



District of Columbia Government Advisory Neighborhood Commission 6A Agenda for December 9, 2020



Second (2nd) Wednesday (usually Second (2nd) Thursday) at 7:00 pm

Call-in Conference via WebEx

Call-in Number: 202-860-2110 - Meeting number (access code): 180 762 6766

For those attending via WebEx: use this link:

<https://dcnet.webex.com/dcnet/onstage/g.php?MTID=e07b569ddc27a8b63a81abdd591e13d60>

Event Password: TgTSQxC4N88

Public Meeting - All are welcome

- 7:00 pm **Call to order**
- 7:02 pm **Approve Previous Meeting's Minutes, Adopt Agenda**
- 7:05 pm **Officer Reports**
1. Approve December 2020 Treasurer's Report.....**pg. 27**
- 7:10 pm **Community Outreach.....pg. 28**
1. Approve November 2020 committee report.
2. **Recommendation:** ANC 6A present an ANC 6A Community Leader Award to Fernanda Zavaleta.
3. Next meeting - 7:00 pm, December 14, 2020 (2nd Monday; usually 4th Monday)
- 7:20 pm **Alcohol Beverage Licensing.....pg. 31**
1. Approve November 2020 committee report.
2. **Recommendation:** ANC 6A take no action on the application by The Bodega Incorporated, t/a The Cupboard at 1504 East Capitol Street NE (ABRA #086607) for renewal of its Class B Retail License.
3. **Recommendation:** ANC 6A take no action on the application by Bella Market LLC, t/a Economy Market at 1804 D Street NE (ABRA #094127) for renewal of its Class B Retail License.
4. **Recommendation:** ANC 6A protest the application by H St Liquors LLC t/a H Street Beverage Warehouse at 1431-1433 H Street NE (ABRA #117278) for a Class A Retail License unless a signed settlement agreement is submitted before the protest deadline, and appoint the Chair of the ANC and Co-Chairs of the ABL to represent the ANC in negotiating and signing the settlement agreement and in any protest matters.
5. **Recommendation:** ANC 6A protest the application by Amazon Retail, LLC t/a TBD at 801 H Street NE (ABRA # 116873) for a Class B Retail License with Tasting Permit unless a signed settlement agreement is approved by the chair of the ANC by the protest deadline, and appoint the Chair and Vice-Chair of the ANC and Co-Chairs of the ABL to represent the ANC in any protest.
6. Next meeting - 7:00 pm, December 22, 2020 (4th Tuesday)
- 7:45 pm **Transportation and Public Space.....pg. 45**
1. Approve November 2020 committee report.
2. **Recommendation:** ANC 6A send a letter to BZA in support of BZA 20323 (Maury Elementary School, 1250 Constitution Avenue), conditional upon DDOT's consideration



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of the ANC request for ROP (Resident Only Parking) on the west side of 12th Place NE and RPP (Resident Permit Parking) from 6:00 pm - 7:00 am on the east side of 12th Place NE, and that there are 8 parking spaces involved.

3. **Recommendation:** ANC 6A send a letter to DDOT stating that ANC 6A reviewed and commented on Public Space Application #343819, 1518 North Carolina Avenue NE in March of 2020. As the application is unchanged, DDOT should refer to the letter of opposition already sent.
4. **Suggested Motion:** ANC 6A send a letter of support for #361713, fence on public space at 424 11th Street NE, conditional upon the fence atop the retaining wall being no higher than the current fence (36") and of similar (open, iron) construction.
5. **Suggested Motion:** ANC 6A send a letter to DDOT requesting an extension on the review date for Public Space Permit application #363655 (paving, landscaping, fixtures, projections at 920 F Street NE) until after the January 14, 2021 ANC meeting, to provide adequate time for public notice and review. The application was received on 12/3/2020 with a review due date of 12/24/2020.
6. Next meeting - 7:00 pm, December 28, 2020 (4th Monday; usually 3rd Monday)

8:00 pm **Economic Development and Zoning.....pg. 56**

1. Approve November 2020 committee report.
2. **Recommendation:** ANC 6A send a letter of support to BZA for a special exception under Subtitle E § 5201, from the lot occupancy requirements of Subtitle § 304.1, to construct a two-story rear addition to an existing principal dwelling unit at 903 11th Street, NE (BZA Case #20365) in the RF-1 Zone.
3. Request for special exceptions under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, and under Subtitle E § 5007.1 from the accessory building rear yard setback requirements of Subtitle E § 5004.1, to construct a second-story addition to an existing accessory structure in the rear yard of an existing flat at 114 12th Street, NE (BZA Case #20340) in the RF-1 Zone. (Soderman)
4. **Recommendation:** ANC 6A send a letter of support to BZA for a special exception from the minimum vehicle parking requirements of Subtitle C § 701.5 to convert an existing, detached, two-story, carriage house to a principal dwelling unit at 1608 East Capitol Street, NE (BZA Case #20393) in the RF-1 Zone, with the caveat that the applicant make best efforts to get letters of support from 1600, 1606, 1608, 1610 and 1612 East Capitol Street, NE, 1, 3, 5, and 7 16th Street NE, and the dwelling across the alley from 1608 East Capitol Street, NE.
5. Next meeting - 7:00 pm, December 16, 2020 (3rd Wednesday)

8:30 pm **New Business.....pg. 62**

1. **Suggested Motion:** ANC 6A request removal of the Metro Bus Shelter located at 17th Street and Benning Road NE (Commissioner Phillips-Gilbert)
2. **Suggested Motion:** ANC6A expression of zero tolerance for racism or other human rights violations and outlining follow-up actions to include creation of an ad hoc committee for reviewing and recommending changes to ANC6A bylaws, required training, committee selection processes and communications procedures to ensure improved outreach to all ANC6A residents." (Commissioners Phillips-Gilbert, Brown and Gove)



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- 8:40 pm **Single Member District reports** (1 minute each)
- 8:50 pm **Community Comments** (2 minutes each)
- 9:00 pm **Adjourn**



Advisory Neighborhood Commission 6A Meeting Minutes of November 12, 2020



Advisory Neighborhood Commission (ANC) 6A Minutes WebEx Meeting November 12, 2020

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

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

Commissioner Amber Gove called the roll and announced the presence of a quorum.

The minutes for the ANC October 2020 meeting were accepted, and the agenda for the November 2020 meeting was accepted by unanimous consent with the following addition: Commissioner Marie-Claire Brown moved and Commissioner Sondra Philips-Gilbert seconded the motion that discussion of 909-911 I Street NE be added to the New Business portion of the agenda. The motion passed 7-0.

Community Presentations

Phelps Architecture, Construction and Engineering High School - Olatundun Teyibo, Director
Director Olatundun Teyibo presented on the National Academy Foundation (NAF) Pathways and Phelps Architecture, Construction, and Engineering High School, located in Ward 5, summarizing the six pathways Phelps students choose from: Architecture, Carpentry, Electrical, HVAC/R, Engineering, and Cisco/IT Networking. Phelps offers its students several guest speakers, site visits, job shadows, mock interviews, informational sessions, and career fairs to enrich their experience. Students also have paid internship opportunities. All students, from all wards, are welcome to apply through My School DC. For more information, Director Teyibo can be reached at Olatundun.teyibo@k12.dc.gov or on @phelpsaoe on Twitter.

Officer Reports

2. The November 2020 Treasurer's report by Commissioner Brian Alcorn reviewed the 6 expenditures accrued in October: \$397.00 (Check 1946) for annual mailbox rental fee/keys, \$5.50 for stamps (Check 1947), \$200.00 for meeting minutes (Check 1948), \$765.89 for webmaster services (Check 1949), \$508.80 for printing of EDZ zoning signs (Check 1950), and \$3,000.00 (Check TBD) for the Eliot-Hine PTO community relief pantry. There were two credits from the DC Government quarterly allotments for the second and third quarters of \$5,445.56 each, totaling \$10,891.12. Finally, there are \$916.00 in existing obligations from checks not yet deposited (Check numbers 1920, 1922, and 1944), and a previous obligation to the US Postal Service in the amount of \$366.00 (Check 1945) was canceled as it was the incorrect amount. The opening uncommitted funds available were \$30,216.71 and after these disbursements totaling \$4,877.19, credits totaling \$10,891.12, and existing obligations of \$912.00, the closing uncommitted funds are \$35,314.64. The savings account opened at \$100.05, gained no interest, and closed at \$100.05. The Treasurer's report was approved by unanimous consent without objection.

Standing Committee Reports:

Community Outreach

4. The October 2020 committee report was approved by unanimous consent.
5. The Committee moved and Commissioner Phil Toomajian seconded the motion that ANC6A approve a grant in the amount of \$1,000.00 to the Ludlow Taylor Parent Teacher Organization



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(PTO) for the continual use of IXL for virtual education. Rachel Turow presented on behalf of the PTO, noting that DCPS no longer has the funds to offer IXL (a computer program for blended learning of all subjects for ages 3-10 outside of virtual schooling) in all schools. This is a powerful tool and the PTO is seeking this grant to continue the school's access to it. The pandemic has not allowed for the PTO's regular fundraising of about \$85,000.00 and Ms. Turow anticipates the PTO will be able to only minimally fundraise, if at all, this school year. The motion passed 7-0.

6. The Committee moved that ANC6A approve a grant in the amount of \$1,000.00 to the Ludlow Taylor Parent Teacher Organization (PTO) for the continual use of City Year to support best educational practices in the classroom. City Year is an AmeriCorps program that places young educators in classrooms to assist teachers; City Year fellows are especially helpful this year in virtual learning. The PTO has already committed to paying \$10,000 to City Year at the end of the school year from its own budget due to an administrative oversight in the school's budget. This grant would be paid to the PTO to offset the expense. Commissioner Toomajian moved and Commissioner Marie-Claire Brown seconded the motion to table this motion as the funds will not be paid to City Year until the end of the school year. The motion to table the recommendation passed 6-0-1 with Commissioner Mike Soderman abstaining.
7. The Committee moved and Commissioner Toomajian seconded the motion that ANC6A approve a grant in the amount of \$1,000.00 to the Ludlow Taylor Parent Teacher Organization (PTO) for school supplies. Ms. Turow noted that this grant would cover the cost of school supplies for students who can otherwise not afford them. In a normal year, these students receive supplies from a pool of supplies provided by parents, but this practice is not taking place in this year of virtual learning. Some of these supplies have already been purchased but as Term Two starts and students are transitioning, more supplies are needed. Supplies are distributed at the Principal's discretion and are not distributed on a first-come, first-serve basis. The motion passed 7-0.
8. Next meeting - 7:00 pm, November 16, 2020 (3rd Monday; usually 4th Monday).

Alcohol Beverage Licensing

7. Next meeting - 7:00 pm, November 24, 2020 (4th Tuesday)

Transportation and Public Space

2. The October 2020 committee report was approved by unanimous consent.
3. The Committee moved and Commissioner Soderman seconded the motion that ANC 6A send a letter of conditional support to DDOT for a fence in public parking at 205 15th Street NE [Public Space Application #358240], provided that it be placed on the line in the site drawing that the applicant provided to the ANC (attached), that it not to exceed 4 feet in height and that it be lattice (as specified in the application) or other open construction (at least 40% open). The applicant stated that her property is on a fairly busy corner which experiences a substantial amount of foot traffic; several people have intruded on her property in the past year and she would like more security. The motion passed 7-0.
4. The Committee moved and Commissioner Soderman seconded the motion that ANC 6A send a letter to DDOT of opposition to DDOT for a shed in public parking at 205 15th Street NE [Public Space Application #358240], as the use is incompatible with public parking. (This is the same address and permit application as the previous recommendation - the letters will be combined.) The shed would be 8' x 10' x 7' and is 16' and 20' from the front and side yards so as to minimally obscure public parking. The purpose of the shed is for gardening storage and the applicant has put together a presentation of her own research of sheds in her neighborhood, of which she found there to be about one in every ten properties. She will share this research with Commissioners. The applicant also made note that her property is not in the historic district and not subject to historic guidelines and



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that the shed is not an “architectural element” by definition as it is being treated, but rather a “permanent fixture”. The motion passed 5-0-2 with Commissioners Alcorn and Toomajian abstaining.

5. The Committee moved and Commissioner Brown seconded the motion that ANC 6A complete the public restroom pilot survey indicating a first choice of locations at 8th and H Streets NE and a second choice at 12th and H Streets NE plus a note in the comments section in support of other locations on H Street NE. Commissioner Toomajian offered a friendly amendment of stating a first choice of 8th and H Streets and a “second feasible location on H St that meets criteria” (criteria including readily available plumbing and space). The amended motion passed 7-0.
6. The Committee moved and Commissioner Soderman seconded the motion that ANC 6A send a letter to DDOT in support of Traffic Safety Assessment Service Request 20-00355070 for a red-light camera at the intersection of 9th and C Streets NE. The motion passed 7-0.
7. Commissioner Alcorn moved and Commissioner Soderman seconded the motion that ANC 6A request a postponement of DDOT Public Space application #343819, for Paving: Driveway(s) at 1518 North Carolina Ave. NE. Due date is currently 12/3/2020, insufficient notice for a meaningful review. ANC6A had previously opposed this same application in January 2020. The motion passed 7-0.
8. Next meeting - 7:00 pm, November 16, 2020 (3rd Monday)

Economic Development and Zoning

6. The October 2020 committee report was approved by unanimous consent.
7. The Committee moved and Commissioner Soderman seconded the motion that ANC 6A submit comments to the full Zoning Commission making recommendations that facade preservation be included in any IZ FAR bonus, that the FAR bonus for IZ be subject to special exception relief, that guidance for FAR bonuses for PUD developments be included, and that the FAR bonus be capped at 2.0 for buildings under 85 feet. The goal of this is to avoid “piggybacking” where a developer, particularly on H Street, receives a façade preservation bonus and then an additional bonus for including IZ units. The EDZ recommends that in order to receive the H St FAR bonus, developers must include both façade preservation and IZ units. The motion passed 7-0.
8. The Committee moved and Commissioner Soderman seconded the motion that ANC 6A send a letter of support to BZA for special exceptions under Subtitle E § 5201, from the lot occupancy requirements of Subtitle E § 304.1, and from the rear yard requirements of Subtitle E § 306.1, to construct a second-story rear deck addition to an existing semi-detached principal dwelling unit at 722 19th Street NE (BZA Case #20295) in the RF-1 Zone. Due to a scheduling mishap, BZA has already heard this case and is waiting on ANC input. The motion passed 7-0.
9. The Committee moved that ANC 6A send a letter of support to BZA for a special exception under the off-site parking spaces requirements of Subtitle C § 701.8 (f), applied for by District of Columbia Department of General Services, to relocate 8 of the required parking spaces to the adjacent street to enlarge the outdoor play area at Maury Elementary School, 1250 Constitution Avenue, NE (BZA Case #20323) in the RF-1 Zone. The Economic Development and Zoning Committee (EDZ) recommends ANC 6A support the request on condition that the parking implications of this action be considered at the November 2020 Transportation and Public Space Committee (TPS) Commissioner Gove moved to table this item until the December 2020 ANC 6A meeting, giving TPS time to review this case. The motion to table passed 7-0.
10. Next meeting - 7:00 pm, November 18, 2020 (3rd Wednesday)

New Business

1. Commissioner Philips-Gilbert moved and Commissioner Soderman seconded the motion that ANC 6A send a letter to DDOT in support of the Traffic Safety Assessment Questionnaire submitted by Mr. Burnett, including ANC 6A support for the request for installation of speed humps on 18th Street NE, at



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Gales Place NE and Rosedale Street NE. These areas surround the community center where there is significant foot traffic from children and community members. The motion passed 7-0.

