



Government of the District of Columbia
**Advisory Neighborhood
Commission 6C**

November 16, 2015

Anthony Hood, Chairman
District of Columbia Zoning Commission
441 4th St. NW
Suite 210-S
Washington, DC 20001

Re: Case 15-07: ANC 6C Response to Final Proffer and Conditions

Dear Chairman Hood and Members of the Commission,

As the duly appointed representative in this proceeding (*see* ANC Report of Oct. 7, 2015 [Exhibit 37A]), I write on behalf of ANC 6C to provide our response to the Applicant's Revised Final List of Proffers and Conditions [Exhibit 45] pursuant to 11 DCMR § 2403.21.

Truck circulation/routing conditions: Proffer 2 states that "[t]he Applicant will require all trucks to access the loading space via the alley intersecting with 4th St." (emphasis supplied) and then cross-refers to Proffer 1 and its associated condition. This condition requires modification in two respects:

- The condition for Proffer 1 states only that "residential moving trucks" must use the 4th St. alley to access the loading dock, but does not impose any restriction on trash, recycling, or other trucks accessing the site's loading dock. The conditions for Proffers 1 and 2 should therefore be amended to impose this restriction on all such truck traffic.
- In addition, the term "access" is not sufficiently specific, in that it might be read as applying only to entry into the onsite loading area. As stated explicitly in ANC 6C's conditions of support for this project, truck alley routing restrictions must be imposed equally on "ingress and egress." *See* Exhibit 37A, Attachment 1, item (b). The conditions for Proffers 1 and 2 should therefore be amended to eliminate the current ambiguity.

ANC storage area: Proffer 7 is for a 100sf onsite storage space for the use of ANC 6C. The condition as proposed does not expressly require the storage room (which ANC 6C intends to use for its official records) to be secure/lockable, nor does it oblige the Applicant to provide the ANC a key and building access on reasonable days and hours, including on weekends.

The ANC does not object to allowing the Applicant broad flexibility with respect to the location of the storage room (provided this it is "reasonably accessible," as set forth in our October 7 report and as discussed above). However, the condition for Proffer 7 would, in theory, allow for a 100sf room of extraordinarily narrow width. Accordingly, the condition for Proffer 7 should be made more specific to require the security and access provisions discussed above, as well as a requirement that the storage room be of such dimensions (e.g., at least 7' wide in any dimension) suitable for use.

In view of the limitations imposed by 11 DCMR § 2403.21, we do not in this letter address the disparities between our conditions of support and the Applicant's proffers and conditions. On those issues, we rest on our prior written report and on the testimony presented at the October 8 hearing.

Thank you for giving great weight to the recommendations of ANC 6C.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Eckenwiler', with a stylized, flowing script.

Mark Eckenwiler
Commissioner, ANC 6C04