



**ANC 6B**  
*Capitol Hill / Southeast*  
**ADVISORY NEIGHBORHOOD COMMISSION 6B**

**Minutes of Regular Meeting**  
**Tuesday, October 9, 2018; 7:00 pm**

**ATTENDANCE**

Commissioners Present: Nick Burger, Steve Hagedorn, Chander Jayaraman, Denise Krepp, James Loots, Kirsten Oldenburg, Daniel Ridge (chairing), Jennifer Samolyk, Jerry Sroufe, and Kelly Waud.

The Chair noted the presence of a quorum and opened the meeting at 7:01 pm.

**Adoption of Agenda**

The Chair asked for any changes to the draft agenda. BZA 19847 and HPA 18-675 were removed from the Consent Agenda, the intersection presentation was removed from the Transportation Committee, comments to DOH on the Metropolitan Wellness Center Dispensary was added to the ANC 6B Input on Other Concerns item, and the Chair announced that DPW would not be making a presentation this evening.

Motion to adopt the amended agenda by Commissioner Burger with a second by Commissioner Jayaraman. The vote was 10-0-0.

**Consent Agenda**

On a motion by Commissioner Burger seconded by Commissioner Ridge, the Commission voted 10-0-0 to approve the following Consent Agenda items that had been recommended by the respective committees:

Minutes of September 11, 2018

ABC Committee

Support for ABRA-107079: 520 8th Street, S.E.; Senart's, LLC – Orchid: Substantial Change application to change from a Class C restaurant license to a Tavern license.

Planning & Zoning Committee

Support for HPA 18-600—210 9<sup>th</sup> Street, SE; concept/rear addition

Support for BZA 19856 – 210 9th Street, SE: Special exception to construct a two-story rear addition to an existing principal dwelling unit

Support for BZA 19864 – 526-528 8th Street, SE: Special exception and variance relief to redevelop an existing surface parking lot with a three-story commercial building

Transportation Committee

DDOT Public Space Application Tracking # 10692894 (Academy Bus)

Letter to DDOT on the Timing of 8th Street SE Traffic Signals

**Presentations**

Mr. Jamaal Jordan, Public Affairs Manager of PEPCO, accompanied by Moneka Cunningham, External Affairs Manager; Travoris Culpepper, Public Affairs Manager, Pepco Region DC; and Erin Maines, Engineer Pepco Engineering, presented updates on Pepco’s Capitol Hill Conversion Project.

The project’s aim is to upgrade energy delivery to the large number of mixed-use developments underway on Capitol Hill and the Navy Yard. Mr. Jordan briefly identified individual projects, which mainly involve trenching along streets to lay new conduit pipes. There have been complaints about the timing of these projects and impacts on residential streets and lack of thorough communication by Pepco with affected neighborhoods. Mr. Jordan said that Pepco is now working on a Communication Plan and this will be shared with the ANC and residents.

The primary request of Commissioners was to have a knowledgeable Point of Contact for the individual projects in their SMDs.

**Community Speakout**

- Joe Weedon, who is running for reelection as the Ward 6 member of the school board briefly mentioned a number of issues he is concerned about, including assaults in schools, Safe Passage, further evidence of lead in water in schools, need to push for modernization of schools (such as Tyler and Brent), and technology needs.

**Community & Commission Announcements**

- Naomi Mitchell of CM Allen’s office announced that the next Office Hours in the Community event would be Friday October 12, from 8am to 930am, at Radici.
- Commissioner Loots announced that Peregrine Espresso is a Local First Finalist in the DC Maker category.<sup>1</sup>
- Commissioner Krepp questioned the MOCRs about the sexual assault of a teacher at Achievement Prep. She asked the MOCRs to explain why the teacher was placed on unpaid leave after reporting the assault. In response to these questions, the MOCRs read a statement prepared by Achievement Prep. Commissioner Krepp requested a paper copy of this statement.