2. Commissioner Philips-Gilbert moved and Commissioner Brown seconded the motion that that ANC6A approve the appointments of Andrew Burnett to the Transportation and Public Space Committee and Samuel Deluca to the Economic Development and Zoning Committee. The motion passed 6-0 (Commissioner Gove briefly lost connectivity and did not participate in the vote).
3. Commissioner Brown moved and Commissioner Philips-Gilbert seconded the motion that ANC6A approve the appointment of Daniel McPheeters to the Economic Development and Zoning Committee. The motion passed 7-0.
4. Commissioner Alcorn moved and Commissioner Brown seconded that ANC 6A approve an updated pricing schedule for agenda package and website services. These tasks have become significantly more time consuming and important in enabling the Commission to function during the pandemic. The last update in pricing was in February 2015. Given this, a new rate schedule of \$300/month and \$450/month for agenda preparation and website and meeting management services, respectively (up from \$200/month and \$250/month, respectively) is appropriate. This will be enacted retroactively starting in October 2020. The motion passed 7-0.
5. Commissioner Gove moved and Commissioner Soderman seconded the motion that ANC6A send a letter to DCPS Chancellor Ferebee reflecting community concerns regarding the firing of School Without Walls Principal Trogisch. Several other ANCs have sent letters similarly advocating for Principal Trogisch and transparency from DCPS. The motion passed 7-0.
6. Commissioner Toomajian moved and Commissioner Brown seconded the motion that ANC6A send a letter supporting apartment style housing and additional funding to support the unhoused during hypothermia season and opposing the proposed increased capacity and 24/7 use of Recreation Centers to house more than 50 people during this hypothermia in light of the serious health concerns posed by mass gatherings during the pandemic. Apartment-style or hotel rooms are preferable both for privacy and health concerns in this pandemic and the plan to have 60 people in the Recreation Center at this time is unsafe, unhealthy, and potentially very dangerous, both for these individuals and our communities. Chief of Staff at the Department of Human Services (DHS) Larry Handerman spoke to this issue and mentioned that for housing individuals experiencing homelessness, this Recreation Center is just a small part of this year's Winter Plan to provide shelter to those without homes; four other Recreation Centers will be serving those in need. Three hotels and a handful of other sites have also been designated. John Stokes from the Department of General Services (DGS) noted that filters have been changed in the Sherwood Recreation Center and cleaning and maintaining social distancing have become a priority across all housing sites. The filters, however, are not MERV or HEPA filters which are the filters required for DCPS. All shelter occupants and staff are required to wear masks at all times and additional personal protective equipment is available at the Centers. Melvyn Smith from DHS noted that while the stated capacity of the Recreation Center is 60, at no given time is DHS planning to have 60 people there at one time and these Centers rarely reach more than 50 occupants per night. Mr. Smith also noted several other plans to increase safety such as staggered mealtimes, increased distance between beds, and increased security and case management for those with behavioral and mental health concerns. The motion passed 6-0-1 with Commissioner Philips-Gilbert abstaining.
7. Commissioner Brown moved and Commissioner Philips-Gilbert seconded the motion that ANC 6A send a letter in support of an application for special exceptions under Subtitle C § 1500.4 from the penthouse requirements of Subtitle C § 1500, and under Subtitle E §§ 205.5 and 5201, from the rear addition requirements of Subtitle C § 205.4, to construct two new, attached, three-story flats with a penthouse at 909-911 I Street, NE (BZA Case #20369). This issue has been before the ANC Committee



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since April 2020 and the owners have done their due diligence and completed all outstanding requirements. The motion passed 7-0.

Single Member District reports

Commissioner Brown (6A01) mentioned that there was a fire in her SMD where property was damaged but no one was harmed. A potential gas leak on the 800 block of L Street NE was avoided after Commissioner Brown insisted that Washington Gas dig in that area. Finally, DDOT has approved the repair of the 700 block of 10th Street NE.

Commissioner Philips-Gilbert (6A07) noted that Councilmember Robert White has proposed sensitivity training for all new Commissioners and would like to see this training provided to all Committee Chairs and Members.

Commissioner Soderman (6A03) noted that there was a recent mugging on the 200 block of 10th Street NE; camera footage was provided to the Metropolitan Police Department (MPD) which helped identify the suspects.

Commissioner Gove (6A04) noted that the recent ANC6A grant to Eliot-Hine is already reaping benefits; several families are receiving Thanksgiving baskets. Commissioner Gove was also invited to inspect and learn about filters at Maury Elementary.

Commissioner Zimny (6A06) offered congratulations to Robb Dooling who won the ANC 6A06 seat in the November 2020 election.

The meeting adjourned at 10:08 pm.



Commission Letters of November 12, 2020 Meetings



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



November 21, 2020

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

Re: Opposition to shed; conditional support for fence - DDOT PSRA Permit # 3358240: at 205 15th Street NE

Dear Associate Director Marcou & Public Space Committee:

At a regularly scheduled and properly noticed meeting¹ on November 12, 2020, our Commission voted 5-0-2 (with 5 Commissioners required for a quorum) to oppose the construction of an accessory building (shed) on public parking at 205 15th Street NE and to give conditional support for a fence on public parking at the same address.

With respect to the shed:

ANC 6A opposes the application of Sunny K. Petzinger, seeking permission to erect an accessory building (garden shed) in the public parking² adjacent to 205 15th Street NE. (See Figures 1, 2.) The dimensions of the proposed building are 8 x 10 feet, and, per Ms. Petzinger's statement, approximately 7 feet tall.

The law on parking (Parking Act of 1870), beginning in 1870 and continuing through the present, mandates that parking be preserved as open public space used for trees, greenery or parks. Per DDOT's Public Realm Design Manual, bay windows, oriel windows, corner towers, and porches to project into public space (if granted a public space permit) but there is no provision for separate accessory buildings. The proposed building would occupy and obstruct open space and, for this reason, the application should be denied.

The Public Realm Design Manual, further cites the Comprehensive Plan's emphasis on view sheds. The Urban Design Element (2018) identifies North Carolina Avenue as a locally significant viewshed. (See Figure 3.) While the accessory building would not actually block the view, it would detract from the view in a highly visible and significantly undesirable way.

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

² DC Code § 10-1101.01(4) provides: "Parking" means that area of public space which lies between the property line and the edge of the actual or planned sidewalk which is nearer to such property line, as such property line and sidewalk are shown on the records of the District. The regulations add: "Public parking means that area of public space devoted to open space, greenery, parks, or parking that lies between the property line ... and the edge of the actual or planned sidewalk that is nearer to the property line. DCMR § 24-102.8



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1. An accessory building is not an architectural projection from an existing structure (such as a bay, porch or window well) and is therefore not included in the list of permissible exceptions.
2. Furthermore, the building would occupy a significant portion of the parking and would block the view of additional greenspace, undermining the goal of a visible park.
3. Finally, approval of this application would open the door to innumerable future similar structures which would further erode public parking, city-wide.

With respect to the fence:

The applicant is seeking permission to construct a 4-6 foot board-on-board fence in public parking at the same address. A permit is required for fences in public parking that exceed 42 inches in height and do not have an open design of at least 50 percent. The ANC finds that a fence over 4 feet in height and completely non-transparent is inappropriate for public parking at this location, as it would detract from the view-shed and enjoyment of public green space (as outlined above). However, the ANC does support a fence, as outlined in red on the attached site drawing, provided that it does not exceed 4 feet in height and is of lattice (or similar) construction, at least 40% open.

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



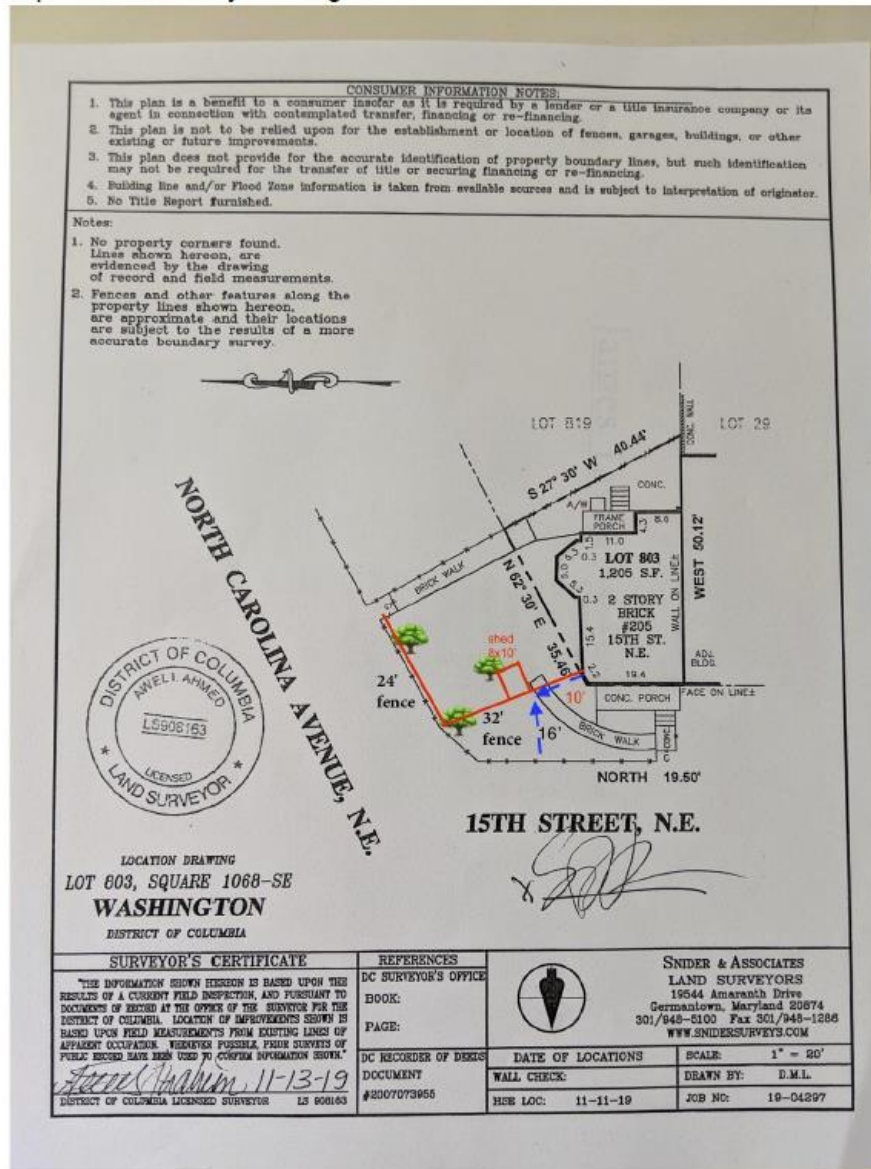
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Figure 1. Survey, 205 15th Street, NE, Square 1068SE, lot 803, and parking.
Proposed accessory building is not to scale.





Commission Letters of November 12, 2020 Meetings



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Figure 2. Photograph of site of proposed accessory building, 205 15th Street, NE.
Image: Sunny K. Petzinger.





Commission Letters of November 12, 2020 Meetings



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Figure 3. Comprehensive Plan Proposed Amendments, Urban Design Element, Locally Significant View Corridors. (2018)



Locally Significant View Corridors



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District of Columbia Government
Advisory Neighborhood Commission 6A
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November 21, 2020

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

Re: ANC6A Support for TSA, including speed humps on 18th NE at Gales Place and Rosedale Street NE

Dear Director Marootian:

At a regularly scheduled and properly noticed meeting¹ on November 12, 2020, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to support the Traffic Safety Assessment Request submitted by Mr. Burnett, including ANC6A support for the request for installation of speed humps on 18th Street NE, at Gales Place NE and Rosedale Street NE.

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, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.



Government of the District of Columbia Department of Transportation



Traffic Safety Assessment Questionnaire

Contact Information	
Name: Andrew Burnett	Date: October 27, 2020
Address: 601 18 th St. NE Washington, D.C. 20002	Phone: 662-571-2399
Signature: 	Email: awburnett1@gmail.com

The purpose of this Questionnaire is for DDOT to gather information about a safety concern in order to perform a Traffic Safety Assessment (TSA). The intent of the TSA process is to ask residents to identify traffic safety concerns, whether along a roadway segment or at an intersection, and focus on the definition of the safety concern(s) rather than on a proposed solution or mitigation measure. Based on the nature of the request, DDOT will determine the type of assessment necessary to investigate the extent of the traffic safety concern.

