. Because of the diversity of arts communities and the unique nature of each municipality, model language is not appropriate; rather, a checklist of components and decision-making principles for each are provided.

Purpose

[Both base and overlay districts]

Districts of any type should include a purpose statement so that ordinance users are aware of the anticipated type of development within the district. Generally arts districts benefit from a mixed-use environment, where both work space and live space is available. Mixed-use neighborhoods encourage walkable neighborhood centers and corridors, with a mix of residential and compatible non-residential uses. Buildings may contain vertical mixed-use as well as single purpose uses designed to provide transitions to adjacent lower density residential areas.

For the purposes of creating an arts and culture district, there may be one of two levels of development/use intensity that is appropriate:

- Low intensity mixed-use, where lower intensity arts uses are mixed with a variety of housing types.
- High intensity mixed-use, where a wider variety of arts uses of varying intensities, are combined with higher density housing types.

There is a unique type of mixed-use district that is appropriate for communities with transitioning industrial areas. An industrial mixed-use zoning district encourages the reuse of older industrial buildings where a variety of other non-industrial uses, such as live/work dwellings, residential, arts and culture, and commercial uses would be appropriate or have already begun to occur.

Applicability

[Overlay districts only]

If an overlay district is used, the applicability of the district is necessary. This should describe how the district functions in concert with the base district and may include a delineation of the boundaries.

Uses

[Both base and overlay districts]

One of the key elements in an arts district is the use structure. These districts tend to be more flexible in the uses they allow. The following table describes the types of uses that should be allowed within an arts district, with recommendations for those that should be permitted or require special use approval. They are described in terms of the three levels of development intensity provided in the purpose statement. If an overlay district is created, these are the uses that should be allowed in addition to those permitted by the base district.

Temporary Uses

[Both base and overlay districts]

The following temporary uses should be allowed within an arts district:

- Farmers' Market
- Temporary Open Air Market
- Temporary Outdoor Entertainment Events
- Temporary Mobile Food Establishment
- Temporary Storefront Gallery

Temporary use standards for these uses are provided above.

Use Standards

[Both base and overlay districts]

As needed, use standards for the uses permitted within the district should be added to mitigate any potential impacts. Examples of common ones are provided above.

Dimensional and Design Regulations

[Base districts only]

As with any base district, an analysis of existing built conditions and desired development intensity and form should be undertaken to determine the proper yard and bulk regulations. If form elements are desired (i.e., creating more prescriptive building requirements), standard bulk and yard regulations may be enhanced with required build-to lines or minimum and maximum yards, rather than just a minimum yard requirement, minimum building heights in addition to a maximum, required ground floor transparency, maximum ground floor elevation, and similar building design elements. This can also include design standards that regulate building materials, require articulation, more specifically regulate fenestration design, and similar controls.



Committee Reports

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VILLAGE OF CAMPTON HILLS COMPREHENSIVE PLAN

Special Regulations

[Both base and overlay districts]

There may be a need to allow for certain modifications to general ordinance standards. For example:

- Reductions in or elimination of minimum parking requirements, particularly in pedestrian-oriented districts.

- Adaptive reuse permissions.

- Special sign regulations that allow for more intense signage, such as electronic signs, larger projecting signs, marquee signs, etc.

These should be tied to a desired form for the district.

Types of Uses in Arts District: Permit or Require Special Use Approval?

USE	Low-intensity A/C Mixed-Use		High-intensity A/C Mixed-Use		Industrial A/C/ Mixed-Use	
	PERMITTED	SPECIAL	PERMITTED	SPECIAL	PERMITTED	SPECIAL
Art Gallery						
Artist Community						
Artist Studio: General						
Artist Studio: Artisan Industrial						
Arts Studio: Commercial						
Bar						
Dwelling, Single-Family						
Dwelling, Two-Family						
Dwelling, Multi-Family						
Dwelling, Above the Ground Floor						
Cultural Facility						
Food Processing: Light						
Live Entertainment						
Live/Work Dwelling						
Micro-Distillery						
Micro-Brewery						
Movie Studio						
Recording and Rehearsal Studio						
Retail Goods Establishment						
Restaurant						
Theater						



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APPENDIX A: MODEL REGULATORY LANGUAGE

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Public Art Programming

Public Art as Public Benefit in Private Development

Public art can be considered a required public benefit or amenity within planned unit developments (PUD), one of the most common development agreements. In exchange for flexibility offered under the PUD process, a municipality should gain high-quality amenities, public space, building design, and/or other benefits to the community. An ordinance should clearly define the types of amenities or elements that are required in exchange for the flexibility and bonuses offered through the PUD process. When creating a menu of public benefits and amenities that can be provided in exchange for the flexibilities offered in bulk and use requirements, “public art and/or public art funding” can be included.

