



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Dupont Circle Advisory Neighborhood Commission 2B

Regular Meeting Minutes

Wednesday, November 13th, 2019; 7:00 p.m.
Johns Hopkins School of Advanced International Studies
1717 Massachusetts Avenue NW, Room 500

Call to Order

The regular November 2019 meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Daniel Warwick at 7:02 pm.

Introduction of Commissioners

The Commissioners identified their single member districts (SMDs). Present were: Matthew Sampson (2B01), Daniel Warwick (2B02), Lucky Barbieri (2B03), Aaron Landry (2B04), Randy Downs (2B05), Mike Silverstein (2B06), Kari Cunningham (2B07), Beverly Schwartz (2B08), and Ed Hanlon (2B09).

Announcements and Public Comments

Commissioner Announcements

Commissioner Schwartz said that she has been working with ANC 1C to address concerns regarding the intersection of 18th Street and Florida Avenue NW. She said that there have been complaints about illegal turning at the intersection. She said that any local residents who are interested in the issue should reach out to her.

Commissioner Silverstein said that the School Without Walls at Francis-Stevens' annual auction will take place on Saturday, November 16th at 6:00 pm at Squire Patton Boggs, 2550 M Street NW.

Chair Warwick said that Valley Brook Tea will be opening a location in the former Starbucks space at 2103 P Street NW in December. He said that the establishment will not be appearing in front of the ANC since they are not applying for an alcoholic beverage license.

Chair Warwick encouraged local residents to attend the current World Press Photo exhibition at Dupont Underground. He said that Dupont Underground is in talks with the city to continue their lease of the space.

Other Public Announcements and General Comments or Future Agenda Items

Nicole Goines, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS), said that 29 new parking enforcement officers have been added to the Department of Public Works' (DPW) enforcement team to enforce violations of parking in bike lanes. She also gave an overview of the District Department of Transportation's (DDOT) recent decision to make the H Street and I Street NW bus lanes permanent. She encouraged local residents to call the shelter hotline at (202) 399-7093 if they see anyone out on the streets in the cold. She also gave an overview of the recent homeless encampment cleanups in the neighborhood.

Joe Florio, a representative for Councilmember Jack Evans' Office, said that Councilmember Evans recently attended the 17th Street High Heel Race and the Little Goblins Parade. He said that the Councilmember's office recently helped JR's to reopen. He added that the Councilmember's office is working to address concerns regarding the opening of Assets at 1805 Connecticut Avenue NW and is also working to ensure that Dupont Underground continues to remain in its current space.

Glenn Engelmann, the President of the Dupont Circle Citizens Association (DCCA), said that the organization's December membership meeting will include DDOT Director Jeff Marootian as the featured speaker, along with a presentation by the Alcoholic Beverage Regulation Administration (ABRA) regarding license protest processes. He added that the organization will soon be announcing the recipients of the organization's grant application process to address homelessness and affordable housing in Dupont Circle.

Inspector Wendy Cadell, a representative for DPW, said that the agency's leaf collection season started on Sunday, November 10th. She said that, for Dupont Circle, the first collection round will take place through Saturday, November 16th and that the second collection round will take place from Monday, December 16th to Saturday, December 21st. She encouraged local residents to rake leaves into tree boxes for pick up.

A local resident encouraged the ANC to request that DDOT installs additional public electric vehicle charging stations across the District and does not exclude residential permit parking (RPP) blocks from the installation plans.

Nick DelleDonne, the President of the Dupont East Civic Action Association (DECAA), said that a settlement agreement has been reached with Licht Cafe and that the applicant has dropped its request for summer garden and entertainment endorsements. He said that several of the organization's board members participated in recent transportation hearings held by the DC Council. He also encouraged local residents to participate in So Others Might Eat's annual Trot for Hunger on Thanksgiving Day and the annual Homeless Memorial Vigil on Thursday, December 19th and Friday, December 20th.

Presentation by Inez Saki-Tay, Community Outreach Specialist for the Department of Consumer and Regulatory Affairs

Inez Saki-Tay, a Community Outreach Specialist for the Department of Consumer and Regulatory Affairs, gave a visual presentation regarding the work of the agency.

Commissioner Hanlon asked Ms. Saki-Tay several questions regarding commercial property licensing.

Presentation by Pepco, An Exelon Company, Regarding the Capital Grid Project Along T Street Between 14th Street and 16th Street NW, and Consideration of a Resolution Regarding the Matter

Linda Greenan, the External Affairs Manager for the District of Columbia for Pepco, gave a visual presentation regarding the company's Capital Grid Project.

