

ADVISORY NEIGHBORHOOD COMMISSION 6B January 2024 MEETINGS OF ANC 6B

Join Information: Meeting link: https://Zoom.Us/J/92021883360 Password: ANC6BJan!!

Join by Telephone: (301) 715 8592 Webinar ID: 920 2188 3360 Passcode (Telephone): 3185726842

AGENDA

1) Introduction

2) Adoption of Agenda

- 3) ANC 6B Administrative Matters
 - a) Election of Officers: Chair, Vice Chair, Treasurer, Secretary, Parliamentarian
 - b) 2023 ANC 6B Annual Report
 - c) Bylaws Amendment Relating to Reestablishment/Reauthorization of Special Committees & Taskforces

4) Consent Agenda

- a) December Minutes
- b) Approval of the Amended 2024 and January 2025 ANC 6B Calendar to Include Dates for the New Standing Committee Public Safety Committee
- c) Alcoholic Beverage & Cannabis Committee Consent Items
 - i) ABCA-126750—BBCF LLC t/a DC Dash; 727 8th Street SE; New Medical Cannabis Retailer Committee recommended that ANC 6B file a protest based on the adverse impact on peace order and quiet, impact on parking and pedestrian safety, and impact on real property values and place it on the consent agenda. The motion passed unanimously
- d) Transportation Committee Consent Items
 - Letter to DDOT, Councilmember Charles Allen, and DPW Requesting a holistic study of the 11th St. SE corridor between Lincoln Park and M St. SE Committee recommended that ANC 6B write a letter to DDOT, Councilmember Allen, and DPW requesting a holistic study of the 11th St. SE corridor between Lincoln Park and M St. SE. The motion passed unanimously.
 - ii) Request to DDOT to prioritize a Traffic Safety Inspection (TSI) Request at North Carolina Ave and 7th Street SE Committee recommended that ANC 6B request that DDOT to prioritize a Traffic Safety Inspection (TSI) Request at North Carolina Ave and 7th Street SE. The motion passed unanimously.
- e) Planning & Zoning Committee Consent Items
 - i) Letter to DOB Regarding Illegal Construction at 319 9th Street SE Committee recommended that ANC 6B send a letter to the Department of Buildings noting the series of subpar illegal construction inspections, including that at 319 9th Street SE, asking for an investigation and resolution at the property in question, and asking for clarity on what action(s) DOB can take regarding illegal construction that was not caught at the time of construction but is now extant. It was further moved to place the item on the consent agenda. The motion passed 9-0-2.

- f) Financial Consent Items
 - i) 2024 ANC Security Fund. This is a pro forma annual action all ANCs take as part of bonding their commissions against wrongful expenditures. The ANC must do it <u>after</u> the election of the new officers.

5) Presentations

- a) None in January
- 6) Community & Commission Announcements & Speak Out
- 7) ANC 6B Input on Other Concerns
 - a) 2023 ANC 6B Outstanding Public Service Award

8) Alcoholic Beverage & Cannabis Committee

- a) [LATE BREAKING]: ABCA-126850--UpnSmoke LLC, new medical cannabis retailer license at 427 8th Street SE [6B03]
- b) Report for the ABC Committee

9) Transportation Committee

a) Report for the Transportation Meeting

10) Planning and Zoning Committee

a) Report for the Planning & Zoning Committee

11) Southeast Library Task Force

a) Report for the Southeast Library Task Force

12) Public Parks and Recreation Spaces Task Force

a) Report for the Public Parks and Recreation Spaces Task Force

13) Special Committee on Public Safety

a) Report for the Special Committee on Public Safety

14) Eastern Market Community Advisory Committee

- a) No Meeting in December for EMCAC, No Report in January
- 15) <u>Financial</u>
 - a) Monthly Financials
 - b) FY24 Q1 Quarterly Financial Report
- 16) ANC 6B Meeting Conclusion
 - a) Reminder of Upcoming Meeting Date

17) Adjournment

PLEASE NOTE: At regular Commission meetings, any item may be removed from the consent agenda and placed on the regular agenda at the request of a single Commissioner. All ABC, BZA, Zoning, and Historic Preservation cases may be added to this agenda. For additional information, email 6b@anc.dc.gov, or visit ANC 6B's website: <u>www.anc6b.org.</u>

The ANC 6B Executive Committee will meet next on January 30th at 7:00 PM to set the February 2024 agenda. This meeting will be a Zoom virtual meeting. Meeting link TBA.





Prepared by

Edward Ryder, Chair 6B



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Commission Meetings

- ANC 6B held 11 regular commission meetings in 2023 and 2 special call meetings. All full commission meetings were held virtually.
- All officers were elected and filled at the January 2023 meeting.
- ANC 6B started and completed the year with 9 commissioners, with all SMDs being represented.
- 2023 represented a year of change for ANC 6B, with several new commissioners and brand new SMD boundaries from the 2022 redistricting.



Commission Meeting Highlights



MARCH: BRANDON BEST, WARD 6 SBOE

In March, the Ward 6 State Board of Education representative, Brandon Best, spoke to ANC 6B.



APRIL: CHARLES ALLEN, WARD 6 COUNCILMEMBER

In April, ANC 6B hosted a presentation by our Ward 6 Councilmember, Charles Allen.



SEPTEMBER: SHARON KERSHBAUM, INTERIM DIRECTOR DDOT

In September, the Interim Director District Department of Transportation (DDOT) engaged in a presentation and discussion with 6B regarding a number of DDOT projects and safety concerns in 6B.



NOVEMBER: SCOTT KRATZ, 11TH STREET BRIDGE PARK DIRECTOR

Scott Kratz joined ANC 6B in November to discuss the 11th Street Bridge Park.

Presentations to Full Meetings of ANC

6B in 2023

- February 2023, Captain Kevin Harding, MPD First District
- March 2023, Brandon Best, D.C. State Board of Education (SBOE)
- March 2023, Christa Waterwiese, Boy Scouts of America
- March 2023, Mike Godec, CRYSP DC
- April 2023, Charles Allen, Councilmember, Ward 6
- April 2023, Sean Moore, DC Water Lead Free DC
- May 2023. Shirley Kwan-Hui, Interim Director DLCP
- May 2023, Office of the Tenant Advocate's (OTA) Education & Community Outreach team (E&O)
- June 2023, Richard Reyes-Gavilan, Director DC Public Library
- June 2023, Andrew Grinberg, DDOT Transportation Planner
- July 2023, Sukrit Mishra, Solar 101
- September 2023, Sharon Kershbaum, Interim Director DDOT
- September 2023, Ashley Wells, DC Smart Street Lighting Project
- November 2023, Chris Williams, President of the Anacostia Watershed Society
- November 2023, Scott Kratz, Director of the 11th Street Bridge Project

List of All ANC 6B Actions in 2023

- In addition to the standing committees, ANC 6B established a new Special Committee on Public Safety, a Southeast Library Taskforce, and a Parks and Public Spaces Taskforce in 2023.
- The following pages contain lists of items for which ANC 6B provided input on in 2023. Details of these items, including copies of all letters, can be found on our website.
- All meeting minutes and standing committee reports may be found here:
 - https://anc6b.org/meeting-minutes-andcommittee-reports/
- All letters and other action items can be found here:
 - https://anc6b.org/correspondence-andresolutions/2023-correspondence/



- List of ANC 6B ABC Input
- ABRA-123471: Rose's at Home, New Class B Internet Retailer
- ABRA-120833: Ginza BBQ Lounge and Karaoke Spot, 526 8th Street SE; Renewal of Retailer's Class "CT" Tavern License.
- ABRA-123546: Pacci's Trattoria, 106 13th Street, SE: Request for a New Class "CR" Restaurant License
- ABRA-118108: Harvest Tide Steak House, 212 7th Street SE; Retailer's Class "C" Restaurant
- ABRA-122788: Hill East Burger; Application for an Entertainment Endorsement to an existing Retailer's Class "C" Tavern License
- ABRA-086141: Lola's; 711 8th Street, S.E.; Retailer's Class "C" Tavern License,
- ABRA-123414: Mason & Greens, 400 8th Street, S.E.; Application for a Retailer's Class "B" Full-Service Grocery Store license
- ABCA-124054: I Egg You, 517 8th Street, SE; New Application for a Retailer's Class "C" Restaurant license
- ABCA-000793: National Democratic Club (NDC), request to amend the existing SA to increase the hours of operation and sales, service, and consumption of alcohol
- ABCA-121794: Extreme Pizza; 520 8th Street, SE; Retailer's Class "C" Tavern License, Application for an Entertainment Endorsement
- ABCA-12500: Wendim Veni, Inc. t/a TBD; 725 8th Street SE; Application for a new Retailer's Class
 "A" Liquor Store
- ABCA-12502: Los Caballeros Restaurant; 308 Pennsylvania Ave SE; Application for a Retailer's Class "C" Restaurant License
- ABRA-071793: The Ugly Mug Dining Saloon/Valor Brew Pub; 723 8th Street SE, Application for a substantial change of an existing liquor license to add a Game of Skill endorsement to their operations.
- ABRA-105990: Wine and Butter; Application for the renewal of a Retailers' Class "B" liquor license with a tasting endorsement
- ABRA-12517: Dos Toros Taqueria 215 Pennsylvania Ace SE, Application for a new Retailer's Class
 "C" Restaurant License
- ABRA-07779: Café BISTRO Med, LLC t/a Café 8, Class "C" Restaurant License
- ABRA-12582: Omakase of Barracks Row LLC t/a Omakase @ Barracks Row, 522 8th Street S.E., 2nd Floor, Application for a new Retailer's Class "C" Tavern License
- ABRA-193687: Radici, 310-313 7th Street SE; Application for the renewal of a Retailer's Class "B" Grocery Liquor license
- ABRA-100872 Trader Joe's East Inc t/a Trader Joe's #622, 750 Pennsylvania Ave SE; Application for the renewal of a Retailer's Class "B" Grocery Liquor license
- ABRA-126828 527 8th, LLC, t/a Barracks Row Joey's; 527-529 8th ST SE; Renewal of an existing Class "C" Tavern License

