



**District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for December 12, 2019**



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

- 7:00 pm **Call to order**
- 7:01 pm **Approve Previous Meeting's Minutes, Adopt Agenda**
- 7:02 pm **Community Presentations**
D.C. Public Schools community conversation (DCPS invited, but unable to attend)
- 7:45 pm **Officer Reports**
1. Approve Treasurer's Report. **Pg. 18**
- 7:50 pm **Standing Committee Reports:**
Community Outreach Pg. 19
1. Approve November 2019 Report.
2. Next meeting - 7:00 pm, December 16, 2019 (3rd Monday; usually 4th Monday)
- 7:51 pm **Alcohol Beverage Licensing Pg. 20**
1. Approve November 2019 Report.
2. **Recommendation:** ANC 6A take no action on license renewal application for the following establishment: McKenzie Group, LLC t/a Ocean Lounge (ABRA-114106); Besoke1337, LLC t/a Hill Prince at 1337 H St NE (ABRA-104782); On the Rocks, LLC t/a On the Rocks at 1242 H St NE (ABRA-106695); Red & Black, LLC t/a 12 Twelve DC/Kyss Kyss at 12101212 H St NE (ABRA-072734); Fernando Postigo t/a Sol Mexican Grill at 1251 H St NE (ABRA-092192); Felix Restaurant Group, LLC t/a The Pursuit at 1025 H St NE (ABRA-113810); Truth DC 78, LLC t/a Truth DC 78 at 1220 H St NE (ABRA-108602); The Pug LLC, t/a The Pug/Toki Underground at 1234 H St NE (ABRA-073166); Rock and Roll Hotel, LLC t/a Rock N Roll Hotel at 1353 H St NE (ABRA-072777).
3. **Recommendation:** ANC take no action on the substantial change application for a class change from CR (Restaurant) to a CT (Tavern) license from Dangerously Delicious DC, LLC at 1339 H St NE (ABRA-087422) if the licensee files a change of hours application with ABRA by December 12, 2019 and otherwise protest the application if the application for changes of hours has not been submitted.
4. Next meeting - 7:00 pm, December 17, 2019 (3rd Tuesday)
- 8:00 pm **Transportation and Public Space Pg. 22**
1. Approve November 2019 Report.
2. **Recommendation:** ANC 6A send a letter to DDOT regarding DDOT's response of November 18, 2019 to ANC 6's pedestrian safety priority list, specifically item #4, requesting additional speed humps on the unit-400 blocks of Tenth (10th) Street NE with a minimum of two humps on the 200 block of Tenth (10th) Street NE.
3. **Recommendation:** ANC 6A send a letter to DDOT requesting that trucks be restricted from using both Ninth (9th) and Tenth (10th) Streets NE, between Maryland Avenue and East Capitol Street.
4. Next meeting - 7:00 pm, December 16, 2019 (3rd Monday)



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

- 8:15 pm **Economic Development and Zoning Pg. 30**
1. Approve November 2019 Report.
2. **Recommendation:** ANC 6A send a letter of support to BZA for special exceptions under Subtitle G § 409 and 1200 from the lot occupancy requirements of Subtitle G § 404.1, and under Subtitle G § 1201 from the rear yard requirements of Subtitle G § 405.2 to construct a second floor addition to an existing accessory building at 803 Maryland Avenue, NE (BZA 20171) to accommodate an apartment in the MU-4 Zone provided that the applicant provide sign-off of Green Area Ratio (GAR) compliance either through cite of DC regulations or via an advisory letter from zoning administrator or from the BZA and make best efforts to obtain letters of support from both adjacent neighbors and the neighbors directly across the alley.
3. Next meeting - 7:00 pm, December 18, 2019 (3rd Wednesday)
- 8:25 pm **New Business Pg. 46**
Raze Application - 425 13th Street NE, 429 13th Street NE and 431 13th Street NE (Ruth Ann Hudson)
- 8:30 pm **Single Member District reports (1 minute each)**
- 8:40 pm **Community Comments (2 minutes each)**
- 8:50 pm **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes of November 14, 2019



Advisory Neighborhood Commission (ANC) 6A Minutes Miner Elementary School November 14, 2019

Present: Commissioners Amber Gove (Chairwoman), Mike Soderman, Ruth Ann Hudson, Brian Alcorn, Sondra Phillips-Gilbert, Phil Toomajian and Marie-Claire Brown. Commissioner Stephanie Zimny was absent.

The meeting convened at 7:00 pm.

Chairwoman Gove called the roll and announced the presence of a quorum.

The minutes for the ANC October 2019 meeting were accepted, and the agenda for the November 2019 meeting was accepted without changes or objection.

Anacostia River Pool

Gretchen Mikeska of the Department of Energy and Environment (DOEE) and Erin Garaas-Holmes from Clean Water Action presented on the current status of the Anacostia River Sediment Project and possible near-future construction of the Anacostia River Pool. The latter project aims to construct a permanent facility for swimming in the Anacostia River through collaboration with the Anacostia Watershed Urban Waters Project with direction from the DOEE. Nine (9) sites along the river have been identified for potential installation of some version of the river pool. The water quality of the Anacostia River is regularly tested by the Anacostia Riverkeepers and is often deemed safe for swimmers. In fact, the Anacostia River received its first passing grade from the Anacostia Watershed Society in 2018. The Sediment Project is an ongoing sampling of contamination levels in the sediment at the bottom on the river with the end goal of informing eventual remediation tactics. Ultimately the objective of these projects is to reopen the Anacostia River to greater public use through fishing and swimming. More information about this project can be found by visiting Anacostiariverpool.com and doee.dc.gov/publication/cleaner-anacostia-river-anacostia-river-sediment-project.

Guerilla Gardeners on Capitol Hill

Jim Guckert introduced ANC 6A to the Guerrilla Gardeners, his organization of civic-minded individuals taking over the care of small, ignored public green spaces. For years, Jim and his cohort have been cleaning up small parks and “slivers of land” in their neighborhoods that have become overgrown without express permission from any government agency, hence the “guerrilla” of Guerrilla Gardeners. Despite the group’s unsanctioned acts of gardening, Mr. Guckert claims he has never been asked to cease his work and does not plan to stop anytime soon. In fact, he and his group are inviting others across all wards of the District of Columbia to contact the Guerrilla Gardeners for information on rehabilitating spaces in their respective neighborhoods. He explained that once a space is cleaned and prepared for new plantings, the continued maintenance can be minimal but the rewards for improving one’s local landscape are massive. More information can be found at guerrillagardenersdc.org.

Officer Reports

1. Commissioner Brian Alcorn presented the Treasurer’s Report covering October 2019. ANC6A received District Government Allotments of \$4,607.82 and \$13,823.46. Disbursements totaled \$4,614.70: \$465.89 to Irene Dworakowski (check 1886) for agenda/webmaster services; \$200.00 (check 1887) for the October 2019 Minutes; \$5.50 (check 1888) for USPS/stamps; \$261.29 (check 1889) for FedEx;



Advisory Neighborhood Commission 6A Meeting Minutes of November 14, 2019



\$196.02 (check 1890) for Hosting IP services and \$3,486.00 (check 1891) to Capital Community News. There is a balance of \$16,464.98 in the checking account. There is a balance of \$13,733.54 after an interest payment of \$.23 in the savings account. The report was approved by unanimous consent.

2. Commissioner Phil Toomajian moved and Commissioner Alcorn seconded the motion to amend the September Treasurer's Report to show a corrected disbursement of \$465.89 to Irene Dworakowski for agenda/webmaster services. The motion passed 7-0.

Community Outreach

1. The October 2019 Committee report was approved by unanimous consent.
2. Commissioner Toomajian moved and Commissioner Mike Soderman seconded the motion that ANC 6A approve a grant for \$1,000.00 to the Ludlow-Taylor Elementary School (LTES) Parent Teachers Organization (PTO) to support the FreshFarm FoodPrints program at LTES Ludlow-Taylor Elementary School for the 2019-2020 school year. The motion passed 7-0.
3. Next meeting - 7:00 pm, October 28, 2019 (4th Monday)

Alcohol Beverage Licensing (ABL)

1. The October 2019 Committee report was approved by unanimous consent.
2. The Committee recommended and Commissioner Soderman seconded the recommendation that ANC 6A take no action regarding the license renewal request of Hoost, LLC at 1200 H Street NE (ABRA #087558). The recommendation passed 7-0.
3. The Committee recommended and Commissioner Soderman seconded the recommendation that ANC take no action on the license renewal request for Queen Vic, LLC, t/a The Queen Vic at 1206 H Street NE (ABRA-#083930). The recommendation passed 7-0.
4. The Committee recommended and Commissioner Soderman seconded the recommendation that ANC take no action on the license renewal request for Par Bar, LLC, t/a H Street Country Club at 1335 H Street NE (ABRA-#076649). The recommendation passed 7-0.
5. The Committee recommended and Commissioner Soderman seconded the recommendation that ANC take no action on the license renewal request for Mythology, LLC, t/a Mythology, Lore & Dirty Water/Beetle House DC at 816 H Street NE (ABRA #095033), Ella Grace, LLC, t/a Ella Grace at 1421 H Street NE (ABRA #114637), Langston Bar & Grille, LLC, t/a Langston Bar & Grille at 1831 Benning Road NE (ABRA #076260), Dio, LLC, t/a Dio Wine Bar at 904 H Street NE (ABRA #105482), Modern Dining Concepts, LLC, t/a The Haymaker at 1015 H Street NE (ABRA #084689), Rose's Dream, Inc., t/a Roses Dejavu at 1378 H Street NE ABRA #089342), Rosato, LLC, t/a Sospeso at 1344 H Street NE (ABRA #100766), Colorado & Cohen, LLC, t/a Bar Bullfrog/Bullfrog Bagels at 1341 H Street NE (ABRA #112890), The New Elroy Bar, LLC, t/a The Elroy at 1423 H Street NE (ABRA #112289), Lattice Partners, LLC, t/a Copycat Co. at 1110 H Street NE (ABRA #096474), Callister Technology and Entertainment, LLC, t/a Duffy's Irish Pub at 1016 H Street NE (ABRA #111076), and LMW, LLC, t/a Little Miss Whiskey's Golden Dollar at 1104 H Street NE (ABRA #079090).