To begin a Traffic Safety Assessment, please fill out the information below and answer any questions to the best of your ability. If necessary, please attach additional pages. In addition, please attach a letter of support from your ANC Commissioner, Councilmember's Office, or representative from the Mayor's Office of Community Relations.

Once completed, please submit this form to DDOT via the address provided below, or you can email the form to traffic.safety@dc.gov.

District Department of Transportation
Customer Service Clearinghouse
55 M Street SE – 7th Floor
Washington, DC 20003

If you have any questions, please contact DDOT at 202-673-6813. Thank you.

Version 1.01, updated May 2019

District Department of Transportation | 55 M Street, SE, Suite 400, Washington, DC 20003 | 202.673.6813 | ddot.dc.gov



Commission Letters of November 12, 2020 Meetings



Questions	
Location of requested investigation: Define geographic boundaries as clearly as possible (400 block of A Street NE, intersection of 1st Street & B Street NW, etc.) Is this location near an existing construction project? If yes, please provide the name and location of the project and any construction-related concerns.	Intersection (curve) of 18th Street NE (600 block) and Rosedale Avenue (1800 block). Intersection of Gales Place Street NE (1700 block) and 18th Street NE (700 block). Both intersections are absent of any construction projects.
Safety concerns: Provide a detailed description of the problems observed in the area of investigation (vehicle crashes, speeding, pedestrian safety, bicycle safety, unable to cross the street, hard to see cross-traffic, etc.) For intersection-related concerns, please include the type of intersection: <ul style="list-style-type: none"> ▪ 1 or 2-way STOP control ▪ All-way STOP control ▪ Traffic signal 	The Intersection of 18th Street NE and Rosedale Avenue NE does not contain a 1 or 2-way stop, all-way stop, traffic signal, or speed bumps. Drivers go too fast around the curve endangering students at the Monument Academy Public Charter School and children coming in and out of the Rosedale Community Center field and playground entrance. We need speed bumps. The intersection of Gales Place NE and 18th Street NE contains a 1-way stop, but not traffic signals. Drivers coming off Benning Road NE onto 18th Street NE go way too fast and endanger kids crossing the street. A solution to this would be white-lined pedestrian crosswalk across the street with a sign in the street that signals cars to stop for pedestrians similar to the intersection of 5th Street NE and East Capitol Street NE.
Days and time when safety concerns are the worst: Such as weekday AM peak, weekday PM peak, overnight, weekends, etc.	18th Street NE and Rosedale Ave NE - Weekday AM peak, overnight, and weekends. Gales Place NE and 18th Street NE - Weekday PM peak, weekends.
Are there existing traffic calming features on the block? This includes speed humps, rumble strips, etc.	18th Street NE and Rosedale Ave NE - Zero traffic calming features. We need speed bumps before and after the curve! Gales Place NE and 18th Street NE - 1-way stop for traffic coming off Gales Place NE onto 18th Street NE, one speed bump further down from the intersection on 18th Street NE but need pedestrian crosswalk.
Describe neighborhood uses: Such as residential area, retail area, school zone, recreation center, community center, etc.	Residential area with the Rosedale Community Center that has a playground and sports field, also has the Monument Academy Public Charter School, so this area has lots of children playing; therefore more protection for them is needed.



Commission Letters of November 12, 2020 Meetings



Questions	
Describe multi-modal facilities: Are there sidewalks? Bike facilities or trails? Nearby Metrorail station or Metrobus stop(s)?	There are sidewalks around both intersections. There are no Metrorail stations or Metrobus stops near either intersection.
Vehicle types: Is the concern about commuter traffic in cars? Is there a high volume of trucks, perhaps due to nearby construction? What about buses?	There is a high volume of commuter cars from Virginia and Maryland that drive way too fast down our streets at both intersections. Commuter traffic in the mornings is high at 18th Street NE and Rosedale Ave NE, in the afternoons it is high at Gales Place NE and 18th Street NE. Not so many construction trucks coming by only occasionally, and no Metrobuses come by either intersection.
Have you previously contacted DDOT about your concerns? Please include name(s) and department(s) if possible. If you have already contacted 311, please provide the service request number.	Not aware of any previous communication.
Any other information you would like to share? The curve/intersection of Rosedale Ave NE and 18th Street NE is a very dangerous intersection that desperately needs a traffic calming feature in the curve. Speed bumps before and after the curve would solve the problem, and they would help ensure the safety of the children from the Monument Academy Public Charter School and the children coming in and out of the Rosedale Community Center's playground. We need these speed bumps badly. The intersection of Gales Place NE and 18th Street NE has one speed bump further down from the intersection that does not calm traffic enough to be safe for the amount of kids that play in the area. This intersection either needs another speed bump between this intersection and Benning Road NE or this intersection needs a pedestrian crosswalk with a yield/stop to pedestrians sign in the middle of the intersection.	
For DDOT Use Only	
Date Received:	Service Request Number:
Letter of Support Attached?	YES / NO
Name:	SMD/Ward:
Contact Info:	

District Department of Transportation | 55 M Street, SE, Suite 400, Washington, DC 20003 | 202.673.6813 | ddot.dc.gov



Commission Letters of November 12, 2020 Meetings



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



November 21, 2020

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

Re: Request for Postponement (insufficient notice)- DDOT PSRA Permit Tracking# 343819 Review# 633980, driveway at 1518 North Carolina Ave. NE

Dear Associate Director Marcou & Public Space Committee:

At a regularly scheduled and properly noticed meeting¹ on November 12, 2020, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to request that the due date for review of the above referenced item be postponed at least until December 18, 2020 so that the ANC can discuss with the applicant and present an informed opinion at a publicly noticed ANC meeting. The ANC was given far less than 30 days notice on the original application; the email arrived only 2 days prior to our November meeting. 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

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Commission Letters of November 12, 2020 Meetings



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



November 21, 2020

Chairman Anthony Hood
D.C. Zoning Commission
441 Fourth Street NW, Suite 210S
Washington, DC 20001

Re: Zoning Commission Case No. 20-02 (Expanded IZ Text Amendments)

Dear Chairman Hood,

At a regularly scheduled and properly noticed meeting¹ on November 12, 2020, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to support the proposed amendment to expand available Inclusionary Zoning (IZ) units through the awarding of a Floor Area Ratio (FAR) bonus. regulations. ANC6A believes wholeheartedly in the Amendments goal of expanding the number of IZ units available so that more working-class residents can afford to live in the city. We also believe that the Zoning Commission should look at changing the Average Median Income (AMI) thresholds to further expand the availability of IZ units so that a greater section of the population can access them.

ANC 6A's experience with development on and around H Street has led to several considerations that we believe the Zoning Commission should include in the final rule. These considerations are:

1. The IZ FAR bonus should be combined with the facade preservation bonus currently in place as part of the H Street Overlay (and other similar bonuses). These should be inclusive considerations, so that developers cannot seek FAR bonuses both for IZ units and for facade preservation. Rather, both facade preservation and IZ units must be present for any FAR bonus to be awarded.
2. The IZ FAR bonus should be subject to special exception relief, rather than being matter of right. This would allow the community to assess the FAR bonus and decide if the IZ units are worth the increased density.
3. Currently, the Amendment places IZ levels for PUD projects outside of the scope of the amendment, requiring them to be addressed in the Community Benefits Package that is part of the PUD process. This will likely result in inconsistent results, with different ANC's having different levels of knowledge and comfort with the PUD processes. Our ANC recommends that the Zoning Commission either require the Zoning Amendment to include standards for

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Commission Letters of November 12, 2020 Meetings



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Box 75115
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PUD projects to make use of the IZ FAR bonus, or establish standards that ANC6A can use in discussing PUD projects with developers.

4. The FAR bonus be capped at a maximum of 2.0 for buildings under 85 feet. Currently, the Amendment allows for a FAR bonus in excess of 2.0, but the IZ rate is still 20% for any far bonus above 2.0. The result is that there is no additional community benefit to allow for increased density above 2.0. Because of this, ANC6A recommends that a maximum bonus of 2.0 be set for buildings under 85 feet in height.

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



Commission Letters of November 12, 2020 Meetings



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



November 21, 2020

Dr. Lewis Ferebee, Chancellor
District of Columbia Public Schools
1200 First St NE 10th floor, Washington, DC 20002

Re: ANC6A Request for Information Regarding Firing of Principal Trogisch

Dear Chancellor Ferebee:

At a regularly scheduled and properly noticed meeting¹ on November 12, 2020, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to relay the following concerns regarding the recent firing of School Without Walls High School Principal Richard Trogisch.

- On Monday, October 5th, the Mayor announced plans to re-open schools in the coming weeks, and, at the Chancellor's Meeting, Principal Trogisch asked specifically what air quality standards were being set by DCPS and how such standards would be measured and enforced. After no specific answer to his question was given, he said he later told his staff and parents that he would not open School Without Walls at Francis-Stevens unless he was certain students, teachers, and all other school personnel would be safe, and
- Like many DCPS facilities, School Without Walls at Francis Stevens is a nearly 100 year-old building with no HVAC system, window air conditioners in each classroom, and numerous maintenance issues that come with an old building slated for major renovation in less than two years, and
- The Center for Disease Control revised its guidance to acknowledge that COVID-19 is spread not just by droplets, but in aerosolized form in closed indoor spaces with poor ventilation and that regular exchange of fresh air is imperative for such spaces to be safe, especially where people (such as students and teachers in classrooms) stay in those spaces for more than just a few minutes at a time, and
- Less than 48 hours after Principal Trogisch questioned whether the air quality and ventilation standards at SWW@FS would allow the school to open safely, he was fired by DCPS with the explanation that there had been a student "enrollment anomaly" in a previous year, and
- DCPS officials indicated to the school community that the firing of Principal Trogisch was "not in the best interests" of students and faculty, and DCPS had knowledge of this 'enrollment anomaly' prior to renegotiating the principal's contract for the 2020-2021 school year but appears to have chosen not to address it, and
- An action that did not prevent his contract renewal suddenly became a fireable offense two days after the Principal expressed health and safety concerns about DCPS plans.

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Commission Letters of November 12, 2020 Meetings



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Box 75115
Washington, DC 20013



Given the above history as presented to us by caregivers of students enrolled at School Without Walls, ANC 6A requests a response from Chancellor Ferebee to community concerns regarding the firing of Principal Trogisch. The lack of transparent processes and procedures by DCPS leadership further diminishes public trust in our public schools and runs counter to the values and priorities of DC Public Schools.

Thank you for giving consideration to our ANC's feedback on this issue. Should you wish to discuss this letter with the Commission, I can be contacted at amberanc6a@gmail.com.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A



Commission Letters of November 12, 2020 Meetings



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



November 13, 2020

Mayor Muriel Bowser (via email)
DGS Director Keith Anderson (via email)
DHS Director Laura Zeilinger (via email)

Re: ANC6A Support for Apartment Style Housing for Unhoused Individuals and Concerns Regarding
Planned Hypothermia Shelters at DC Recreation Centers

Dear Mayor Bowser, Director Anderson and Director Zeilinger:

At a regularly scheduled and properly noticed meeting¹ on November 12, 2020, our Commission voted 6-0-1 (with 5 Commissioners required for a quorum) to write to urge you to seek safe apartment or hotel room style housing for the unhoused during the 2020 hypothermia season.

Our Commission is gravely concerned that the proposal put forward by DHS and DGS is likely to create ongoing super-spreader events among this vulnerable population and the staff that serve them. We have seen great leadership from the Mayor and the Department of Health to help limit the spread of COVID-19 to date and we expect better planning from our local government. We do not consent to placing 60 women inside a single facility without separate rooms and we strongly urge you to seek safer and more humane accommodations for these at-risk residents.

Our Commission does not believe it is humane to ask residents to sleep on basketball court floors in Recreation Centers under normal conditions and reiterates our strong recommendation that the District do more to increase affordable housing, shelter units, and other options to serve the unhoused in a more respectful and permanent manner. Furthermore, we are extremely concerned that our government has proposed housing as many as 60 individuals in these types of conditions during the ongoing pandemic. It is unquestionably unsafe to place 60 people inside a single open-air facility at this time. No doubt, this is why the Mayor's Order restricts gatherings to fewer than 50 people during the pandemic. Your proposal to do so seemingly violates the Mayor's Order² and commonsense. See strongly urges the District government to seek every available opportunity to provide apartment-style or hotel room housing to the unhoused residents this winter.

Should the government reject our recommendation to provide apartment-style or hotel room housing, we strongly urge the following conditions for a minimum prerequisite to any use of our Recreation Centers to house numerous residents during hypothermia season.

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² https://coronavirus.dc.gov/sites/default/files/dc/sites/coronavirus/publication/attachments/COVID-19_DC_Health_Guidance_for_Mass_Gatherings_2020.07.29.FINAL_.pdf



Commission Letters of November 12, 2020 Meetings



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First, the Commission requests that any plans to use facilities within our bounds be fully vetted by career public health staff at the Department of Health to ensure that maximum capacity, socially distancing, airflow, and other key health requirements for gatherings during the pandemic are fully considered from a public health and safety perspective by experts in this area.

Second, the District should ensure that any such Recreation Centers have adequately upgraded their HVAC units to allow for improved filtering of airflow. The District is in the process of doing for its public schools prior to returning a small number of children to classrooms. Our unhoused residents deserve similar protections if they are going to be brought inside and congregated for extended periods of time with other non family members. The Commission strongly urges that any Recreation Centers that are used to house groups of individuals this winter have HVAC upgrades and improved airflow to meet or exceed those being provided throughout D.C. Public Schools, including MERV-14 and HEPA filters.

Third, the District should respect the need for social distancing to combat the pandemic and protect the safety of its residents by substantially reducing capacity below levels used in prior years. Last year, DHS placed 30 beds inside Sherwood Recreation Center on hypothermia alert nights. Given the complications involved in social distancing during the pandemic and the particularized importance of social distancing during extended time indoors with non family members, the Commission urges the DHS to reduce capacity to no greater than 50 percent of the number of residents who used the facility last year. As District schools are considering reopening, they are all proposing to operate as substantially reduced capacities during the pandemic. The vulnerable residents that DHS serves during hypothermia season and those who serve them and otherwise come into close contact with them, deserve no less.

