

ANC 6C Minutes
Wednesday, October 11, 2017, 7 pm
Heritage Foundation
214 Massachusetts Avenue N.E.

The meeting was called to order at 7:05 pm.

Quorum

A quorum of 6 out of 6 commissioners was present (Mr. Eckenwiler, Ms. Edelman, Ms. Healey, Mr. Miller, Mr. Price, and Ms. Wirt).

Approval of the Agenda

The agenda was approved without objection. **Motion:** Ms. Wirt/Mr. Eckenwiler

Approval of the September Minutes

The September minutes were approved unanimously, with the usual caveat that commissioners will have one week to report any inaccuracies or typographical errors before the minutes are posted on the ANC 6C website. **Motion:** Ms. Wirt/ Mr. Eckenwiler.

Treasurer's Report

The opening balance on August 31 was \$40,352.71. Two quarterly deposits were made by the D.C. government; each payment was \$3,337.28. Two interest payments earned on the checking account totaled \$0.68. There was a stop-payment fee of \$30.00 for an ANC check lost in the mail. The closing balance on August 31 was \$46,997.61. The fourth quarterly report for 2017 was also submitted. The Treasurer's report and the quarterly report were approved without objection. **Motion:** Mr. Miller/Ms. Wirt. The commissioners also voted to accept the 2018 ANC 6C annual budget presented by Mr. Miller. **Motion:** Mr. Miller/Mr. Eckenwiler. Ms. Edelman requested direct payment of \$600 for two American Sign Language interpreters who were requested by a constituent for this October meeting. The motion passed without objection. **Motion:** Ms. Edelman/Mr. Eckenwiler.

Brief Community Announcements

1. Garrett Schaffel and his associate briefly described the goals of the D.C. Reinvest Campaign. The group promotes a number of positions, including opposition to use of fossil fuels, opposition to Wells Fargo practices, and opposition to underground pipelines. They support taxpayer funds being used to promote social and economic justice. The speakers presented the ANC with a resolution for the commissioners' consideration.
2. Commissioner announcements—Mr. Price appointed Luz Dejesus to represent ANC 6C03 on the Parks and Events Committee. Ms. Healey appointed Jennifer Newton to represent 6C01 on the Grants Committee. Ms. Wirt appointed John Wirt to represent ANC 6C02 on the Transportation and Public Space Committee. Mr. Eckenwiler asked for a vote to designate him as the ANC 6C representative at a D.C. Council hearing on October 13 regarding the state of fields and playgrounds maintained by the District. The motion passed without objection. **Motion:** Mr. Eckenwiler/Ms. Wirt. Mr. Eckenwiler asked

for a letter to be written to Delegate Eleanor Holmes Norton, with copies to Council Member Charles Allen and the Architect of the Capitol, protesting the blocked sidewalk in front of the SEC that has gone on for a year. Ms. Healey requested that, going forward, a draft letter be circulated in advance of such requests. The motion passed without objection. **Motion:** Mr. Eckenwiler/Ms. Wirt. Mr. Eckenwiler asked that a letter be sent addressing Council Member Charles Allen's legislation regarding the Youth Rehabilitation Act. Mr. Eckenwiler asked for general support for the act, but noted that it should be amended to place a cap on a defendant's ability to have unlimited benefits from the act if he/she is under age 22. The motion passed without objection. **Motion:** Mr. Eckenwiler/Mr. Miller. Mr. Miller will attend the October 26 hearing regarding this matter. Ms. Healey again asked for a draft of the testimony to be circulated.