ABCA-126724: No Kids Allowed; 637B Pennsylvania Ave SE; New Medical Cannabis Retailer ABCA-126750–BBCF LLC t/a DC Dash; 727 8th Street SE; New Medical Cannabis Retailer



List of ANC 6B Transportation Input

- Statement for the Record of the March 30 Hearing on the DDOT Budget Regarding the DC Circulator
- Letter Regarding Traffic safety measures at crosswalk at 6th and E Streets SE
- ANC 6B Better Bus Resolution
- 8th Street Bus Priority Project Resolution
- Letter Regarding Safe Passages for Eastern Market and Potomac Avenue Metro Stations
- ANC6B Support for 11th and East Capitol VZH Project (NOI 23-198 TESD)
- ANC6B Letter Regarding DPW and DDOT Employee Parking at Watkins Alley
- Request for Speed Hump on D St. near Eastern Market Metro Plaza (6B03)
- ANC 6B Support for Nov 3, 2023 Eastern High School Homecoming Parade
- ANC 6B Letter Regarding Dockless Bikes and Scooters Impeding Pedestrian Areas
- ANC 6B Letter to DCPS and DPW Regarding Traffic Safety at Watkins Elementary
- ANC 6B Letter to DDOT Regarding Traffic Safety at Watkins Elementary
- ANC 6B Letter to DDOT Regarding the Intersection of 14th St, D St, and Kentucky Ave SE
- ANC 6B Letter to DDOT Regarding the 8th Street SE Bus Priority Project
- ANC 6B Letter to DDOT the Unsafe Intersection at 5th and Independence SE



List of ANC 6B Planning & Zoning Input

- HPA 23-101: 637 A Street SE
- HPA 23-179: 718 North Carolina Ave SE
- BZA 20831: 718 North Carolina Ave SE
- BZA 20886: 218 D Street SE
- BZA 20834: 4-5 Library Court SE
- BZA 20870: 1236 Walter Street SE
- HPA 23-253: 1236 Walter Street SE
- BZA 20905: 706 15th Street SE
- HPA 23-286: 235 12th Street SE
- HPA 23-356: 202 10th Street SE
- BZA 20954: 202 10th Street SE
- BZA 20986: 504 4th Street SE
- HPA 23-435: 504 4th Street SE
- ANC 6B Letter Regarding Hill Center Gathering Terrace
- Letter to DOB Regarding 519 6TH Street SE Vacancy Determination
- BZA 20959: 223 8th Street SE
- HPA 23-439: 116 5th Street SE
- BZA 20955: 744 13th Street SE
- Request to Formally Name the Alley in Square 969 to "Sladen's Court"
- HPA 23-575: 309-311 4th Street SE
- HPA 23-574: 630 G Street SE
- BZA 21027: 630 G Street SE
- CFA SL 24-036: 229-233 Pennsylvania Ave / 203 3rd Street SE
- ANC 6B Resolution Regarding Enforcement of Zoning Regulations
- ANC 6B Letter Regarding Protecting Historic Homes Amendment Act of 2023
- Letter to DOB Regarding Illegal Construction at 516 Archibald Walk



ANC 6B Input on Other Items, Including Special Committee and Taskforce Actions

- ANC 6B Letter Regarding Interim Library Services for Southeast DC
- ANC 6B Letter to DC Council Re Failures of OUC and the 911 System
- ANC 6B Resolution on Issues at DCHA Properties
- ANC 6B Letter Regarding Issues at Potomac Gardens Senior Building
- ANC 6B Letter Regarding September 18 American Trucking Association Event
- ANC 6B Resolution Supporting Renaming of Tyler Elementary to Chisolm Elementary
- ANC 6B Letter to DC Councilmembers Regarding the Closure of the SE Library
- ANC 6B Letter Regarding Illegal Use of Residential Properties to Commercial Uses in the Residential Zones

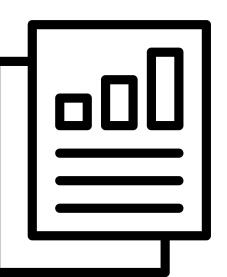


Financial Reports

Throughout 2023, our Treasurer, Commissioner Frank Avery (6B01) kept detailed financial records and compiled monthly Treasurer's reports and all Quarterly Financial Reports for the ANC.

Copies of all of ANC 6B's Financials for 2023 may be found here:

https://anc6b.org/anc-6b-financials/finances/



Proposed Bylaws Amendment Relating to Reestablishment/Reauthorization of Special Committees & <u>Taskforces</u>

Current text of article VII section 1.C.: "Special committees and task forces must be renewed annually at the Commission's regular meeting in February."

Proposed new language of subsection C.: "The Commission and the Executive Committee each have power to create special committees and taskforces¹. With two weeks' notice to all Commissioners, the Commission at any meeting of the full ANC may eliminate a special committee or taskforce. ² Unless otherwise provided in the motion that created the special committee or taskforce, or extended at a Commission or Executive Committee meeting, all special committees and taskforces expire at the end of the Commission's first regular February meeting after the special committee or taskforce was established or last extended. Starting with the November meeting after it established or last renewed a special committee or taskforce, at a regular monthly meeting the Commission or Executive Committee may extend the life of a special committee or taskforce for a period of time specified by the Commission or Executive Committee, except that no extension can prolong the life of a special committee or taskforce beyond the first regular February meeting following a biennial Commission election. Regardless of any extension, all special committees and taskforces expire at the end of the Commission's regular February meeting following a biennial Commission beyond the the theorem taskforce of the extension can prolong the life of the commission's regular February meeting following a biennial Commission election. Regardless of any extension, all special committees and taskforces expire at the end of the Commission's regular February meeting following a biennial Commission's regular February meeting by the newly elected Commission."

¹This makes clear what the bylaws already imply in article VII 1.A.

² In December, every commissioner agreed to this.

³ This rewording makes it clear that all special committees & taskforces expire with the February meeting after a new Commission takes office unless that new Commission renews them at that February meeting. But in an off year, this empowers the Commission to extend a special committee or taskforce starting with the November meeting.



DRAFT Minutes of Advisory Neighborhood Commission 6B

December 12, 2023

Advisory Neighborhood Commission 6B Regular Monthly Meeting Held Over Zoom December 12, 2023 Commissioner Edward Stillwell Ryder, Chair

Participating: Commissioners Avery, D'Andrea, Durkit, Jayaraman, LaFortune, Mareino, Ryder, Sobelsohn, and Sroufe.

Commissioner Ryder called the meeting to order at 7:05 p.m.

1. Meeting Agenda. Commissioner Sobelsohn moved/Commissioner Mareino seconded to adopt the agenda as presented. The motion passed 8-0.

Commissioner Sroufe did not vote.

2. Consent Agenda. Commissioner Sobelsohn moved/Commissioner Jayaraman seconded to approve the items on the Consent Agenda, as modified. The motion passed 8-0. Commissioner Sroufe did not vote. Items on the Consent Agenda included:

a. Minutes.

1) November 14. Minutes, as proposed, of the November 14, 2023 meeting.

2) October 10. Motion to amend something previously adopted: to delete, from the October minutes as approved at the November 14 meeting, the October minutes' erroneous report that Commissioner Durkit participated in the October meeting.

b. Committee recommendations: from the--

1) Alcoholic Beverage and Cannabis Committee. To request an extension of the protest-petition deadline until January 19, 2024, regarding the application, for a new medical-cannabis retailer license, of Seedless, LLC, trading as No Kids Allowed, 637B Pennsylvania Ave., SE (ABCA-126724).

2) Transportation Committee. To write the DC Department of Transportation (DDOT) urging the installation of four-way stop signs and raised crosswalks at the intersection of 5th St. and Independence Ave., SE.

3) Planning and Zoning Committee. To write the DC Department of Buildings describing what has happened regarding illegal construction at 516 Archibald Walk, SE, urging an investigation and requesting an explanation of how DC permitted this illegal construction; and to authorize Commissioners D'Andrea and Sobelsohn to finalize the letter, to be sent without further ANC review.

3. Community and Commission Announcements.

a. Committee resignations.