Thank you for providing great weight and due consideration to the Commission's concerns regarding how to accommodate the unhoused and our recommendations regarding safe accommodations and the use of District facilities and resources this winter.

Should you wish to discuss this letter with the Commission, please feel free to reach out to me at AmberANC6A@gmail.com, Vice Chair Toomajian at PhilANC6A@gmail.com or Commissioner Brown at DCANC6A01@gmail.com. We look forward to your response and hearing how you have reviewed and afforded great weight to the views of the Commission.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A



Commission Letters of November 12, 2020 Meetings



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



CC:

Chairman Mendelson
Councilmember Brianne Nadeau
Councilmember Charles Allen



Commission Letters of November 12, 2020 Meetings



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



November 21, 2020

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. 20369 (909/911 Eye Street NE)

Dear Mr. Moy:

At a regularly scheduled and properly noticed meeting¹ on November 12, 2020 our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to support the Applicant's request for special exceptions under Subtitle C § 1500.4 from the penthouse requirements of Subtitle C § 1500, and under Subtitle E §§ 205.5 and 5201, from the rear addition requirements of Subtitle C § 205.4, to construct two new, attached, three-story flats with a penthouse.

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 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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Officer Reports - Treasurer



ANC 6A Treasurer's Report November 2020 [Produced 12/5/2020]

Period Covered 11/1/2020-12/1/2020

Checking Account:

Opening Account Statement \$ 40,225.00

Credits:

None

Total Credits \$ -

New Disbursements:

		Check Number	
Anna Tsaar	Note-Taker Nov Minutes	Chk #1952	\$ 200.00
Cap. Hill Comm News	2021 Meeting Advertisements	Chk #1953	\$ 3,864.00
Ludlow Taylor PTO	Grants - IXL and School Supplies	TBD	\$ 2,000.00

Total New Disbursements \$ 6,064.00

Existing Obligations:

Issued Checks Not Deposited #1920, #1922, #1947, #1951 \$ 3,555.50

Total Existing Obligations \$ 3,555.50

Closing Funds Available/Uncommitted \$ 30,605.50

Savings Account:

Balance Forward \$ 100.05

Interest 11/30/2020 \$ -

Ending 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 - November 16, 2020

Meeting called to order at 7:01 pm.
Quorum present.

COC members present: Roni Hollmon (Chair), Gladys Mack, Sarah Bell and Marc Friend

COC members absent: Stefany Thangavelu, Jason Gresh

Commissioners present: Amber Gove

Community members present: Sean Kinne, Nicole Smith and Fernanda Zavaleta

Sean Kinne nominated Fernanda Zavaleta for the ANC 6A Community Leader Award. A few months ago, Nicole Smith was attacked and robbed near Ms. Zavaleta's home. With no thoughts to her personal safety, she went out to intervene, took Nicole into her home and comforted her. She never hesitated even though the city is in the midst of a pandemic. Nicole Smith thanked Ms. Zavaleta again and expressed how grateful she was to live in a neighborhood where neighbors care about each other. Those sentiments were also echoed by Commissioner Gove who lives in this neighborhood.

Committee Member Mack moved and Marc Friend seconded the motion that Fernanda Zavaleta be awarded the ANC 6A Community Leader Award. Motion passed 5-0-0.

The Committee discussed that in addition to a Community Leader letter, there should also be a certificate. The Committee will have all pertinent information for presentation to the ANC for the December 2020 ANC 6A meeting.

The meeting was adjourned at 7:18 pm.

**The next regular meeting of the ANC 6A COC will be December 14, 2020
(2nd Monday) at 7:00 pm**



Committee Reports

Community Outreach Committee (COC)



December XX, 2020

Ms. Fernanda Zavaleta
1367 North Carolina Avenue NE
Washington DC 20002

Dear Ms. Zavaleta:

At a regularly scheduled and properly noticed meeting¹ on December 12, 2020, our Commission voted x-x-x (with 5 Commissioners required for a quorum) to approve Mrs. Fernanda Zavaleta for the ANC6A Community Leader Award.

On the night of July 29th, 2020, Mrs. Zavaleta, went above and beyond by responding to the victim of an armed robbery in progress in the vicinity of her home. Mrs. Zavaleta's actions deterred the armed attacker from engaging in further violent activity. She then took the victim into her home, called the police and comforted the victim throughout that difficult time.

Mrs. Zavaleta gave no thought to her personal safety, either in responding to render aid or taking the victim into her home during a pandemic. She simply did what she felt was right.

ANC6A joins together in acknowledging Mrs. Fernanda Zavaleta for the Community Leader Award and are grateful to have neighbors, such as her, in our community.

On behalf of the Commission,

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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6A COMMUNITY LEADER AWARD

This is awarded to

**FERNANDA
ZAVALETA**

for great deeds within the community.

AMBER GOVE

ANC 6A Commission
Chair and SMD 6A04

RONI HOLLMON

Community Outreach
Committee Chair



Committee Reports

Alcohol Beverage and Licensing (ABL)



Minutes

Alcoholic Beverage Licensing (ABL) Committee

Advisory Neighborhood Commission (ANC) 6A

Tuesday, November 24, 2020, 7:00 pm

Virtual Meeting—Held on WebEx

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 November 24, 2020, on a publicly posted WebEx event.

Committee Members Present: Nick Alberti (Co-Chair), Mark Samburg (Co-Chair), Laura Gentile
Committee Members Absent: Roger Caruth, Ramin Taheri
Commissioners Present: Marie-Claire Brown, Sondra Phillips-Gilbert, Mike Soderman
Establishment Representatives Present: Matt Minora (H Street Liquors, LLC), Ira Suri (H Street Liquors, LLC), John Horn (Amazon Retail, LLC), Brian Kenner (Amazon Retail, LLC), Andrew Kline (Amazon Retail, LLC)

I. Call to Order/Approval of Agenda

Mr. Samburg called the meeting to order at 7:05 pm. Ms. Dworakowski reminded Mr. Samburg to remind all attendees that the meeting was being recorded. Mr. Samburg reminded all attendees that the meeting was being recorded.

Mr. Samburg moved that the agenda be reordered to begin with Discussion of application by The Bodega Incorporated t/a The Cupboard at 1504 East Capitol Street NE (ABRA #086607) for renewal of its Class B Retail License. Commissioner Soderman seconded the motion, which passed 5-0.

II. Community Comment

Mr. Samburg advised community members in attendance that comments related to a specific agenda item should be presented in connection with the discussion of that agenda item, and confirmed that all community members present had comments in connection with specific agenda items.

III. Old Business

None.

IV. New Business

- Discussion of application by The Bodega Incorporated t/a The Cupboard at 1504 East Capitol Street NE (ABRA #086607) for renewal of its Class B Retail License.
 - Mr. Samburg noted that the ABL had received no complaints about the establishment, and that he had personally visited the establishment and had no concerns.
 - Mr. Samburg moved that the ABL recommend that the ANC take no action on the application for renewal. Mr. Alberti seconded, and the motion passed, 5-0.
 - **Recommendation:** ANC 6A take no action on the application by The Bodega Incorporated, t/a The Cupboard at 1504 East Capitol Street NE (ABRA #086607) for renewal of its Class B Retail License.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Discussion of application by Bella Market LLC, t/a Economy Market at 1804 D Street NE (ABRA #094127) for renewal of its Class B Retail License.
 - Mr. Samburg read an email received from a member of the community noting his positive experiences with the establishment and noting that he had never observed loitering outside the establishment.
 - Mr. Samburg noted the history of challenges with illegal activity in the area of the establishment.
 - A community member who lives nearby stated that the area presents a difficult situation. The community member noted that three different properties contribute to the challenges: Economy Market, Master Liquors, and the parking lot across the street. The community member noted that the three properties are all owned by the same individual.
 - The community member noted that the area often has a number of people loitering, drinking publicly, and using drugs. The community member stated that people go into Economy Market, buy beer, stand outside, and drink it, which in turn serves as an “anchor” for more loitering and other problematic behaviors, including drug dealing and public urination.
 - The community member noted that he and others in the neighborhood have tried to work through their ANC rep, the Metropolitan Police Department (MPD) and the Mayor’s Office.
 - Mr. Samburg noted that it is essential to call the Alcoholic Beverage Regulation Administration (ABRA) hotline for violations, to build a record of ongoing or regular violations.
 - Mr. Alberti also encourage the community member to call the ABRA hotline. Mr. Alberti also noted that he has heard that one of the establishments the community member was discussing sells alcohol in go-cups, and encouraged the community member especially to contact the ABRA hotline for go-cup sales.
 - Mr. Samburg noted that the Settlement Agreement (SA) with the establishment is old, and the renewal might provide an opportunity to renegotiate it if there were appropriate revisions to renegotiate.
 - Commissioner Phillips-Gilbert noted that she visits the establishment, and has been impressed by the cleanliness of the market and its produce selection. She noted that she did not see large numbers of people loitering, and that she views the market as a community asset.
 - Mr. Samburg noted that the language in the SA concerning loitering obligations is substantively identical to ANC 6A’s current template language, and noted that there may not be other provisions that would be appropriate to renegotiate.
 - Mr. Alberti moved that the ABL recommend that ANC 6A take no action on the application. Commissioner Phillips-Gilbert seconded, and the motion passed 5-0 (Commissioner Brown arrived during discussion of this matter and did not vote).
 - Mr. Samburg noted that to the extent the community member believed there were concerns with Master Liquors, that establishment’s license would also be before the ABL for renewal at some point.
 - **Recommendation:** ANC 6A take no action on the application by Bella Market LLC, t/a Economy Market at 1804 D Street NE (ABRA #094127) for renewal of its Class B Retail License.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Discussion of application by H St Liquors LLC t/a H Street Beverage Warehouse at 1431-1433 H Street NE (ABRA #117278) for a Class A Retail License.
 - Mr. Minora provided an overview of the application, noting that the establishment was seeking a tasting permit and a license permitting maximum hours of operation. Mr. Minora noted that he had been in contact with the ABL (Mr. Alberti and Mr. Samburg) regarding the establishment's settlement agreement.
 - Mr. Alberti noted that Mr. Alberti and Mr. Samburg had been in touch with Mr. Minora.
 - Mr. Alberti noted that he and Mr. Samburg made some changes to the existing SA template and had been exchanging drafts with the establishment.
 - Mr. Alberti reviewed the settlement agreement and summarized its major provisions. Mr. Minora confirmed that Mr. Alberti's summary was accurate.
 - Mr. Samburg asked whether the establishment intended to use the maximum permissible hours as its actual operating hours. Mr. Minora indicated that actual hours would depend on market needs once the establishment is operational.
 - Mr. Samburg asked for more information about the planned tastings under the requested tasting permit. Mr. Minora indicated that Ms. Suri was better positioned to describe the tastings, but noted it would be used for periodic events, not a permanent tasting room.
 - Mr. Alberti asked Mr. Minora for the limits on alcohol that may be served under a tasting permit. Mr. Minora reviewed the limits.
 - Mr. Samburg asked Ms. Suri for more information about anticipated tastings.
 - Ms. Suri indicated that her planned tastings would not be daily, and would be concentrated around high-end products and will be run by vendors.
 - Mr. Alberti noted that the establishment will be close to several late-night taverns, and recommended that the establishment be careful about late-night sales. Ms. Suri noted that the vision for the establishment is high-end, relatively expensive products, and Ms. Suri noted that she anticipates that the price points will reduce some of the problems with late-night sales.
 - Mr. Alberti asked whether the establishment planned to use the upstairs portion of the space. Ms. Suri indicated that those plans were not settled yet. Mr. Minora noted that the application was limited to the ground floor, and that while the upstairs space might be used for storage or office space, it would not be a customer area.
 - Commissioner Brown noted that high prices would not necessarily address Mr. Alberti's concerns about late-night sales.
 - Mr. Samburg moved that the ABL recommend the ANC take no action on the application, pending completion of a settlement agreement. Mr. Alberti seconded, and the motion passed 6-0.
 - **Recommendation:** ANC 6A protest the application by H St Liquors LLC t/a H Street Beverage Warehouse at 1431-1433 H Street NE (ABRA #117278) for a Class A Retail License unless a signed Settlement Agreement is submitted before the protest deadline, and appoint the chair of the ANC and co-chairs of the ABL to represent the ANC in negotiating and signing the settlement agreement and in any protest matters.
- Discussion of application by Amazon Retail, LLC t/a TBD at 801 H Street NE (ABRA # 116873) for a Class B Retail License with Tasting Permit.
 - Mr. Alberti recommended that the discussion begin with discussions around the negotiations of the SA.



