



Report of the ANC 6B Planning and Zoning Committee

Subcommittee on Street and Alley Closing

October 28, 2023

Members Present: Sroufe (6B02), Sobelsohn (6B03), D’Andrea (6B04-Charing), Friedman (6B02-Resident Member)

Present for the Applicant: Christine Shiker

1. Introductions/Call to Order

The meeting was called to order at 10:31 a.m.

2. Approval of Agenda

Commissioner Sobelsohn moved, and Commissioner Sroufe seconded to approve the agenda without modification. The motion passed 4-0-0.

3. Alley Closing in Square 762

a. Update Regarding Site Tour with Applicant

The subcommittee toured the alley on 8/24 with the applicant. There was no further substantive discussion of the aforementioned tour. The applicant noted that the demolition of the existing non-confirming sheds on the alley was in progress with raze permits being applied for.

b. Update Regarding Outreach to OAG and OANC

Commissioner D’Andrea provided an update regarding his outreach to the OANC and OAG. He was able to get a memo from the general counsel of OAC regarding where great weight would be given to the ANC and the standards of alley closings. It was noted in the memo that great weight at a council hearing regarding the alley closing was not necessarily available since the council may not hold a formal hearing on this application. It also noted that if a favorable recommendation was forwarded by the surveyor’s office to the mayor then no hearing would be held. Subcommittee members noted concern about the timing of comments and whether the surveyor would send the application to the mayor before action could be taken. The representative from the applicant assured the subcommittee that they would not move the application before the ANC had weighed in and that the pending objections from utility companies would not be resolved until such time.



c. **Update Regarding Outreach to Neighbors**

Resident Member Friedman noted that pursuant to more outreach to neighbors, concerns regarding noise had been brought up. Commissioner Sobelsohn suggested that a subcommittee draft a letter to the sole residential tenant occupying the upper floors of 331 Pennsylvania Avenue. It was agreed that such a letter would be hand delivered and also forwarded to the applicant for delivery.

d. **Potential Items for a Community Benefits Agreement (CBA)**

Potential items for a CBA were discussed. The items proposed included the following:

- Indoor, conditioned, DC Department of Health compliant trash room
- A donation to a local non-profit, NGO or DC government fund.
- Prioritizing leasing the retail space to a local DC business.
- Acting in good faith to enter into a memorandum of understanding with ANC 6B regarding the proposed construction activities.
- No trucks or other large vehicles servicing the property may enter/exit from the 3rd Street SE entrance to the alley system.
- The applicant shall agree not to use 205 3rd Street SE for any commercial uses/purposes.
- The courtyard shall be open to the public from dawn till Sunset daily.
- The courtyard shall not be used for outdoor activities by ownership from 10pm-7am Sun-Thurs. and from 11pm-8am Fri-Sat.
- Including a public outdoor space as part of the proposed ground floor retail area or allowing the retail space partial use of the courtyard as a summer garden.
- Allowing the ANC access to the courtyard once per month for events/meetings



- The Courtyard Shall not be used between November 1st and January 31st for gatherings or meetings.
- The applicant shall install security cameras that monitor the courtyard and adjacent alley entrance. Applicant shall provide camera footage to the proper authorities when requested by said authorities pursuant to the investigation of illicit activity observed in the alley or courtyard.
- Better/improved lighting at the entrance to the alley from the applicant's property.
- Alley beautification (mural on carriage house, pavement improvement, etc.)

There was some discussion of the particulars of these items, but in the interest of time, it was agreed that any fine tuning of the language or inclusions of the items would be conducted offline.

e. **Next Steps**

Commissioner Sobelsohn moved, and Resident Member Friedman seconded, that the subcommittee refine and finalize the list and transmit to the applicant for their evaluation. It was hoped that negotiations with the applicant could begin in earnest with a target date of having an agreement to vote on a potential CBA for recommendation to the full P&Z Committee and ANC at the December meeting.

4. Next Meeting

It was agreed that the next meeting be arranged via email between the subcommittee members as needed pending the transmission of the potential CBA list to the applicant.

5. Adjournment

Via unanimous consent, Commissioner D'Andrea moved to adjourn. No objections being heard, the meeting was adjourned at 12:00 PM.