1) Commissioner D'Andrea announced the resignation of Dilip Ramchandani, his Resident Member on the Public Safety Committee.

2) Commissioner Jayaraman announced the resignation of Susan Draino, his Resident Member on the Transportation Committee.

b. Upcoming safety walk. Commissioner Avery announced that, at 5 p.m. December 13, he, the Metropolitan Police Department, several other DC agencies, and Ward Six Councilmember Charles Allen will lead a public-safety walk in his single-member district, starting at the corner of 4th St. and Seward Square, SE.

c. Mayor's Office of Community Relations. Jake Stolzenberg, from the Mayor's Office of Community Relations, reported on--

1) Mayoral press conferences.

a) December 7 with DC Police Chief Pamela Smith and representatives of related Maryland and Virginia agencies, and--

b) December 22 with families at Nationals Park, 1500 South Capitol St., SE.

2) DMV Black Restaurant Week December 3-10, 2023.

Stolzenberg also promised to report back on whether police officers or civilians will staff DC's new Real-Time Crime Center, announced December 7.

d. DC Voters for Animals. Max Broad from DC Voters for Animals reported a campaign to solicit signatures of DC's Advisory Neighborhood Commissioners on a letter urging the DC Council to prohibit DC's restaurants' serving pâté de foie gras.

e. Outstanding Public Service Award. Commissioner Sroufe announced a deadline of December 15 to submit nominations for the annual ANC 6B Outstanding Public Service Award. The executive committee will choose the recipient at its meeting December 19.

f. 2023 Annual Report. Commissioner Ryder announced that he will propose a 2023 ANC 6B annual report at the January 9 meeting.

4. Support for Diversity of Businesses in ANC 6B.

Commissioner Sobelsohn moved/Commissioner D'Andrea seconded to adopt an "ANC Statement of Support for Diverse Businesses and Business Owners" that reads that "Advisory Neighborhood Commission 6B cherishes the diversity of businesses in our ANC. We will protect our businesses--all our businesses--from harassment or intimidation, including from those who patronize a competitor." Commissioner Jayaraman moved/Commissioner Mareino seconded to amend the motion to delete the words "including from those who patronize a competitor."

The motion to amend passed 8-1, with Commissioner Sobelsohn opposed.

The underlying motion passed 9-0.

5. Committee and Taskforce Reports.

a. Alcoholic Beverage and Cannabis Committee. Commissioner Jayaraman, chair of the Alcoholic Beverage and Cannabis Committee, moved/Commissioner Sobelsohn seconded to support the application of

527 8th, LLC, trading as Barracks Row Joey's, 527-529 8th St., SE, for renewal of an existing class "C" tavern alcoholic-beverage license (ABRA-126828), and delegating to Commissioner Jayaraman the authority to finalize an amended settlement agreement regarding Joey's hours of operation. The motion passed 8-0. Commissioner Sroufe did not vote.

The finalized settlement agreement is linked to these minutes, as is the committee's written report.

b. Transportation Committee: 8th Street Bus Priority Project.

Commissioner Sobelsohn moved/Commissioner D'Andrea seconded to send DDOT a letter supporting its 8th Street Bus Priority Project as a whole, with specific support for proposed alternate 3 for the 800 block of D St., SE, which keeps D St. westward one way but physically prevents left turns from D St. onto 8th St., SE. The letter would take no position on the proposed alternatives for the 700 block of D St., SE. However, the letter would urge DDOT to study restricting traffic on the 700 block of D St., SE, including assessing traffic restriction's effect on pedestrian safety and on businesses. The letter would urge DDOT in general to adopt a pedestrian-friendly design, and one that prevents buses from idling or parking so as to block storefront visibility. The motion passed 9-0.

A written report from the Transportation Committee is linked to these minutes.

c. Planning and Zoning Committee. Commissioner D'Andrea, chair of the Planning and Zoning Committee, reported that the Subcommittee on Street and Alley Closings awaits a response to its proposed list of community benefits, sent to Clear Plains, LLC, regarding Clear Plains'

effort to close an alley in square 762. The committee's written report is linked to these minutes.

d. Southeast Library Task Force. Commissioner Sobelsohn, chair of the Southeast Library Task Force, reported that the DC Public Library will hold a town meeting 7 p.m. December 14 at the Southeast library to announce its plans for closing the library January 4 and providing interim library services during the years the Southeast library will be closed for

renovations. The minutes of the taskforce's December 3 meeting are linked to these minutes. The taskforce will meet next at 3 p.m. December 17 in its final meeting at the library.

e. Public Parks and Recreation Spaces Task Force. A written report for the Public Parks and Recreation Spaces Task Force is linked to these minutes.

f. Special Committee on Public Safety. A written report for the Special Committee on Public Safety is linked to these minutes.

g. Eastern Market Community Advisory Committee (EMCAC).

Commissioner Sroufe, ANC 6B's representative to EMCAC, reported that EMCAC has met with four DC councilmembers regarding Eastern Market's financial needs.

6. Treasurer's Report. Commissioner Avery, ANC 6B treasurer, reported on billing issues with The Yard, manager of bookings for 700 Pennsylvania Ave., SE.

7. ANC 6B Administrative Matters.

a. Committees and taskforces.

1) Establishment of new standing committee. Commissioner Sobelsohn moved/Commissioner Jayaraman seconded to establish a standing Committee on Public Safety. After discussion, Commissioner D'Andrea moved/Commissioner LaFortune seconded to call the question.

The motion to call the question failed 6-3, with Commissioners D'Andrea, LaFortune, and Mareino voting in favor. The motion to establish a new standing committee passed 7-2, with Commissioners Sroufe and Mareino opposed.

2) Proposed Bylaws Amendment. Commissioner Sobelsohn moved/Commissioner Sroufe seconded to amend the bylaws. Currently, article VII section 1.C. reads "Special committees and task forces must be renewed annually at the Commission's regular meeting in February." The motion would replace that with: "The Commission and its Executive Committee shall each have power to create special committees and taskforces. Unless provided otherwise in the motion that created the special committee or taskforce, all special committees and taskforces expire at the end of the Commission's regular February meeting in the first calendar year after the Commission established that special committee or taskforce. Even without a provision in the motion that created that special committee or taskforce, at any meeting of the full Commission, the Commission may extend the life of a special committee or taskforce by up to 14 months after the meeting at which the Commission votes to extend the life of that special committee or taskforce. By a majority vote, and with two weeks' notice to all Commissioners, the Commission at any meeting of the full ANC may eliminate a special committee or taskforce." Commissioner Sobelsohn moved/Commissioner Durkit seconded to table the motion until the January meeting. The motion passed 8-0. Commissioner Mareino abstained. Commissioner Mareino moved/Commissioner D'Andrea seconded to amend the agenda

by deleting "Reauthorization of Special Committees and Taskforces." The motion passed 8-1, with Commissioner Sobelsohn opposed.

b. 2024 and January 2025 Meeting Schedules. Commissioner Sobelsohn moved/Commissioner LaFortune seconded to adopt the proposed schedule of full ANC and standing-committee meetings for 2024 and the full ANC meeting for January 2025. The motion passed 9-0. The schedule is linked to these minutes.

c. Upcoming meeting dates. Commissioner Ryder announced that the executive committee will meet December 19 and January 30; that the full ANC will meet January 9; and that the three standing committees will meet the first week of January: Alcoholic Beverage and Cannabis on January 2, Transportation on January 3, and Planning and Zoning January 4.

8. Commissioner Ryder moved/Commissioner Sobelsohn seconded to adjourn. The motion passed without objection. The meeting adjourned at

10:22 p.m.

Respectfully submitted,

David Sobelsohn ANC Secretary



Advisory Neighborhood Commission 6B 2024 Meetings Schedule

KEY:

ABC = Alcoholic Beverage & Cannabis	PSC = Public Safety Committee	
Committee		
P&Z = Planning & Zoning Committee	EC = Executive Committee	
TC = Transportation Committee	Full = Full Advisory Neighborhood Commission 6B	

Meeting Date & Time: All meetings, except for the Public Safety Committee, begin at 7:00 pm, unless otherwise noted. The Public Safety Committee meetings begin at 6:30pm

For Special Committees and Taskforces, Times and locations, including any virtual meeting links, will be posted at least 5 days prior to the meetings on the ANC website [anc6b.org]. Special committees and taskforces should avoid holding meetings that overlap or conflict with scheduled meetings of standing committees.

NOTE: If the DC government is closed on the day of an ANC meeting, the meeting will be rescheduled.