Commissioner Toomajian moved and Commissioner Soderman seconded the motion to amend the recommendation to remove the Biergarten Haus, Inc., t/a Biergarten Haus at 1355 H Street NE (ABRA #083695) from the list of establishments. The amended recommendation passed 7-0.

6. Commissioner Soderman moved the ANC protest the license renewal for Biergarten Haus, Inc., t/a Biergarten Haus at 1355 H Street NE (ABRA #083695) until a settlement agreement with the ANC is signed. The Chair and Vice Chair of the ANC and the Co-Chairs of the ABL Committee can represent the ANC in matters related to this motion. The motion passed 7-0.



Advisory Neighborhood Commission 6A Meeting Minutes of November 14, 2019



7. ANC 6A take no action on the request by Daruwalla, LLC, t/a Daru at 1451 Maryland Avenue NE (ABRA #113870) to change hours of service inside the premises.
8. ANC 6A take no action on anticipated license renewal requests as no renewal placard notices had been received for any other establishments.
9. Next meeting - 7:00 pm, November 19, 2019 (3rd Tuesday)

Transportation and Public Space (TPS)

1. The October 2019 Committee report was approved by unanimous consent.
2. The Committee recommended and Commissioner Ruth Ann Hudson seconded the recommendation that ANC 6A send a letter to the District Department of Transportation (DDOT) in support of a public space application for window projections onto Wylie Street NE (808-812 13th St. NE, permit #335468). The recommendation passed 6-0-1 with Commissioner Marie-Claire Brown abstaining.
3. The Committee recommended and Commissioner Brown seconded the recommendation that ANC 6A send a letter to DDOT 1) requesting that DDOT present a full inventory, mapping and disposition of each of the Federal Reservations located in 6A, with special attention to those Federal Reservations that are adjacent to or abut private properties, to eliminate confusion regarding responsibility for their ownership, maintenance, and the right to public access. Once we have an informed mapping, we can proceed with requesting signage and developing a process for engaging with adjacent homeowners to come to agreement regarding any plantings/modifications that may be hindering public access and 2) requesting release (or reissuance) of a DDOT legal opinion dated May 12, 2015 pertaining to Federal Reservations (this may require a FOIA request). Chairwoman Amber Gove will amend the letter to include an invitation for DDOT to present on this issue at a future ANC meeting. The amended recommendation passed 6-0-1 with Commissioner Toomajian abstaining.
4. Next meeting - 7:00 pm, October 21, 2019 (3rd Monday)

Economic Development and Zoning (EDZ)

1. The October 2019 Committee report was approved by unanimous consent.
2. The Committee recommended and Commissioner Soderman seconded the recommendation that ANC 6A send a letter of support to the Historic Preservation Review Board (HPRB) for the construction of a two-story rear addition, a new two-story garage, and a new basement entrance at 1355 A Street NE (HPA 19-608) in the Capitol Hill Historic District with the caveats that the applicant provide best efforts for letters of support from both adjacent neighbors and from the neighbor directly behind at the alley, and that the design not include a pedestrian door at the alley side of the garage. The recommendation passed 7-0.
3. Commissioner Toomajian moved and Commissioner Soderman seconded the motion that ANC 6A approve the appointment of Mike Cushman as a member of the Economic Development and Zoning Committee. The motion passed 7-0.
4. Next meeting - 7:00 pm, October 16, 2019 (3rd Wednesday)

Single Member District Reports

Commissioner Soderman (6A03) thanked the MPD, Mayor Bowser and DDOT for their efforts in securing part of East Capitol Street for trick or treating on Halloween.

Commissioner Alcorn (6A08) reported he had attended A DCRA training to become a citizen inspector related to after-hours construction. He also attended training from the DC Office of Planning that is updating DC's comprehensive plan and is anticipating significant changes. More information is available at plandc.dc.gov.



Advisory Neighborhood Commission 6A Meeting Minutes of November 14, 2019



Commissioners Toomajian (6A02) and Brown (6A01) held a call with various agencies regarding the use of Sherwood Recreation Center as a shelter this winter. Commissioner Brown echoed Commissioner Toomajian's comments that she will also be monitoring the use of Sherwood Recreation Center to make sure the city reverts to the original cold weather plan once King Greenleaf Recreation Center reopens. She also reminded residents about the camera rebate program through the city government. Information can be found by visiting ovsjg.dc.gov/service/private-security-camera-system-incentive-program.

Commissioner Hudson (6A05) reported she is continuing to follow-up on parking enforcement issues in her SMD. She also shared that Councilmember Allen has expressed support for the renaming of the 300 block of 14th Place NE and will be introducing legislation to that effect.

Commissioner Sondra Phillips-Gilbert (6A07) provided an update on the urban farm project at the Rosedale Community Center. The new Urban Farming Land Lease Program Amended Act of 2019 now includes specific language on soil sampling and hydroponic farming.

Commissioner Gove (6A04) thanked Frager's Hardware for delivering a shed to Eliot-Hine Middle School for the storage of sports equipment.

Community Comments

Mikaela Ferrill, a Ward 6 liaison from the Mayor's Office of Community Relations and Services encouraged residents to call 311 or the shelter hotline, 202-399-7093, if they know of or see someone in need during the upcoming cold weather months.

Visit www.anc6a.org for calendar of events, changes of date/venue, agendas and other information.

The meeting adjourned at 9:00 pm.



Advisory Neighborhood Commission 6A Community Presentations





Commission Letters of November 14, 2019 Meeting



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



November 24, 2019

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

Re: Public Space Application #335468 - 808-812 13th St. NE, window projection onto Wylie Street

Dear Mr. Marcou,

At a regularly scheduled and properly noticed meeting¹ on November 14, 2019, our Commission voted 6-0-1 (with 5 Commissioners required for a quorum) to support a public space application #335468 from Thomas Kadida for window projections onto Wylie Street NE (808-812 13th St. NE). Note that this support is for the window projections, only, as detailed in the attached drawing.

Thank you for giving consideration to our ANC's feedback on this public space issue. Should you wish to discuss this letter with the Commission, please feel free to reach out to me at amberanc6a@gmail.com.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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



Commission Letters of November 14, 2019 Meeting



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



November 23, 2019

Mr. Jeffrey Marootian, Director
District Department of Transportation
55 M Street, SE, Suite 400
Washington, DC 20003

Re: Request for information related to Federal Reservations in 6A

Dear Director Marootian,

At a regularly scheduled and properly noticed meeting¹ on November 14, 2019, our Commission voted 6-0-1 (with 5 Commissioners required for a quorum) to make the following requests:

- DDOT present a full inventory, mapping and disposition of each of the Federal Reservations located in 6A, with special attention to those Federal Reservations that are adjacent to or abut private properties (see annexed list of locations), to provide clarity regarding responsibility for their ownership, maintenance, and the right to public access.
- DDOT provide a complete listing, links to, and explanation of any DC laws and DDOT policy or regulation that are relevant to the use, management and access to these Federal Reservations.
- DDOT release (or reissue) the legal opinion dated May 12, 2015 pertaining to Federal Reservations.

We request that a DDOT representative present this information at one of the next few ANC 6A meetings. The dates of these meetings are Thursday, December 12, 2019, January 9, 2020 and February 13, 2020 at 7 pm at Miner ES, 601 15th St. NE.

Thank you, in advance, for the information requested. Should you wish to discuss this letter with the Commission, please feel free to reach out to me at AmberANC6A@gmail.com.

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



Commission Letters of November 14, 2019 Meeting



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



On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

Annex: List of Federal Reservation in 6A that abut private property (all within the NE quadrant)

1. Constitution/8th/Massachusetts
2. 9th/A/Massachusetts
3. 14th/Constitution/North Carolina
4. North Carolina and A Streets (1300 block)
5. 16th/North Carolina/C Streets
6. 12th/K/Florida Ave
7. 13th/Tennessee (north of Constitution)
8. 13th/Tennessee (south of Constitution)



Commission Letters of November 14, 2019 Meeting



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



November 24, 2019

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

Re: HPA 19-608 (1355 A Street, NE)

Dear Ms. Heath,

At a regularly scheduled and properly noticed meeting¹ on November 14, 2019, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to support the construction of a two-story rear addition, a new two-story garage, and a new basement entrance at the residence at 1355 A Street NE, in the Capitol Hill Historic District. The design has taken measures to ensure that the addition is not visible from the street, and it will not disrupt the historic character of the neighborhood. Our support is conditional on the design not including a pedestrian door at the alley side of the garage.

Please be advised that Brad Greenfield and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at amberanc6a@gmail.com and Mr. Greenfield can be contacted at brad.greenfield@gmail.com.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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Commission Letters of November 14, 2019 Meeting



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



November 11, 2019

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

Re: ABRA #104866, Naomi's Ladder II t/a Smokin Pig, 1208 H St. NE

Dear Mr. Anderson,

Enclosed is a signed copy of the Settlement Agreement amendment ANC 6A entered into with Naomi's Ladder t/a Smokin Pig on November 7, 2019. With the approval of this agreement by the Board, ANC 6A is withdrawing its protest of the Naomi's Ladder application to transfer its license.

Please be advised that at its September 12, 2019 meeting the Advisory Neighborhood Commission (ANC) 6A, with a quorum present, voted (6-0) to authorize ANC 6A Chairperson Amber Grove and/or the co-chairs of the Alcohol Beverage Licensing (ABL) Committee to negotiate an amendment of an existing Settlement Agreement on behalf of the ANC 6A (refer to Board Order 2017-057 for the existing Settlement Agreement).