Commissioner Downs moved to adopt a proposed resolution regarding the matter. Commissioner Silverstein seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

WHEREAS, Pepco is about to commence construction of an underground transmission line facility to improve capacity and resiliency in the distribution network within the District, also known as the Capital Grid Project,

WHEREAS, construction will take place in ANC 2B on T Street between 14th Street and 16th Street NW and on 16th Street between T Street and U Street NW,

WHEREAS, Pepco has stated that construction will generally take place between 9:00 am and 3:00 pm on weekdays (excluding holidays), and that steel plates will cover trenches to permit parking and regular travel lane use outside those hours,

WHEREAS, there is an unprotected bike lane on T Street NW that could be adversely affected by the placement of maintenance holes and construction, in general, and

WHEREAS, in spite of legal requirements that construction projects and contractors provide safe accommodation for pedestrians and cyclists for the entirety of a construction project there remain numerous instances where safe accommodation is deficient or non-existent.

THEREFORE, BE IT RESOLVED that ANC 2B requests that Pepco and the District Department of Transportation (DDOT):

- locate maintenance holes so that they in no way encroach upon the established bike lane anywhere along the length of the corridor, including beyond ANC 2B's boundaries,
- consider using the north side of T Street NW for construction activity, while temporarily exchanging the positions of the bike and parking lanes along the south side while construction is active on a block to prevent disruption of the road surface of the bike lane,
- present the Safe Accommodation plan for review and support by all affected ANCs,

- impose strict contractual compliance conditions with the Safe Accommodation plan with the applicant and its contractors,
- place the Safe Accommodation plan, compliance requirements, and 24-hour live contact information on Pepco's public project information website for reference by members of the public and enforcement personnel should it be needed,
- promptly remedy any contractor failure that does not comply with the Safe Accommodation plan, including issuing on-the-spot stop-work orders if necessary to ensure the safety of pedestrians and cyclists,
- install durable interim crosswalk and bike lane markings in construction areas and ensure that they are adequately maintained until permanent replacement markings are restored, and
- conduct a robust awareness campaign for residents and businesses, notifying them at least two weeks in advance of when work will commence of that affected block.

BE IT FURTHER RESOLVED that ANC 2B requests and expects that Pepco, its contractors, and DDOT will be timely, transparent, and accountable to the community concerning issues that arise during the project.

Alcoholic Beverage Control Board Agenda

Annabelle – Application for a Substantial Change to the Establishment's Retailer's Class "C" Restaurant License to Increase Total Occupancy Load at 2130 Florida Avenue NW

Chair Warwick moved to adopt a proposed resolution regarding the matter. Commissioner Sampson seconded the motion. Commissioner Hanlon moved to adopt a proposed amendment to the resolution to also protest based on the adverse impact on residential parking needs and vehicular and pedestrian safety. Commissioner Silverstein seconded the motion for the amendment, which was voted on and passed (VOTES: 7-2-0). The final motion was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

ANC 2B protests Annabelle's application for a substantial change to the establishment's Retailer's Class "C" Restaurant license at 2130 Florida Avenue NW (to increase total occupancy load) based on the adverse impact on the peace, order, and quiet of the neighborhood and based on the adverse impact on residential parking needs and vehicular and pedestrian safety, pending the negotiation of a settlement agreement between the applicant and the ANC.

Chair Warwick moved to support the request for a stipulated license as part of Annabelle's substantial change application once a settlement agreement has been reached with the applicant. Commissioner Schwartz seconded the motion, which was voted on and passed (VOTES: 9-0-0).

Annabelle – Application for a Substantial Change to the Establishment's Retailer's Class "C" Restaurant License to Change Hours Inside Premises at 2130 Florida Avenue NW

Chair Warwick moved to adopt a proposed resolution regarding the matter. Commissioner Schwartz seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

ANC 2B protests Annabelle's application for a substantial change to the establishment's Retailer's Class "C" Restaurant license at 2130 Florida Avenue NW (to change hours inside premises) based on the adverse impact on the peace, order, and quiet of the neighborhood and based on the adverse impact on residential parking needs and vehicular and pedestrian safety, pending the negotiation of a settlement agreement between the applicant and the ANC.

Chair Warwick moved to support the request for a stipulated license as part of Annabelle's substantial change application once a settlement agreement has been reached with the applicant. Commissioner Silverstein seconded the motion, which was voted on and passed (VOTES: 9-0-0).