January	February	March ABC:
ABC: Tuesday, January 2	ABC: Tuesday, February 6	Tuesday, March 5
TC: Wednesday, January 3	TC: Wednesday, February 7 P&Z:	TC: Wednesday, March 6
P&Z: Thursday, January 4	Thursday, February 8	P&Z: Thursday, March 7
Full: Tuesday, January 9	Full: Tuesday, February 13	Full: Tuesday, March 12
EC: Tuesday, January 30	PSC: Monday, February 26	PSC: Monday, March 25
	EC: Tuesday, February 27	EC: Tuesday, March 26
<u>April</u>	<u>May</u>	June ABC:
ABC: Tuesday, April 2	ABC: Tuesday, May 7	Tuesday, June 4
TC: Wednesday, April 3	TC: Wednesday, May 8	TC: Wednesday, June 5
P&Z: Thursday, April 4	P&Z: Thursday, May 9	P&Z: Thursday, June 6
Full: Monday, April 8*	Full: Tuesday, May 14	Full: Tuesday, June 11
PSC: Monday, April 23*	PSC: Monday, May 20*	PSC: Monday, June 24
EC: Tuesday, April 30 –	EC: Tuesday, May 28	EC: Tuesday, June 25
8:15pm*		
July	August	September
ABC: Tuesday, July 2	ABC: No Meeting	ABC: Tuesday, September 3
TC: Wednesday, July 3	TC: No Meeting	TC: Wednesday, September 4
P&Z: Monday, July 1*	P&Z: No Meeting	P&Z: Thursday, September 5
Full: Tuesday, July 9	Full: No Meeting	Full: Tuesday, September 10
PSC: Monday, July 22	PSC: No Meeting	PSC: Monday, September 23
EC: No Meeting	EC: Tuesday, August 27	EC: Tuesday, September 24
<u>October</u>	<u>November</u>	<u>December</u>
ABC: Tuesday, October 1	ABC: Monday, November 4*	ABC: Tuesday, December 3
TC: Monday, October 7*	TC: Wednesday, November 6	TC: Wednesday, December 4
P&Z: Monday, September 30*	P&Z: Thursday, November 7	P&Z: Monday, December 2*
Full: Tuesday, October 8	Full: Tuesday, November 12	Full: Tuesday, December 10
PSC: Monday, October 21*	EC: Tuesday, November 19*	EC: Tuesday, December 17*
EC: Monday, October 28*	PSC: Monday, November 24	PSC: Monday, December 23
	January 2025	
	ABC: Tuesday, January 7	
	TC: Wednesday, January 8 P&Z:	
	Thursday, January 9	
	Full: Tuesday, January 14	
	PSC: Monday, January 27	
	EC: Tuesday, January 28	

*Note: These meeting dates have been adjusted to avoid conflicts with holidays, religious days, other events.



ADVISORY NEIGHBORHOOD COMMISSION 6B ALCOHOLIC BEVERAGE & CANNABIS COMMITTEE MEETING

Tuesday, January 2, 2024, 7:00 p.m.

REPORT

I. Attendees

Commissioner: Cmr. Sroufe; Sobelsohn; D'Andrea; Jayaraman; Mareino; Ryder; Resident Member: Ellen Opper-Weiner; Haigwood; Levy;

Approval of Agenda: Motion to adopt the agenda. Sobelsohn; Opper-Weiner 2nd (9-0-0)

The Chair shared with the committee that he was recently informed and confirmed via email from Sarah Weniger that the DC Law regulating cannabis did not provide the Alcoholic Beverage and Cannabis Administration (ABCA) the ability to grant extensions of the petition deadline which means that the only option for an ANC to preserve its right to negotiate with cannabis license Applicants on a Settlement Agreement (SA) is to protest an application. In the case of No Kids Allowed, the ANC voted in December 2023 to send a letter to ABCA in concurrence with the Applicant requesting an extension of the protest petition deadline until January 19. However, give the new information, the committee must take action before the current protest petition deadline and submit a letter be January 8, 2024.

II. Old Business

- 1. ABCA-126724—Seedless LLC, t/a **No Kids Allowed**; 637B Pennsylvania Ave SE; New Medical Cannabis Retailer; Protest Petition deadline: January 19, 2024 [6B02]
 - Hours of Sales to Public: Sun.--Sat. 9 AM 9 PM; Hours of Operation: Sun.--Sat. 7 AM 9 PM;
 - The retailer will provide cannabis flower, cannabis concentrates, and a line of edible products;
 - The facility would provide home delivery services to registered patients in D.C.
 - Applicant is requesting a Delivery Endorsement

The Chair shared that he had informed the Applicant of the new information about the inability to request an extension of the petition deadline and shared with the Committee that the Applicant had contacted the Chair about a second extension to provide the Applicant with additional time to review the SA. There was discussion how best to move forward with this case since the deadline was set for Monday, January 8, 2024. The Chair explained that the options available to the ANC was to convene a special meeting and vote to protest the application or take no action and trust the Applicant with enter into an SA but there is not requirement that they do so. RM Leavy requested additional information about the options and the chair explained that there was insufficient time to hold a properly noticed Special Call meeting. Cmr. Ryder shared that District law requires that all public meetings of the ANC be noticed at least 7 days in advance except in emergency situations when the 7-day rule can be waived.

Commissioner Sobelsohn suggested that the best course of action was the protest the application. There was concern that voting the protest both applications without proper explanation would make the ANC appear insensitive to the needs of medical cannabis patients. Commissioner Sobelsohn made a motion

that the Chair of the ANC call for a special call meeting under the emergency provision, vote to protest the application so that the ANC can continue negotiations with the cannabis Applicant and transmit a letter to the DC Council requesting that they modify the law to allow for the ANC and cannabis Applicants to see an extension of the protest petition deadline as permitted for liquor licenses.

Commissioner Mareino commented that there were three distinct actions in Cmr. Sobelsohn's motion and asked that the motion be separated into three parts (hold an emergency meeting; voting to protest the cannabis application; and, send a letter to the DC Council) and made a motion in that regard (Sroufe 2^{nd}) The Motion passed unanimously (9-0-0).

Part 1: Cmr. Marino made a motion to amend the original motion to empower the Chair of ANC 6B under Article 4 § 5(c) call for an emergency meeting of the Executive Committee, then under the authority provided to the Executive Committee under Article 6 § 2(c) to act on behalf of the Commission vote to hold a vote on the Seedless LLC application (Sroufe 2^{nd}) The motion to amend the original motion passed unanimously (9-0-0) and the underlying motion also passed unanimously (9-0-0).

It should be noted that this discussion was held in public with the Applicant present. The Applicants understood why the ANC needed to protest their application and Commissioners clearly voiced the desire to be supportive of patients who need medical cannabis but also address the concerns of Commissioners to prevent abuse by kids who did not have a medical need for cannabis. The parties agreed on the need for additional time to review the draft SA, get clarification about the regulations to ensure the language is acceptable to both parties.

Part 2: Commissioner Sobelsohn made a motion to recommend that the Executive Committee, once convened in emergency session, vote to protest the application of Seedless LLC to protect the rights of the ANC and the Applicant so that the parties can continue with the amicable negotiations toward a mutually agreeable SA. (D'Andrea 2nd) The motion to amend the original motion passed unanimously (9-0-0) and the underlying motion also passed unanimously (Sobelsohn; Mareino 2nd) Motion passed 9-0-0

Part 3: Commissioner Sobelsohn made a motion to recommend that the full ANC draft and transmit a letter to the DC Council to amend the current law to allow ANCs and medicinal cannabis Applicants to file for an extension of the Petition deadline (Sobelshon; Jayaraman 2nd) Motion to substitute passed unanimously (9-0-0; The vote on the underlying motion (Sobelshon; Mareino 2nd) Motion passed 9-0-0

III. New Business

- ABCA-126750—BBCF LLC t/a DC Dash; 727 8th Street SE; New Medical Cannabis Retailer; Protest Petition deadline: January 22, 2024 [6B03]; John McGowan, Esq.: jmcgowan@kinnermcgowan.com (901) 351-6776 [6B03]
 - Hours of Sales to Public: Sun.--Sat. 11 AM 7 PM; Hours of Operation: Sun.--Sat. 10 AM 8 PM;
 - The retailer will provide cannabis flower, cannabis concentrates, and a line of edible products;
 - Applicant is requesting a Delivery Endorsement

The Committee Chair introduced the Applicant who stated that she had been operating as I-71 delivery company and wants to open a brick and mortar location on Barracks Row. Applicant's Counsel stated that they intended to sell cannabis flower; edibles, concentrates; pre-rolls; etc. The counsel for the Applicant had listened to the discussion with the previous applicant and concurred with the need for additional time. Mr. McGowan provided critical information about the missing allowance for extending the petition deadline.

During the discussion about SAs, it came to light that there were two SAs—one created by Cmr. Sobelsohn and one SA that took elements of Cmr. Sobelsohn's version and was revised into an SA very similar to the one developed for No Kids Allowed. Cmr. Sobelsohn and the Chair agreed to confer after the meeting to sort out the differences and submit one SA to the Applicant for review. Commissioners wanted to note for the record that the need to protest the application was because this is the only option available to ANCs to continue holding discussion with cannabis license applicants. Taking no action and not protesting would be viewed as tacit approval of the application.

MOTION: Recommend that the ANC file a protest based on the adverse impact on peace order and quiet, impact on parking and pedestrian safety, and impact on real property values and place it on the consent agenda. (Sobelsohn; D'Andrea 2nd) Motion Passes 8-0-0

Note: The letter should note that the parties are working amicably to craft an agreeable SA.