If you have any questions, please do not hesitate to contact me. I can be reached at 202 329-1193 or alberti6a04@yahoo.com.

On behalf of the Commission,

Nick Alberti
Co-Chair, ANC 6A ABL Committee



Commission Letters of November 14, 2019 Meeting



Made this 7th day of Nov, 2019

by and between

Naomi's Ladder II (ABRA # 104866)

1208 H Street, NE
Washington DC 20002

and

Advisory Neighborhood Commission 6A

The Settlement Agreement ("SA") between the parties listed above (approved by the ABC Board on February 1, 2017, *see* Order No. 2017-057) is amended as follows:

Paragraph 3(c)vi is deleted in its entirety and replaced with the following language:

3(c)vi The total capacity of the summer garden will not exceed 14 patrons

Paragraph 3(c)vii is deleted in its entirety.

Paragraph 3(g) of the SA is deleted in its entirety and replaced with the following language:

The kitchen of the establishment shall remain open and operational (i.e., actively serving food for customers) until at least one hour prior to closing, if not later.

The following language is added to the SA as paragraph 3(h):

Applicant shall not host events where a cover charge is required for entry.

In Witness Whereof

Licensee:

By: Cynthia A Gibson

Date: 11-1-19

Signature: Cynthia A Gibson

Settlement Agreement Amendment between Naomi's Ladder II and ANC6A

Page 1 of 2



Commission Letters of November 14, 2019 Meeting



Made this 7th day of Nov, 2019

by and between

Naomi's Ladder II (ABRA # 104866)
1208 H Street, NE
Washington DC 20002

and

Advisory Neighborhood Commission 6A

Advisory Neighborhood Commission 6A Representative:

By: Nick Alberti, Co-Chair, ANC 6A ABL Committee

Date: 11-7-2019

Signature: _____



Commission Letters of November 14, 2019 Meeting



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



September 19, 2019

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

Re: ABRA-072734 (Red & Black, LLC t/a 12 Twelve DC/Kyss Kyss), 1210-1212 H Street, NE

Dear Mr. Anderson,

Enclosed is a Settlement Agreement amendment that ANC 6A has entered into with 12 Twelve DC/Kyss Kyss. ANC 6A now withdraws its protest of the 2019 Substantial Change request submitted by 12 Twelve/Kyss Kyss.

Please be advised that at the June 13, 2019 meeting the Advisory Neighborhood Commission (ANC) 6A, with a quorum present, voted (6-0) to authorize ANC 6A Chairperson Amber Grove and/or the co-chairs of the Alcohol Beverage Licensing (ABL) Committee to negotiate an amendment of an existing Settlement Agreement on behalf of the ANC 6A (refer to Order No. 2005-278 and Order No. 2008-0247 for the existing Settlement Agreement).

If you have any questions, please do not hesitate to contact me. I can be reached at 202 329-1193 or alberti6a04@yahoo.com.

On behalf of the Commission,

Nick Alberti
Co-Chair, ANC 6A ABL Committee



Commission Letters of November 14, 2019 Meeting



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



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

Re: ABRA-083695 (Biergarten Haus Inc. t/a Biergarten Haus), 1355 H Street NE

Advisory Neighborhood Commission (ANC) 6A and the licensee (Aaron McGovern) wish to submit a Settlement Agreement (SA) between ANC 6A and Biergarten Haus, Inc. t/a Biergarten Haus, ABRA- 083695. This agreement was entered into on March 2, 2010. Mr. McGovern and the ANC 6A are the signatories to the agreement.

While a copy of the 2010 SA has been posted on the ANC 6A website since 2010, neither party to the agreement has a Board Order acknowledging acceptance and approval of the SA by the Alcohol Beverage Control (ABC) Board. Mr. McGovern and ANC 6A ask that the Board issue an order recognizing the 2010 SA.

Please contact Nick Alberti at 202 329-1193 or alberti6404@yahoo.com if you have any questions about this matter.

Amber Gove
Chair ANC 6A

11/23/2019
Date

Aaron McGovern
Biergarten Haus, Inc.

11/22/19
Date



Commission Letters of November 14, 2019 Meeting



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



November 15, 2019

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

Re: ABRA-083695 (Biergarten Haus Inc. t/a Biergarten Haus), 1355 H Street NE

Dear Mr. Anderson,

Please be advised that at the November 14, 2019 meeting of Advisory Neighborhood Commission 6A, with a quorum present, the Commission voted (7-0) to protest the renewal application of the Retailer's Class "C" Tavern License of Biergarten Haus Inc. t/a Biergarten Haus, ABRA-083695. This vote took place at the ANC's regular and publicly announced meeting.¹ The grounds for the protest are disturbance to peace, order, and quiet.

The Co-Chairs of the ANC 6A Alcoholic Beverage Licensing Committee (Nicholas Alberti and Mark Samburg) will be the primary representatives of the ANC in this matter. The ANC's Chair (Amber Gove), and the ANC's Vice Chair (Phil Toomajian) are also authorized to represent the ANC before the Board with respect to this application.

On Behalf of the Commission,

Nicholas Alberti
Co-Chair ANC 6A ABL Committee

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Officer Reports - Treasurer



ANC 6A Treasurer's Report November 2019 *[published 12/9/19]*

Period Covered 11/1/19 - 11/31/19

Checking Account:

Opening Account Statement	\$ 21,496.38
Total Funds Available	\$ 15,774.09
Credits	
Total Credits	\$ -

Disbursements:

Irene Dworakowski (Agenda/Web Master)	Chk#1892	\$ 465.89
Note Taking	Chk#1893	\$ 200.00
FedEx	Chk#1894	\$ 221.01
DC Treasurer (Miner Security 11/18-6/19)	Chk#1895	\$ 1,015.56
DC Treasurer (Miner Security 12/19)	Chk#1896	\$ 150.00
Fresh Farm FoodPrints-Ludlow-Taylor PTO Grant	Chk#1897	\$ 1,000.00
Total Disbursements		\$ 3,052.46

Closing Funds Available/Uncommitted **\$ 12,721.63**

Savings Account:

Balance Forward	\$13,733.54
Receipts: Interest 11/29/2019	\$ 0.23
Total Receipts	\$ 0.23

Total Funds Available

Ending Balance **\$13,733.77**

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 - November 25, 2019
Eastern Senior High School
1700 East Capitol Street NE, Washington DC

Meeting called to order at 7:06 pm.

No Quorum present.

COC members present: Roni Hollmon (Chair), Gladys Mack

COC members absent: Alan Chargin, Stefany Thangavelu

ANC Commissioners present: none

Community members present: Kay Hollmon

The Committee discussed how it is frustrated with the inability to revamp the grant application without the guidance from the Office of the Advisory Neighborhood Commission (OANC). All other work continues on pace.

Meeting adjourned at 7:25 pm.

The next regular meeting of the ANC 6A COC will be December 16th at 7:00 pm
(Please note this is the 3rd Monday due to the Holiday break)
Eastern Senior High School Parent Center, 1700 East Capitol Street NE
(enter from East Capitol Street)



Committee Reports

Alcohol Beverage and Licensing (ABL)



Minutes

Alcoholic Beverage Licensing (ABL) Committee Advisory Neighborhood Commission (ANC) 6A November 19, 2019

Pursuant to notice duly given, a meeting of the Alcoholic Beverage Licensing Committee (“Committee”) of ANC 6A was held commencing at 7:00 pm on November 19, 2019 at Sherwood Recreation Center, 640 Tenth (10th) Street NE, Washington, DC 20002.

Committee Members Present: Nick Alberti (Co-Chair)

Committee Members Absent: Mark Samburg, Justin Rzepka, Laura Gentile, Roger Caruth, Ramin Taheri.

Commissioners Present: Mike Soderman

Community Members Present: Pamela McKensie (Ocean Lounge), Percy Harris Jr. (Ocean Lounge), Sandra Basanti (Dangerously Delicious DC), Pleurat Hundozi

I. Call to Order

Mr. Alberti called the meeting to order at 7:00 pm. Mr. Alberti noted that since a quorum was not present, any recommendations made to the ANC from the committee should be considered informal recommendations.

II. Community Comment

Pleurat Hundozi expressed concerns about overflowing trash containers behind the Rock and Roll Hotel. Mr. Alberti said he would reach out to the Rock and Roll Hotel to discuss those concerns.

III. Old Business

Mr. Alberti reported that ANC had signed a Settlement Agreement with Naomi’s Ladder II t/a Smokin Pig, 1208 H Street NE.

IV. New Business

- a. Discussion of license renewal for the McKenzie Group, LLC t/a Ocean Lounge at 1220 H Street NE.

Mr. Alberti moved to recommend that the ANC take no action on the license renewal for the McKenzie Group, LLC t/a Ocean Lounge. Mr. Soderman seconded, and the motion passed 2-0.

- b. Mr. Alberti moved to recommend that the ANC take no action on the license renewal for establishments list below.

1. Bespoke1337, LLC t/a Hill Prince at 1337 H Street NE (ABRA-104782)
2. On the Rocks, LLC t/a On the Rocks at 1242 H Street NE (ABRA-106695)
3. Red & Black, LLC t/a 12 Twelve DC/Kyss Kyss at 1210-1212 H Street NE (ABRA-072734)
4. Fernando Postigo t/a Sol Mexican Grill at 1251 H Street NE (ABRA-092192)
5. Felix Restaurant Group, LLC t/a The Pursuit at 1025 H Street NE (ABRA-113810)
6. Truth DC 78, LLC t/a Truth DC 78 at 1220 H Street NE (ABRA-108602)
7. The Pug LLC, t/a The Pug/Toki Underground at 1234 H Street NE (ABRA-073166)
8. Rock and Roll Hotel, LLC t/a Rock N Roll Hotel at 1353 H Street NE (ABRA-072777).



Committee Reports

Alcohol Beverage and Licensing (ABL)



Mr. Soderman seconded, and the motion passed 2-0.