Percent for Public Art

A “Percent for Public Art” ordinance has been adopted by many cities across the country. This type of ordinance is part of the larger code of ordinances within a municipality, rather than located within the zoning regulations and is generally structured as follows. It can also be structured to apply to projects that receive public funding, in whole or in part, or for any development, including privately funded development. The regulatory distinctions between these two types is provided as follows:

Percent for Public Art: Public or Private Funding

ORDINANCE PROVISIONS	Percent for Public Art: Public Funding	Percent for Public Art: Private Funding
Purpose	A clear purpose statement that describes the benefits of public art to the community. Linkages to adopted plans and/or other policies should be stated.	
Applicability	When tied to public funding, the percent for public art applies municipality-wide and is linked to capital improvement projects paid for wholly or in part by the municipality to construct or remodel any building, decorative or commemorative structure, park, plaza, bridge, sidewalk, parking facility, or any portion thereof.	When linked to developments that are privately-funded, these should be targeted to specific areas such as a downtown or business district, rather than the entire municipality.
Threshold	Percent for public art is typically limited to projects of significant scale, such as a \$1 million value.	
Percentage	One percent of the construction value. In addition, large cities typically reduce the percentage once the project hits a certain value; for example, New York City reduces the percentage to 0.5 percent once the value exceeds \$20 million.	
Exemptions	The ordinance should allow for developers to pay into an arts fund as an alternate to installing the public art piece. An option should also be included to allow elected officials to waive the percent for public art requirement in its entirety when it is not appropriate as part of the CIP project.	The ordinance should allow for developers to pay into an arts fund, as an alternate to installing the public art piece.
Review Process	The role of the arts commission or other similarly charged public body in selecting, reviewing, and installing the artwork should be defined.	



Appendix B

Key Resources for Communities

This toolkit is intended as an introduction for communities that have decided that arts and culture is a priority, guiding them through the process of arts and culture planning and providing the tools necessary for effective decision-making and identification of implementation strategies. Using the processes outlined in this toolkit, communities will determine and implement arts and culture policies that are right for them.

The following are resources that go into greater detail on a range of key topics essential to planning for arts and culture, including placemaking, pop-up art (for empty storefronts, etc.), and public art.



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ARTS & CULTURE PLANNING: A TOOLKIT FOR COMMUNITIES

General

American Planning Association: Arts, Culture, and Creativity Briefing Papers www.planning.org/research/arts

A series of briefing papers produced by the American Planning Association illuminate a number of perspectives on the relationship between arts, culture, planning, and place. These briefing papers also include a number of potentially helpful links.

Artplace America www.artplaceamerica.org

A compendium of projects, grant opportunities, and insights, with filters that allow fine-grained selection. This compendium is a good resource to check out projects in Illinois and around the country and learn about what may/may not have contributed to their success.

Creative Placemaking www.nea.gov/pub/CreativePlacemaking-Paper.pdf

A report by cultural and economic development experts Ann Markusen and Anne Gadwa Nicodemus, commissioned by the Mayors' Institute on City Design, a leadership initiative of the National Endowment for the Arts in partnership with the U.S. Conference of Mayors and the American Architectural Foundation. The paper discusses arts and culture as placemakers, the creative economy, challenges for creative placemaking, and components of successful placemaking initiatives. It also includes 14 initiatives that the authors believe are "unique and pathbreaking cases with demonstrated accomplishments."

National Assembly of State Arts Agencies www.nasaa-arts.org

Provides many helpful resources including a "State Arts Agency Strategic Planning Toolkit" and research/issue briefs on key topics such as creative economic development, arts education and participation, and public art.

Placemaking Chicago placemakingchicago.com/index.asp

Developed by the Metropolitan Planning Council in consultation with the Project for Public Spaces, Placemaking Chicago offers several valuable resources that are targeted to Chicago neighborhoods but easily adaptable to suburban communities, including a "step-by-step" guide to placemaking, links to existing community resources around the region, and downloadable guides, form letters, and sample agendas, base maps, and action plans.