IV. Other Items for Discussion

- Implementation of the ABC Committee process for ABRA and ABCA applications in the new Year;
- ABRA law review and revision expected in early 2024;
- V. Adjourn



Report of the ANC6B Transportation Committee Meeting January 3, 2024

Commissioners Present: Matt LaFortune (chairing), Jerry Sroufe (6B02), David Sobelsohn (6B03), Frank D'Andrea (6B04), Chander Jayaraman (6B06), Edward Ryder (6B08)

Resident Members Present: Janice Kruger (6B03), Kirsten Oldenburg (6B04), Mike Litt (6B05), Richard Cunningham (6B07), Jeffrey Menzer (6B08)

DDOT Presentation on 11th Street SE Bus Priority Project

Kevin Harrison shared a presentation on DDOT's 11th St. Bus Priority Needs Assessment. The full presentation is available on DDOT's website.

Commissioner Sobelsohn asked whether DDOT has statistics on the enforcement of bus lanes in other parts of the city. Mr. Harrison replied that DPW aggressively tickets in bus zones (~15,000 parking tickets in 2022) and that the Clear Lanes program with WMATA and DDOT includes camera enforcement on buses. Right now, drivers receive a ticket in the mail for parking in bus zones and a warning for parking in the bus lane. On January 22nd, drivers will start to receive tickets in the mail for parking in the bus lane as well. He noted that this is mostly a concern in dense retail areas, less an issue for 11th St. SE.

RM Menzer shared that he hopes that the 11th St. Bridge Park will increase pedestrian/bike traffic down 11th St. SE. He also noted that the O St. intersection, an area with a significant number of pedestrian injuries, is the entrance to Navy Yard.

Commissioner D'Andrea said that he personally takes the bike lane on 11th St. but that it feels very unsafe, with the whole road feeling more like a highway than an urban boulevard. He asked DDOT to balance moving traffic with maintaining a reasonable speed.

Commissioner Ryder encouraged traffic calming measures and noted the need for coordination on the entire corridor including the 695 offramp project, southeast Navy Yard land swap, and Water St. development (1333 M St. SE) which will bring more pedestrian use.

Commissioner Sroufe noted a current issue with parking in the Pennsylvania Ave. SE bus lanes, potentially due to unclear rush-hour restrictions. He is not enthusiastic about tickets issued through the mail being effective.

Commissioner Jayaraman argued that a bus route should provide services for the coming development on M St. and shared that he has noticed tour buses parking in the Pennsylvania Ave. bus lanes.

Corey Holman argued that DDOT needs to get this right with the potential development moving at Navy Yard and 1333 M St. He stressed that coordination is necessary with the highway builders at DDOT with the exit ramp widening and that a holistic vision is needed on the corridor.

Commissioner Sobelsohn asked when rush hour is on Pennsylvania Ave. SE. Mr. Harrison shared that is between 7-9:30 AM westbound and between 4-6:30 PM eastbound.

Committee Discussion of the 11th Street SE Corridor North of M Street SE

Commissioner D'Andrea raised the issue of 11th and D St. SE as a problem intersection, with two prior letters sent from the ANC to DDOT previously. 11th St. SE is sometimes listed as a high-injury corridor and needs a corridor-wide study. He asked whether the committee would consider sending a letter to DDOT and Councilmember Allen.

RM Menzer said that DDOT has little pieces that operate independently and that they need to connect with school safety projects.

Commissioner Avery suggested a corridor walk with DDOT Interim Director Kershbaum, Councilmember Allen, and SBOE Rep. Best. With Council oversight hearings coming up, this is a good opportunity for the Council to act.

Commissioner Jayaraman suggested including OAG in a letter due to non-responses of DDOT to ANC outreach.

A neighbor noted that 11th St. SE is an arterial from Lincoln Park south. He suggested that every committee member read the Safe Routes to School legislation that mandates 15 MPH school zones except where the Mayor increases the speed to 25 MPH.

Commissioner D'Andrea moved to recommend that the ANC write a letter to DDOT, CM Allen, and DPW for a holistic study of the 11th St. SE corridor between Lincoln Park and M St. SE. Commissioner Sobelsohn seconded the motion. The motion passed unanimously.

Safety Concerns at North Carolina Ave and 7th Street SE

Jay Williams shared a 311 ticket that he submitted (23-00647080) at the intersection of North Carolina Ave. and 7th St. SE. Cycling west at this intersection is dangerous due to the lack of physical barriers restricting drivers from impeding the bike lane.

Commissioner Avery suggested that the ANC write a letter to DDOT asking the Department to prioritize this TSI in its quarterly process and note the location near Eastern Market.

Commissioner Jayaraman asked why the bike lane is not directly next to the curb. Mr. Williams agreed with that suggestion but also noted the risk of making a bigger ask.

Commissioner Sroufe observed that this intersection has more issues, including a delayed light and right turn from Eastern Market.

Mark Sussman noted that two parking spots in the intersection are illegal and that removing them would improve the line of sight for pedestrians and make the bike lane curb side at this area.

Another neighbor noted that traffic frequently backs up to Independence Ave. SE and recommended that the ANC take a holistic view to protect all access on this route.

Commissioner D'Andrea shared that flexiposts are a quick fix but that concrete/hardening is what really works.

Commissioner Jayaraman said that the light is too short and that a practical action would be to adjust the timing to allow NC Ave. traffic to clear the crosswalks.

Commissioner LaFortune moved to request that DDOT prioritize this TSI with suggested changes at that intersection. Commissioner Sroufe seconded the motion. The motion passed unanimously.

(Late-Breaking) Request for a Subcommittee to Address Special Event Permit

Commissioner Avery raised a potential issue in his SMD with a planned DNC block party around the Congressional Baseball Game next summer causing road closures. He suggested that the committee create a subcommittee to address any problems that arise.

Commissioner Avery moved to create the Congressional Baseball Summer Block Party Subcommittee with himself as chair, allowing the chair to name committee members and set meetings. Commissioner LaFortune seconded. The motion passed unanimously.



January XX, 2023

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OFFICERS

Chairperson Edward Ryder

Vice-Chair Chander Jayaraman

Secretary David Sobelsohn

Treasurer Frank Avery

Parliamentarian *Kasie Durkit*

COMMISSIONERS

- SMD 01 Frank Avery
 SMD 02 Jerry Sroufe
 SMD 03 David Sobelsohn
 SMD 04 Frank D'Andrea
 SMD 05 Kasie Durkit
 SMD 06 Chander Jayaraman
 SMD 07 Vince Mareino
- SMD 08 Edward Ryder
- SMD 09 Matt LaFortune

Ms. Sharon Kershbaum Interim Director Department of Transportation 250 M Street, SE Washington, DC 20003

Mr. Timothy SpriggsFrankD.2000 14th Street, NWWashington, DC 20009

Reeves

Municipal

Center

VIA EMAIL: sharon.kershbaum@dc.gov;

RE: 11th Street SE Corridor

Dear Interim Director Kershbaum and Drirector Spriggs:

At its regularly scheduled, properly noticed meeting on Janurary 7, 2023, with a quorum of Commissioners present, Advisory Neighborhood Commission (ANC) 6B voted X-X-X to support sending this letter to the Department of Transportation. The letter refers to the 11th Street SE Corridor between Lincoln Park and M Street.

The portion of 11th Street SE identified above has undergone rapid change over the past several years. With the openings of the new 11th Street and I-296/I-695 bridges through traffic has increased considerably. This increase in traffic has turned what was a relatively quiet street into one that sees heavy traffic especially in the morning and evening rush hours. There have also been several incidents with pedestrian injuries, especially at the intersection of Pennsylvania Ave and 11th Streets SE. The intersection at 11th and D Streets SE has also been a persistent problem area, with surrounding residents reporting frequent crashes and conflicts with pedestrians and bicyclists. ANC 6B has written several times asking for further action regarding this intersection to be taken without success.

However, the issues noted above are not isolated and are rather emblematic of what we think is a larger systematic problem with the fundamental design of the corridor. There are at least 10 pending TSI requests along this stretch of 11th Street. Additionally in the 2021 Move DC update, the map of high injury corridors includes the same stretch of



11th Street we have identified.¹ This designation seems to have dropped off subsequent maps showing high injury corridors, but it is unclear why. Certainly, from our perspective, the corridor seems to have only gotten busier and more dangerous since that time.

This is an vital corridor and is in proximity to several schools, mainly Tyler (which is on 11th) and Watkins which is a block away on 12th Street. Children regularly cross this street on their way to and from school. It is also a main route for cars and bikes. It is essential it is safe for all users.

To that end, we ask for DDOT's help in remedying the myriad issues 11th Street is experiencing. This is an opportune time to do so as DDOT is currently undertaking the 11th Street Bus Priority Project and Protected Bike Lanes just south of the area in question. We ask for confirmation of whether 11th Street SE is indeed a high injury corridor under DDOT's metrics. We also request that a similar holistic evaluation of the portion north of M Street be undertaken and to coordinate that work with the ongoing projects mentioned above. In order to facilitate this conversation, we suggest working with ANC 6B and Councilmember Allen to schedule a community walk during the morning or evening rush hours.