- c. Discussion of substantial change application from Dangerously Delicious DC, LLC t/a Dangerously Delicious DC at 1339 H Street NE (ABRA-087422). The establishment was represented by Sandra Basanti. The requested change is a class change from a CR (Restaurant) to a CT (Tavern) license. The establishment's current hours of operation on Friday and Saturday would extend to 4 :00 am. The Committee expressed concern about the 4:00 am closing for a tavern. Ms. Basanti volunteered to change the licensed operating hours from 4:00 am to 3:00 am on Friday and Saturday.

Mr. Alberti moved to recommend that the ANC take no action on the substantial change application if the licensee files a change of hours application with ABRA by December 12, 2019 (the next ANC meeting) and otherwise protest the application if an application for changes of hours has not been submitted. Mr. Soderman seconded, and the motion passed 2-0.



Committee Reports

Transportation and Public Space (T&PS)



MINUTES

ANC 6A Transportation & Public Space Committee Meeting
Capitol Hill Towers, 900 G Street NE
Monday, November 18, 2019 at 7:00 pm

- I. Meeting called to order at 7:02 pm.
- II. Introductions
 - A. Committee members in attendance: Chair Elizabeth Nelson, Jeff Fletcher, Marc Brumer, Hassan Christian
 - B. Commissioners in attendance: Brian Alcorn (6A08), Mike Soderman (6A03)

III. Old Business

Ms. Nelson reported that ANC 6A received an updated response from the District Department of Transportation (DDOT) to the “top ten” list of pedestrian safety issues. Most items have been addressed although not necessarily completed. The contents of this document appear at the end of the minutes.

Mr. Fletcher made the motion: ***TPS should send the remainder of the original un-prioritized list to the Commissioners requesting that they make any additions they think appropriate and that the TPS place creation of a new priority list be on their December 16, 2019 agenda, if time permits.*** The motion was seconded by Mr. Christian and passed unanimously (5-0), including the two Commissioners present.

Committee member Marc Brumer joined the meeting.

Mr. Soderman made the motion: ***TPS recommends that ANC 6A send a letter to DDOT in response to DDOT’s response (November 18, 2019) to ANC 6’s pedestrian safety priority list, specifically item #4, requesting additional speed humps on the unit to 400 blocks of Tenth (10th) Street NE with a minimum of two humps on the 200 block of Tenth (10th) Street NE.*** The motion was seconded by Mr. Fletcher and passed unanimously (6-0), including the two Commissioners present.

Mr. Soderman made a second motion: ***TPS recommends that ANC 6A send a letter to DDOT requesting that trucks be restricted from using both Ninth (9th) and Tenth (10th) Streets NE, between Maryland Avenue and East Capitol Street.*** The motion was seconded by Mr. Fletcher and passed unanimously (6-0), including the two Commissioners present.

IV. New Business

- A. Presentation of DDOT plans for safety improvements on Fifteenth (15th) Street NE corridor by Andrew DeFrank. Attendees discussed the challenges and proposed changes from East Capitol Street to C Street NE. Illustrations appear at the end of this document.

The unit block of Fifteenth (15th) Street NE is currently wider than blocks north and south. This leads to problems as traffic approaches A Street and must shuffle back into one lane. DDOT proposes to narrow the street by striping a 4 foot strip on the east side, while still maintaining the existing bike lane and parking. There was general skepticism from the TPS that striping alone would significantly change driver behavior but flexi-posts, or swapping the bike lane and parking



Committee Reports

Transportation and Public Space (T&PS)



would likely reduce parking spaces. Commissioner Alcorn suggested that widening the sidewalk to occupy the additional space would solve the problem without negative impact, if site engineering permits (does not interfere with utilities or storm drain). Additional trees, micro-mobility corrals or bikeshare stations might then occupy the additional width. Mr. DeFrank agreed to look into the possibility. Mr. Alcorn will send an email to document the discussion.

Between Constitution Avenue and North Carolina Avenue NE, there is a proposal to increase the no-parking area from 25 feet to 40 feet just north of the intersection on both the east and west sides of the street. This would eliminate at least two (2) parking spaces. This is seen by the TPS as unnecessary as parking at these locations does not interfere with sight lines (on a one-way street) and requested that the no-parking be kept at its' current length. Mr. Alcorn will include this in his email. [Subsequent to the meeting, Mr. DeFrank reported that the setback is actually 25 feet.]

The intersection at Fifteenth (15th) and C Streets NE remains problematic due to a confluence of poor sight lines, higher speed traffic and bus stop location. The only solution offered is hi-visibility sidewalks, which are proposed for the entire corridor. DDOT's expectation is that the changes planned for the C Street corridor will address safety concerns at this location.

- B. Ms. Nelson reported difficulties in filing public space violations through the on-line 311 system. At Commissioner Gove's request, she attempted to file for an unpermitted porta-potty on the 1300 block of North Carolina Avenue NE but there was not an appropriate menu option. She called the DDOT public space inspector and made a report but was told that she could not get a ticket number because they do not provide those - making follow-up difficult. She also tried to report a hedge in violation of DCMR 24-102.4: Hedges on parking shall not exceed three feet (3') in height, nor project more than six inches (6'') over the sidewalk - but could not find a suitable menu option for that either. She was advised to file as a tree inspection, which she did but was subsequently told by UFA that [as one would expect] public space violations are not in their purview. She subsequently called the public space inspector's office but could not get a case number for this situation. Mr. DeFrank agreed to inquire as to the best way to report public space violations. [Subsequent to the meeting, Mr. DeFrank sent the following response by email "As of now, there is not really a way to report public space inspections via 311. This is something Naomi and I agree we need to look into. She told me to tell you that the best way to report an especially egregious violation is to email me and I can forward to our public space inspector."]

IV. Meeting was adjourned at 8:16 pm.



Committee Reports

Transportation and Public Space (T&PS)



November DDOT update to 6A Safety Request

1. 15th St. NE between East Capitol St. & C St. NE. Speeding and difficulties related to the layout of the intersection at C St. Suggest bulb outs/curb extensions, no right on red at North Carolina and 15th and increased visibility and striping of crosswalks.

September: DDOT will add new high visibility ladder crosswalks at 15th and C Streets NE and 15th and North Carolina Avenue NE. Additionally, a number of improvements are planned along this corridor including: replacing a missing section of bike lanes, narrowing the through lane by providing a buffer for the bike lane, painting parking boxes on both sides of the roadway (where parking is already permitted) and correcting existing signage. These improvements are intended to curb speeds, and a drawing of these improvements is attached.

November: Work orders were created this week to install high visibility ladder crosswalks at the intersections of 15th St. NE and C St. NE and 15th St. NE and North Carolina Ave NE. The work order numbers are 838759 and 838737. Any additional safety improvements will be done next year, potentially on their own or as part of the C Street NE project.

2. Intersection of East Capitol St., Massachusetts Ave. & 11th St. NE. Confusing traffic pattern and signage contributing to problems that extend to 1100-1200 blocks of East Capitol, 1000 block of Massachusetts, and unit and 100 blocks of 11th. Speeding is also a factor. Suggest re-evaluating signage and traffic engineering, and traffic calming measures.

September: DDOT plans to add striping and flexpost gore areas on either side of the turn at this intersection in order to narrow the right hand turn and slow vehicles.

November: A work order has been created for this. The associated work order numbers are 823878 (eradication of existing markings) and 823882 (the new markings).

3. Unit-400 blocks of 17th St. NE. Speeding and conflict with pedestrians on school route. Suggested remedies include raised crosswalks at 17th St. and Constitution Ave./17th & C Sts., in addition to red light camera. Also consider implication of design differences between 17th St north versus south of East Capitol.

September: 17th Street is a minor arterial and therefore would not be a candidate for raised crosswalks. We have sent these blocks out for data collection to inform future considerations along this section. Red light camera requests should be directed to MPD.

November: We've received the data that we were to collect in September for all four blocks. We have not had a chance to draw any conclusions yet for this intersection. In the meantime, I've created a service request number so that we can track this going forward. The number is 19-00997310.

4. Unit-400 blocks of 10th St. NE. Speeding, excessive traffic, frequent use by commercial vehicles. Requesting "No Commercial Vehicle" signage; possible solutions include speed humps, raised crosswalks, making one block one-way if this can be done without increasing traffic on 9th and 11th Sts. NE.

September: The request for "No Thru Truck" signage has been referred to freight planner Laura MacNeil. Two speed humps were installed on 10th St. NE between F St. NE and G St. NE. One speed hump was installed on the 400 block between E St. NE and D St. NE. DDOT is willing to install additional speed humps on 10th St. NE between the unit block and the 400 block. For additional speed humps, we request that ANC 6A submit a separate resolution listing the specific blocks of this stretch where they are requesting speed hump installation.

November: Our freight planner has reached out to MPD to conduct a sting on oversized trucks along this corridor. For more signage, we'll have to look at wider network implications, because we are concerned (as are you) that traffic will move to 9th St. NE and 11th St. NE. An area analysis is necessary. As for speed humps, the September update is clear. Please also create traffic safety investigation requests to tie a service request number to any new resolutions.

5. Intersection at 10th and East Capitol Streets NE. Numerous collisions. Need for stop sign or traffic light; this might have the additional beneficial effect of reducing traffic and speeding on blocks north of the intersection. Note: the TPS



Committee Reports

Transportation and Public Space (T&PS)



Committee is not satisfied with the response of DDOT as outlined in the traffic study results provided in February.

September: All-way stop control has been installed at the intersection of 10th and East Capitol Streets NE.

November: No further update is necessary. This is COMPLETE. Please remove from this list going forward.

6. Intersection at 19th St. and Constitution Ave. NE. Speeding in unit, 100 and 200 block of 19th, Difficult to cross and adjacent to two schools. Suggestions include raised crosswalks, or a 4-way stop at 19th and Constitution.

September: DDOT has studied this intersection and will be updating signage, adding a centerline piece, and will install a driver feedback sign along 19th Street.