Consent Calendar

1. Dogs on restaurant patios—The D.C. Department of Health recently began to enforce previously enacted legislation prohibiting dogs on restaurant patios, and the D.C. Council unanimously passed emergency legislation to allow the owners of food service establishments to decide whether they will allow dogs on patios. The legislation will expire in 90 days, so support is recommended, with a request that any subsequent legislation remove language that allows prohibition of dogs by breed.
2. Bicycle infrastructure on M and 4th Streets NE—A letter is recommended to be sent to Mike Goodno and Jim Sebastian of DDOT identifying some problems and proposed solutions. For 4th Street add flexi-posts and a concrete bollard to protect the cycle track, move a loading sign, and work with DPW to ensure cars do not drive or park in the cycle track. For M Street add flexi-posts and consider no right turn from Delaware Avenue NE to M Street NE.
3. 522-1/2 K Street NE, modification of significance, BZA 13991A—Support is recommended for the applicant's effort to improve and expand its services, subject to the overall requirement that the grocery use remain the principal onsite activity and not be supplanted or overtaken by other uses such as fast-food service. The hearing is October 18. Mr. Eckenwiler and Ms. Edelman are designated to represent ANC 6C.

The consent calendar was approved unanimously. **Motion:** Ms. Wirt/Mr. Eckenwiler.

Grants Committee

Ms. Lord, the chair of this committee, requested support for a grant application seeking \$1,994.00 submitted by Friends of NoMa Dogs to care for and maintain parks in the NoMa area. The commissioners voted unanimously to support the grant. **Motion:** Mr. Eckenwiler/Ms. Healey.

Ms. Lord also mentioned planning by the committee to host a spring seminar, together with the Grants Committee of ANC 6A.

Presentation by Mayor Muriel Bowser

The mayor introduced D.C. agency directors, including Jeff Marootian, acting director of DDOT; Melinda Bolling, head of DCRA; Chris Shorter, head of DPW; and MPD First District Commander Morgan Kane. She described her main initiatives and progress achieved for each: transforming D.C. public schools, improving public safety, and Vision Zero for better use of roads with a goal of zero traffic fatalities by the year 2020. She mentioned a portal on the mayor's web page where ANCs can post resolutions.

Questions from commissioners and the audience for the mayor addressed job opportunities, the K Street traffic study, MPD response to noise violations for construction outside approved hours, parking, bike

share stations, alley repairs, and intersections needing attention to pedestrian safety (specifically 7th and 8th Streets N.E. where they cross Massachusetts and Constitution Avenues N.E.).

Transportation and Public Space Committee

1. CCNV shelter gate—The Community for Creative Non-Violence (CCNV) installed a gate at the 2nd Street alley on CCNV property, although the post to which it is attached is in public space. The proposed plan is for the alley to be open at all times except when it will be closed to prevent access to the alley in order to curb illegal activity. At each gate closure, CCNV would obtain a temporary permit. Other businesses on the block are supportive of this temporary closure policy. The commissioners voted unanimously to support the gate closure policy. **Motion:** Ms. Wirt/Mr. Miller.

2. Visitor parking permits—These visitor parking permits are issued to residents on Residential Parking Permit (RPP) blocks who request them, and are valid only for the ANC to which they are issued, not the entire ward. The permits are valid for one year. Because some people abuse the system and park outside their designated ANC with these visitor permits, or provide the permit to commuters rather than visitors, the motion is to send letters to DDOT and DPW directors with copies to D.C. Council members to request they take action to correct the situation. The commissioners voted unanimously to support the motion.

Motion: Mr. Eckenwiler/Mr. Miller. Mr. Price suggested studying what other jurisdictions do, although Mr. Eckenwiler replied that the D.C. situation, with ANCs in each ward, is somewhat unique. Ms. Healey asked that a draft of the letter be circulated.

Planning, Zoning, and Economic Development Committee

1. 643 F Street N.E., BZA 19589—This application is for special exceptions for lot occupancy requirements, rear-yard requirements, and penthouse setback requirements to construct a one-story rear addition and roof deck to an existing single-family dwelling. The addition will replace and extend an existing unenclosed porch. The vote to support was unanimous. **Motion:** Mr. Eckenwiler/Mr. Price.