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<sup>1</sup> Two other Capitol Hill finalists: Capitol Hill Jazz (Ripple Effect) and Yes Organic! (Community Champion)

**Alcoholic Beverage Control Committee**

Committee chair, Commissioner Jayaraman, dispensed with the reading of the committee report. He commended all for their good work on working through the details to craft a Settlement Agreement for Orchid’s conversion from a restaurant to a tavern license.

**Planning & Zoning Committee**

Commissioner Burger, chair, dispensed with the reading of the committee report and introduced the following cases, in turn, for discussion

HPA 18-612 – 710 E Street, SE; Concept/three-story rear addition; Owner: J.M. Casey, 202-437-0962; Architect: KC Price, 202-320-2137, kc@afa-studios.com

This case had been deferred from September. Commissioner Burger said that the applicant had not shown up at the P&Z meeting last week so the committee had not taken any position. Commissioner Oldenburg noted that at the ABC meeting last week we learned that the applicant had discovered a major error in its measurement of an easement. By unanimous consent, the Chair will notify HPO and HPRB that the case needs to be deferred once again.

HPA 18-622 – 1225-1227 Pennsylvania Avenue, SE; Concept/one-story roof-top addition; Owner: Ty Simpson, 202-430-8433; Applicant: Lynnette Brunson, 301-250-3727, lbrunson@citadeldbd.com

The P&Z Committee did not take a position. Mr. Ty Simpson and Ms Lynnette Brunson presented the changes in the design based on feedback at the P&Z meeting last week. After discussion on the changes, Commissioner Waud moved, with a second by Commissioner Hagedorn, to support the application and its new design but ask for the original setback of the addition (4 feet) to align it with the abutting building on the west side. The vote in support was 9-0-1.

HPA 18-675 – 302 South Carolina Avenue, SE: Concept/rooftop addition, rear porches

This case had been removed from consent to accommodate the input of the abutting neighbor—Mr. Robert Bieber at 304 South Carolina; the committee’s vote had been to recommend support. A letter of support has been received from the other abutting neighbor. Most of Mr. Bieber’s arguments against the application pertained to zoning or construction issues; he is also concerned that the addition of a 3<sup>rd</sup> floor would devalue his property and noted that the addition will be clearly visible from 3<sup>rd</sup> Street. The applicant stated that the project would require zoning relief when issues of air, light, and privacy can be considered.

After much discussion, the Commission voted to support the Committee recommendation by a vote of 7-2-1.

BZA 19847 – 329 16th Street, SE: Special exception under Subtitle E §§ 205.5 and 5201 from the rear addition requirements of Subtitle E § 205.4, to construct a third-story and rear addition to a principal dwelling unit and convert the dwelling into a flat in the RF-1 Zone

The P&Z Committee had voted to recommend support for the application and placed it on consent. It was removed from consent because an abutting neighbor was opposed and had not been at the committee meeting. Applicant is asking for relief because plans are to extend the rear of the proposed structure more than 10 feet beyond that of an adjoining property.

After extensive discussion, the Commission voted 4-6-0 on an amended Committee recommendation, supporting the application but adding a note to ask the applicant to consider ways to make the 32.5-foot high wall facing the adjoining property aesthetically pleasing. The motion failed with a vote of 4-6-0. Commissioner Ridge moved, with a second by Commissioner Samolyk, to oppose the application as the addition is so large it unduly impacts the air and light of the neighbor's property.

Letter to ZC Regarding the Definition of Side Yards

Commissioner Burger introduced the ZC's proposal to change the definition of side yards and offered to draft a letter to the ZC, based on his October 2, 2018, email to colleagues.<sup>2</sup> Commissioner Oldenburg moved, with a second by Commissioner Loots, that the ANC accept Commissioner Burger's offer. The vote in support of the motion was 8-0-1. (Commissioner Jayaraman had stepped out of the room.)

**Transportation Committee**

Commissioner Oldenburg, chair, dispensed with the reading of the report

**Comments to DOH on Renewal of Metropolitan Wellness Center Dispensary**

Commissioner Loots told the Commission that the dispensary, located at 409 8<sup>th</sup> Street SE, has submitted a renewal application to operate for another 5 years. The ANC needs to review this within a 30-day comment period that began October 1. Vanessa West, manager of the dispensary, provided the Commission with details of their operations and who qualifies to use their services. Commissioner Loots moved, with a second by Commissioner Burger, that the ANC inform DOH that it endorses the renewal. The vote in support was 10-0-0.