November: A work order has been created for this. There is no work order number for this yet, please follow up with me at the start of 2020 if you have not received an update.

7. Intersection at 8th and D Sts. NE. Pedestrian near-misses. Suggesting raised crosswalks and four-way stop.

September: All Way Stop Control has been installed at the intersection of 8th and D Streets NE.

November: No further update is necessary. This is COMPLETE. Please remove from this list going forward.

8. Intersection at 8th and F Sts. NE. Stop-light running and speeding - of concern for senior citizens from Capitol Hill Towers. Suggesting raised crosswalks, curb extensions or pedestrian refuge.

September: DDOT will install curb extensions at this intersection. The bulb out design is in progress.

November: A work order is in the process of being created for this (Design is still in progress). There is no work order number yet. Please check back for an update at the start of 2020.

9. Intersection at 8th and G Sts. NE. Stop-light running and speeding - of particular concern for senior citizens from Capitol Hill Towers. Suggesting raised crosswalks, curb extensions or pedestrian refuge.

September: DDOT will install curb extensions at this intersection. The bulb out design is completed and work orders will be submitted shortly for installation.

November: A work order has been created for this. There is no work order number for this yet, please follow up with me at the start of 2020 if you have not received an update.

10. Unit-400 blocks of Tennessee Ave. NE. Speeding, Pedestrian Conflicts at Crosswalks. TPS noted that planned changes to intersection at Tennessee, Constitution & 13th will improve pedestrian safety but are unlikely to improve speeding south or north of said intersection. Traffic calming measures and raised crosswalks requested.

September: DDOT has proposed a traffic calming treatment to add advisory bike lanes along this stretch of Tennessee Avenue NE. This treatment is awaiting Federal Highway Administration (FHWA) approval.

November: Good news. This treatment has received Federal Highway Administration approval and will be designed this winter with the intent to be installed next construction season.

11. Intersection at 14th and G Sts. NE. Chick-Fil-A-related traffic makes wrong-way turn north onto 14th St. as a shortcut. Possibly bulb-out or pylons would make this less tempting.

September: As part of the Florida Avenue Interim Safety Improvement Project, DDOT plans to extend the bike lane from Florida Avenue down 14th Street NE to G Street NE. We expect this improvement to be completed by Fall 2019. DDOT has created work orders for the installation of missing 'Do Not Enter' and 'One Way' signage. Additionally, DDOT is working to ensure that the Maryland Avenue Project does not exacerbate the existing issues regarding Chick-fil-A traffic and will provide updates to the ANC on their plans as they become available.

November: A work order has been created for this. There is no work order number for this yet, please follow up with me at the start of 2020 if you have not received an update.

The illustrations of the Fifteenth (15th) Street improvements can be found on the following pages.



Committee Reports

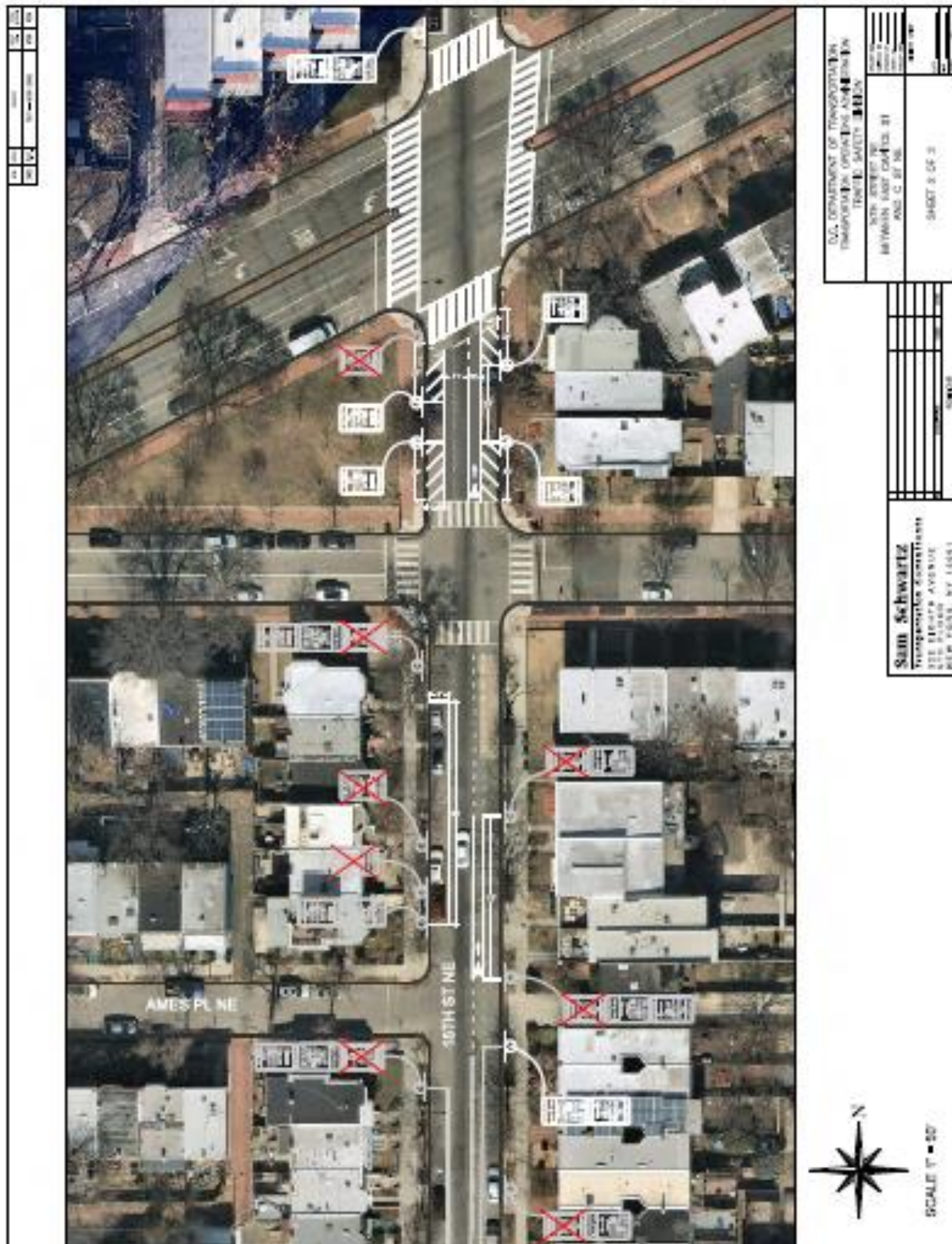
Transportation and Public Space (T&PS)

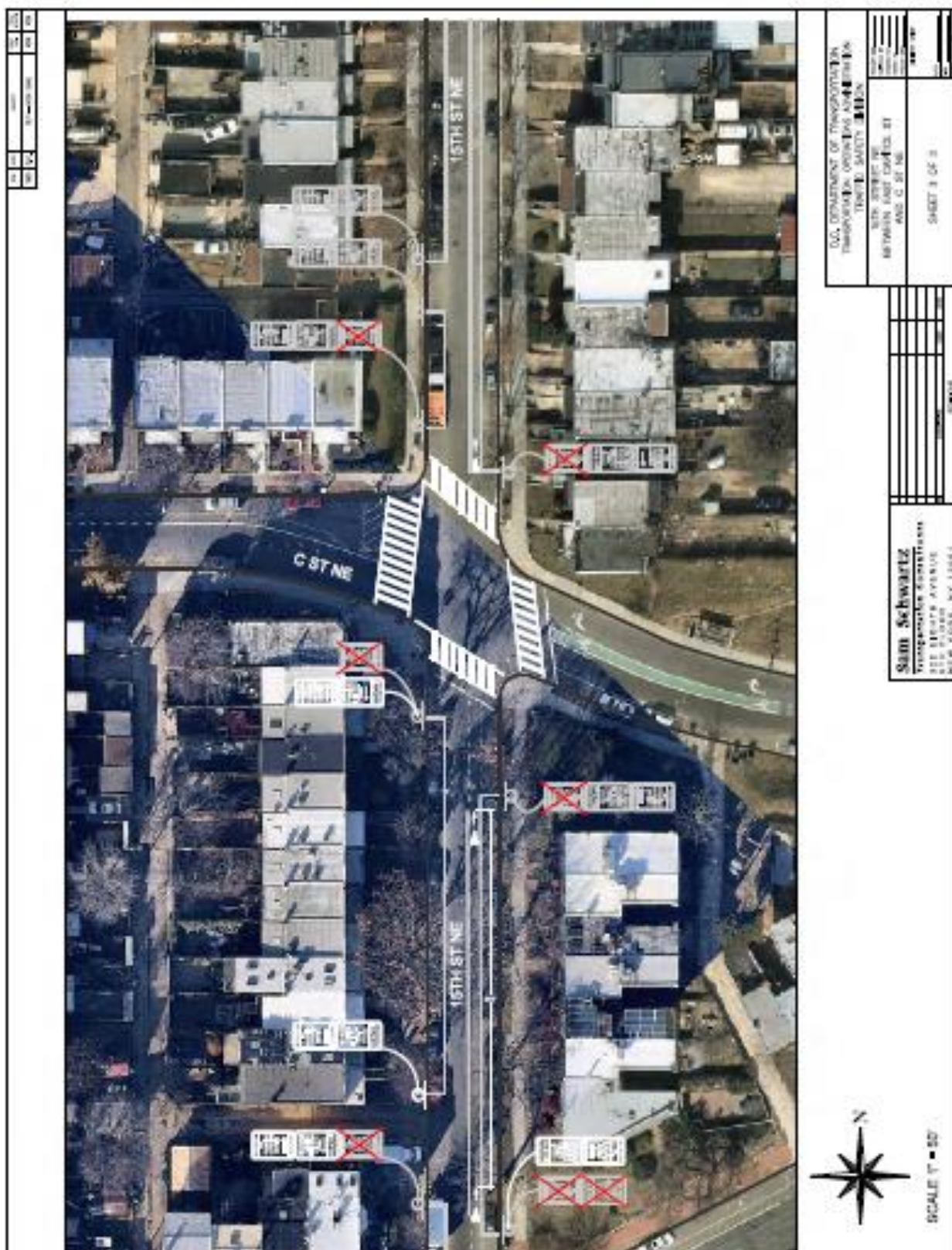




Committee Reports

Transportation and Public Space (T&PS)







Committee Reports

Transportation and Public Space (T&PS)



December xx, 2019

Mr. Jeffrey Marootian, Director
District Department of Transportation
55 M Street, SE, Suite 400
Washington, DC 20003

Re: Traffic calming measures at the intersection of 9th Street/West Virginia Avenue/L Street NE

Dear Director Marootian:

ANC 6A appreciates DDOT's November 18, 2019 response to ANC 6A's March pedestrian safety priority list. In this response DDOT states:

"DDOT is willing to install additional speed humps on 10th St. NE between the unit block and the 400 block. For additional speed humps, we request that ANC 6A submit a separate resolution listing the specific blocks of this stretch where they are requesting speed hump installation."