Committee Reports

Alcohol Beverage and Licensing (ABL)



- Mr. Kline recommended that before starting with the SA, the Committee start with questions or community concerns.
- Commissioner Brown indicated that the new establishment would be in her SMD, and that she is looking forward to seeing the new establishment. Commissioner Brown requested more information about the grocery/retail aspect of the store.
- Mr. Kenner stated that Amazon wants to bring new and interesting things to places where Amazon has headquarters locations, and believes that this operation fits that description. Amazon believes that these are good additions to communities.
- Mr. Horn explained that the store would sell standard grocery essentials, prepackaged meals, etc. Mr. Horn indicated that the store would also carry non-food grocery items (e.g. toothpaste, paper products, etc.). Mr. Horn indicated that the alcohol section would be approximately 500 square feet out of approximately 13,500 square feet.
- Commissioner Soderman asked whether the store's offerings would be comparable to a bodega. Mr. Horn indicated that the store would have a greater focus on fresh foods, and would be a "small format grocery store."
- Commissioner Brown asked whether the planned footprint would be the western corner of the AVEC building. Mr. Kenner indicated that it would be.
- Commissioner Soderman asked whether Amazon was considering opening similar establishments in other wards. Mr. Kenner indicated that Amazon is just beginning the expansion of this format, so they are currently picking relatively few locations. Mr. Kenner indicated that the currently envisioned sites in DC would be H Street and a site on 14th Street NE. Mr. Kenner indicated that Amazon is looking for additional sites around the District and the region.
- Commissioner Soderman noted that expansion to underserved wards could be useful to help address some food deserts.
- Commissioner Phillips-Gilbert echoed Commissioner Soderman's thoughts about food deserts. Commissioner Phillips-Gilbert asked about the pricing of items at the new establishment. Mr. Horn noted that the assortment of items will be more "mainstream" than Whole Foods, with less focus on organic items, and that prices will generally be lower than Whole Foods.
- Mr. Alberti noted that the location was designed to have outdoor seating. Mr. Kline noted that the applicant was not seeking a sidewalk café endorsement. Mr. Alberti asked whether the applicant anticipated seeking such an endorsement, and Mr. Horn noted that he is not aware of any plans to do so.
- Mr. Alberti sought more information about what the store would be selling besides groceries. Mr. Horn indicated that the store would be selling things available at grocery stores—groceries, non-food household items. Mr. Alberti asked whether the store would be selling small appliances, and whether it would be similar to a Target in terms of inventory. Mr. Horn indicated that it would not be, and that it would really be a grocery store. Mr. Kenner indicated that Amazon has a different retail line that sells "hard goods," one of which will be opening in Bethesda.
- Commissioner Phillips-Gilbert asked whether the establishment would be open to buying fresh produce from the community. Mr. Horn indicated that he only knows the alcohol side of the business, but that the alcohol side is prioritizing purchasing local alcohol. Mr. Horn offered to let the relevant team know about the question/interest and try to have an answer by the next ANC meeting.
- Commissioner Brown indicated that the community might appreciate use of the potential café space.



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Alcohol Beverage and Licensing (ABL)



- Commissioner Brown asked how this would compare to the nearby 7-11. Mr. Horn indicated that this would be a very different store, with fresh foods, meats, produce, etc. Mr. Horn noted that he is unaware of any plans to proceed with a café.
- Commissioner Brown reiterated that a café would be beneficial.
- Mr. Kline noted that this establishment would sell a broader selection of goods than 7-11.
- A community member indicated that she lives in the building where this establishment plans to open, and that she strongly opposes it. The community member noted her concern about Amazon's surveillance and her concern about it being located on a corner with a large Black community. The community member expressed her concern about Amazon working to over-criminalize the residents of the neighborhood. The community member noted her concerns about Amazon's presence contributing to continued gentrification of Ward 6.
- A community member noted that Amazon sells technology and equipment to ICE and DHS, noted that Amazon collaborates with law enforcement to enforce laws against minorities. The community member further noted that Amazon used backdoor deals to get a site in Arlington. The community noted that she does not believe Amazon has any place in DC which is as a sanctuary city. The community member also noted that this will potentially push out minority-owned businesses.
- Commissioner Brown noted that she appreciated the positions expressed by the two community members, but noted her view that a locally owned business might not be able to afford the rent in the AVEC building, and her view that this would augment local businesses, not replace them. Commissioner Brown further noted that we have to balance the downsides of Amazon with the value brought to the community by having another place to purchase items without paying convenience store upcharges. Commissioner Brown further noted that this would be an improvement for the community now.
- Commissioner Phillips-Gilbert echoed Commissioner Brown's views. Commissioner Phillips-Gilbert asked whether the establishment would make an effort to hire from within the community. Mr. Horn indicated that he did not know whether there would be, but that he would take that suggestion/question back to the relevant Amazon people.
- Commissioner Brown noted that there may be an opportunity for the community and Amazon to discuss some of these issues. Mr. Kenner indicated that he would support doing so, and that he generally thinks hiring locally is a good idea.
- Commissioner Soderman asked to confirm that the establishment will have human employees, not be automated. Mr. Horn indicated that the establishment will be staffed, and Commissioner Soderman indicated that local hiring would be beneficial.
- A community member noted her understanding that this establishment would be an "AmazonGo," which is an automated operation. The community member noted that while those operations may drive down prices, there is no employment or benefit to the community. The community member noted that Amazon already has a presence across the street with Whole Foods. The community member expressed concern about Amazon's surveillance activities, data collection, and data sales. The community member noted that there is a risk of data collection outside the store, a risk of data collection with age verification at the point of sale for alcohol, and a risk with how Amazon retains that information. The community member noted that there is no shortage of food availability in the neighborhood.



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Alcohol Beverage and Licensing (ABL)



- Mr. Samburg asked whether this was an “AmazonGo” store. Mr. Kline noted that he has seen alcohol operations in AmazonGo stores, and those operations are staffed by humans, who are needed to check IDs and to confirm that customers are not intoxicated. Mr. Samburg asked whether Mr. Kenner or Mr. Horn would be able to speak to staffing at this specific location. Mr. Horn noted that the store will have human employees, including in the alcohol section, but does not know whether they will be at checkout.
- Mr. Alberti asked to confirm that human beings will check ID for age. Mr. Kline indicated that was correct.
- Commissioner Soderman indicated that AmazonGo stores are not well-staffed, and asked how that works with alcohol safeguards. Mr. Horn indicated that the alcohol section of the store will be enclosed.
- A community member noted that the purpose of AmazonGo is an experiment in cost reduction. The community member noted that if the experiment succeeds, it will be used as a model for eliminating staffing at other retail establishments, and the store is cheap to draw customers to increase experiment data.
- A community member indicated that Amazon employment is not necessarily good employment, given union relations and other labor practices.
- Commissioner Brown sought clarification on the scope of what the ABL was considering. Mr. Samburg indicated that the Committee considers whether applicants would be good alcohol-selling establishments within ANC 6A, but noted that he was concerned about the applicant’s inability to answer some basic questions about the operations of the establishment.
- Commissioner Brown indicated that she would be uneasy moving forward.
- Mr. Alberti noted that the ABL could continue to negotiate the SA while still allowing the ANC to consider and discuss the application at their next meeting. Mr. Samburg agreed, noting that reaching a mutually-agreeable SA is not a guarantee that the ANC will choose not to protest.
- Commissioner Phillips-Gilbert noted that a discussion with the community would be appropriate, and asked whether this matter could be considered by the ABL after such a discussion. Mr. Samburg noted that because of the protest deadline, there would not be an opportunity for the ABL to take this up again, though the ANC could.
- Mr. Kline asked to be heard, Mr. Samburg noted that he would have an opportunity after the Committee and Commissioners concluded the current discussion.
- Mr. Alberti noted that, absent grounds to deny an application, ABRA is going to grant an application, so it is important that the ABL continue to move forward on the SA.
- Commissioner Phillips-Gilbert noted that she thinks it is important that Amazon address the questions and concerns raised during this discussion.
- Commissioner Brown agreed, noting that she would like to see a community meeting before the next ANC meeting.
- Commissioner Soderman agreed, noting that he believes businesses in ANC 6A should benefit ANC 6A.
- Mr. Kline noted that Amazon intends to do business in the community and wants to be a part of the community. Mr. Kline noted that the business will be here as a matter of right, and that this meeting is limited to an alcoholic beverage license.
- Commissioner Phillips-Gilbert noted that she believes that community engagement now would likely benefit Amazon as well.



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Alcohol Beverage and Licensing (ABL)



- Mr. Samburg noted that unless anyone had new material to discuss, he would recommend returning to a discussion of the SA. Mr. Alberti suggested that the best course of action would be for the ABL to continue to negotiate the SA, and bring any SA to the ANC for consideration.
- Mr. Samburg clarified, in response to a question from a community member, that the draft SA agreements being exchanged are not publicly available. Mr. Alberti clarified that if a SA is recommended to the ANC, it will be available in the December 2020 ANC 6A agenda package.
- Mr. Samburg described a potential motion, and Mr. Alberti recommended a change.
- Mr. Samburg moved that the ABL recommend that Mr. Samburg and Mr. Alberti continue to negotiate a potential SA with the applicant, that any recommended SA only be subject to the approval of the chair of the ANC, and that if the chair of the ANC does not ratify the SA, that the ANC authorize the chair or vice-chair of the ANC or the co-chairs of the ABL to file a protest and represent the ANC in the protest process. Ms. Gentile seconded, and the motion passed 6-0.
- Mr. Samburg clarified that if a SA will be presented to the ANC, it will be available in the ANC December 2020 agenda package.
- **Recommendation:** ANC 6A protest the application by Amazon Retail, LLC t/a TBD at 801 H Street NE (ABRA # 116873) for a Class B Retail License with Tasting Permit unless a signed settlement agreement is approved by the chair of the ANC by the protest deadline, and appoint the chair and vice-chair of the ANC and co-chairs of the ABL to represent the ANC in any protest.

V. Adjourn

The Committee adjourned at 9:05 pm.

Next meeting date: December 22, 2020, 7:00 pm.



Committee Reports

Alcohol Beverage and Licensing (ABL)



Made this ____ day of December, 2020
by and between

H St Liquors LLC t/a H Street Beverage Warehouse (ABRA-117278)
at 1431-1433 H Street, NE, Washington, DC 20002
and
Advisory Neighborhood Commission 6A

Preamble

Through this Cooperative Agreement (“Agreement”), both Parties aim to create an environment whereby the H St Liquors LLC (“Applicant”) may operate as a viable contributing business to the ANC 6A community, while concurrently curtailing any adverse effects a business, such as the Applicant’s, could have on the surrounding neighborhood.

The Applicant is encouraged to work regularly with the 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 operations of the establishment.

Witnessed

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 Retailer’s Class “A” Liquor License at the subject premises; and,

Whereas, the Parties wish to state their mutual intention and commitment to promote the success, peace, order, and quiet 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. Requirements for sale/provision of single containers of alcohol beverages:

Applicant shall abide by the Ward 6 restrictions on the sale of single containers of alcoholic beverages as set forth in DC Code §25-346 (“Ward 6 restrictions for off-premises retailer’s license.”).



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Alcohol Beverage and Licensing (ABL)



2. **Clear/Translucent Bags for Single Sales:** Clear or translucent bags must be used for all purchases of single sales of beer, malt liquor, ale, wine or fortified wine in containers of 70 ounces or less.
3. **Ban on Sale/Provision of Other Items:**
 - A. **Single Cigarettes:** Applicant shall not sell, give, offer, expose for sale, or deliver individual single cigarettes.
 - B. **“Go-cups”:**
 - i. Applicant shall not sell, give, offer, expose for sale, or deliver “go-cups” or servings of plain ice in a cup.
 - ii. Per the Alcoholic Beverage regulations, a “go-cup” is defined as: “a drinking utensil provided at no charge or a nominal charge to a customer for the purpose of consuming alcoholic beverages off the premises of an establishment.”
 - C. **Products associated with illegal drug activity:**
 - i. Applicant agrees to not sell, give, offer, expose for sale, or deliver products associated with illegal drug activity.
 - ii. These items are defined as: “cigarette rolling papers, pipes, needles, small bags, or any other items which may be regarded as drug paraphernalia.”
4. **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 conditions by:
 - A. Picking up the trash, including beverage bottles and cans, and all other trash a minimum of twice daily (immediately before business hours and once between 5:00 p.m. and 8:00 p.m.).
 - B. Maintaining regular trash removal service. Ensure that the trash and dumpster area(s) remain clean, that trash does not overflow trash containers, and ensuring that trash containers remain closed.
 - C. 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.
 - D. Assisting in maintenance of the curbs in front of the establishment to keep them free of trash, removing snow and ice from the sidewalk, and complying with all applicable D.C. laws and regulation in these respects.
 - E. Promptly remove graffiti written on the exterior walls of the property. Promptly is defined as within two (2) weeks of graffiti’s appearance.
 - F. Requiring the owner and employees not to park on public space between the building and the curb.
 - G. Not locating trash bins, chairs, tables, or other equipment on public space without a valid public space permit.
5. **Signage/Loitering/Illegal Activity:**
 - A. Applicant will not directly or indirectly, sell or deliver alcohol to any intoxicated person, or to any person of intemperate habits, or to any person who appears to be intoxicated. A person of intemperate habits shall be defined as any person arrested or cited for alcohol-related offences by the Metropolitan Police Department for any alcohol-related crime three times or more in any one year and who has been so identified to Applicant by the Metropolitan Police Department by giving a photo and name to Applicant.



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- B. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
 - i. The minimum age requirement for purchase of alcohol;
 - ii. The obligation of the patron to produce a valid identification document in order to purchase alcohol.
- C. Applicant shall make reasonable efforts to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:
 - i. Posting a sign kept in good repair, a sign requesting customers to not contribute to panhandlers;
 - ii. Asking loiters to move on whenever they are observed outside the establishment;
 - iii. Calling the Metropolitan Police Department (“MPD”) if illegal activity is observed;
 - iv. Keeping a written record of dates and times (i.e. log) when the MPD was called for assistance. Applicant’s log shall be provided to the Alcohol Beverage Control Board upon request and, for good cause shown to the Board, to any valid protestant during hearings involving future renewals or contested proceedings involving the Applicant’s license.
- D. Applicant agrees to post signs kept in good repair in highly visible locations that announce the following:
 - i. Prohibition against selling to minors;
 - ii. No panhandling; and
 - iii. No loitering.
- E. Applicant agrees that total signage for alcohol and tobacco products in the front window shall be limited to 25% of the total window space available.
- F. To the extent such lighting is not present on the exterior of the establishment, Applicant will install and maintain high-intensity floodlights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn.

6. Miscellaneous:

- A. Applicant, and all employees of the Applicant, shall attend and complete an alcoholic beverage server training course/seminar within 60 days of the start of operations and after that period, new hires shall complete training within 30 days.
- B. Applicant certifies that it does not owe more than \$100 to the District of Columbia government as a result of any fine, penalty, or past due tax for more than six months.
- C. Applicant is encouraged to participate in a Business Improvement District program if one exists.

7. Enforcement & Notice:

- A. If any Party hereto believes in good faith that the other Party is in violation of this Agreement, written notice specifying the alleged violation shall be delivered to the other Party and the Party in breach shall have ten (10) days after receipt of such written notice to come into compliance with this Agreement; respond to said alleged notice of default; or, in the case in which a defaulting Party reasonably requires more than ten (10) days to come into compliance, the defaulting Party has made substantial efforts toward compliance and will pursue those efforts until the default is corrected.