Pop-Up Art

Pop-Up Art Loop www.popupartloop.com/artists.php

Provides information for Artists and Owners of retail space.

While specific to the Chicago Loop Alliance's Pop-Up Art Loop program, provides lessons that may translate to other communities in the form of application procedures, checklists, and lists of incentives for owners.

Pop-Up Art Guide www.weho.org/index.aspx?page=957

West Hollywood's guide for pop-up art in retail spaces provides information for artists and property owners, as well as some guidelines for projects, and a list of recent successful installations.



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APPENDIX B: KEY RESOURCES FOR COMMUNITIES

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Public Art

Americans for the Arts Public Art Network

www.artsusa.org/networks/public_art_network/resources_tools.asp

A website rich in resources for artists and communities interested in establishing programs. Of particular interest may be the Public Art Network Resources and Tools, including information on best practices, model contracts/agreements, and webinars such as “Public Art 101 for Administrators.”

City of Chicago Public Art Program

www.cityofchicago.org/city/en/depts/dca/provdrs/public_art_program.html

Outlines the various aspects of Chicago’s Public Art Program, including the Percent for Art Ordinance, Public Art Locations, Artist Registry, and Policies and Procedures including guidelines for the program. A potential resource for communities looking to implement a percent for art program of their own, Chicago’s (in 1977) was one of the earliest in the country.

Community Public Art Guide

www.cpag.net/guide/index.htm

Produced by the Chicago Public Art Group, this resource provides step-by-step guidance on a number of topics, including community murals, community engagement, community mosaics, working with youth, etc. This resource is geared more heavily toward artists, though the insights are undoubtedly relevant to other groups or constituencies.

The Public Art Archive

www.publicartarchive.org

An excellent source for examples of real public art projects around the country. It includes diverse examples that show what can be done and what could lead to discussions with artists and communities about how the projects were accomplished.

Public Art Online (United Kingdom)

www.publicartonline.org.uk

A helpful resource with many case studies and resources for a variety of audiences. Though the site is based in the UK, they provide “guidance and examples of public art practice from around the UK and internationally.” There may be lessons to be learned from exploring the case studies and resources compiled on the website.

Public Art Toolkit

forecastpublicart.org/toolkit/tutorial.html

A well-organized resource for public art projects, organized into five sections: Tools, What is Public Art?, Glossary, Project Gallery, and Resources. Tools include items such as Permissions and Permits, Financing and Funding, and Community Engagement.

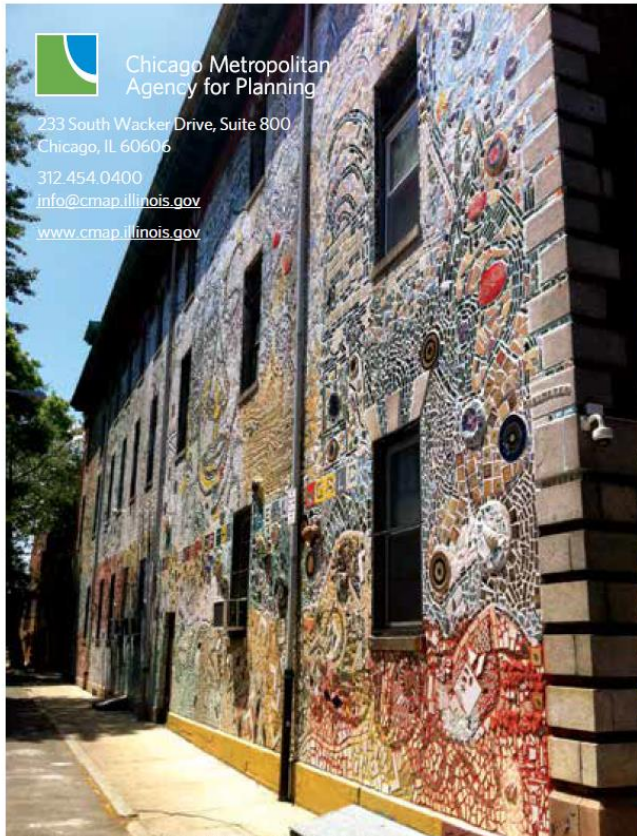
Seattle Office of Arts and Culture - Public Art Roadmap

www.seattle.gov/arts/publicart/roadmap.asp

Provides step-by-step guidance for “how to start, build and maintain a public art project in your neighborhood,” with sample projects included. The Office of Arts and Culture also provides information on the various Art Plans and Municipal Art plans in place—useful resources when considering implementing similar plans in our region.