Therefore, we are officially requesting additional speed humps on the unit-400 blocks of Tenth (10th) Street NE with a minimum of two (2) humps on the 200 block of Tenth (10th) Street NE, if this can be done without increasing traffic on Ninth (9th) and Eleventh (11th) Streets. NE.

Further, we request that trucks be restricted from using both Ninth (9th) and Tenth (10th) Streets NE between Maryland Avenue and East Capitol Street NE.

These requests were approved by a vote of our Commission x-x (with 5 Commissioners required for a quorum) at a regularly scheduled and properly noticed meeting¹ on December 12, 2019.

Thank you for giving great weight to the recommendation of ANC 6A. Should you wish to discuss this letter with the Commission, please feel free to reach out to me at AmberANC6A@gmail.com.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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



Committee Reports Economic Development and Zoning (ED&Z)



MINUTES

ANC 6A Transportation & Public Space Committee Meeting
Capitol Hill Towers, 900 G Street NE
Monday, November 20, 2019 at 7:00 pm

Present:

Members: Brad Greenfield (Chair), Jake Joyce, Nick Alberti, Michael Cushman

Commissioners: Brian Alcorn

Brad Greenfield chaired the meeting.

Community Comment

None.

Previously Heard Cases

None.

Old Business

None.

New Business

1. **803 Maryland Avenue, NE** (BZA 20171): Application for a special exceptions under Subtitle G § 409 and 1200 from the lot occupancy requirements of Subtitle G § 404.1, and under Subtitle G § 1201 from the rear yard requirements of Subtitle G § 405.2 to construct a second floor addition to an existing accessory building to accommodate an apartment in the MU-4 Zone.

The applicant's project plan was presented by a representative of his architect. The proposal is to add a one (1) story addition above an existing garage. The garage footprint will be minimally expanded to allow for spiral staircase access to a new balcony with entry to a new studio apartment. The unit will be under the control of the owner although it could be rented.

Access to the unit will be via a spiral staircase to a new balcony on the house side of the newly constructed second (2nd) story. Access from the alley will be via a newly added access door, through the garage and into the yard to the spiral staircase. The current house is a single unit. The rear yard is fully paved with the exception of a small, raised garden.

The rear of the home faces south-southeast, with a garage at the back of the property on the alley. The walls of the garage face north (on the interior wall) and south (on the alley wall). His neighbor at 801 Maryland Avenue NE has reviewed the plans and has provided verbal approval of the plans and a letter of support. The neighbor at 803 Maryland Avenue has not responded, nor have the neighbor(s)/owner(s) of the properties at 806 and 808 D Street NE.

Committee member Nick Alberti noted that the Green Area Ratio (GAR) is a concern. The property is out of compliance with the GAR; the existing situation is presumably grandfathered. However, Mr. Alberti is concerned that for this project to go forward, it should do so in compliance with BZA policy/municipal regulations with regard to GAR. Mr. Alberti (and the other Committee members)



Committee Reports

Economic Development and Zoning (ED&Z)



wish to see approval from the zoning authorities that the exception to the GAR is grandfathered on modifications such as the proposed plan. This should be done either via citation of existing regulation or regulatory interpretation expressed in a guidance letter from zoning officials, e.g. the zoning administrator.

Commissioner Brian Alcorn expressed concern about the new entry door on the alley, noting that, in prior alley cases, pedestrian access doors have been discouraged. Committee member Michael Cushman noted that, in prior cases, the doors were opposed because they could lead to an easy conversion in usage from an office/guest unit used only by the property owner to an impermissible unit beyond what zoning allows. In this case there is only a single unit and two units would be allowed under existing zoning.

The lot is quite narrow and the garage is angled so that the interior facing wall is angled towards the neighboring property at 805 Maryland Ave NE. Mr. Cushman expressed concerns on how this might affect the neighbor's privacy. This led to a discussion of which neighbors had sent letters of support.

Chairman Brad Greenfield noted issues with the party wall; the garage at 805 Maryland Avenue has a drainpipe infringing on the property of 803 and wondered about the drainage. He noted that the drainpipe would need to be moved (and that infringing use is not protected) but wondered at the interactions of the owners. Mr. Cushman noted that the second (2nd) story wall of the existing garage at 805 Maryland Avenue had intentional openings in the brickwork that would be covered by a new wall of the second (2nd) floor addition. He echoed Mr. Greenfield's concerns that the neighbors engage in a discussion of the plans.

Commissioners noted that the garage is in the historic district. Mr. Greenfield asked about the exterior cladding material for the garage structure; brick on the alley facing wall, as is the existing garage wall. Mr. Cushman asked about the windows on the garage alley wall where the plans call for a simulated divided lite windows and wondered what the Historic Preservation Office's (HPO) position on simulated divided lite windows vs. actual divided lite; the architect replied that the exterior plan was in error, that the alley windows would be double hung windows and that simulated divided lite windows would only be used in the house facing windows.

Mr. Greenfield made a motion to recommend that ANC 6A support the application with the caveats that 1) the applicant provide sign-off of GAR compliance either through cite of DC regulations or via an advisory letter from the zoning administrator or from the Board of Zoning Adjustment (BZA) and 2) documented best efforts for letters of support from both adjacent neighbors and from the neighbors directly behind at the alley. The motion was seconded by Mr. Jake Joyce. The motion carried 5-0 with Commissioner Alcorn voting.

2. Comprehensive Plan Updates: Solicit public input for ANC 6A to provide comments and recommendations to the draft Comprehensive Plan update. The Comprehensive Plan establishes a vision and broad goals to help inform decision-making and provide context for residents, officials, and stakeholders and can help guide and inform more fine-grained planning efforts.

Mellissa Bird from the Office of Planning (OP) gave a brief description of the process to get public input to the Comprehensive Plan. OP will respond to requests for changes only when given via an ANC resolution. OP will take citizen input but will not respond to individual requests. The deadline for ANC resolutions is Jan 31, 2020.



Committee Reports Economic Development and Zoning (ED&Z)



The next meeting of the ED&Z Committee will have opportunity for public input.

The attendees then moved to the maps of proposed planning area and planned uses.

Issues: Housing, Higher density residential areas, mixed commercial, RFK reservation.

URL for the Comprehensive Plan web site: <https://plandc.dc.gov>.

Policy and Land Use maps are at: <https://plandc.dc.gov/publication/proposed-future-land-use-and-generalized-policy-maps>.

Capitol Hill element of the proposed CP are here:

<https://plandc.dc.gov/sites/default/files/dc/sites/Comprehensiveplan/publication/attachments/15%20Capitol%20Hill%20Element%20Summary.pdf>

**Next Scheduled ED&Z Committee Meeting:
Wednesday, December 18, 2019
7:00-9:00 pm
640 10th St NE
Sherwood Recreation Center, 2nd Floor**



Committee Reports Economic Development and Zoning (ED&Z)



December XX, 2019

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. 20171 (803 Maryland Avenue NE)

Dear Mr. Moy:

At a regularly scheduled and properly noticed meeting on December 12, 2019¹, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Applicant's request for a special exceptions under Subtitle G § 409 and 1200 from the lot occupancy requirements of Subtitle G § 404.1, and under Subtitle G § 1201 from the rear yard requirements of Subtitle G § 405.2 to construct a second floor addition to an existing accessory building to accommodate an apartment in the MU-4 Zone.

The design has taken measures to ensure that the addition is in the character of the neighborhood and it will not disrupt the privacy, air and light of neighbors. The owner has proven that the special exception criteria have been met through submission of architectural elevations and 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. Our support is conditioned that the applicant show that the project is in compliance with Green Area Ratio regulations.

Please be advised that Brad Greenfield and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at amberanc6a@gmail.com and Mr. Greenfield can be contacted at brad.greenfield@gmail.com.

On Behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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



Committee Reports Economic Development and Zoning (ED&Z)



MICHAEL PATRICK ROUSE
a r c h i t e c t u r e

2 December 2019

IX. NEIGHBOR RESPONSES RECEIVED

Proposed Second Floor Addition on Existing Garage

Jacob Renovation

803 Maryland Avenue NE

- I. Letters received during HPRB review process.
 - a. 806-808 D Street NE-Support
 - b. 810 D Street NE-Support
 - c. 801 Maryland Avenue NE-Support
- II. Letters received during BZA
 - a. 801 Maryland Avenue NE-Support
- III. Correspondence for letter requests
 - a. 805 Maryland Avenue NE
 - i. Email from Owner to 805 Maryland Avenue NE Owner
 - ii. Text follow up with 805 Maryland Avenue NE Owner
 - b. 810 D Street NE
 - i. Emails for BZA letter follow up

*Michael Patrick Rouse Architecture, PLLC
2007 Vermont Avenue NW, Washington, DC 20001
info @mprarchitecture.com*



Committee Reports Economic Development and Zoning (ED&Z)



September 4, 2019

Office of Planning
Government of the District of Columbia
Suite 650 East
441 4th Street SW
Washington, DC 20024

Re: HPRB Application for Oliver Jacob
803 Maryland Avenue NE, Washington, DC 20002

To Whom It May Concern:

I am the neighbor to the south of the property at 803 Maryland Avenue NE owned by Oliver Jacob. I understand that our neighbor is seeking to build a new second story on the existing one-story masonry garage at the rear of their property. The addition will also contain a roof deck above.

