

**Advisory Neighborhood Commission 6E  
 Public Meeting  
 Tuesday, October 2, 2018**

Advisory Neighborhood Commission 6E convened at the Watha T. Daniel/Shaw Library, 1630 7<sup>th</sup> Street, NW, Washington, DC, on Tuesday, October 2, 2018 at 6:30 p.m.

**Present:**

Alex Marriott, Chair, ANC 6E05  
 Frank S. Wiggins, Vice Chair/Treasurer, ANC 6E03  
 David Jaffe, Secretary, ANC 6E04  
 Alexander M. Padro, ANC 6E01  
 Kevin M. Rogers, ANC 6E07  
 Anthony Brown, ANC 6E02  
 Alvin Judd, ANC 6E06 (arrived at 6:45 p.m.)

**I. CALL TO ORDER AND ROLL CALL**













Chair Marriott called the meeting to order at 6:30 p.m. The presence of a quorum was noted.

**II. APPROVAL OF AGENDA**

**MOTION:** Commissioner Jaffe moved and Commissioner Wiggins seconded that the Agenda be approved as submitted. The Motion **passed** unanimously, 6 yeas – 0 nays – 0 abstentions. [Commissioner Judd had not yet arrived].

**III. PSA REPORTS – 1D, 3D, 5D**

Crime statistics for the indicated periods are as follows:

Crime stats for 1D Police District (PSA 103)	Number of crimes reported between:		
Crime Type	9/1/17-9/30/17	9/1/18-9/30/18	Change
Homicide	1	0	
Sex Abuse	0	0	
Robbery Excluding Gun	1	4	
Robbery With Gun	0	1	
Assault Dangerous Weapon (ADW) Excluding Gun	2	2	
Assault Dangerous Weapon (ADW) Gun	1	1	
<b>Total Violent Crime</b>	<b>5</b>	<b>8</b>	
Burglary	0	1	
Theft	21	36	
Theft F/Auto	22	32	
Stolen Auto	4	1	
Arson	0	0	

<b>Crime stats for 1D Police District (PSA 103)</b>	<b>Number of crimes reported between:</b>		
<b>Total Property Crime</b>	<b>47</b>	<b>70</b>	
<b>Total Crime</b>	<b>52</b>	<b>78</b>	

<b>Crime stats for 3D Police District (PSA 308)</b>	<b>Number of crimes reported between:</b>		
Crime Type	9/1/17-9/30/17	9/1/18-9/30/18	Change
Homicide	0	0	
Sex Abuse	0	0	
Robbery Excluding Gun	1	2	
Robbery With Gun	0	0	
Assault Dangerous Weapon (ADW) Excluding Gun	0	1	
Assault Dangerous Weapon (ADW) Gun	2	0	
<b>Total Violent Crime</b>	<b>3</b>	<b>3</b>	
Burglary	1	4	
Theft	20	13	
Theft F/Auto	6	17	
Stolen Auto	2	3	
Arson	0	0	
<b>Total Property Crime</b>	<b>29</b>	<b>37</b>	
<b>Total Crime</b>	<b>32</b>	<b>40</b>	

<b>Crime stats for 5D Police District (PSA 503)</b>	<b>Number of crimes reported between:</b>		
Crime Type	9/1/17-9/30/17	9/1/18-9/30/18	Change
Homicide	0	0	
Sex Abuse	0	0	
Robbery Excluding Gun	3	1	
Robbery With Gun	4	1	
Assault Dangerous Weapon (ADW) Excluding Gun	1	0	
Assault Dangerous Weapon (ADW) Gun	1	1	
<b>Total Violent Crime</b>	<b>9</b>	<b>3</b>	
Burglary	4	2	
Theft	26	23	
Theft F/Auto	51	41	
Stolen Auto	5	12	
Arson	0	0	
<b>Total Property Crime</b>	<b>86</b>	<b>78</b>	
<b>Total Crime</b>	<b>95</b>	<b>81</b>	

**1D (PSA 103) – Captain Jonathan Dorrough** did not present a report, but responded to a question regarding a shoplifting incident at Safeway last month and to a question about crime on the lower part of L Street, NW.

**3D (PSA 308) – Captain Gerry Scott** reported that Total Crime for last year during the month of September was 32 compared to 40 for the month of September this year. Things driving this are Thefts from Auto. He cautioned residents not to leave articles in their vehicles in plain sight and to also not lock valuables in the trunks of their vehicles. In response to a question regarding crime at the Friends of Kennedy Playground, he stated MPD is trying to get additional funding as well as checking footage from cameras. A question was asked about what the city is doing about the growing epidemic of K2, a dangerous synthetic street drug, which has resulted in hundreds of people overdosing. Captain Durham of 1D responded that the city is going after the dealers and have had some good arrests.