Any notice which may be given hereunder shall be deemed to have been given if sent by mail or e-mail to the following:



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Alcohol Beverage and Licensing (ABL)



If to Applicant: H St Liquors LLC
12413 Rivers Edge Drive
Potomac, MD 20854
irasuri84@gmail.com with CC to
sorabdilawri@gmail.com

If to ANC 6A: ANC 6A
P.O. Box 75115
Washington, DC 20013
ANC6A@yahoo.com

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 Agreement is binding on the Applicant and its successors and will continue in force for any and all subsequent license holders at this location.

8. No Protest: In consideration of the agreements set forth above, Protestants shall, upon approval of this agreement by the Alcoholic Beverage Control Board, withdraw their Protests of the application for the License at the Premises.

In Witness Whereof

The Parties have affixed hereto their hands and seals.

Applicant:

H St Liquors LLC

By: _____ Date: _____
Ira Suri, Managing Member

Advisory Neighborhood Commission 6A Representative

By: _____ Date: _____
Amber Gove, ANC 6A Chairperson



Committee Reports

Alcohol Beverage and Licensing (ABL)



Made this ____ day of December, 2020
by and between

Amazon Retail, LLC
ABRA-116873
801 H St NE
and
Advisory Neighborhood Commission 6A

Preamble

Through this Settlement Agreement (“Agreement”), both Parties aim to create an environment whereby the Amazon Retail, LLC (“Applicant”) may operate as a viable contributing business to the ANC 6A community, while concurrently curtailing any adverse effects a business, such as the Applicant’s, could have on the surrounding neighborhood.

The Applicant agrees to work regularly with the 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 operations of the establishment.

Witnessed

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 Retailer’s Class “B” Full-Service Grocery License at the subject premises; and,

Whereas, the Parties wish to state their mutual intention and commitment to promote the success, peace, order, and quiet 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.”

Now, therefore, the Parties Agree as Follows:

1. Ban on Sale/Provision of Other Items:

A. Single Cigarettes: Applicant shall not sell, give, offer, expose for sale, or deliver individual single cigarettes.



Committee Reports

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B. “Go-cups”:

- i. Applicant shall not sell, give, offer, expose for sale, or deliver “go-cups” or servings of plain ice in a cup.
- ii. Per the Alcoholic Beverage regulations, a “go-cup” is defined as: “a drinking utensil provided at no charge or a nominal charge to a customer for the purpose of consuming alcoholic beverages off the premises of an establishment.”

C. Products associated with illegal drug activity:

- i. Applicant agrees to not sell, give, offer, expose for sale, or deliver products associated with illegal drug activity, including cigarette rolling papers, pipes, needles, small bags, or any other items which may be regarded as drug paraphernalia.

2. 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 conditions by:

- A. Picking up the trash, including beverage bottles and cans, and all other trash a minimum of twice daily (immediately before business hours and once between 5:00 p.m. and 8:00 p.m.).
- B. Maintaining regular trash removal service. Ensuring that the trash and dumpster area(s) remain clean, ensuring that trash does not overflow trash containers, and ensuring that trash containers remain closed.
- C. Exercising reasonably 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.
- D. Assisting in maintenance of the curbs in front of the establishment to keep them free of trash, and removing snow and ice from the sidewalk, and complying with all applicable D.C. laws and regulation in these respects.
- E. Promptly remove graffiti written on the exterior walls of the property. Promptly is defined as within two (2) weeks of graffiti’s appearance.
- F. Requiring the owner and employees not to park on public space between the building and the curb.
- G. Not locating trash bins, chairs, tables, or other equipment on public space without a valid space permit.

3. Signage/Loitering/Illegal Activity:

- A. Applicant will not directly or indirectly, sell or deliver alcohol to any intoxicated person, or to any person of intemperate habits, or to any person who appears to be intoxicated. A person of intemperate habits shall be defined as any person arrested or cited for alcohol-related offences by the Metropolitan Police Department for any alcohol-related crime three times or more in any one year and who has been so identified to the licensee by the Metropolitan Police Department by giving a photo and name to the licensee.
- B. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
 - i. The minimum age requirement for purchase of alcohol;
 - ii. The obligation of the patron to produce a valid identification document in order to purchase alcohol.
- C. Applicant shall make reasonable efforts to prohibit and prevent loitering and criminal activity on or in front of the establishment premises, to include:



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- i. Posting a sign kept in good repair, a sign requesting customers to not contribute to panhandlers;
 - ii. Asking loiters to move on whenever they are observed outside the establishment;
 - iii. Calling the Metropolitan Police Department (“MPD”) if illegal activity is observed outside the establishment;
 - iv. Keeping a written record of dates and times (i.e. log) when the MPD was called for assistance. Applicant’s log shall be provided to the Alcohol Beverage Control Board upon request and, for good cause shown to the Board, to any valid protestant during hearings involving future renewals or contested proceedings involving the Applicant’s license.
- D. Applicant agrees to post signs kept in good repair in highly visible locations that announce the following:
- i. Prohibition against selling to minors;
 - ii. No panhandling; and
 - iii. No loitering.
- E. Applicant agrees that total signage for alcohol and tobacco products in the front window shall be limited to 25% of the total available window space.
- F. To the extent such lighting is not present on the exterior of the establishment, Applicant will install and maintain high-intensity floodlights on the exterior of its premises so as to fully light any abutting alleyway from dusk until dawn.

4. Miscellaneous:

- A. Managers of the Applicant and all employees whose duties relate to the sale of alcoholic beverages, shall attend and complete an alcoholic beverage server training course/seminar within 60 days of the start of operations and after that period, any such new hires shall complete training within 30 days.
- B. Applicant certifies that it does not owe more than \$100 to the District of Columbia government as a result of any fine, penalty, or past due tax for more than six months.
- C. Applicant is encouraged to participate in a Business Improvement District program if one exists.

In Witness Whereof

The Parties have affixed hereto their hands and seals.

Applicant:
Amazon Retail, LLC

By: _____ Date: _____

(Print name)

Advisory Neighborhood Commission 6A Representative

By: _____ Date: _____

Amber Gove, ANC 6A Chairperson



Committee Reports

Transportation and Public Space (T&PS)



MINUTES

ANC 6A Transportation & Public Space Committee Meeting Call-in Conference via WebEx Monday, November 16, 2020

- I. Meeting called to order at 7:04 pm.
- II. Introductions:
Committee members in attendance: Elizabeth Nelson (Chair), Marc Brumer, Andrew Burnett, Hassan Christian, Maura Dundon, Jeff Fletcher
Commissioners in attendance: Amber Gove (6A04), Mike Soderman (6A03), Brian Alcorn (6A08)
- III. Announcements:
The District Department of Transportation (DDOT) submitted information (attached to the TPS agenda) about progress on D Street NE between approximately 16th and 18th Streets NE. DDOT has committed to: install new high-visibility crosswalks at the intersection of 16th and D Streets NE and new 20 MPH signs (replacing 25 MPH) along D Street NE. ANC 6A had passed a resolution in support of speed humps on these blocks at midblock, but DDOT was unable to install them based on field work showing the blocks are too short for mid-block speed humps. DDOT is now investigating the feasibility of installing raised crosswalks instead at the intersections, which will require coordination with WMATA and utility companies due to bus stops and manholes.
- IV. Community Comment: None
- V. Old Business: None
- VI. New Business
 - A. The Committee discussed BZA 20323, which relates to a zoning application for a variance to remove parking spaces from Maury Elementary School in order to increase the size of the playground. The size of the existing school parking lot will be reduced from 21 to 13 spaces to create more play space at the school, in response to school-community requests. Per an agreement between District of Columbia Public Schools (DCPS) and District Department of Transportation (DDOT), DDOT has agreed to locate 8 street parking spaces adjacent to the school on 12th Place NE, to be used by school staff during DCPS work hours, possibly via ParkMobile app. Outside DCPS work hours, the spaces could operate as Residential Permit Parking (RPP) zone or pay-by-cell parking open for use by the public. These spaces are already designated as “no parking during school hours.” This is consistent with prior ANC 6A votes on the matter. Link to additional information: The zoning application is available at https://app.dcoz.dc.gov/CaseReport/CaseReportPage.aspx?case_id=20323.

Dan Nebhut and Sara Woodhead, representatives from DGS, summarized the application. Commissioner Gove stated that adding play space and removing parking space had been envisioned during the whole school renovation process, and thanked everyone for their work, and clarified that 8 parking spaces would be removed. She noted that there is an existing ANC resolution on the RPP and staff usage after hours to be included in the resolution.

Will Handsfield spoke as a private citizen in support of the application.



Committee Reports

Transportation and Public Space (T&PS)



Mr. Brumer discussed the need to make sure that material for the bridge over bioretention area would be safe for biking over. He noted a gate over bioretention on 13th Street NE that is dangerous for bikers/scooters. Mr. Soderman asked about the bridging over the bioretention area and received DDOT confirmation that the area would stay open, but with a bridge over it.

Mr. Brumer made the motion; *TPS recommends that ANC 6A send a letter to BZA in support of BZA 20323, conditional upon there being ROP (Resident Only Parking) on the west side of 12th Place NE and RPP (Resident Permit Parking) from 6:00 pm - 7:00 am on the east side of 12th Place NE, and that there are 8 parking spaces involved.* The motion was seconded by Commissioner Gove and passed 8-0. [Committee members Nelson, Brumer, Dundon, Fletcher, Christian and Commissioners Alcorn, Gove, Soderman in favor; Mr. Burnett was not present for this vote]

- B. The Committee discussed public space application #343819, for a driveway through public space at 1518 North Carolina Ave. NE, which had been forwarded to the TPS Committee by DDOT. This application had already been reviewed by ANC 6A earlier this year, which sent a letter of opposition dated 3/3/2020, available at <https://anc6a.org/wp-content/uploads/ANC6A-Re-Public-Space-343819-1518-North-Carolina-NE.pdf>.

The applicant was present and stated that she had not reapplied, and had asked for discussion to be delayed. The applicant stated that she did not want the application “ruled on” and stated that the property was under litigation. She stated that previously ANC 6A had not wanted to get involved due to the litigation. She said that she noticed that the public space was being used for trash storage, and that the steep slope was a fall risk, and that people had fallen there before. She made reference to a pending lawsuit with an adjacent property owner and DDOT’s decision timeline. Ms. Nelson said that she did not see any mention of a lawsuit in the minutes of the TPS relevant to the public space question.

Ms. Nelson further stated that, as the ANC has already reviewed the application and made a determination, and there have been no material changes to the site or to the application, there is nothing the TPS Committee can recommend to the ANC, other than to restate its existing position.

Mr. Fletcher made the motion: *The TPS Committee urges ANC 6A to send a letter to DDOT stating that ANC 6A reviewed and commented on public space application #343819, for a driveway through public space at 1518 North Carolina Ave. NE, in March 2020. As the application is unchanged, DDOT should refer to the letter of opposition already sent.* The motion was seconded by Commissioner Soderman and passed 8-0. [Committee members Nelson, Brumer, Dundon, Fletcher, Christian and Commissioners Alcorn, Gove, Soderman in favor; Mr. Burnett was not present for this vote]

- C. The Committee discussed the DDOT PaveDC Initiative, which is soliciting lists of locations for repaving “roadways, alleys, and sidewalks in poor condition.” The TPS Committee suggested that the ANC invite DDOT to give a community presentation at the December 2020 ANC meeting to discuss PaveDC, specifically what criteria they use to select locations (roadways, alleys and sidewalks) for repaving/resurfacing/repairs. The thought was that developing a consolidated list might be on the agenda for the December TPS meeting. However, subsequent to the November 2020 TPS meeting, the ANC was informed that a representative would not be available for the ANC meeting and that the deadline for submission of locations is prior to the December TPS meeting.



Committee Reports

Transportation and Public Space (T&PS)



- VII. Second round of Community Comment: None
- VIII. Meeting was adjourned at approximately 9:15 pm.



Committee Reports

Transportation and Public Space (T&PS)



December XX, 2020

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. 20323 (1250 Constitution Avenue NE)

Dear Mr. Moy:

At a regularly scheduled and properly noticed meeting¹ on December 9, 2020, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the Application of The District of Columbia Department of General Services, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the off-site parking spaces requirements of Subtitle C § 701.8 (f), to relocate 8 of the required parking spaces to the adjacent street to enlarge the outdoor play area at Maury Elementary School in the RF-1 Zone.

The design has taken measures to ensure that the special exception does not impact the character of the neighborhood and it will not disrupt the parking and accessibility of neighbors. The owner has proven that the special exception criteria have been met through submission of architectural elevations and changes to parking restrictions on the street implemented by the Department of Transportation. The ANC believes that this development will not substantially intrude upon the character, scale, and pattern of houses in the neighborhood. Our support is conditional upon there being Resident Only Parking (ROP) on the west side of 12th Place NE and Resident Permit Parking (RPP) from 6:00 pm to 7:00 am on the east side of 12th Place NE, and that there are eight parking spaces impacted.

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, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.



Committee Reports

Transportation and Public Space (T&PS)



December xx, 2020

Mr. Matthew Marcou
Associate Director for Public Space Regulation
District Department of Transportation

Public Space Committee
c/o DDOT Public Space Permit Office
1100 4th Street, SW, Room 360
Washington DC, 20024

Re: Public Space Application #343819 - 1518 North Carolina Ave NE

Dear Associate Director Marcou and Public Space Committee Members:

At a regularly scheduled and properly noticed meeting¹ on December 9, 2020, our Commission voted x-x-x (with 5 Commissioners required for a quorum) to oppose PSA #343819, driveway at 1518 North Carolina Ave. NE. As there is no change in the application or the relevant circumstances. We refer you to our previous letter of opposition dated March 3, 2020. (see attached)

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

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Committee Reports

Transportation and Public Space (T&PS)



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



March 3, 2020

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 #343819 - 1518 North Carolina Ave NE

Dear Associate Director Marcou and Public Space Committee Members:

At a regularly scheduled and properly noticed meeting¹ on February 13, 2020, our Commission voted 5-0-2 (with 5 Commissioners required for a quorum) to oppose a public space construction application #343819 from Octopus Properties, to install a driveway through public space at the rear of 1518 North Carolina Avenue NE. The applicant, Melissa Wilson of Octopus Properties, purchased a property without alley access and now wishes to create parking in the rear of the property, which backs up to public space on a very steep hill along the 1500 block of C Street NE. She proposes that a short driveway be constructed through a public green space to connect the alley to her rear yard. The site is very steep and could erode from being driven over, so she is proposing to use an engineered and pervious material to line the driveway.