Nero / Zeno – Application for a Substantial Change to the Establishment's Retailer's Class "C" Restaurant License at 1323 Connecticut Avenue NW

Commissioner Cunningham moved to adopt a proposed resolution regarding the matter. Commissioner Downs seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

ANC 2B supports the request for a stipulated license as part of Nero/Zeno's application for a substantial change to the establishment's Retailer's Class "C" Restaurant license at 1323 Connecticut Avenue NW, provided that the outdoor closing hours are 10:30 pm daily.

Butter Chicken Company – Application for a New Retailer's Class "D" Tavern License at 818 18th Street NW

The Commission did not take any action regarding this matter.

Break

The Commission took a break at 8:28 pm and reconvened at 8:43 pm.

Alcoholic Beverage Control Board Agenda (Continued)

WeWork – Application for a New Retailer's Class "C" Tavern License at 1701 Rhode Island Avenue NW

Chair Warwick recused himself from voting on this matter.

Commissioner Downs moved to adopt a proposed resolution regarding the matter. Commissioner Landry seconded the motion, which was voted on and passed (VOTES: 7-1-0). The resolution reads as follows:

ANC 2B supports the request for a stipulated license as part of WeWork's application for a new Retailer's Class "C" Tavern license at 1701 Rhode Island Avenue NW.

Consideration of Several Alcoholic Beverage License Renewal Applications for Nightclubs and Taverns

Commissioner Downs moved to protest Rosebar's license renewal application based on the adverse impact on the peace, order, and quiet of the neighborhood. Commissioner Schwartz seconded the motion, which was voted on and passed (VOTES: 9-0-0).

Chair Warwick moved to protest The Fireplace's renewal application based on the adverse impact on the peace, order, and quiet of the neighborhood. Commissioner Cunningham seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

ANC 2B protests The Fireplace's application for renewal of the establishment's Retailer's Class "C" Tavern license at 2161 P Street NW based on the adverse impact on the peace, order, and quiet of the neighborhood, pending the negotiation of a settlement agreement between the applicant and the ANC.

Chair Warwick moved to protest Assets' renewal application based on the adverse impact on the peace, order, and quiet of the neighborhood. Commissioner Silverstein seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

ANC 2B protests Assets' application for renewal of the establishment's Retailer's Class "C" Nightclub license at 1805 Connecticut Avenue NW based on the adverse impact on the peace, order, and quiet of the neighborhood, pending the negotiation of a settlement agreement between the applicant and the ANC.

Public Space Committee Agenda

Public Space Application by the Golden Triangle BID for the Replacement of Kinetic Pavers on the Connecticut Avenue Overlook and the Pedestrian Median at the Intersection of Dupont Circle and Connecticut Avenue NW

The Commission did not take any action regarding this matter.

Public Space Application by the Golden Triangle BID for the Installation of Two Temporary Public Art Projects at 1001 Connecticut Avenue NW and 1365 Connecticut Avenue NW

Commissioner Downs moved to adopt a proposed resolution regarding the matter. Commissioner Cunningham seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

WHEREAS, the Golden Triangle Business Improvement District (BID) seeks to install two temporary artworks in 2019, one at the intersection of K Street and Connecticut Avenue NW and one at the intersection of Dupont Circle and Connecticut Avenue NW (the Connecticut Avenue Overlook).

THEREFORE, BE IT RESOLVED that ANC 2B supports the Golden Triangle BID's public space application to install temporary artworks at these two intersections.

General Agenda

Application by the National Holistic Healing Center to Relocate the Medical Marijuana Facility from 1718 Connecticut Avenue NW to 1636 Connecticut Avenue NW

Chair Warwick moved to adopt a proposed resolution regarding the matter. Commissioner Downs seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

WHEREAS, the National Holistic Healing Center is a medical marijuana dispensary in Dupont Circle,

WHEREAS, the Center proposes to move down the block to 1636 Connecticut Avenue NW from its current location at 1718 Connecticut Avenue NW,

WHEREAS, the Center has operated successfully and without complaint in Dupont Circle for the past four years, and

WHEREAS, ANC 2B has consistently supported the Center during its tenure in Dupont Circle.

THEREFORE, BE IT RESOLVED that ANC 2B supports the National Holistic Healing Center's application to move to 1636 Connecticut Avenue NW.