**5D (PSA 503) –** No representative present.

#### **IV. PEPSCO: REQUEST FOR SUPPORT FOR BZA APPLICATION FOR MT. VERNON SUBSTATION**

Pepco's Regional Vice President Marc Battle reviewed Pepco's BZA Application (Case #19845) which requested special exception from the utility use requirements, and area variances from the: **(1)** vehicle parking requirements; **(2)** bicycle parking requirements; and **(3)** trash room requirements.

**MOTION:** Commissioner Padro moved and Commissioner Brown seconded that ANC 6E support Pepco's BZA Application (Case #19845) for construction of the Mt. Vernon Substation and request the establishment of a Community Advisory Group (CAG) for ongoing engagement and to provide guidance on topics such as future land use and themes for the public art program that is proposed there, the installation of an artistic fence, support for the relocation of the farm at Walker Jones, and support for non-profits serving the community, specifically serving students, children and seniors, and to note that Pepco has made a commitment to provide \$25,000 a year for three (3) years to support those non-profits. The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

#### **V. DC REINVEST COALITION REQUESTS FOR SUPPORT FOR A RESOLUTION RECONSIDERING DC'S RELATIONSHIP WITH WELLS FARGO AND COMMUNITY DEVELOPMENT**

**MOTION:** Commissioner Brown moved and Commissioner Padro seconded that ANC 6E **support** the request for support of DC Reinvest Coalition for a resolution reconsidering DC's relationship with Wells Fargo and Community Development and that said resolution be sent to the Mayor's Office and members of the DC City Council. The Motion **passed**, 6 yeas – 0 nays – 1 abstention (Commissioner Jaffe).

**VI. SPECIAL GUEST – JOE WEEDON – CANDIDATE FOR WARD 6 SCHOOL BOARD**

Joe Weedon stating he is seeking re-election to represent Ward 6 on the DC State Board of Education. He stated Ward 6 has great schools, but need to continue to invest and do better. Far too often, schools are lacking resources. Most importantly, Ward 6's middle schools do not exist. He has been a strong advocate to build middle schools, there is a need to see investment here, and that every family feels they have a great choice. He has helped strengthen public schools by improving transparency and accountability of DC's public school systems, has insured that there is adequate technology in all schools, as well as safe passage for students to schools.

Commissioner Padro thanked him for his engagement on the issue of a new Shaw Middle School. He noted further that Ward 6 has been waiting for ten years for a new middle school. While DCPS has made an investment in the DC's schools, there is still no middle school.

Commissioner Marriott asked Mr. Weedon to comment on oversight of charter schools. Mr. Weedon responded that the DC State Board of Education does not have direct oversight of either DCPS or the public charter schools, but the Mayor is accountable for schools in DC. She appoints the Chancellor, appoints the members of the DC Public Charter School Board, and the Office of the State Superintendent of Education (OSSE). While the DC Public Charter School Board is subject to some mayoral and DC Council oversight, he is working with some Council members to increase oversight of the local education agencies that are not under the direct control or oversight of the Mayor or the DC Council. There is a real need to improve and increase oversight in public and charter schools. There are not have enough kids to adequately support DC's charter schools and we have to find a way to collaborate and find sustainable pathways. We also need to work with the Committee on Education of the DC City Council to make sure they are asking the right questions.

**VII. MONUMENT REALTY: PROPOSAL FOR 2 PATTERSON STREET, NE**

Former Councilmember LaRuby May of The May Firm, PLLC (which is a part of a team with two local partners and one national partner [Monument Realty, Morningstar Development, and Community Housing Partners]), reported on the team's recently submitted bid for DMPED's RFP for redevelopment of the parcel of land at 2 Patterson Street, NE. She stated that community engagement is important to them, and while this parcel of land falls within 6C06, constituents of 6E01 will also be impacted. If Monument Realty is the successful bidder, it intends to show that their team is committed to all impacted constituents. There will be 33,000 square feet of retail space as a part of their project. Their partner already owns 40 Patterson Street, NE and they are hoping to acquire 2 Patterson Street, NE. A combination of lots will allow them to build approximately 267 rental units and 203 condo units. In addition to combining both lots, they can

meet the DC required 30% inclusion (they are able to do it at a minimum 36% and are looking to push that higher). Combining the lots also helps benefit the community in the way of curb cuts. There will be parking for both the resident side and the retail side. We believe the amenities are going to be outstanding with two (2) pools and a dog park. On the rental and homeowner side, there will be 3 and 4 bedroom units. They want to be a good neighbor. Contact information was left as well as information on their project. A question and answer period followed.