They have shared the drawings dated 08.22.19 of the proposed work with me.

I have reviewed the materials and do not object to the work outlined in the drawings.

Sincerely-

First M Last
Address

Kerry Souza
810 D St NE



Committee Reports
Economic Development and Zoning (ED&Z)



September 9, 2019

Office of Planning
Government of the District of Columbia
Suite 650 East
441 4th Street SW
Washington, DC 20024

Re: HPRB Application for Oliver Jacob
803 Maryland Avenue NE, Washington, DC 20002

To Whom It May Concern:

I am the neighbor to the south of the property at 803 Maryland Avenue NE owned by Oliver Jacob. I understand that our neighbor is seeking to build a new second story on the existing one-story masonry garage at the rear of their property. The addition will also contain a roof deck above.

They have shared the drawings dated 08.22.19 of the proposed work with me.

I have reviewed the materials and do not object to the work outlined in the drawings.

Sincerely-

Farhud Batmanglich
804 D street NE,
Washington, DC, 20002



Committee Reports
Economic Development and Zoning (ED&Z)



September 3, 2019

Office of Planning
Government of the District of Columbia
Suite 650 East
441 4th Street SW
Washington, DC 20024

Re: HPRB Application for Oliver Jacob
803 Maryland Avenue NE, Washington, DC 20002

To Whom It May Concern:

I am the neighbor to the west of the property at 803 Maryland Avenue NE owned by Oliver Jacob. I understand that our neighbor is seeking to build a new second story on the existing one-story masonry garage at the rear of their property. The addition will also contain a roof deck above.

They have shared the drawings dated 08.22.19 of the proposed work with me.

I have reviewed the materials and do not object to the work outlined in the drawings.

Sincerely-

Carl Fisher
5328 Hyada Blvd. NE
Tacoma, WA 98422

253 568 8000



Committee Reports Economic Development and Zoning (ED&Z)



November 12, 2019

Office of Planning

Government of the District of Columbia
Suite 650 East
441 4th Street, SW
Washington, DC 20024

Re: BZA Application No. 20171 803 Maryland Avenue NE, Washington, DC 20002

To Whom It May Concern:

I am the neighbor to the west of the property at 803 Maryland Avenue NE owned by Oliver Jacob. I understand that our neighbors are seeking to build a new second story on the existing one-story masonry garage at the rear of their property. The addition will also contain second floor landing and spiral staircase in their rear yard to allow for access to the new addition.

I understand that due to the existing conditions of the existing garage and its location on the site, the project will have to go through a Special Exception process with the Board of Zoning Adjustment to allow it to be over the stipulated 60% maximum lot occupancy. I also understand that the existing conditions on the site are currently over the 60% lot occupancy limit at 72.61%. With the required stairs and landing which allow access to the second story addition, the project will occupy an additional 3.49% (for a total of 76.1%) of the lot. In addition, my neighbor is seeking relief from the required alley centerline setback of 15' to keep the rear wall of the second story addition in line with the existing rear wall of the garage which is currently at 7.5' from the center line of the alley.

They have share the drawings dated 10.02.19 of the proposed work with me.

I have reviewed the materials and do not object to the work outlined in the drawings.

Sincerely-

Carl Fisher
5328 Hyada Blvd. NE
Tacoma. WA 98422
253 568 8000 office
253 716 8338 second line and fax



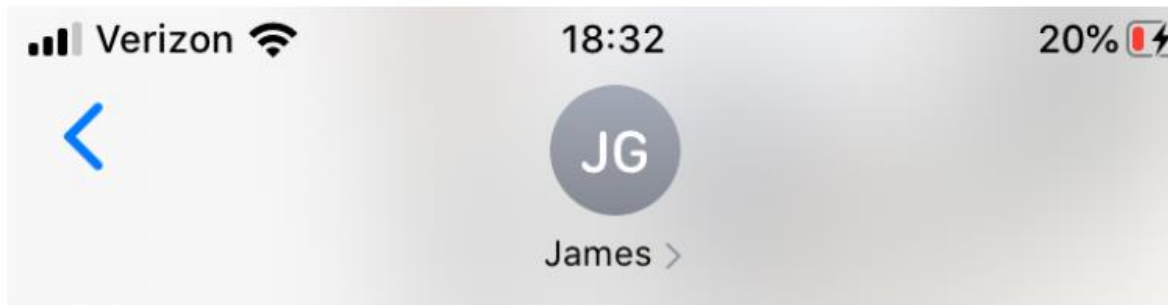
Committee Reports Economic Development and Zoning (ED&Z)



From: **Oliver Jacob** oliverjacob9@gmail.com
Subject: Fwd: Next Door Neighbor
Date: November 19, 2019 at 6:33 PM
To: mike@mprarchitecture.com, Elizabeth Golumbeck elizabeth@mprarchitecture.com



See below attempts to get a signed letter from my neighbor to the East. I also sent him multiple text messages and called him twice. Once successfully and told him about the letter.



Today 11:21

Hi James, if you are able please return the letter I emailed you last week. Hope all is well

Today 17:51

Hi James, if you aren't able to return the letter if you could please just respond in the email that would be appreciated. Regardless my architect has advised I should print out the emails I sent to show I tried reaching out and you did not object, but support is obviously

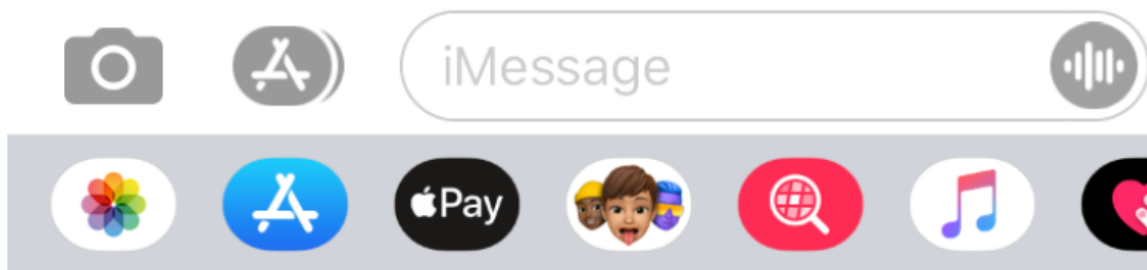


Committee Reports Economic Development and Zoning (ED&Z)



preferred. Thanks.

Delivered



Begin forwarded message:

From: Oliver Jacob <oliverjacob9@gmail.com>
Date: November 12, 2019 at 12:54:29 EST
To: jalynprop@gmail.com
Subject: Re: Next Door Neighbor

Hi James,

I hope all is well. As an update, we were able to get approved by the Historical Preservation Review Board, and are now in the zoning approval process. Due to the stairs of for the construction creating additional lot coverage of only a few square feet, we are seeing an exemption. Also, to align the back wall of the structure with the alley just like yours will also require an exemption. These won't affect the design you've already seen in any way, but is a technicality.

Please let me know if you have any questions. I have attached a letter to sign and return as soon as convenient for you along with the most recent designs.

All the best,
Oliver

On Tue, Sep 3, 2019 at 10:49 PM Oliver Jacob <oliverjacob9@gmail.com> wrote:

Hi James,

My name is Oliver Jacob, we chatted on the phone today. I am the owner at 803 Maryland Avenue NE, next door to your property.

I have submitted for Historical Preservation Review Board approval the attached schemes for consideration. The structure will be a second floor studio very similar to the one you have at 805 Maryland Avenue NE.

Please review the design and if possible, digitally or physically sign the attached letter showing your support. Hopefully you can return it by email or mail this week. I will also be reaching out later in the process for another letter, but again will have everything drafted for your ease.

Please let me know if you have any questions or concerns. I hope this isn't too much trouble.

All the best,
Oliver



Committee Reports Economic Development and Zoning (ED&Z)



--
Oliver Jacob
oliverjacob9@gmail.com
917.952.9812

--
Oliver Jacob
oliverjacob9@gmail.com
917.952.9812
<Smith BZA Letter.doc>
<IV. Architectural Plans and Elevations (reduced file size).pdf>





Committee Reports Economic Development and Zoning (ED&Z)



From: **Oliver Jacob** oliverjacob9@gmail.com
Subject: Fwd: Neighbor Construction
Date: November 19, 2019 at 6:31 PM
To: mike@mprarchitecture.com, Elizabeth Golumbeck elizabeth@mprarchitecture.com

OJ

See below my multiple attempts to get a letter from my neighbor to the south. He previously signed a letter for HPRB review and I don't believe the designs have changed.

Begin forwarded message:

From: Oliver Jacob <oliverjacob9@gmail.com>
Date: November 19, 2019 at 12:04:46 EST
To: Farhud Batmanglich <Batman@xanthusdesign.com>
Subject: Re: Neighbor Construction

Hi Farhud,

I hope your week is going well. If you've had a chance to look over the letter and design, we are meeting with the sub committee this week. Your support would be greatly appreciated.

All the best,
Oliver

On Nov 12, 2019, at 12:50, Oliver Jacob <oliverjacob9@gmail.com> wrote:

Hi Farhud,

I hope all is well. As an update, we were able to get approved by the Historical Preservation Review Board, and are now in the zoning approval process. Due to the stairs of for the construction creating additional lot coverage of only a few square feet, we are seeing an exemption. Also, to align the back wall of the structure with the alley just like our neighbors will also require an exemption. These won't affect the design you've already seen in any way, but is a technicality.