Consideration of a Resolution Regarding Needed Renovations to the School Without Walls at Francis-Stevens

Commissioner Silverstein moved to adopt a proposed resolution regarding the matter. Commissioner Cunningham seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

WHEREAS, the School Without Walls at Francis-Stevens (SWWFS), located within the boundaries of ANC 2B, is a citywide educational resource serving students from all eight wards, with the majority of attendees living outside of Ward 2,

WHEREAS, over the past several years, SWWFS has demonstrated one of the strongest year-over-year track records of academic improvement of any public elementary school in the city,

WHEREAS, beginning in 2018 school administrators and community members repeatedly called the DC Public Schools' (DCPS) attention to the issue of overcrowding at the school,

WHEREAS, DCPS lists capacity for the SWWFS building as 513 students and the actual enrollment for the 2019 academic year is 546 students and projected enrollments for 2020 and 2021 are 568 and 597 students respectively and such projections do not include the possible influx of additional students from the Embassy of China's expanded apartment building at 2300 Connecticut Avenue NW,

WHEREAS, the student experience is currently negatively impacted by overcrowding at the school, which also threatens academic gains and is degrading the work environment for teachers and other school staff,

WHEREAS, the physical plant at SWWFS will be hard pressed to accommodate the number of students currently projected to enroll prior to modernization, even with the addition of portable classrooms, and

WHEREAS, DCPS has repeatedly voiced a reluctance to invest in modification of the existing plant in light of the full modernization scheduled to begin in FY 2022.

THEREFORE, BE IT RESOLVED that ANC 2B calls on Mayor Bowser, the DC Council, and DCPS to advance initiation of the first stage of modernization at SWWFS to FY 2020 by allocating the funding necessary to commence planning for modernization of the physical plant at SWWFS and planning for and acquiring the swing space necessary to facilitate modernization.

BE IT FURTHER RESOLVED that ANC 2B encourages DCPS to execute, with haste, all strategies for maximizing space and minimizing disruption to student learning until such time as a complete modernization and expansion of the facility may be completed.

Consideration of a Resolution Regarding the District Department of Transportation's Proposed K Street Transitway

Commissioner Downs moved to adopt a proposed resolution regarding the matter. Commissioner Silverstein seconded the motion, which was voted on and passed (VOTES: 8-0-1). The resolution reads as follows:

WHEREAS, the District Department of Transportation (DDOT) is in the initial study and design phase of the proposed "K Street Reconstruction and Revitalization Project," also known as the K Street NW Transitway,

WHEREAS, part of the K Street Reconstruction and Revitalization Project, from 15th Street to 20th Street NW, is within the boundaries of Advisory Neighborhood Commission (ANC) 2B,

WHEREAS, the goal of the K Street Reconstruction and Revitalization Project is to reconfigure K Street between 12th Street and 21st Street NW to make more efficient and effective use of the right of way for multimodal travel, including dedicated center lanes for buses,

WHEREAS, the K Street Reconstruction and Revitalization Project will result in improvements to benefit mass transit passengers, pedestrians, cyclists, motorists, and the streetscape,

WHEREAS, ANC 2B passed a resolution in April of 2019 indicating support for:

- inclusion of funding in the District budget for the K Street Reconstruction and Revitalization Project,
- inclusion of dedicated center bus lanes in the design,
- DDOT's prioritization of safer accommodations for pedestrians and cyclists, including, but not limited to, consideration of protected bike lanes, and
- a design that may be compatible with the proposed DC Streetcar extension down K Street NW to Georgetown,

WHEREAS, ANC 2B thanks DDOT for considering and advancing ANC 2B's proposed input, and

WHEREAS, in the last several months DDOT has held several public design charrettes to engage residents and business representatives on design elements of the project, and at this time in the design process DDOT is requesting input on two main design elements, including:

- curb-running protected bike lanes versus center-running protected bike lanes, and
- the location of commercial and passenger loading and unloading areas.

THEREFORE, BE IT RESOLVED that ANC 2B supports and prefers the center-running protected bike lane design. Benefits of center-running protected bike lanes include:

- better east-west through movement for cyclists,
- no conflicts between right-turning vehicles and through-moving bikes,
- no conflicts between cyclists and vehicles entering or exiting driveways, alleys, and parking garages,
- lessened likelihood of vehicles using gaps in the barrier to load and unload goods and passengers in the bikeway than would be the case with a bike lane at the curb,
- wider medians that provide more space for designing safe intersection treatments and queuing spaces for cyclists,

- inclusion of at least a one-foot protected physical buffer separating cyclists and motorists throughout the corridor minimize the establishment of full-time dedicated loading zones parallel to and located on K Street NW so as to maximize and prioritize the usable public space for sidewalks, bike lanes, and dedicated transitway travel lanes, and
- a wider bike lane that also maintains congruity of medians and viewsheds throughout the corridor.