Commissioner Padro stated he was curious as to whether ANC 6C has taken a position and whether there has been an endorsement or recommendation from that commission. Ms. May responded that, no, not yet. For now the team is taking the time to introduce themselves to all of the stakeholders.

**VIII. TOLL BROTHERS: PRESENTATION ON THE APPLICATION TO BE FILED WITH THE OFFICE OF ZONING SEEKING (1) MODIFICATION OF THE APPROVED FIRST STAGE PUD FOR THE SURSUM CORDA SITE AND (2) THE SECOND STAGE PUD APPROVAL FOR THE SOUTH PARCEL OF THE SITE**

Leila Batties, Holland & Knight, spoke on behalf of Toll Brothers and advised that they are not asking for a vote tonight, but are only here to give an overview of where they are terms of the zoning procedure. They have filed their 45 day notice of intent to file an application that will include: (1) Modification of the Approved First Stage PUD for the Sursum Corda Site; and (2) the Second Stage PUD approval for just the South Parcel of the site.

The raze permit was submitted in April. We have been pursuing it aggressively for the past 6 months. They are still hoping to have the buildings down by the end of the year. In the meantime, they are cleaning out the units of trash and furniture and working on the abatement process with multiple trash pickups. They have rodent control in place and have increased the number of rodent traps on the site. They have met with Pastor West of Mt. Airy Church and presented minor changes of which he was supportive. The project creates green space next to the church. They are also working closely with Lonnie Durham to finalize a communication plan with the Sursum Corda households to make sure they keep track of them.

The First Stage PUD was approved in 2016 and this relates to height, massing and density for the building on the project. Also included as part of that approval is the benefits and amenities package which included some minor flexibility as it relates to the development of the project. That approval is valid until June 30, 2023 so as long as we file an application for the second stage approval for the South Parcel by June 30, 2019.

The Second Stage PUD will relate to the building design, floor plan and architectural details. They will file this application by the end of October and some of the modifications will be seen. They are proposing a minor adjustment to the site circulation --- proposing to combine them into a single building. By

combining the two buildings together, they are able to shift the building massing to the right. The framework stays the same -- the streetscape is identical to what it was. Amenities will be at ground level that open from both buildings. They will come back to ANC 6E after the application is filed.

**IX. DOUGLAS DEVELOPMENT: REQUEST FOR SUPPORT FOR MINOR MODIFICATIONS IN BZA APPLICATION, 601 K STREET, NW [6E05]**

Drew Turner of Douglas Development spoke regarding their request for support for minor modifications in their BZA Application per the following: **(1)** the overall square footage of the building was increased by roughly 3,000 square feet; **(2)** the penthouse could be seen from the street previously – in the new plan, the penthouse is stepped from 12' to 18'; **(3)** room count dropped by one room from 235 to 234; **(4)** the bay projections on K Street were tweaked to comply with Zoning regulations -- modified the size of the vestibule; **(5)** plan on having a bar in the penthouse – occupancy remains unchanged; will keep the hours as agreed to with the ANC; **(6)** will go down another level in the basement with 18'-20' high ceilings that will be marketable to a retailer resulting in 6,000 square feet of below grade retail space. They are going before BZA on October 24, 2018. It is hoped to break ground this year.

Commissioner Brown stated the Zoning Committee met and feels the changes the applicant made fit with what was envisioned. They have also made arrangements with a nearby parking lot to provide any parking that may be needed and the Committee was in support of the project. Commissioner Jaffe stated he did not see a trash room in the plans and asked what the plan was for trash. He was informed that it will be inside. A question was asked about the curb cut and was informed that DDOT says they cannot approve a lay-by because of the planned future streetcar project there. They will apply to DDOT for three parking valet spaces.

**MOTION:** Commissioner Marriott moved and Commissioner Brown seconded that ANC 6E **support** Douglas Development's minor modifications outlined in their BZA Application for 601 K Street, NW, further that Douglas Development makes sure that the trash room is located indoors, that it continues to work with ANC 6E on getting a lay-by on K Street or 6<sup>th</sup> Street, NW, and that said support be communicated in writing to the Board of Zoning Adjustment (BZA). The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

**X. ZEPPELIN: REQUEST FOR SUPPORT FOR NEW ABC LICENSE AND SUMMER GARDEN, 1544 9<sup>TH</sup> STREET, NW [6E01]**

A principal stated that the site will be a 1950s style restaurant focusing on 1950s aircraft. It will have a contemporary Japanese design. The second floor will now be an a la carte sushi bar with karaoke.