Please let me know if you have any questions. I have attached a letter to sign and return as soon as convenient for you along with the most recent designs.

All the best,
Oliver

On Wed, Sep 11, 2019 at 3:38 PM Oliver Jacob <oliverjacob9@gmail.com> wrote:

Hi Farhud,

Thank you so much for the support! If you ever need anything in the neighborhood let me know.

All the best,
Oliver

On Sep 11, 2019, at 15:24, Farhud Batmanglich <Batman@xanthusdesign.com> wrote:

Good afternoon Oliver,

I looked over your plans. It all looked good, and I am happy for you and wish you luck with the addition. I shall drop the signed letter in your mail box before the end of this week.

My best,

Farhud

On Sep 9, 2019, at 3:51 PM, Oliver Jacob <oliverjacob9@gmail.com> wrote:

Hi Farhud,

My name is Oliver Jacob, we chatted on the phone today. I am the owner at 803 Maryland Avenue NE, across the alley from your property.

I have submitted for Historical Preservation Review Board approval the attached schemes for consideration. The structure will be a second floor studio very similar to the one next door to me at 805 Maryland Avenue NE.

Please review the design and if possible, digitally or physically sign the attached letter showing your support. Hopefully you can return it by email or mail this week. I will also be reaching out later in the process for another letter, but again will have everything drafted for your ease.



Committee Reports Economic Development and Zoning (ED&Z)



Please let me know if you have any questions or concerns. I hope this isn't too much trouble.

All the best,
Oliver

--

Oliver Jacob
oliverjacob9@gmail.com
917.952.9812

<2019.08.22 HPRB Review Set Reduced.pdf><Neighbor Letter_South.docx>

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Oliver Jacob
oliverjacob9@gmail.com
917.952.9812

<Farhud BZA Letter.docx>

<IV. Architectural Plans and Elevations (reduced file size).pdf>



Committee Reports
Economic Development and Zoning (ED&Z)



November 12, 2019

Office of Planning

Government of the District of Columbia
Suite 650 East
441 4th Street, SW
Washington, DC 20024

Re: BZA Application No. 20171 803 Maryland Avenue NE, Washington, DC 20002

To Whom It May Concern:

I am the neighbor to the west of the property at 803 Maryland Avenue NE owned by Oliver Jacob. I understand that our neighbors are seeking to build a new second story on the existing one-story masonry garage at the rear of their property. The addition will also contain second floor landing and spiral staircase in their rear yard to allow for access to the new addition.

I understand that due to the existing conditions of the existing garage and its location on the site, the project will have to go through a Special Exception process with the Board of Zoning Adjustment to allow it to be over the stipulated 60% maximum lot occupancy. I also understand that the existing conditions on the site are currently over the 60% lot occupancy limit at 72.61%. With the required stairs and landing which allow access to the second story addition, the project will occupy an additional 3.49% (for a total of 76.1%) of the lot. In addition, my neighbor is seeking relief from the required alley centerline setback of 15' to keep the rear wall of the second story addition in line with the existing rear wall of the garage which is currently at 7.5' from the center line of the alley.

They have share the drawings dated 10.02.19 of the proposed work with me.

I have reviewed the materials and do not object to the work outlined in the drawings.

Sincerely-

Carl Fisher
5328 Hyada Blvd. NE
Tacoma. WA 98422
253 568 8000 office
253 716 8338 second line and fax



Committee Reports Economic Development and Zoning (ED&Z)



GOVERNMENT OF THE DISTRICT OF COLUMBIA DEPARTMENT OF CONSUMER REGULATORY AFFAIRS



APPLICATION FOR EXEMPTION STATUS FROM D.C. ZONING REGULATION GREEN AREA RATIO

[APPLICANT TO FILL OUT]

I hereby request evidence of exemption from the Green Area Ratio (GAR) Subtitle C Chapter 6 of DCMR Title 11 for the proposed construction on the property identified below.

Address: _____

Square: _____ Lot: _____ Permit Number: _____

Allowable Exemptions (CHECK ONE):	Required Signatures
<input type="checkbox"/> Single dwelling unit (Subtitle A §302.2); buildings otherwise not requiring a certificate of occupancy (Subtitle C §601.3).	OZA
<input type="checkbox"/> Any property within a R-, RF-, USN, STE, HE, WR-1, and WR-6 Districts (Subtitle C §601.2).	OZA
<input type="checkbox"/> Municipal wastewater treatment facilities operated by DC Water and Sewer Authority (Subtitle C §601.3(b)).	DCWater and OZA
<input type="checkbox"/> Building(s) or structure(s) certified by the DC Inventory of Historic Sites, or State Historic Preservation Officer, as "historic resource(s)"; additions increase the gross floor area by less than 50 percent (Subtitle C §601.3(d), §601.7).	Historic and OZA
<input type="checkbox"/> Additions, interior renovations, or both are less than 100 percent of the assessed building value as set forth in the records of the Office of Tax and Revenue as of the date of the building permit application (Subtitle C §601.3).	OZA
<input type="checkbox"/> Interior Renovations: (a) Central Employment Area, (b) 100 percent lot occupancy, (c) existing roof not capable of supporting vegetated system, and (d) proposed work does not result in a roof capable of supporting vegetated roof. (Note: all four conditions are required for this exemption), (Subtitle C §601.3).	Structural and OZA

Applicant Name: _____ Address: _____

Signature: _____ Date: _____ Phone: _____

[FOR DCRA USE ONLY]

DCRA STRUCTURAL

- ☐ I find there is sufficient evidence the existing roof for the property is NOT capable of supporting a vegetated system.
☐ I find there is sufficient evidence the proposed work will NOT result in a roof capable of supporting a vegetated system.

This review does not constitute an interpretation of zoning or building codes and does not entitle the applicant to any relief not authorized by zoning or building code officials pursuant to the applicable codes.

Signature: _____ Printed Name: _____ Date: _____

STATE HISTORIC PRESERVATION OFFICER

I hereby certify that this property is either a historic landmark or a building or structure contributing to the character of a historic district listed in the D.C. Inventory of Historic Sites. *This certification does not constitute an interpretation of zoning or building codes and does not entitle the applicant to any relief not authorized by zoning or building code officials pursuant to the applicable codes.*

Signature: _____ Printed Name: _____ Date: _____

OFFICE OF ZONING ADMINISTRATOR ONLY [Exemption Categories—Subtitle C §601]

- ☐ Single dwelling unit or buildings otherwise not requiring a certificate of occupancy
☐ R and RF zoning district
☐ Municipal wastewater treatment facilities operated by DC WASA
☐ Central Employment Area zoning district
☐ Additions will NOT result in an increase to the gross floor area by more than 50 percent (Historic Site)
☐ Additions, and/or interior renovations will NOT exceed 100 percent of the assessed building value

Signature: _____ Printed Name: _____ Date: _____

DC WATER AND SEWER AUTHORITY OFFICER

I hereby certify that this property is a municipal wastewater treatment facility operated by DC Water & Sewer Authority. *This certification does not constitute an interpretation of zoning or building codes and does not entitle the applicant to any relief not authorized by zoning or building code officials pursuant to the applicable codes.*

Signature: _____ Printed Name: _____ Date: _____

DCRA, 1100 4th Street, SW, Suite E650 Washington, DC 20024 phone 202-442-4400 fax 202-442-9445



New Business



December XX, 2019

Department of Consumer and Regulatory Affairs
1100 4th Street SW
Washington, DC 20024

RE: Request to delay granting of raze permits for 425 13th Street NE, 429 13th Street NE, and
431 13th Street NE

Dear XX:

At a regularly scheduled and properly noticed meeting¹ on December 12, 2019, our Commission voted X-X (with 5 Commissioners required for a quorum) to request that DCRA delay granting of raze permits for 425 13th Street NE, 429 13th Street NE, and 431 13th Street NE.

There is significant community opposition to the razing of these three structures due to the volume and density planned for the replacement structures, and the irreparable impact these buildings will have on the quality of life for the remaining two houses (423 13th Street NE and 427 13th Street NE).

The Commission requests that DCRA delay granting these permits until the developer has met with the neighbors and communicated the plans for future construction, and that the immediate neighbors identified in the attached letter are in agreement with these proposed plans.

The Commission appreciates that DRCA is willing to consider our request and urges you to respond to this request in a timely manner.

Thank you for giving great weight to the recommendation of ANC 6A.

Should you wish to discuss this letter with the Commission, please feel free to reach out to me at AmberANC6A@gmail.com, to Vice Chair Phil Toomajjan at PhilANC6A@gmail.com, or to Commissioner Ruth Ann Hudson at RuthAnnANC6A05@gmail.com.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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



New Business



December 10, 2019

To whom it may concern:

As the owners of 423 13th St NE and 427 13th St NE, we strongly oppose the granting of raze permits for the following addresses:

- 425 13th Street NE (two story rowhouse and one-story garage)
- 429 13th Street NE (two story rowhouse and one-story garage)
- 431 13th Street NE (two story rowhouse and one-story garage)

In conversations with us, the developer has communicated that they intend to construct an 8-unit building in the lot of 425 13th St NE, and a 16+ unit building in the lots that are adjacent to each other (429 13th St NE, and 431 13th St NE). This volume and density of units will have irreparable impacts on our quality of life at both 423 13th St NE and 427 13th St NE.

These negative impacts include the following:

- Destruction of access to sunlight and view from both backyards
- Character and feel of the block
- Parking density and overcrowding
- Trash removal

To date, the owners and contractors of these three properties have been highly irresponsible with the maintenance and management of their three properties. We have consistently found excessive waste and toilets in the backyard we share with these properties (see attached pictures), and noisy construction during illegal construction hours. We have no confidence these owners or developers will proceed with this project in a responsible manner.

We are requesting that the approval of these raze permits be halted until the developer has shared sufficient details about what is planned for these locations in place of the existing structures, and an agreement has been reached that is acceptable to us as the immediate neighbors.

Regards,

423 13th St NE

427 13th St NE