BE IT FURTHER RESOLVED that ANC 2B prefers a passenger and commercial loading and unloading strategy that includes the following:

- placement of loading zones perpendicular and adjacent to K Street NW on north/south streets,
- consideration of establishing passenger-only “lay-by” loading zones near medical facilities, hotels, and other high-traffic passenger loading areas, where such “lay-by” curb-cuts would not have a negative impact on sidewalk width and pedestrian passage,
- minimizing the establishment of full-time dedicated loading zones parallel to and located on K Street NW so to maximize and prioritize the usable public space for sidewalks, bike lanes, and dedicated transitway travel lanes, and
- establishment of mid-block loading zones in the curbside travel lane during non-rush hour times.

BE IT FURTHER RESOLVED that ANC 2B recommends that DDOT extends the scope of design to include a protected connection for cyclists between the eastern end of the transitway project at 12th Street and 11th Street NW, which has existing bike lanes connecting Pennsylvania Avenue and Q Street NW.

BE IT FURTHER RESOLVED that ANC 2B urges DDOT to consider the needs of turning cyclists at locations where high numbers of cyclists are likely to turn onto connecting bike facilities, such as the 15th Street NW two-way protected bike lanes and the planned two-way protected bike lanes on 20th Street NW, by providing sufficient space to queue without encroaching on pedestrian space.

Consideration of a Resolution Regarding DC Council Bill B23-0147 – the “Office on Deaf and Hard of Hearing Establishment Amendment Act of 2019”

Commissioner Sampson moved to adopt a proposed resolution regarding the matter. Commissioner Landry seconded the motion. Commissioner Hanlon moved to adopt a proposed amendment to the resolution to add additional language regarding the provision of Computer Aided Real-Time Transcription (CART) and other interpretive services by the new office and to amend the definition of the deaf and deaf-blind community. Commissioner Schwartz seconded the motion for the amendment. Commissioner Hanlon moved to adopt a proposed amendment to the amendment to change the subject line of the resolution. Commissioner Schwartz seconded the motion for the amendment to the amendment. A roll call vote was requested. The motion for

the amendment to the amendment was voted on and passed (VOTES: 5-4-0). The roll call vote was as follows:

Commissioner Schwartz: Yes
Commissioner Downs: No
Commissioner Sampson: No
Commissioner Landry: No
Commissioner Cunningham: Yes
Commissioner Silverstein: Yes
Commissioner Hanlon: Yes
Commissioner Barbieri: Yes
Chair Warwick: No

Commissioner Hanlon moved a proposed amendment to the amendment to the amendment to only change the subject line of the originally-proposed resolution. Commissioner Silverstein seconded the motion for the proposed amendment to the amendment to the amendment. A roll call vote was requested. The proposed amendment to the amendment to the amendment was voted on and passed (VOTES: 6-2-1). The roll call vote was as follows:

Commissioner Schwartz: Yes
Commissioner Downs: Abstain
Commissioner Sampson: Yes
Commissioner Landry: No
Commissioner Cunningham: Yes
Commissioner Silverstein: Yes
Commissioner Hanlon: Yes
Commissioner Barbieri: Yes
Chair Warwick: No

The final motion as amended was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

WHEREAS, Washington, DC has one of the largest populations of Deaf and hard of hearing residents and is home to the only university dedicated to Deaf and hard of hearing people in the world,

WHEREAS, the Office of Disability Rights has a sole focus in providing Americans with Disabilities Act (ADA) accommodations such as American Sign Language (ASL) interpreters and Communication Access Realtime Translation (CART) services,

WHEREAS, the Office of Disability Rights does not adequately address a wider range of cultural and disability needs including but not limited to language deprivation, workforce discrimination, emergency preparedness, educational attainment, and healthcare needs,

WHEREAS, the Office on Deaf and Hard of Hearing, once established, would work to address the aforementioned issues within the District of Columbia,

WHEREAS, 35 states, including Maryland and Virginia, have already established an Office on Deaf and Hard of Hearing to address these various gaps and needs, and

WHEREAS, the Office on Deaf and Hard of Hearing has been endorsed by numerous groups representing different kinds of deaf people such as the DC Association of the Deaf, the National Association of the Deaf, the DC Chapter of the Hearing Loss Association of America, and the Association of Late Deafened Adults.

THEREFORE, BE IT RESOLVED that ANC 2B supports the establishment of the Office on Deaf and Hard of Hearing.

Administrative Matters

Approval of the ANC's 2019 Annual Report

Chair Warwick said that the ANC is in the process of drafting its 2019 Annual Report and will be voting on it during the ANC's regular December 2019 meeting.

Adjournment

Chair Warwick adjourned the meeting at 10:19 pm.