Commissioner Padro reported that the ABC Licensing Committee met and agreed upon an adjustment of the hours of operation for the summer garden until Midnight seven days a week and also agreed on a restriction on outdoor seating capacity only. While there were concerns about the hours of entertainment, the restriction to karaoke resolved these concerns. The ABC Licensing Committee recommended support with the modifications noted.

**MOTION:** Commissioner Padro moved and Commissioner Jaffe seconded that ANC 6E **support** the request for support for a new ABC License and Summer Garden of Zeppelin, 1544 9<sup>th</sup> Street, NW, with the modification of hours for the outdoor seating to midnight 7 days a week with only seating capacity in the outdoor area and that the entertainment be restricted to karaoke, said conditions to be written into a Settlement Agreement for submission to ABRA and, in the event there is a problem with reaching a written agreement, that the Commission would protest the license application on the basis of peace, order and quiet. Further, in the event that we have to protest, that Commissioner Padro be designated as the representative from the Commission. The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

**XI. ZEPPELIN: REQUEST FOR SUPPORT FOR PUBLIC SPACE PERMIT FOR RESTAURANT PATIO SEATING, 1544 9<sup>TH</sup> STREET, NW [6E01]**

Commissioner Brown stated the Zoning Committee met and supported the application.

**MOTION:** Commissioner Padro moved and Commissioner Jaffe seconded that ANC 6E **support** the request for support for a Public Space Permit for restaurant patio seating for Zeppelin, 1544 9<sup>th</sup> Street, NW and that said support be communicated in writing to the Public Space Committee and DDOT. The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

**XII. URBAN CAPITAL DEVELOPMENT: REQUEST FOR SUPPORT FOR HISTORIC PRESERVATION APPROVAL FOR RENOVATION AND ADDITION, 1714 10<sup>TH</sup> STREET, NW [6E01]**

Commissioner Padro stated the building at 1714 10<sup>th</sup> Street, NW has been long vacant with a compromised roof and if the architect is able to get this approved, it would be an outstanding example of accommodating 21<sup>st</sup> century needs with a 19<sup>th</sup> century footprint. There is a heritage/legacy tree in the back of the property which is a 150 year old Sycamore tree. HPRB has insisted on the retention of the protection of the tree, so the architect has made a number of accommodations.

The architect stated that the project came to them six months ago. The site has a very small footprint. They hoped to have 60% lot occupancy off the rear with appropriate setback off the front for a third floor addition, but realized they could not because of the heritage tree. The entire rear of the home will be on posts because of this. They presented to ZPT and neighbors and they approved. They expect to go before HPRB this month. Construction in first quarter of 2019.

It will be a single family home comprising approximately 2,800 square feet. There will be an architectural wall off the alley as well as a single parking space.

Commissioner Brown stated the Zoning Committee met and felt it could support the project. Commissioner Padro stated the civic association had no objections.

**MOTION:** Commissioner Padro moved and Commissioner Jaffe seconded that ANC 6E **support** the request for support for HPRB approval for renovation and an addition at 1714 10<sup>th</sup> Street, NW and that said support be communicated in writing to the Historic Preservation Review Board (HPRB). The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

**XIII. GRODSKY DEVELOPMENT: REQUEST FOR SUPPORT FOR TIME EXTENSION AND MODIFICATION OF CONSEQUENCE OF BZA APPROVAL, 1612-1614 7<sup>TH</sup> STREET, NW [6E01]**

Commissioner Padro stated this is a project that has previously come before the Commission which supported the BZA relief requested. The developer has requested an extension of time as well as modification of consequence to reduce the amount of second story retail so that there will be additional residential use. Commissioner Padro stated the civic association had no objections. Commissioner Brown stated the Zoning Committee met and agreed with the modifications.

**MOTION:** Commissioner Padro moved and Commissioner Brown seconded that ANC 6E **support** the request for support for a time extension and modification of consequence of 1612-1614 7<sup>th</sup> Street, NW and that said support be communicated in writing to the Board of Zoning Adjustment (BZA). The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

**XIV. HOLY REDEEMER CATHOLIC CHURCH: REQUEST FOR SUPPORT FOR COMPREHENSIVE PLAN AMENDMENT, 206 NEW YORK AVENUE, NW [6E07]**

Chip Glasgow of Holland & Knight stated the property comprises about 38,000 square feet and the church is looking for support from ANC 6E to change the Comprehensive Plan Land Use Map from medium density residential to medium density commercial, the same as across the street. Presently the archdiocese has no present plans for the site. Commissioner Brown stated the Zoning Committee met and supported their request.