**Outreach & Constituent Services Task Force**

Commissioner Samolyk, TF chair, reported that there had not been a TF meeting since the ANC September meeting.

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<sup>2</sup> Paragraph from Commissioner's email on the proposed zoning change. "The crux of this zoning change for the RF zones (most of Capitol Hill) would be to change how attached/semi-detached/detached buildings get defined. Previously it was based on whether a building *shared a wall* with one or two adjacent buildings. The proposal is to change the definition to focus on *side yards*. So a building that is constructed lot line to lot line would be "attached" (or in the new parlance, a "row" building), *even if it shared a party wall with no buildings on either side*. Another example: a semi-detached building would now be one that has only one side yard--so my house, which is an end unit, would NOT be semi-detached, since I have zero side yards, I got lot line to lot line."

### **Eastern Market Community Advisory Committee Report**

Commissioner Jayaraman reiterated the action taken by the Commission at the September meeting regarding parking restrictions at and around the Eastern Market area.

### **Financial**

Commissioner Burger introduced the following reports, all posted online

#### **Treasurers Monthly Report**

Commissioner Burger said that the ANC is now up to date on submitting this monthly report, which is now submitted to the Office of the ANCs. The report does not require a Commission vote.

#### **FY18 Q4 Quarterly Report**

Commissioner Burger moved, with a second by Commissioner Ridge, that the ANC adopt the Report. The vote was 10-0-0 in favor of the motion.

#### **FY19 ANC6B Budget**

Commissioner Burger said that the proposed budget was similar to last year's budget. He noted that we have an excess of about \$50K despite the fact that we have not received all our allotments.

Commissioner Oldenburg said that the Transportation Committee no longer fits in the small room on the 3<sup>rd</sup> floor each month and she would like the ANC to pay for a larger room at the Hill Center. Chair Ridge agreed to discuss the matter with the Hill Center. Commissioner Burger said that the amount shown for room rentals would cover additional room rent. He also noted, however, that the Hill Center has not sent the ANC an invoice of late.

Commissioner Soufe asked why we have such a large balance. Commissioner Burger explained some of the background and noted that some ANC's offer grant programs.

On a motion by Commissioner Burger, seconded by Commissioner Jayaraman, the FY19 Budget was approved by a vote of 10-0-0.

### **Discussion on the Submission of ANC Yearly Report**

Commissioner Burger said that under the new ANC legislation enacted this year, the ANCs are required to "publish an annual report or newsletter" by December 1 each year "that summarizes the activities of the Commission in service to the community over the preceding 12 months ...".<sup>3</sup> The Office of the ANCs has confirmed that a compilation of the monthly minutes with a cover on top would suffice.

By unanimous consent the matter was moved to the ANC November agenda. Commissioner Burger said this was not really a financial matter but offered to prepare the

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<sup>3</sup> DCOC Section 1-309.10 (n-1)

report. Commissioner Oldenburg said it was probably the responsibility of the Secretary but the Secretary was tired and thanked Commissioner Burger for his offer.

**ANC 6B Administrative Matters**

None raised

**ANC 6B Input on Other Concerns**

Commissioner Burger raised the issue of a proposed DCRA regulation change that would require ANCs to pay fees for FOIA requests. He urged Commissioners to read recent emails of Commissioner Mark Eckenwiler of ANC 6C that he forwarded to us on October 8. The deadline for comments is October 28, 2018.

After some discussion, Commissioner Burger moved, with a second by Commissioner Ridge, that the ANC send comments opposing the change. The vote in support of the motion to oppose the change was 10-0-0. Commissioner Burger offered to draft the ANC letter.

**Adjournment**

By unanimous consent, Commissioner Oldenburg adjourned the meeting at 9:54 pm until the November 13, 2018 meeting.