Additionally, we ask that you coordinate with DPW to ensure parking regulations are being enforced along this portion of the corridor, especially around Tyler Elementary where buses and cars picking up children are sometimes illegally parked adding to the issues on 11th Street.

We thank DDOT for its consideration of our views and request that you acknowledge receipt of this letter.

Respectfully,

Edward Ryder Chair, ANC 6B

Cc:

The Honorable Charles Allen, Ward 6 Councilmember Kate Mitchell, Ward 6 Chief of Staff Mr. Timothy Spriggs, Director Department of Public Works

¹ <u>https://movedc-dcgis.hub.arcgis.com/pages/a4ba0bfbde0042b18e8679d0eb2c6c8c</u>



January 9, 2024

700 Pennsylvania Avenue SE Ste. #2032 Washington, DC 20003 6B@anc.dc.gov

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Treasurer Frank Avery

Parliamentarian Kasie Durkit

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SMD 02 Jerry Sroufe
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SMD 04 Frank D'Andrea
SMD 05 Kasie Durkit
SMD 06 Chander Jayaraman
SMD 07 Vince Mareino
SMD 08 Edward Ryder
SMD 09 Matt LaFortune

Ms. Sharon Kershbaum Interim Director Department of Transportation 250 M Street SE Washington, DC 20003

VIA EMAIL: sharon.kershbaum@dc.gov

RE: TSI at the Intersection of North Carolina Ave. and 7th St. SE

Dear Interim Director Kershbaum:

At its regularly scheduled, properly noticed meeting on January 9, 2024, with a quorum of Commissioners present, Advisory Neighborhood Commission (ANC) 6B voted unanimously 9-0-0 to support sending this letter to the Department of Transportation.

On December 14, 2023, ANC 6B resident Jay Williams submitted TSI request # 23-00647080 to address traffic safety concerns at the intersection of North Carolina Ave. and 7th St. SE. Mr. Williams attended the January 3, 2024 meeting of ANC 6B's Transportation Committee and shared his experience with many close calls when biking westbound when drivers use the bike lane to pass vehicles waiting to turn left onto 7th Street. He suggested that DDOT install bollards or some other physical barrier at this intersection to protect the bike lane and force drivers to wait until the protected turn.

Following this discussion with Mr. Williams, the Transportation Committee unanimously recommended that the full commission urge DDOT to prioritize this TSI in its quarterly process and make safety improvements including, but not limited to, installing physical barriers between vehicle and bike traffic at this location, removing two illegal parking spots in the middle of the intersection on the north side of North Carolina Ave. and moving the bike lane curb-side, and making signal changes to allow for more streamlined flow of traffic.

Thank you for giving great weight to this Commission's recommendations. Should you wish to discuss this letter with the Commission, please contact ANC Commissioner Matt LaFortune, Chair of the ANC 6B Transportation Committee, at <u>6B09@anc.dc.gov</u>.

Sincerely,

Edward Ryder, Chair of ANC 6B



Report of the ANC 6B Planning and Zoning Committee

January 4, 2024

Commissioners Present: Sroufe (6B02), D'Andrea (6B04 – Charing), Ryder (6B08)

Resident Members Present: Rutkowski (6B01), Friedman (6B02), Smith (6B03), Nowak (6B04), Jarboe (6B05), Robertson (6B06), Taylor (6B07), Bruggman (6B08), Holman (6B09 – Vice Chair)

1. Introductions/Call to Order

The meeting was called to order at 7:02 p.m.

2. Letter to DOB Regarding Illegal Construction at 319 9th Street SE

Resident member Nowak described an issue at the property adjoining him regarding alleged illegal construction. The work included unpermitted excavation and the construction of a rear addition to the house. Despite numerous attempts to get DOB to inspect the property and several visits from inspectors, no resolution of the issue was obtained for various reasons. Discussion centered around other similar incidents with illegal construction in 6B that had similar unsatisfactory resolutions from DOB.

Motion [D'Andrea/Jarboe] to recommend to the full ANC that a letter be sent to the Department of Buildings noting the series of subpar illegal construction inspections, including that at 319 9th Street SE, asking for an investigation and resolution at the property in question, and asking for clarity on what action(s) DOB can take regarding illegal construction that was not caught at the time of construction but is now extant. It was further moved to place the item on the consent agenda. The motion passed 9-0-2. (RM's Rutkowski and Nowak abstained from the vote.)

3. HPA 24-054: 229-233 Pennsylvania Avenue and 203 3rd Street SE

Project: Concept/subdivision, alterations and additions to existing buildings.
Owner(s): Clear Plains LLC
Applicant: Christine Shiker, <u>christine.shiker@hklaw.com</u>
Hearing Date: 01/25/24 or 02/01/24 [6B02]
Plans: <u>https://app.box.com/s/dhn9muwq7e6fqor5v5v40hn1w7yanfma/folder/242483697588</u>

The applicant presented plans that were reviewed at the November meeting as part of the review of a Commision of Fine Arts Case - CFA #SL 24-036. The applicant clarified that cases are referred by HRPB to CFA for review and then come before the HPRB for any matters that they need to dispose of: in this case the proposed subdivision of lots (actually the combination of the several lots owned by the applicant into one record lot). Two plans were presented, one showing the subdivision where the alley is closed and one where the alley is not closed. The proposed building plans remained the same in both cases. HRPB will review mainly the subdivision plans as the design has already been approved by the CFA at the



concept level. Since the P&Z Subcommittee on Alley and Street Closings is still engaging the applicant on the alley closing, the matter was not ripe for consideration by the committee or full ANC.

Motion [Sroufe/Nowak] to recommend to the full ANC that it take no action or position on the matter at the present moment. The motion passed 12-0-0.

4. Adjournment

The chair motioned, via unanimous consent, to adjourn. The meeting was adjourned at 8:01 p.m.



January XX, 2023

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SMD 04 Frank D'Andrea
SMD 05 Kasie Durkit
SMD 06 Chander Jayaraman
SMD 07 Vince Mareino
SMD 08 Edward Ryder

SMD 09 Matt LaFortune

Mr. Brian Hanlon Director Department of Buildings 1100 4th Street, SW Washington, DC 20024

VIA Email: brian.hanlon@dc.gov;

RE: Illegal Construction at 319 9th Street SE

Dear Director Hanlon:

At its regularly scheduled, properly noticed meeting on January 7, 2024, with a quorum of Commissioners present, Advisory Neighborhood Commission 6B voted X-X-X to support sending this letter to the Department of Buildings (DOB). This letter refers to illegal construction at 319 9th Street, SE.

It has come to our attention (through a resident and owner of the abutting property) that there is some illegal construction at 319 9th Street SE. There are at least two major projects that were apparently undertaken without proper permits: the excavation of a basement and the construction of a covered porch at the rear of the property. The date of the basement construction is unknown, and the porch was constructed around 2016.

The neighbor in question did not realize that the construction was illegal until around 2018 at which time he submitted an illegal construction request to (what was then called) DCRA. The inspector assigned to that request concluded that the porch did not exist prior to 2015 and had not been permitted. However, the inspector declined to issue a violation or take further action because he was unable to determine whether the current owner of the home was the one who had, in fact, constructed the porch. This information would seem to have been readily available by simple public records searches, but was, for reasons unknown, not performed.

This neighbor has submitted multiple additional inspection requests since 2018 for both the porch and the basement excavation without resolution. In response to some of those requests, the assigned inspectors declined to issue violations because the homeowner refused to allow access. The illegal porch is, however, viewable from both the neighbor's patio and from the adjacent alley. The most recent inspection request was submitted in the Fall of 2023. The neighbor spoke to the assigned inspector, who took pictures of the porch structure from his patio. That inspection request took weeks to get resolved and was ultimately denied by DOB because DOB researchers could not determine whether the porch existed prior to 2015. This is, however, in direct



contradiction to the 2018 inspector's report which specifically concluded that the porch had, in fact, not existed prior to 2015

The home was listed for sale over the summer of 2023 and sold in or around November 2023. It is not known if disclosures of the unpermitted structures were made to the buyers. The current owners are now applying for construction permits related to additional interior renovations. Now would be an opportune time for DOB to work with the current homeowners to resolve the both the illegally constructed back porch as well as the basement excavation. This should include any inspections necessary to make sure everything is code compliant, soundly constructed and poses no risk to the current occupants or abutting properties and their occupants.

Additionally, this incident has brought to light ongoing infirmities in DOB's inspection processes. You will have received a letter recently from ANC 6B detailing another illegal inspection process gone awry at Archibald Walk SE. There was also recently an incident where a house's foundations were potentially undermined where the inspection process left much to be desired. In all cases, inspectors were not vigorous or rigorous in their investigations.

To be frank, these lapses are not acceptable especially when the public health, safety and welfare are at stake. We would like to understand better what DOB's process are for investigating extant illegal construction (which is a not uncommon occurrence in a historic district such as Capitol Hill) and what DOB might do to improve those existing process to ensure illegal construction is dealt with and resolved appropriately.

We ask for a response from DOB on the issues raised in this letter. Please also confirm your receipt of this letter.