Committee Reports Economic Development and Zoning Committee





Commission Business



New Business

Suggested Motion: ANC 6A send a letter to Councilmembers Vincent Gray and Robert White and Department of General Services (DGS) Director Keith Anderson to request urgent support for repairs and improvements to Eastern High School Athletic Facilities. (Alcorn)

Suggested Motion: ANC 6A approve the appointment of Ayisha Lockett as members of the Economic Development and Zoning Committee. (Dooling)



Commission Business



November XX, 2022

Dr. Lewis D. Ferebee
Chancellor, District of Columbia Public Schools
1200 First Street, NE
Washington, DC 20002

Mr. Keith Anderson
Director, Department of General Services
2000 14th Street NW, 8th Floor
Washington, DC 20009

Dear Chancellor Ferebee and Director Anderson:

At a regularly scheduled and properly noticed meeting¹ on November 10, 2022, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to request urgent support for repairs and improvements to the athletic facilities at Eastern Senior High School, located at 1700 East Capitol Street, NE.

Eastern Senior High School, “the Pride of Capitol Hill” and one of the oldest continually operating schools in the District, is celebrating its centennial anniversary having been established in its present location in 1923. The campus was fully renovated between 2009 and 2010 as part of a revitalization project to preserve the classical building while simultaneously providing a modern learning environment that could accommodate up to 1,100 students. The reconstructed Eastern re-opened /in 2011². Eastern is an anchor and constituent institution of our community and this Commission, and at its heart the receiving “feeder pattern” high school for many of our Capitol Hill DCPS rising middle schoolers.

It has come to our attention through the advocacy of faculty, students and staff and through input of our community members that there is an immediate need for a number of athletic facility repairs or replacements to be carried out at Eastern. It is also our understanding some of these items are long-standing requests which, if carried out, could appreciably improve safety or provide a more complete educational experience for students. These items include:

- Reconstruction of the turf football field due to safety concerns as well as functional wear and age³;
- Repair of the malfunctioning football scoreboards (work order #710600);
- Repair of the malfunctioning football PA system (work order #723489);
- Re-setting of the crooked football goal posts;

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

² https://dgs.dc.gov/sites/default/files/dc/sites/dgs/page_content/attachments/July_2011_Monthly_Report.pdf

³ We appreciate that DGS conducts and discloses the results of annual GMAX testing on fields it maintains to assess where maintenance may be required: <https://dgs.dc.gov/page/gmax-reports-2022>. Many sources point to a 10-12 year lifespan of a synthetic turf field. GMAX assessments conducted for Eastern High School show a field installation date of “unknown.”



Commission Business



- Replacement of a large number (~20) of burnt-out spotlights around the basketball and tennis courts.
- Repair and regrading to the baseball/softball field.
- Replacement of deteriorating trash and recycling receptacles and dumpsters throughout the campus due to rodent and dumping issues. We recommend moving the dumpsters at 17th and A Streets NE inside the fence to reduce illegal dumping.

We are also including a copy of an October 17, 2022 letter from Ward 7 Councilmember Vincent Gray that details several other athletic- and building-related repairs that appear to be needed at Eastern, following a school visit with the Ward 7 State Board of Education Representative. We ask that you give the items on the Councilmember's expanded list similar priority consideration.

I can be contacted at 6A04@anc.dc.gov and Brian Alcorn, whose single-member district includes Eastern High School can be contacted at 6a08@anc.dc.gov should you have any questions.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

Cc: The Honorable Robert C. White, Jr, At-Large Councilmember
The Honorable Vincent C. Gray, Ward 7 Councilmember
The Honorable Charles Allen, Ward 6 Councilmember
Eboni-Rose Thompson, Ward 7 State Board of Education Representative
Julia Irving, Director, Mayor's Office of Community Relations and Services (MOCRS)



Commission Business



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

VINCENT C. GRAY
Ward 7 Councilmember
Chair, Committee on Health
Co-chair, Special Committee on COVID-19 Pandemic Recovery

Committee Member:
Business and Economic Development
Judiciary and Public Safety

October 17, 2022

Keith Anderson
Director
Department of General Services
2000 14th Street, NW, 8th Floor
Washington, DC 20009

Dear Director Anderson:

Earlier this school year, my office undertook a series of school visits, along with Ward 7 State Board of Education Representative Eboni-Rose Thompson, to assess the outstanding and pressing needs at a sample of Ward 7 DCPS schools. I am relaying the findings, observations, and some photographic support to you with the expectation of the immediate resolution by the Department of General Services.