The ANC appreciates the applicant's concern for the environmental impact but believes that it would set an unacceptable precedent if the applicant is allowed to compromise public use of the land to benefit an individual. Others in the same row of houses might request the same, which would further subtract from the public space. And, if permission is given for this encroachment, it will be more difficult to oppose similar requests – or other claims for individual use of public space – in future. Once the driveway is installed, it will be impracticable for the public to reclaim that right of way, should another public-serving use or need arise.

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 K. Gove

Amber Gove
Chair, Advisory Neighborhood Commission 6A

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Committee Reports

Transportation and Public Space (T&PS)



December xx, 2020

Mr. Matthew Marcou
Associate Director for Public Space Regulation
District Department of Transportation,
1100 4th Street, SW, Room 360
Washington DC, 20024

Re: Insufficient Notice - 'DDOT PSRA Permit #361713, fence on public space at 424 11 St. NE

Dear Associate Director Marcou:

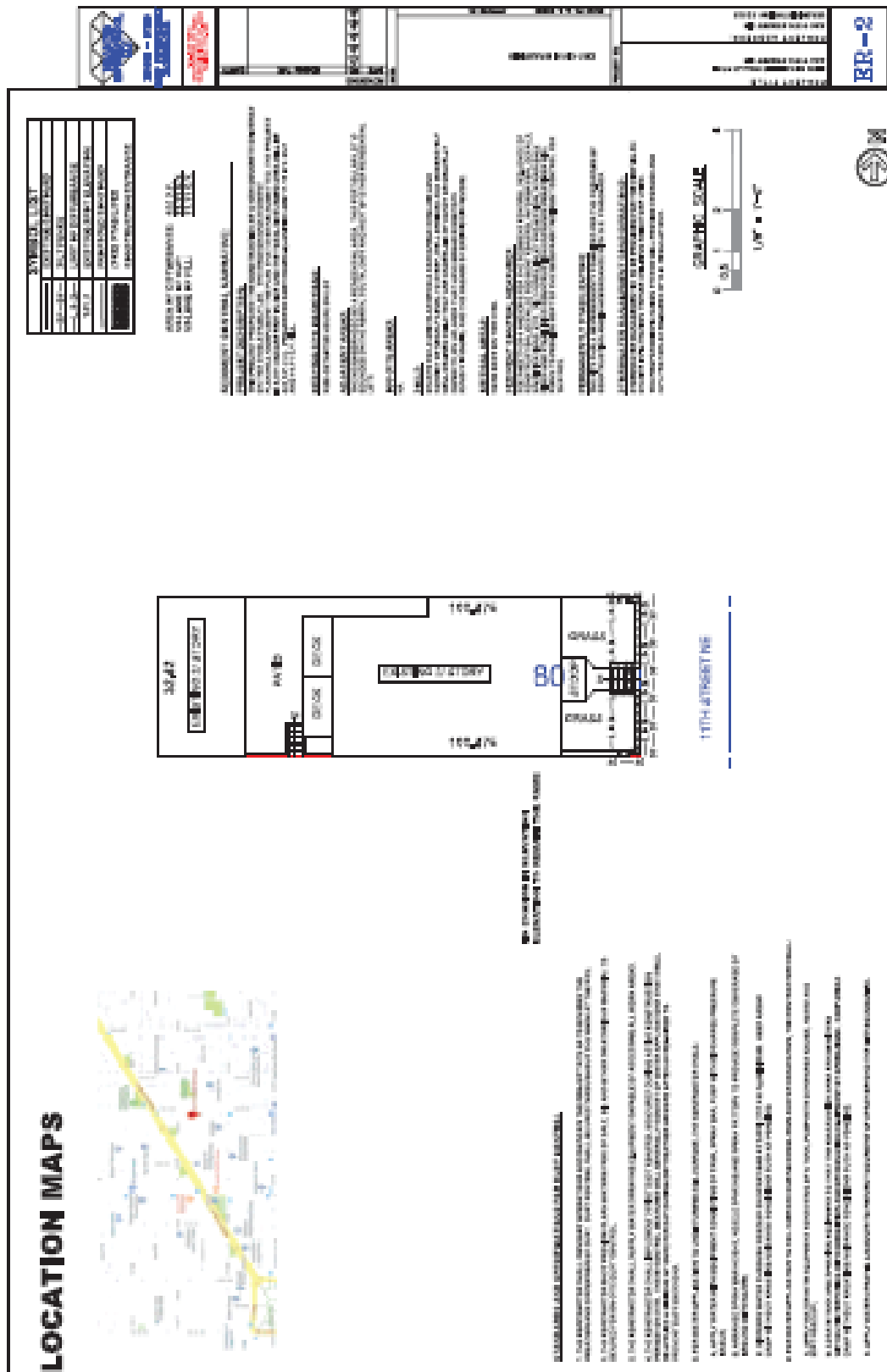
At a regularly scheduled and properly noticed meeting¹ on December 9, 2020, our Commission voted x-x-x (with 5 Commissioners required for a quorum) to request an extension until January 22, 2021 (subsequent to the December ANC meeting) for PSA 361713, 424 11th St. NE, because the ANC was not given proper notice in this matter. Notification arrived on November 19 with a due date of December 11.

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, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.






Committee Reports

Transportation and Public Space (T&PS)



 D.C. CONSTRUCTION CODE
OFFICE OF THE DISTRICT OF COLUMBIA
MURIEL BOWSER, MAYOR
10/20/2020

BLRA 33C **CONTRACT AGREEMENT**

X Name of Contractor/Owner 424 Eleventh A. Condominium Contractor's License No. 10/20/20

Address of Contractor/ Owner 424 11th St NE. WDC Date: _____

ADDRESS OF PROPOSED WORK <u>424 11th St NE. WDC</u>		LOT:
OWNER OF BUILDING OR BUSINESS <u>424 Eleventh Condominium Association</u>		SQUARE:
DESCRIPTION OF PROPOSED WORK: <u>Demo & Rebuild front retaining wall. Tuckpoint Brick retaining wall</u>		PHONE No:

COST ESTIMATE		
CONSTRUCTION e.g. drywall, ceilings, framing, carpentry etc	\$	
ELECTRICAL	\$	
MECHANICAL	\$	
PLUMBING	\$	
FIRE PROTECTION e.g. sprinkler system, fire alarm system, generator etc	\$	
DEMOLITION	\$	
MISC/OTHER (please specify) <u>Masonry</u>	\$	<u>18,240.00</u>
TOTAL	\$	

The foregoing terms, specifications and conditions are satisfactory and hereby agreed to. You are authorized to work as specified and payment will be made in the amount as outlined. Upon signing this agreement, the owner represents and warrants that he or she is the owner or the authorized agent of the owner of the aforesaid premises and that he or she has read this agreement.

CONTRACTOR _____ Signature & print	Date: _____
OWNER OF BUILDING/BUSINESS <u>Jonathan Renard for 424 Eleventh</u> Signature & print	Date: <u>10/20/2020</u>

Upon signing this document, the owner and contractor declare that the cost of construction as specified above for the referenced project is true and correct to the best of their knowledge.

Please fill out this agreement form in accordance with D.C. Construction Code Supplement 2013, Chapter 1 Section 108.3.



Committee Reports Transportation and Public Space (T&PS)





Committee Reports

Transportation and Public Space (T&PS)



December xx, 2020

Mr. Matthew Marcou
Associate Director for Public Space Regulation
District Department of Transportation

Public Space Committee
c/o DDOT Public Space Permit Office
1100 4th Street, SW, Room 360
Washington DC, 20024

Re: Request for Postponement (insufficient notice)- 'Public Space Permit application #363655 has been filed for paving, fixtures, landscaping, projections at 920 F St. NE

Dear Associate Director Marcou:

At a regularly scheduled and properly noticed meeting¹ on December 9, 2020, our Commission voted x-x-x (with 5 Commissioners required for a quorum) to request that the due date for review of the above referenced item be postponed at least until January 20, 2020 so that the ANC can discuss with the applicant and present an informed opinion at a publicly noticed ANC meeting. The application came to the ANC on December 3 with a review due date of December 24, and less than a week prior to the ANC's monthly meeting.

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.

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

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Committee Reports Economic Development and Zoning Committee



MINUTES

ANC 6A Economic Development & Zoning Space Committee Meeting
Virtual Meeting via WebEx
Wednesday, November 19, 2020 at 7:00 pm

Present:

Members: Brad Greenfield (Chair), Nick Alberti, Mike Cushman, Jake Joyce, Sam DeLuca

Commissioners: Mike Soderman,

Brad Greenfield chaired the meeting.

Community Comment

None.

Previously Heard Cases

None.

Old Business

1. 903 11th Street, NE (BZA Case #20365): Application pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201, from the lot occupancy requirements of Subtitle § 304.1, to construct a two-story rear addition to an existing principal dwelling unit in the RF-1 Zone.

Lacy Brittingham represented the project. They are proposing 69.8% lot occupancy. They had signed letters of support from 1108 I Street, 901 11th Street, 905 11th Street and 907 11th Street. They are going four feet beyond the neighbor to the north. They will be shorter than the house at 909 11th Street NE. The rear yard will be 21 feet.

Mr. Greenfield asked if they had a shadow study; Ms. Brittingham said that they did not have a shadow study because they were not going 10 beyond a neighbor's wall. Mr. Greenfield asked if they had other discussions with neighbors, and if any neighbors expressed concerns. The owner said that they had gone over their project with all of their neighbors, and none had expressed concerns.

Mr. Cushman noted that there appeared to be windows in the elevations that would be overlooking neighbor's yards. Ms. Brittingham noted that there were windows that would be looking at a brick wall. Mr. Alberti asked about the scope of the project. Ms. Brittingham noted that the back of the house would be demolished, and the addition would extend the back of the house.

Mr. Greenfield moved and Commissioner Soderman seconded the motion that ANC 6A support the request for relief. The motion passed unanimously 6-0.

2. 114 12th Street, NE (BZA Case #20340): Application pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, and under Subtitle E § 5007.1 from the accessory building rear yard setback requirements of Subtitle E § 5004.1, to construct a second-story addition to an existing accessory structure in the rear yard of an existing flat in the RF-1 Zone.

The project was represented by the owners, Mr. Arthur Melzer and his wife. Tenika Felder, the architect for the project, presented the plans. The project is to build a second story addition on the detached garage in the rear of the property. Ms. Felder noted that initially they thought they needed



Committee Reports Economic Development and Zoning Committee



a special exception, but in discussions with the Office of Planning they found they needed a variance on lot occupancy and rear yard requirements. This is because the existing structures are over 70% (78%) lot occupancy and lot occupancy over 70% requires a variance. The addition does not add to the lot occupancy.

Mr. Greenfield asked why the Office of Planning (OP) did not consider this a non-conforming structure. Ms. Felder said that OP did consider this a non-conforming structure, but since it was so far over the lot occupancy limit, a variance was required rather than the special exception.

Ms. Felder reported that there was an existing neighbor who had two windows that would be 3 feet away from the wall of the addition. Ms. Felder presented briefly ran a video shadow study of the proposed addition which showed a post-construction “light and air”. (This shadow study was not included in the package submitted to ED&Z and did not show the current “light and air” for comparison). Commissioner Soderman noted that the neighboring building was at 100% lot occupancy. Ms. Felder noted that many of the buildings in this neighborhood were above 70% lot occupancy.

Mr. Greenfield asked if there were signed letters of support from neighbors. Mr. Melzer said that they had made several efforts to make contact to neighbors. They do have a signed letter from the neighbor to the south. Commissioner Soderman helped the Melzers through a contact he had with the rental agent for the neighbor to the north. The Melzers determined that the owner lived in Seattle, and the Melzer’s sent plans by e-mail to this neighbor. The Melzers had also dropped a printed copy of the plans through the mail slot of the neighbor to the north.

Mr. Cushman asked if the project was also going through Historic Preservation Office (HPO) review and why it was not processed by both HPO and Zoning at the same time. Ms. Felder said that it was going through historic preservation, and they had met with the HPO. HPO wanted the project to go through BZA approval first, but they were inclined to okay it.

Mr. Cushman noted that before the 2016 rewrite of the zoning regulations, second story garage development would not have been possible. Mr. Cushman noted that there were two windows on the second floor of the house to the north (with full sun due to a south facing exposure), and that it was inconceivable that “light and air” would not be affected by a wall constructed 3 feet away. Commissioner Soderman noted that the standard to use was the current zoning regulations, and the impact on the light for the neighbor to the north would not be an issue if they were not at 100% lot occupancy. Mr. Greenfield noted that the variance requirement was due to the existing building envelope, so this was something of a technicality. Mr. Cushman disagreed and noted that the burden of proof for a variance was much more stringent than for a special exception. Variances require are offered in cases of “hardship”.

Mr. Greenfield said that the Melzers had done ample outreach to the neighbor to the north, and he felt that since the neighbor had not responded at all, they were implicitly okay with the project. Mr. Joyce asked if the windows were on a party wall. Ms. Felder confirmed that the windows were on a party wall. Commissioner Soderman noted that since it was a party wall, they could have built up to the party wall. The Melzers decided to set the addition back 3 feet so that there was some light and air coming into the neighbor.