Respectfully,

Edward Ryder Chair, ANC 6B

Cc:

The Honorable Charles Allen, Ward 6 Councilmember Kimberly Kennedy, Ward 6 Councilmember Staff Crawford Hazel, Department of Buildings Mark-Anthony Tynes, Department of Buildings Francis D'Andrea, SMD 6B04

ANC 6B Southeast Library Task Force December 17, 2023 Minutes Draft

The meeting started at 3:06 pm at the Southeast Library meeting room and over zoom.

Attending

ANC 6B commissioners: David Sobelsohn, Edward Ryder Task Force members: Ana Unruh Cohen, Raiford Gaffney Residents: Claire August, Wendy Blair, Susan Sedgewick, John Schwab

1) Introductions

- 2) Approval of:
 - a) Agenda: adopted unanimously
 - b) Minutes of December 3 meeting: adopted unanimously
- **3) Review of 2023:** We started in the spring with little from the DC Public Library (DCPL) regarding interim services when the Southeast Library closed other than SE library patrons should use the Northeast Library. During the course of the year, we were able to help obtain additional funding for interim services, identify and secure the Arthur Capper Community Center (ACCC) as a location for additional interim services, and support the nearby neighbors in their efforts to secure agreements and protections for their properties with DCPL. Meeting attendees reflected on the accomplishments of the taskforce during 2023 and there was universal thanks to ANC Commissioner David Sobelsohn for his leadership and tenacity.

4) Updates on

- a. Update on Negotiations with Neighbors: Nearby neighbors are satisfied with how the negotiations turned out but still having things pop up like losing parking on D St in front of adjacent houses for construction staging. The DCPL staff and contractors have given them specific dates for initial activities now. The project supervisor will live in the adjacent house on South Carolina Ave SE for part of the week.
- **b.** Arthur Capper Interim Services: The task force members are glad to know the February 5 starting date for interim services at ACCC. It is not as soon as many on the task force would like but it is also not as long as some anticipated given what DCPL staff had said in the past. The opening hours are still a concern for the task force. DCPL staff reiterated at the December 14 public meeting on the Southeast Library renovation that the hours were chosen based on computer usage and that it would only be staffed 40 hours per week. DCPL staff did say they would look at usage and could adjust the times in the future. Task force members remain concerned that the opening hours are limited to mostly day time hours when it will be hard for those working or in school to use ACCC, especially for book pick up and return. The task force would still like to see ACCC open on Saturday and have more than just one day that it is open later in the evening. It was reported that ACCC DPR staff are excited to host the library interim services.

The task force discussed the need, and possible activities, to mark the opening of interim services at ACCC in February. For inclusion in the February issue of the Hill Rag, the deadline is January 15.

- **5) Future of Task Force:** The task force discussed the merits of continuing in 2024 and concluded that it would still be useful to meet at a minimum quarterly but that we should continue monthly meetings for now. Having a zoom option is helpful for flexibility and to increase participation. Some of the issues that the task force agreed will need attention in 2024 include: the opening and operation of interim services at ACCC; construction issues like rodent control and timely notification of activities including utility impacts; and DCPL accountability for their commitments about signage on the construction site and information about interim services at ACCC and willingness to make changes at ACCC to meet library patrons' needs once it is operating. There was also a suggestion that the task force members should consider testifying at the DC Council performance hearings in February about our experience with DCPL.
- 6) Next Task Force meeting: <u>Sunday</u>, January 21 at 3:00 pm at 700 Penn Ave SE and by zoom.
- 7) Adjourn: The meeting adjourned by unanimous vote at 4:23 pm.



ANC 6B December 2023 Treasurer's Report Submitted by Frank Avery, Commissioner 6B01, 2023 Treasurer, ANC 6B Submitted January 7th, 2024 for the January 9th, 2024 Commission Meeting

Item #1: ACTION - ANC Security Fund Enrollment

Each calendar year, the ANC must complete enrollment in the District of Columbia's ANC Security Fund following the election of its officers (or demonstrate enrollment in a surety bond). The Security Fund protects the ANC from liability for wrongful misappropriation or expenditures made by the ANC Chair and Treasurer (as the fiscal officers for the ANC). If a wrongful misappropriation or expenditure occurs, the ANCrequest reimbursement from the Fund.

To enroll into the Security Fund, the ANC must adopt a resolution provided by the Office of the DC Auditor (ODCA) acknowledging the Chair and Treasurer consent to enrollment into the ANC Security Fund. The Chair and Treasurer then complete the required documentation as the point of contact with the ODCA and will issue a \$50 enrollment check into the fund from the ANC's fund. The list of documentation to be submitted is available online at this link (https://dcauditor.org/2024-anc-security-fund-documents/) or in an email sent to Commissioners on January 3rd by the ODCA.

The process should be completed as soon as possible and must be completed no later than February 28th.

Recommended Action for Item #1: The 2023 Treasurer recommends the ANC authorize enrollment into the 2024 Security Fund.

*If the 2024 Officer elections result in a new Chair and-or Treasurer, those individuals become the principal contact. The outgoing officers are relieved by law.

- Attachment #1: Blank ANC Security Fund Enrollment

Item #2: 2024 First Quarter Quarterly Financial Report (QFR)

During calendar year 2023, the Office of ANC's began a transition process to move the Quarterly Financial Reporting process to a new online platform.

On December 29th, 2023, the OANCs contacted treasurers to schedule one-on-one trainings to help each ANC produce its first QFR collaboratively with ANC staff. The OANC will not issue the log in credentials until this is completed.

As of this report, the OANC and Treasurer have not yet finalized a time, but anticipate the QFR will be completed as soon as Monday, January 8th.

If the QFR is completed prior to the meeting, the Treasurer will share with the Commission and amend this report to include for acceptance by the Comission. If the QFR is not completed, the Commission can complete approval on its February 2024 agenda.

- Attachment #2: Email from OANC Regarding QFR Reporting Portal

Recommended Action for Item #2: None as of this report.

Item #3: Monthly Financial Report

For **December 2023**, the ANC's opening balance \$62,325.65 The ANC closed the month with a balance of \$61,894.64. The change in net position for the ANC was a **decrease of \$431.01**.

The following transactions occurred between December 1 and December 29, 2023.

Debit Card Withdrawals

- \$256.25 – The Yard: For the third time in three months, The Yard erroneously processed a charge against the ANC's debit card. In fall 2023, the ABCC Chair booked the ground floor classroom for the Committee's October, November, and December meetings directly with The Yard. The ABCC Chair elected to move the November and December meetings to a no cost location. The Treasurer confirmed this cancellation in writing with The Yard on October 26th. The Yard apparently did not process this cancellation, billed the ANC for Invoice #135600, and processed the charge on December 10.

The Treasurer has contacted 700 Penn, the owner of the space which delegates booking management for all 700 Penn spaces to The Yard, to accept its offer to allow ANC 6B to book directly in 700 Penn's reservation system. Once completed, the Treasurer will request the The Yard remove its debit card from its payment management system. The ANC will then pay 700 Penn directly via check.

The Treasurer will also begin the process of recouping funds through formal channels such as working with its bank to dispute the charges.

- \$169.67 Zoom: The ANC maintains two Zoom licenses to conduct its meetings, one of which has a webinar add-on. In December, the Chair and Treasurer elected to purchase a second webinar add-on to allow up-to two concurrent ANC Zoom meetings with full webinar functionality. This purchase increases the safety of all meetings through the enhanced security features of Zoom Webinar.
- **\$2.02 Amazon Web Services**: The ANC pays for hosting via Amazon Web Services (AWS) on a monthly basis.

Checks

- **\$5.70 - Check #4890** – Commissioner D'Andrea was issued a reimbursement to complete a mailing by certified mail. The check cleared the ANC's account on December 22, 2023.

Pending Charges

- **\$192.19 - The Yard:** The ANC's Public Safety Committee hosted a December 6th meeting in the ground floor classroom. This charge will post in January 2024 when The Yard / 700 Penn bill.

Deposits

- The ANC accrued a total of **\$2.63** in interest from its bank over the reporting period. There were no other deposits.

Recommended Action for Item #3: None at this time.

There are no further updates.

For any questions regarding the contents of this report, please contact Commissioner Frank Avery, 2023 Treasurer for ANC 6B, at <u>6B01@anc.dc.gov</u>.

Attachment #1: Blank ANC Security Fund Enrollment

Advisory Neighborhood Commission Security Fund AGREEMENT FOR CALENDAR YEAR 2024

In order to comply with the requirements of the D.C. Code§ 1-309.13 the undersigned Advisory Neighborhood Commission agrees to participate in the Advisory Neighborhood Commission Security Fund.

Advisory Neighborhood Commission (ANC) ______ agrees to contribute the sum of fifty dollars (**\$50**), to participate in the Fund for calendar year 2024 from the approval date of the agreement through December 31, 2024. **Please make checks payable to "ANC Security Fund.**"

The Fund shall secure the ANC against unauthorized expenditures or loss of funds by the Chairperson and Treasurer of the ANC. The Fund does not cover any loss as the result of an expenditure authorized by a vote of a Commission. The Fund is held in the custody of a Board of Trustees (Trustees) composed of the Secretary of the District of Columbia, the General Counsel to the Council of the District of Columbia, and the District of Columbia Auditor (Auditor). The Executive Director of the Office of Advisory Neighborhood Commissions serves as a non-voting Trustee.¹

If the ANC suffers a monetary loss that may be reimbursed by the Fund, the Commission may request reimbursement upon a written application to the Board of Trustees. The application form shall be signed by a majority of the members of the participating Commission. The Fund will reimburse to ANC upon approval by the Trustees and at an amount determined by the Trustees.