I also request that you provide ongoing, regular updates to my office until these issues are resolved to the satisfaction of the impacted school communities, including school leadership, faculty, staff, students, and families.

Randle Highlands Elementary School

1. Ants in the school;
2. Rodents (mice), including rodent droppings in the students' food bags;
3. Lights in cafeteria area are not fully functional;
4. Handles on several doors are not working;
5. Ceiling in room 2209 is leaking and has been an ongoing issue for 4 years;
6. Several trees have fallen on the fence outside of the school causing damage to school property, and;
7. Adhesive on the stairs is damaged.

Smoothers Elementary School

1. Parking issues due to construction;
2. Roof area needs to be closed off and secured because of potential climbing hazard, and;
3. Construction is occurring during school hours.



Lorraine H. Whitlock Elementary School (formerly Aiton ES) at Kenilworth Swing Space

1. HVAC issues in cafeteria;
2. Air ducts in the floor are extremely dirty;
3. Door/tent has been damaged due to break-in;
4. Trash dumpster is overflowing due to insufficiently frequent trash pick-up, and;
5. Water pressure alarm consistently ringing.

I was particularly struck by the untenable, and quite frankly, embarrassing conditions that the Whitlock (formerly Aiton ES) community must endure daily. This space was also previously used by the Smothers community for the 2020-21 and 2021-22 school years while Smothers Elementary School was under construction for modernization.

Kelly Miller Middle School

1. Fire alarm issues on the weekend. Fire Department has had to break the door multiple times to gain access to building;
2. Water leaking from the ceiling has damaged the P/A system;
3. Internet issues – slow and unreliable;
4. Doors do not lock on the 3rd floor girls' restroom;
5. Cafeteria has 21 broken chairs, and;
6. Mold on ceiling outside of library.

Eastern High School

1. HVAC still is a major issue throughout the entire school;
2. Bleachers in gym cannot extend because players will not have a place to sit;
3. Bleachers in gym are damaged;
4. Speed humps are needed in the back parking lot;
5. Football field is inadequate for games / no turf;
6. Scoreboard is not working;
7. Goal posts are crooked;
8. Track has 7 lanes instead of required 8 lanes that are needed for competition;
9. Mold and water damage in the field press box;
10. Bathrooms for student athletes are not working;
11. Ceiling tiles in the award room needs to be replaced;
12. Camera is not working in Zone 5;
13. Zone 10 door is broken – Work order # 716679;
14. Zone 6 exterior door damaged – Work order # 717390;
15. Zone 9 exterior door damage – Work order # 717127;
16. Zone 5-B exterior door – Work order # 706104;
17. HVAC in the band room – Work order # 718519;
18. HVAC room E228 – Work order # 718734;
19. HVAC room W-143 – Work order # 718590;



Commission Business



- 20. HVAC room W-145 – Work order # 718579;
- 21. P/A System E-111 – Work order # 721099;
- 22. Library Glass / rubber frame – Work order # 706811 (submitted on May 2, 2022), and;
- 23. Classroom ceiling damage – Work order # 707139 (submitted on May 4, 2022).

Please also see the pictures included in the appendix of this letter. I appreciate your swift attention to and resolution of these matters. I look forward to hearing from you soon.