When describing the need for the addition, Mr. Melzer said that he is an academic and his wife is a journalist, both working from home who are now confronted with a need to bring an aged parent to



Committee Reports Economic Development and Zoning Committee



live with them. The guest bedroom in the house was being used as Mr. Melzer's office, so they wished to build the studio over the garage to house Mrs. Melzer's mother.

Mr. DeLuca asked if there was a comparison of the light impact from the current conditions to the addition. Ms. Felder said that the addition would block light somewhat, but there are other windows in the apartment so there would still be ample light in the apartment. Mr. Melzer noted that the apartment had 11 other windows, so he did not feel that the impact overall was significant.

Mr. Greenfield expressed his opinion that the two windows that are impacted by the addition are significantly impacted, but that the neighbor to the north had been contacted multiple times and had not expressed any concerns or reservations; silence equaled concurrence in this case. Mr. Alberti voiced that he shared Mr. Cushman's concerns about the project. Mr. Alberti noted that since he knew the previous owner, he knew that the garage had a heated floor.

Mr. Greenfield moved and Commissioner Soderman seconded the motion that ANC 6A support the request for relief. The motion failed on a vote of 3-3.

3. 1608 East Capitol Street, NE (BZA Case #20393): Application pursuant to Subtitle C § 703.2 and Subtitle X § 901.2 for a special exception from the minimum vehicle parking requirements of Subtitle C § 701.5 to convert an existing, detached, two-story, carriage house to a principal dwelling unit in the RF-1 Zone.

Jeffrey Keil of Keil Construction represented the project. This is an alley dwelling, and there is a requirement that it include a parking space. Mr. Greenfield said that normally with alley dwellings, the alley area adjacent to the property is allowed parking. Mr. Keil said that area is designated for 1610 East Capitol Street, and they use it regularly.

Mr. Keil noted that they reached out to the church nearby to see if they could get parking in their lot, but they were not amenable. Mr. Greenfield asked how many units would be in this development. Mr. Keil replied that it was a single two-bedroom apartment. Mr. Keil reported that there was another dwelling that shared the address, and that it was a four-bedroom dwelling.

Mr. Keil reported that this property had never been a dwelling before. Mr. Greenfield noted that it was zoned R-1. Mr. Keil said that they would be amenable to signing a covenant that no Residential Parking Permit (RPP) would be available for this property. Mr. Greenfield asked if this was going to be a rental; Mr. Keil replied that it would be a rental.

Mr. Cushman asked Mr. Keil to go over the roof plans, and particularly where the HVAC system was going to be located. Mr. Keil reported that the compressor would be on the roof, and that it will not be visible from the alley. Mr. Keil said that this property is higher than most of the neighbors on 16th and East Capitol Streets, which is why the HVAC system will not be visible to them.

Mr. Alberti asked where garbage would be stored. Mr. Keil replied that there is a tiny alley directly to the west of the structure, and that there are already trash cans there. Mr. Cushman noted that there was a trash room in the drawings for the building.

Mr. Greenfield asked if there were signed letters of support from neighbors. Mr. Keil replied that they had not discussed the project with neighbors. Mr. Greenfield said that they would need to make best efforts to get letters of support from neighbors.



Committee Reports Economic Development and Zoning Committee



The neighbor at 1610 East Capitol Street asked about the impact on parking and access through the alley. Mr. Keil said that accommodations could be made. Mr. Cushman noted that there is no parking in the alley, so it would be low impact.

Mr. Cushman asked about the renaming and renumbering of the property so there is no confusion with the other property that shares the address. Mr. Keil reported that it is to be renamed and renumbered, but that is a separate process.

Mr. Cushman asked about the renaming and renumbering of the property so there is no confusion with the other property that shares the address. Mr. Keil reported that it is to be renamed and renumbered, but that is a separate process. A neighbor from the 17th Street side noted that there is normally a fair amount of parking on East Capitol Street.

Commissioner Soderman noted that this is a much smaller development than those for which ANC6A usually requires RPP restrictions. Mr. Greenfield agreed that normally RPP restrictions would not be imposed on a development this small. Mr. Cushman noted that there is a large church adjacent to the property, and that will impact parking. One of the neighbors indicated that they would prefer that the occupant have an RPP so that they can park on the street, and avoid parking illegally in the alley.

Mr. Greenfield moved and Mr. Alberti seconded that ANC 6A support the request for relief, with the caveat that the owner make best efforts to get letters of support from impacted neighbors. Mr. Joyce seconded that motion.

Mr. Cushman made a motion that the original motion be amended to include RPP restrictions. Mr. Alberti seconded the motion for an amendment. The amendment failed with a vote of 2 votes in support, 3 opposed and 1 abstaining.

On the main motion, there was a friendly motion by Mr. Joyce that additional neighbors be reached out to because it did impact parking. Mr. Greenfield accepted that amendment as a friendly amendment, and noted that he would determine the exact addresses and inform Mr. Keil later. The motion passed unanimously 6-0.

4. 240 11th Street, NE (HPA 21-055): Historic review for a third story roof addition and three-story rear addition.

No one representing the project was in attendance. Consideration of the project was tabled.

Next Scheduled ED&Z Committee Meeting:
Wednesday, December 16, 2020
7:00-9:00 pm
WebEx information to be posted on ANC6A Website



Committee Reports Economic Development and Zoning Committee



December XX, 2020

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. 20365 (903 11th Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on December 9th, 2020, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the request for the owners of 903 11th Street, NE. Specifically, the applicant seeks relief pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201, from the lot occupancy requirements of Subtitle § 304.1, to construct a two-story rear addition to an existing principal dwelling unit in the RF-1 Zone.

The design has taken measures to ensure that the addition is not visible from the street, 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 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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Committee Reports Economic Development and Zoning Committee



December XX, 2020

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. 20393 (1608 East Capitol Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on December 9th, 2020, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to support the request for the owners of 903 11th Street, NE. Specifically, the applicant seeks relief pursuant to Subtitle C § 703.2 and Subtitle X § 901.2 for a special exception from the minimum vehicle parking requirements of Subtitle C § 701.5 to convert an existing, detached, two-story, carriage house to a principal dwelling unit in the RF-1 Zone.

The design has taken measures to ensure that the special exception does not impact the character of the neighborhood and it will not disrupt the parking and accessibility of neighbors. The owner has proven that the special exception criteria have been met through submission of architectural elevations and changes to parking restrictions on the street implemented by the Department of Transportation. The ANC believes that this development will not substantially 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 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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New Business



3. **Suggested Motion:** ANC 6A request removal of the Metro Bus Shelter located at 17th Street and Benning Road NE (Commissioner Phillips-Gilbert)
4. **Suggested Motion:** ANC6A authorize a resolution regarding ANC6A zero tolerance for racism or other human rights violations; for the removal of Elizabeth Nelson as Chair of the Transportation and Public Space Committee; and to require human rights training of all elected and appointed representatives of ANC6A" (Commissioners Phillips-Gilbert and Brown) (Resolution attached.)
5. **Suggested Motion:** ANC6A send a letter of apology to the participants of the November 12, 2020 ANC meeting expressing zero tolerance for racism or other human rights violations and outlining follow-up actions to include creation of an ad hoc committee for reviewing and recommending changes to ANC6A bylaws, required trainings, committee selection processes and communications procedures to ensure improved outreach to all ANC6A residents." (Commissioner Gove)



ANC6A RESOLUTION NO. 2020-001

Resolution regarding ANC6A zero tolerance for racism or other human rights violations; for the removal of Elizabeth Nelson as Chair of the Transportation and Public Space Committee; and to require human rights training of all elected and appointed representatives of ANC6A

WHEREAS, Advisory Neighborhood Commission 6A (ANC6A) is a diverse community comprised of residents who may possess any of the 21 traits protected from discrimination under District of Columbia law; and

WHEREAS, ANC6A seeks to serve all residents of the District who reside within its borders in a fair, respectful, transparent, manner, without regard to race; color; religion; national origin; sex; age; marital status; personal appearance, sexual orientation, gender identity or expression, Family responsibilities, political affiliation; disability; matriculation; familial status; source of income; genetic information; place of residence or business; status as a victim of an intrafamily offense; credit information; status as a victim or family member of a victim of domestic violence, a sexual offense, or stalking; and

WHEREAS, racism that disproportionately adverse impacts on Black, Indigenous, and other Persons of Color, has taken the spotlight in 2020, to the point of being declared a public health emergency across this nation; and

WHEREAS, the Council of the District of Columbia in introducing the *Racial Equity Achieves Results Amendment Act of 2019*, currently under consideration by the Mayor, reported, among other things, that it has become evident that “for many black residents across the District, there exist two pandemics, one being COVID-19, the other, racism;” and

WHEREAS, the Council has further stated that now is the time that local governments can and should take bold steps and remedies to correct the wrongs created by centuries of racist policies that have negatively affected black residents; and

WHEREAS, as an extension of District of Columbia local government, ANC6A must similarly take bold steps and remedies to correct wrongs that have been occasioned under its purview; and

WHEREAS, there are natural and unavoidable consequences of discriminatory acts or practices by representatives of the District government including humiliation, indignity, and other adverse and serious results; and

WHEREAS, appearances and public perception are important in building and maintaining trusting relationships between government and the residents whom we represent in ANC6A; and

WHEREAS, statements made by any ANC official during an official public meeting and be reasonably attributable to the Commission, whether intended or not; and

WHEREAS, in July 2020, this Commission was the subject of controversy in which the Commission was accused, by members of the ANC6A community of engaging in racist behavior, requiring a community discussion at the Community Outreach Committee meeting of August 24th, 2020; and

WHEREAS, Elizabeth Nelson has served as an official representative of ANC6A for more than a decade and is currently the duly appointed Chair of the Transportation and Public Space Committee for ANC6A, having been reappointed to the position in 2018; and



New Business



WHEREAS, Elizabeth Nelson made a racially charged statement during official discussions between the Commission as a whole and various officials of District government agencies, including the Departments of Human Services, Parks and Recreation, and General Services; the DC Council; the Office of Advisory Neighborhood Commissions; and the Executive Office of the Mayor, at the November 12, 2020 monthly Advisory Neighborhood Commission meeting; and

WHEREAS, members of the Commission, Committee Members, persons having business before the Commission, and members of the community were deeply offended, humiliated, and angered by the statements made by Elizabeth Nelson; and

WHEREAS, community members and District Government official contacted members of the Commission to voice their hurt, their shock, and their disdain for the behavior that they witnessed during an official government meeting; and

WHEREAS, there are current longstanding members of the Transportation and Public Space Committee who stand ready and willing to assume the duties of leading the Committee.

THEREFORE, BE IT RESOLVED, that ANC6A declares its refusal to tolerate any actions by any person elected to or appointed to an official position of the Commission that violates any of the aforementioned human rights specified by the government of the District of Columbia in the course of any public meeting of the Commission; and

BE IT FURTHER RESOLVED, that effective immediately ANC 6A shall remove Elizabeth Nelson from her appointed position of Chair, Transportation and Public Space Committee; and

BE IT FURTHER RESOLVED, ANC6A will request a presentation to be provided by the DC Office of Human Rights at a future monthly meeting not later than six months after today's date; and

BE IT FURTHER RESOLVED, that each person holding a position within ANC6A, whether elected or appointed, shall complete Human Rights Liaison training, or its equivalent, offered at no charge by the DC Office of Human Rights; and

BE IT FURTHER RESOLVED, that the Bylaws of ANC6A shall be amended to minimally include mandatory human rights training and, additionally, any other appropriate training on cultural competence, as may be deemed appropriate and selected by the Commission, to be required of any ANC6A Commissioner or the chairperson or co-chairperson of any committee formally organized under the Bylaws of ANC6A.

Attested by:

Amber Gove
Chair, Advisory Neighborhood Commission 6A
Dated: _____

This Resolution was approved by a vote of _____ on _____ at a public meeting of ANC6A at which a quorum was present.



December XX, 2020

Insert names of attendees from November 12, 2020 Meeting:
Departments of Human Services, Parks and Recreation, and General Services
Office of Advisory Neighborhood Commissions
Executive Office of the Mayor

Dear Colleagues,

At a regularly scheduled and properly noticed meeting¹ on December 9, 2020, our Commission voted X-X-X (with 5 Commissioners required for a quorum) to send a letter of apology to the participants of the November 12, 2020 ANC 6A meeting.

During that meeting one of our Commission representatives made a racially charged statement. As any statements made by any ANC official, including Committee members, during an official public meeting could be reasonably attributable to the Commission, whether intended or not, our Commission wishes to extend our deepest apologies for any offense the comment may have caused to anyone at the meeting.

Our Commission seeks to serve all residents of the District who reside within its borders in a fair, respectful, transparent, manner, without regard to race; color; religion; national origin; sex; age; marital status; personal appearance, sexual orientation, gender identity or expression, family responsibilities, political affiliation; disability; matriculation; familial status; source of income; genetic information; place of residence or business; status as a victim of an intrafamily offense; credit information; status as a victim or family member of a victim of domestic violence, a sexual offense, or stalking. ANC 6A confirms its refusal to tolerate any actions by any person elected to or appointed to an official position of the Commission that violates any of the aforementioned human rights specified by the government of the District of Columbia in the course of any public meeting of the Commission

As follow up to this event, our Commission has agreed to take the following steps:

- Require each person holding a position within ANC 6A, whether elected or appointed, participate in human rights liaison training, implicit bias and/or anti-racism training provided by the Office of Human Rights and/or the Office of Advisory Neighborhood Commissions during the 2021 calendar year.
- Request a Community presentation from the Office of Human Rights within the first six months of the 2021 calendar year;
- Establish an ad-hoc Committee comprised of Commissioners and Committee members to review and recommend changes to ANC 6A By-Laws, with special attention to required trainings, committee

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, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.



New Business



member nomination and selection processes, and mechanisms for increasing diversity and representation of ANC 6A Committees;

- Review ANC 6A mechanisms for outreach and communication, to ensure the Commission is making best efforts to reach all residents, including those that may have difficulty accessing digital content; and
- Move forward with selecting new leadership for the Transportation and Public Space Committee during the January ANC meeting.

Thank you for your continued service to the residents of the District of Columbia and 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