This agreement shall be subject to the guidelines established by the Fund's Board of Trustees.

ADVISORY NEIGHBORHOOD COMMISSION

By ____

Signature of Chairperson

Signature of Secretary

______, Chairperson and ______, Treasurer, of the above ANC consent to participation in the Advisory Neighborhood Commission Security Fund and agree to be personally liable to the Fund for any sums paid out by the Fund as a result of my wrongful misappropriation or negligent loss of ANC monies.

Signature of Chairperson

Date

Date

Date

Signature of Treasurer

Date

By

ACCEPTED:

ADVISORY NEIGHBORHOOD COMMISSION SECURITY FUND

, 2024

Kathleen Patterson District of Columbia Auditor

¹ See D.C. Code § 1-309.14(a)

RESOLUTION

Advisory Neighborhood Commission

Resolved that this Commission approves the ANC's participation in the Advisory Neighborhood Commission Security Fund and authorizes the Treasurer to pay the \$50 fee for calendar year 2024 from the approval date of the agreement through December 31, 2024. The Chairperson and Secretary are authorized to execute the attached agreement.

It is understood that: (1) the check for participation in the ANC Security Fund should be made payable to "ANC Security Fund," (2) the ANC is not considered a participant in the Fund until the ANC has received the acceptance section of the agreement which has been signed by the District of Columbia Auditor, and (3) the agreement will not be accepted by the Auditor until all required documents and the participation fee have been received by the Office of the District of Columbia Auditor. The required documents are:

□Resolution

□ANC Security Fund Agreement

 \square \$50 check made payable to "ANC Security Fund"²

Statement of Information - Chairperson

Statement of Information - Treasurer

Bank Survey

Copy of Current Bank Signature Card³

Resolution approved at public meeting held on:

Signature of Treasurer

Signature of Chairperson

Signature of Secretary

² Security Fund checks are not cashed until the Security Fund agreement is approved by ODCA.

³ All ANCs are funded by the District of Columbia government through quarterly allotments. Thus, ANC funds are District of Columbia government funds, and all ANCs are required to identify themselves to financial institutions as entities of the District of Columbia government and include the District's Tax Identification Number (TIN) 53-6001131 on all ANC bank accounts. The District's TIN does not replace the Federal Tax Identification Number, or EIN, used by an ANC to report taxes withheld from an ANC employee's wages. However, the District's TIN is required by the Government of the District of Columbia to identify and establish that all monies in ANC checking, and savings accounts are the property of the District of Columbia Government, and to provide certification to the bank that all information related to the bank account(s) should be reported to the Internal Revenue Service (IRS) under the above-mentioned TIN. Further, the TIN authorizes the District of Columbia Office of the Chief Financial Officer's Office of Finance and Treasury to obtain ANC account information, request any holds be placed on the account, and request the return of account balances to the District Government, if necessary.

MEMORANDUM Statement of Information - Chairperson Calendar Year 2024

TO:	Kathleen Patterson District of Columbia Auditor			
FROM:	Advisory Neighborhood Commission			
DATE:				
NAME OF CI	HAIRPERSON			
HOME ADDRESS				
- BUSINESS ADDRESS				
HOME TELE	EPHONE NUMBER			
BUSINESS T	TELEPHONE NUMBER			
EMAIL ADD	DRESS			
ANC ADDRE	ESS:			
ANC TELEPI	HONE NUMBER:			

Date

Signature of Chairperson

Mail to: Kathleen Patterson District of Columbia Auditor Office of the District of Columbia Auditor -1331 Pennsylvania Avenue, NW, Suite 800S Washington, D.C. 20004

MEMORANDUM Statement of Information - Treasurer Calendar Year 2024

TO:	Kathleen Patterson District of Columbia Auditor			
FROM:	Advisory Neighborhood Commissio	n		
DATE:				
NAME OF T	REASURER			
HOME ADD	RESS			
BUSINESS A	DDRESS			
HOME TELE	PHONE NUMBER			
BUSINESS T	ELEPHONE NUMBER			
EMAIL ADD	RESS			
LOCATION	OF ANC BOOKS ⁴			
ANC ADDRI	ESS:			
ANC TELEP	HONE NUMBER:			

Date

Signature of Treasurer

Mail to: Kathleen Patterson District of Columbia Auditor Office of the District of Columbia Auditor 1331 Pennsylvania Avenue, NW, Suite 800S Washington, D.C. 20004

⁴ See D.C. Code § 1.309-13(c)

Office of the District of Columbia Auditor

Advisory Neighborhood Commission Bank Survey

ANC	Calendar Year 2024
ANC's Bank Name:	
ANC's Bank Contact Person:	
ANC's Bank Contact Person's Phone #:	
ANC's Bank Mailing Address:	
City/State/Zip Code:	
ANC's Bank Routing Number	
ANC Bank Checking Account Info:	
A. Checking Account Name	
B. Checking Account Number	
ANC's Bank Savings Account Info:	YesNo
A. Savings Account Name:	
B. Savings Account Number:	
ANC Debit Card ⁵	YesNo
Name on Card and Card Number	
ANC's Tax I.D. # :	

BANK VERIFICATION
Bank Official Signature
Date

⁵ D.C. Code § 1-309.13(b-1)(1),(2) allows ANCs to obtain one debit card associated with the Commission's checking account "according to a procedure determined by the OANC that limits monthly debit card expenditures relative to the Commission's quarterly allotment." As of December 31, 2022, OANC has not issued policies or procedures for debit card use. Upon OANC's issuance of debit card procedures, ANCs who obtain a debit card are required to resubmit the bank survey form.

Office of the District of Columbia Auditor

Advisory Neighborhood Commission Bank Signatories

Calendar Year 2024 Bank Signatories

No electronic signatures accepted. Indicate which account(s) the signatures are for ____ Checking ____ Savings

The signers below certify that they are authorized representatives and are hereby authorized, on behalf of the District of Columbia government, Advisory Neighborhood Commission ______ a government entity. It is agreed that they shall be governed by the rules and regulations of the banking institution and the laws of the District of Columbia Government.

Account Title District of Columbia Government, ANC ______ EIN 53-6001131

Printed Name	Title	
Signature		
Printed Name	Title	
Signature		
Printed Name	Title	
Signature		
Printed Name	Title	
Signature		

BANK VERIFICATION

Bank Official Signature

Date

Office of the District of Columbia Auditor Advisory Neighborhood Commission ANC Information

ANC	Calendar Year 2024			
ANC's Mailing Address or P.O. Box:				
City/State/Zip Code				
ANC's Office Phone #:				
ANC's Email address:				
ANC Chairperson:				
ANC Vice-Chairperson:				
ANC Treasurer:				
ANC Secretary:				

Attachment #2: Email from OANC Regarding QFR Reporting Portal

Subject: NOTICE: New QFR Portal Orientation & Access			
Date:	Friday, December 29, 2023 at 1:01:53 PM Eastern Standard Time		
From:	Office of ANCs		
To:	Office of ANCs		
CC:	Dickerson, Dawn (OANC)		
Priority:	High		

Good afternoon, Treasurers,

I am happy to share the release of our new QFR online portal -- designed to provide an easier experience in preparing quarterly financial reports. The new QFR portal is designed to significantly enhance your operational efficiency, streamline the process, and contribute to your success as a treasurer.

To get you your <u>login credentials</u> and walk you through the system, please respond to this message with a day and time when you are available for an orientation and overview. The overview can be approximately 20-30 minutes.

The OANC staff is available to walk you through the features of the QFR portal as you prepare the 1Q FY24 QFR due February 15, 2024.

Key Features of the QFR portal include:

- 1. **User-Friendly Interface:** The QFR portal boasts an intuitive and user-friendly interface, ensuring you can quickly adapt without extensive training.
- 2. Efficiency and Automation: : Say goodbye to time-consuming manual processes. QFRs may be signed electronically and transmitted to the OANC. Documents may be added directly to the portal and will transfer to the QFR Documents OneDrive.
- 3. **Robust Security:** The QFR portal employs advanced security measures to safeguard data.

We look forward to working with you and your ANC throughout this transition process.

Wishing you all the very best for a safe and prosperous New Year!

Kent

Kent C. Boese

Executive Director - Office of Advisory Neighborhood Commissions 1350 Pennsylvania Avenue, NW - Suite 11 Washington, DC 20004 Kent.Boese@dc.gov (202) 727-9945 O

The FITDC Fresh Start 5k run/walk is celebrating 10 years! You are invited to join Mayor Bowser on January 1, 2024 at 10:00 AM to hit the ground running in the new year! For details and to register: <u>fitdcfreshstart5k.com</u>