**MOTION:** Commissioner Padro moved and Commissioner Brown seconded that ANC 6E **support** the request for support for a Comprehensive Plan Amendment of Holy Redeemer Catholic Church, 206 New York Avenue, NW and that said support be communicated in writing to the Zoning Commission, the Office of Planning, and the DC City Council. The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.



**XV. DDOT: REQUEST FOR COMMENTS ON DESIGN GUIDELINES FOR SMALL CELL MASTER LICENSE AGREEMENT, 1510 9<sup>TH</sup> STREET, NW [6E01]**

Did not appear. Commissioner Padro stated this is part of the roll out for the next wave of WiFi.

**MOTION:** Commissioner Padro moved and Commissioner Brown seconded that ANC 6E report to DDOT that it has no objections to the design guidelines for small cell master license agreement specific to the plan at 1510 9<sup>th</sup> Street, NW. The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

**XVI. 444 K STREET, NW: REQUEST FOR SUPPORT FOR HPRB APPLICATION [6E05]**

Michael Hall of Wiss, Janney, Elstner Associates, Inc. stated the applicant appeared before ANC 6E in the spring of 2015 and presented to HPRB at that time. They also appeared before ANC 6E in the fall of 2016. Today they are here seeking support for their HPRB application to go from five stories to six stories for the rear addition. Other than that, everything else is the same.

Commissioner Brown stated the Zoning Committee met and had an issue. The Committee suggested that the applicant have some community meetings. The site will be apartments, not condos. Commissioner Brown stated that demolition of the back wall must be under the supervision of HPRB, a proper retailer is needed for the retail space, HPRB must review the entire project, the owner must agree to work with stakeholders, the CID, and that it continues to work with HPRB regarding the wall.

**MOTION:** Commissioner Marriott moved and Commissioner Padro seconded that ANC 6E **support** the request for support for the HPRB application of 444 K Street, NW with the caveats that we request a full review of the new plans by the HPRB, that they work with community stakeholders on selecting a retailer for the first floor, and that they continue to work with HPRB on repairing the back wall on the property and that said support be communicated in writing to the HPRB. The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions

**XVII. OTHER NEW BUSINESS**

None.

**XVIII. OLD BUSINESS**

None.

**XIX. APPROVAL OF MINUTES OF ANC 6E 9/4/18 PUBLIC MEETING**

**MOTION:** Commissioner Padro moved and Commissioner Jaffe seconded that the Minutes of the **ANC 6E Public Meeting of September 4, 2018** be approved as submitted. The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

**XX. APPROVAL OF TREASURER'S REPORT**

Commissioner Wiggins reported that the balance in the checking account is \$51,231.07.

**MOTION:** Commissioner Wiggins moved and Commissioner Judd seconded that the Treasurer's Report be approved. The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

**XXI. APPROVAL OF QUARTERLY REPORTS**

**MOTION:** Commissioner Jaffe moved and Commissioner Wiggins seconded that the Quarterly Report for Quarter 1 be approved. The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

**MOTION:** Commissioner Jaffe moved and Commissioner Wiggins seconded that the Quarterly Report for Quarter 2 be approved. The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

**XXII. APPROVAL OF EXPENSES**

**MOTION:** Commissioner Wiggins moved and Commissioner Judd seconded that the invoice submitted by Karen Jehle in the amount of \$250.00 for recording services for the **ANC 6E Public Meeting of October 2, 2018** and development of the website be approved for payment. The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

**XXIII. ANNOUNCEMENTS**

**A.** Commissioner Jaffe announced that he will be stepping down from the Commission and moving to San Francisco in November. There will have to be a Special Election in January. On behalf of the Commission, Commissioner Marriott thanked Commissioner Jaffe for his service and wished him well.

**MOTION:** Commissioner Marriott moved and Commissioner Judd seconded that Commissioner Brown be nominated as Secretary of ANC 6E. The Motion **passed** unanimously, 7 yeas – 0 nays – 0 abstentions.

- B. Commissioner Padro announced that the Fall Shaw Open House will take place on Saturday, October 20, 2018 from 1:00 p.m. to 5:00 p.m.

#### **XXIV. NEXT MEETING**

Tuesday, November 13, 2018, Watha T. Daniel/Shaw Neighborhood Library,  
1630 7<sup>th</sup> Street, NW, 6:30 p.m.

#### **XXV. ADJOURNMENT**

**MOTION:** There being no further business to come before the Commission, Commissioner Padro moved and Commissioner Brown seconded that the meeting be adjourned. The Motion ***passed*** unanimously, 7 yeas – 0 nays – 0 abstentions. The meeting was adjourned at 8:55 p.m.