2. 226 Massachusetts Avenue N.E., BZA 19609—The applicant requests variances from rear-yard requirements, height requirements, and off-street parking requirements to construct a new three-story office building in the CAP/CHC/C-2-A zone. The new building is proposed at the site of the former Armand's Pizzeria. The parcel of land is a trapezoidal shape with a triangular rear yard. The height request is 44 feet, 4 feet above the maximum, but this extra footage is needed to align the new structure's floor plate with the existing building to the west. The applicant also seeks exemption from the requirement to provide 5 parking places. The commissioners voted unanimously to support the request for variances, with the caveat that enclosing public space in the front of the building is not in sync with ANC 6C's recommendations from June 2016, when the corresponding HPRB application came before ANC 6C. **Motion:** Mr. Eckenwiler/Mr. Price.

3. 512 H Street N.E., BZA 19587—This application submitted by Ace Cash Expresss, Inc., is for a special exception to permit a financial services use in the NC-9 zone. The applicant seeks to relocate from its existing operation at 601 H Street N.E. to 512 H Street N.E. The establishment provides check cashing and money transmittal services. According to the H Street commercial overlay, a financial services business should not occupy more than 20 percent of the ground floor of a building without zoning relief. The company has been in business for nearly three decades. An objection was raised to the use of the building, possibly with people lined up to cash checks, and the comment was made that it would not contribute to the vitality of the neighborhood. The vote to oppose was 3:3:0. The motion did not carry. **Motion:** Mr. Miller/Mr. Eckenwiler. The motion included designation of Mr. Eckenwiler as representative at the BZA hearing.

4. 10 3rd Street N.E., BZA 19574—This is a request for a special exception and area variance from the minimum land area requirements to permit the conversion of an existing residential building existing before May 12, 1958, into an apartment house with three units (two units and a carriage house) in the RF-3 zone. Under the regulations, a special exception for such a conversion is available only in cases when the property has 900 square feet of land per proposed unit. In this case the lot is only 1,985 square feet, far less than 2700 square feet for the three units. The property has been owned by one family and functioned as three units for 75 years. The applicant seeks to renovate the interior of the carriage house and pursue a legal certificate of occupancy for it. Granting zoning relief would have no new impact on the neighbors. Failure to grant zoning relief could lead to vacancy in the carriage house and reduced density in the alley or use of the carriage house for short-term rentals, More than twenty neighbors support the request. The vote to support the application was 4:2:0. **Motion:** Ms. Healey/Ms. Edelman.
5. Proposed letter to HPO requesting a written status report on pending violation complaints—Mr. Eckenwiler described a long-standing concern with unaddressed complaints to HPO staff about illegal work in the historic district. Violations are allowed to persist for years and often become permanent if there are no repeated inquiries by a complainant. This request is to send a letter to David Maloney at HPO identifying nine specific locations and requesting a written status report on those locations. The commissioners voted unanimously to support the request. **Motion:** Mr. Eckenwiler/Mr. Price.
6. October 24 roundtable hearing to discuss DCRA issues—This hearing will focus on inconsistent permitting and illegal construction within the District. The commissioners voted unanimously to designate Mr. Eckenwiler to represent ANC 6C at this hearing. **Motion:** Mr. Eckenwiler/Mr. Price.

Request from a member of the audience

Ms. Jennifer Thorp-Lewis asked that the Transportation and Public Space Committee October minutes show that K Street N.E. residents attended to discuss the K Street traffic study. The study was not on the committee agenda because the commissioners decided at the September full-commission meeting to postpone a vote until after the DDOT bicycle study had been completed. The 20-30 K Street residents who attended the meeting were given 20 minutes to air their views. (This reflected in the Committee's report is now posted on the ANC 6C website.) She expressed concern that people who would be affected by the loss of parking on K Street N.E. and who do not have access to sources of electronic information on the K Street study (e.g., email, Twitter, etc.) would not be informed. Ms. Thorp-Lewis asked that her statement also be placed in the October full-commission meeting minutes.

The meeting adjourned at 8:55 pm.