Sincerely,

Vincent C. Gray

Attachment



APPENDIX

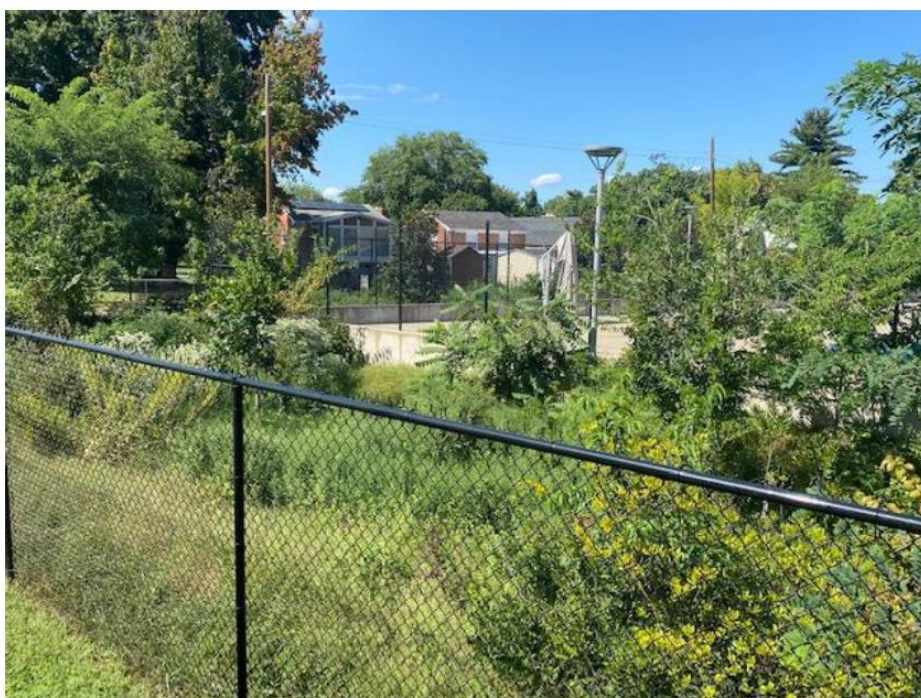
Lorraine H. Whitlock Elementary School (formerly Aiton ES) at Kenilworth Swing Space

Dumpster overflowing:



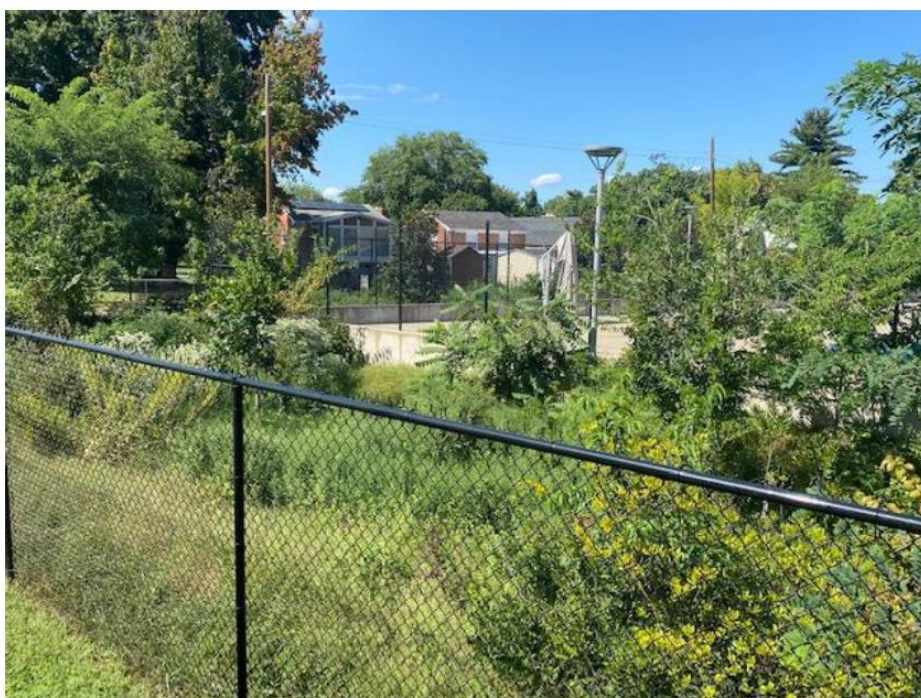


Grass on the outside of fence needs to be maintained:





Grass on the outside of fence needs to be maintained:



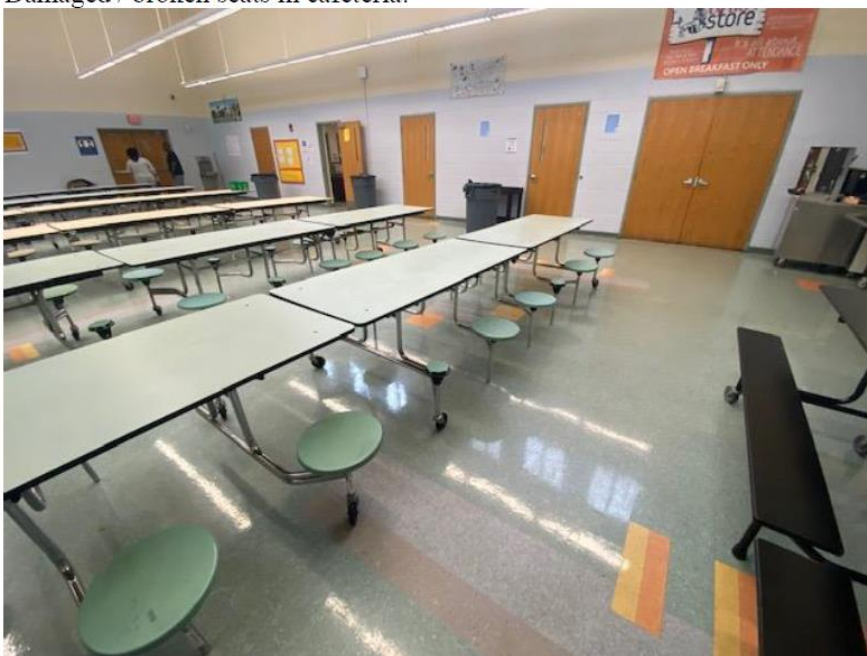


Kelly Miller Middle School

Mold / ceiling tile needs to be replaced:



Damaged / broken seats in cafeteria:





Eastern High School

Camera not working in Zone 5:

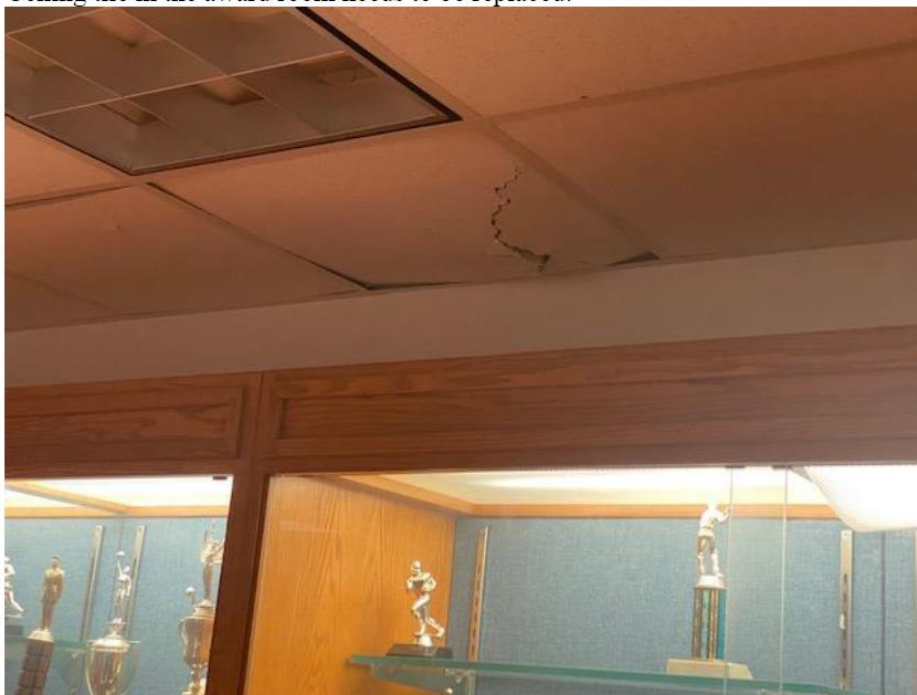


Zone 6 exterior door damaged:





Ceiling tile in the award room needs to be replaced:



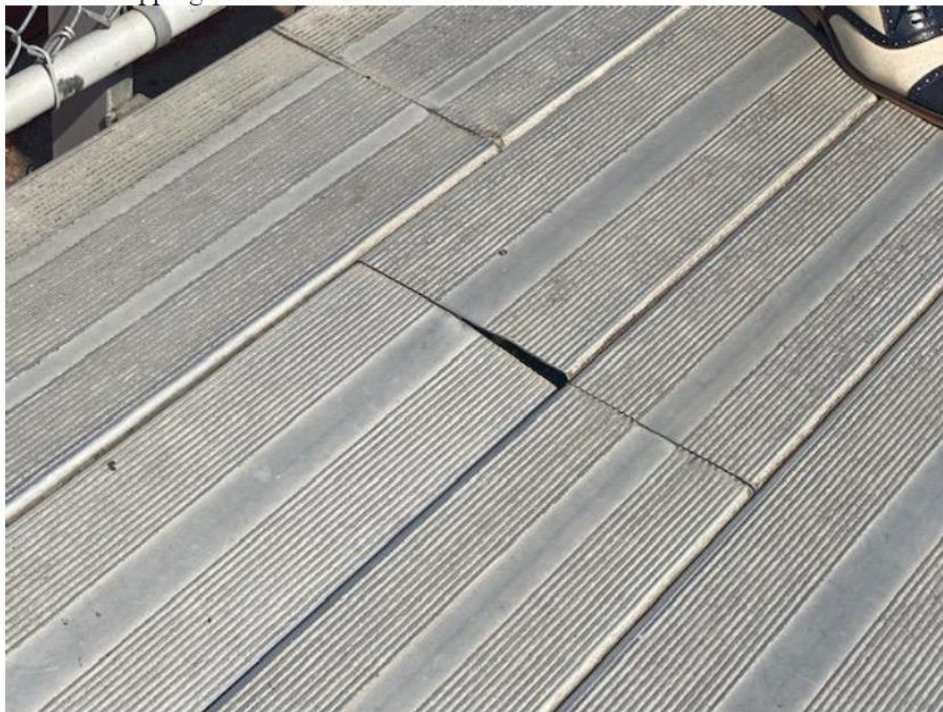
Broken bleachers in the gym:



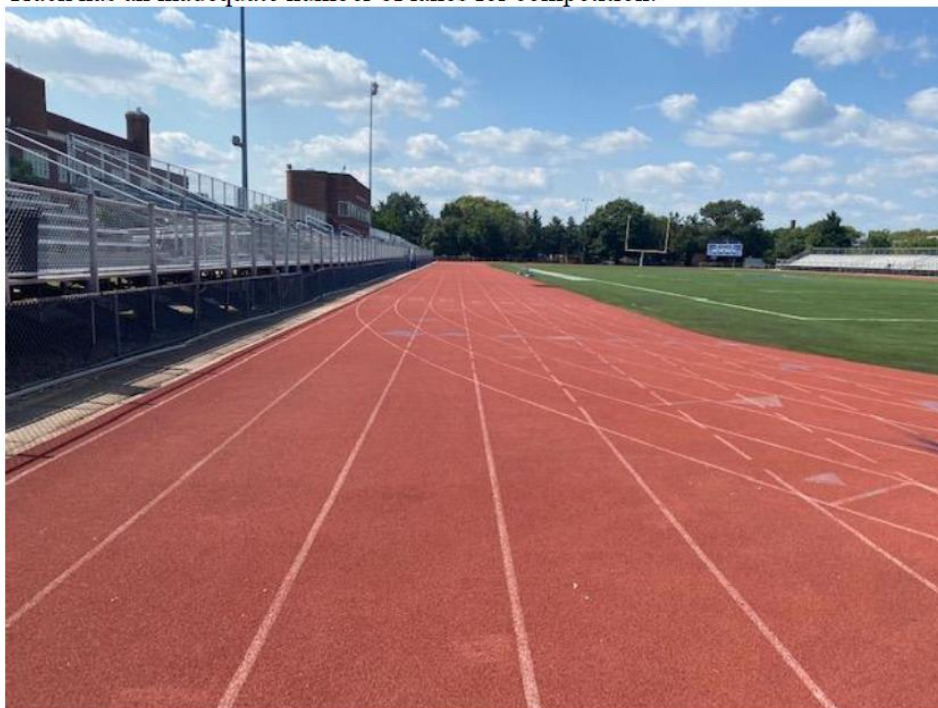




Potential tripping hazard on the football bleachers:



Track has an inadequate number of lanes for competition:





Football field in need of repairs:



Football field has no grass/turf:





No grass/turf on the football field:



Broken scoreboard:





Goalpost number 1 is damaged:



Goalpost number 2 is damaged:





Mold and water damage in the press box:





