



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Dupont Circle Advisory Neighborhood Commission 2B

Regular Meeting Minutes

Wednesday, August 11th, 2021; 7:00 p.m.
Online via Zoom

Call to Order

The regular August 2021 meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Matthew Holden at 7:02 pm.

Introduction of Commissioners

The Commissioners identified their single member districts (SMDs). Present were: Meg Roggensack (2B01), Daniel Warwick (2B02), Robin Nunn (2B03), Mo Pasternak (2B04), William Herbig (2B05), Mike Silverstein (2B06), Michael Scott McKernan (2B07), Matthew Holden (2B08), and Kyle Mulhall (2B09).

Announcements and Public Comments

Presentation by Lieutenant Curtis Miller with the Metropolitan Police Department's Third District

Lieutenant Curtis Miller, a representative for the Metropolitan Police Department's (MPD) Third District, gave an overview of the recent crime statistics for the neighborhood.

Commissioner Announcements

Commissioners Silverstein, Roggensack, Pasternak, Nunn, and McKernan gave commissioner announcements.

Committee Updates

There were not any committee updates.

Other Public Announcements and General Comments or Future Agenda Items

Nick DelleDonne, the President of the Dupont East Civic Action Association (DECAA); Brian Romanowski, the Constituent Services Coordinator for Councilmember Brooke Pinto's Office; Diane Quinn, a Board Member for the Dupont Circle Citizens Association (DCCA); Joe Florio, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS); and several local residents gave other public announcements and general comments or future agenda items.

Alcoholic Beverage Control Board Agenda

Butter Me Up – Application for a New Retailer’s Class “C” Restaurant License at 1409 T Street NW

Commissioner Mulhall moved to adopt a proposed resolution regarding the matter. Commissioner Roggensack seconded the motion. Commissioner Silverstein called the question for the motion. The call the question was voted on and passed (VOTES: 9-0-0). The final motion was voted on and passed (VOTES: 8-1-0). The resolution reads as follows:

ANC 2B protests Butter Me Up’s application for a new Retailer’s Class “C” Restaurant license at 1409 T Street NW based on the adverse impact on the peace, order, and quiet of the neighborhood until a settlement agreement has been successfully negotiated between the ANC and applicant and shared with the full ANC.

Ozio Martini & Cigar Lounge – Application for a Substantial Change to the Establishment’s Retailer’s Class “C” Nightclub License at 1813 M Street NW

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

ANC 2B will not oppose Ozio Martini & Cigar Lounge’s application for a substantial change to its license based on the following agreement between Ozio and ANC 2B:

1. Ozio is prohibited from having live bands perform on its roof,
2. Ozio shall not generate amplified sounds that can be heard in a residence or dwelling,
3. Ozio shall ensure that a sound test is performed by the Department of Consumer and Regulatory Affairs (DCRA) and/or an independent noise consultant to ensure that DCMR Title 25-725 is met,
4. Contact information shall be given to the Jefferson Row and/or the ANC for a manager that can address any immediate noise concerns,
5. When the roof is open and it is after midnight, the DJ will not speak or make any announcements except for last call and those related to closing time and public safety, and
6. All provisions of the existing settlement agreement not addressed above will remain in effect.

ANC 2B also supports the request for a stipulated license as part of Ozio’s license application.

ANC 2B authorizes the Chair to sign an updated settlement agreement with the applicant incorporating the above terms if an updated settlement agreement is required by the Alcoholic Beverage Control Board.

Public Space Committee Agenda

Public Space Application by Duffy's Irish Pub for a New, Un-Enclosed Sidewalk Café with 6 Tables, 24 Seats, and 4 Umbrellas at 2153 P Street NW

Commissioner Warwick 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:

ANC 2B supports Duffy's Irish Pub's public space application as proposed because it is a continuation of an existing condition from the previous occupant of the space.

Public Space Application by Abunai Poke for a New, Un-Enclosed Sidewalk Café with 6 Tables, 15 Seats, and 2 Umbrellas at 1920 L Street NW

Commissioner Silverstein moved to adopt a proposed resolution regarding the matter. Commissioner Mulhall seconded the motion. Commissioner Silverstein called the question for the motion. The call the question was voted on and passed (VOTES: 9-0-0). The final motion was voted on and passed (VOTES: 7-2-0). The resolution reads as follows:

ANC 2B supports Abunai Poke's public space application for a new, un-enclosed sidewalk café at 1920 L Street NW.

Public Space Application for Excavation to Waterproof a Portion of an Existing Building at 1850 I Street NW

Chair Holden moved to adopt a proposed resolution regarding the matter. Commissioner McKernan seconded the motion, which was voted on and passed (VOTES: 9-0-0).

Public Space Application by the Golden Triangle BID for the Installation of a Temporary Sculpture at 17th Street and K Street NW

Commissioner Warwick recused himself from voting on this matter. Commissioner Warwick's recusal statement is attached to these minutes.

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

ANC 2B supports the Golden Triangle BID's public space application for the installation of a temporary sculpture at 17th Street and K Street NW.

General Agenda

Consideration of a Resolution Regarding the District Department of Transportation's Notice of Intent for the Establishment of "No Turn on Red" at the Intersection of 18th Street and Massachusetts Avenue NW

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

WHEREAS, the District Department of Transportation (DDOT) has issued Notice of Intent (NOI) #21-160-TESD to prohibit right turns on a red signal for drivers turning from Massachusetts Avenue onto 18th Street NW,

WHEREAS, ANC 2B has previously supported efforts to reduce the frequency of right turns on red,

WHEREAS, the dangers of right turns at red lights have been confirmed in studies beginning with the 1984 study by Paul Zador on behalf of the Insurance Institute for Highway Safety (IIHS), and

WHEREAS, the proposed changes would improve the safety of the intersection and enhance traffic safety for all roadway users and mitigate the frequency of crashes.

THEREFORE, BE IT RESOLVED that ANC 2B supports DDOT's proposal as expressed in the NOI to prohibit right turns on red and install signage that clearly communicates this rule.

BE IT FURTHER RESOLVED that ANC 2B urges DDOT to consider expanding this prohibition to more intersections.

BE IT FURTHER RESOLVED that ANC 2B urges DDOT to implement this and other safety protocols based on real world behavior rather than ideal compliance and consider other ways to improve safety at this intersection.

Consideration of a Resolution Regarding an Unassigned Handicap Parking Pilot

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

WHEREAS, current District Department of Transportation (DDOT) rules do not allow for the installation of unmetered, unassigned parking spaces in residential neighborhoods,

WHEREAS, DDOT's current residential handicap parking rules only apply in narrow circumstances and offer few benefits to the majority of local handicap permit holders,

WHEREAS, DDOT is considering conducting a pilot project to install unassigned handicap parking in residential neighborhoods over a reasonable time frame to determine or measure benefits and impacts after consultation with neighbors, including those with disabilities, and

WHEREAS, ANC 2B would like to participate in a pilot that would install unassigned handicap parking in our community.

THEREFORE, BE IT RESOLVED that ANC 2B asks DDOT to include ANC 2B in its pilot on unassigned handicap parking.

BE IT FURTHER RESOLVED that ANC 2B requests that DDOT considers several locations for its parking pilot in ANC 2B, including but not limited to Caroline Street NW.

BE IT FURTHER RESOLVED that ANC 2B requests that any unassigned residential handicap parking space be designated as resident only parking for residential parking permit zone two permit holders.

Administrative Matters

Appointment of Public Safety Liaisons

The Commission tabled this matter until a future ANC meeting.

Approval of the ANC's Regular July 2021 Meeting Minutes

Commissioner Silverstein moved to approve the ANC's regular July 2021 meeting minutes. Commissioner Herbig seconded the motion, which was voted on and passed (VOTES: 9-0-0).

Adjournment

Chair Holden adjourned the meeting at 10:22 pm.



Peter Sacco <pesacco@gwmail.gwu.edu>

FW: Notice of Recusal from ANC 2B meeting agenda item regarding Golden Triangle BID

Warwick, Daniel (SMD 2B02) <2B02.ANC@dc.gov>

Tue, Aug 10, 2021 at 12:36 PM

To: "Roggensack, Meg (SMD 2B01)" <2B01@anc.dc.gov>, "Nunn, Robin (SMD 2B03)" <2B03@anc.dc.gov>, "Pasternak, Mo (SMD 2B04)" <2B04@anc.dc.gov>, "Herbig, William (SMD 2B05)" <2B05@anc.dc.gov>, "Silverstein, Mike (SMD 2B06)" <2B06@anc.dc.gov>, "McKernan, Michael (SMD 2B07)" <2B07@anc.dc.gov>, "Holden, Matthew (SMD 2B08)" <2B08@anc.dc.gov>, "Mulhall, Kyle (SMD 2B09)" <2B09@anc.dc.gov>
Cc: "ANC 2B Office (ANC 2B)" <2B@anc.dc.gov>

FYI

From: Holden, Matthew (SMD 2B08) <2B08@anc.dc.gov>**Sent:** Tuesday, August 10, 2021 10:12 AM**To:** Cooks, Ashley (BEGA) <ashley.cooks@dc.gov>; Warwick, Daniel (SMD 2B02) <2B02.ANC@dc.gov>**Subject:** Re: Notice of Recusal from ANC 2B meeting agenda item regarding Golden Triangle BID

Thank you for this guidance. During our meeting I will make a note of this recusal for the record.

Best,

Matthew Holden

Chair ANC 2B
Commissioner ANC 2B08
2B08@anc.dc.gov

Newsletter Signup: <http://eepurl.com/hnJUuX>

From: Cooks, Ashley (BEGA) <ashley.cooks@dc.gov>**Sent:** Tuesday, August 10, 2021 10:10 AM**To:** Holden, Matthew (SMD 2B08) <2B08@anc.dc.gov>; Warwick, Daniel (SMD 2B02) <2B02.ANC@dc.gov>**Subject:** RE: Notice of Recusal from ANC 2B meeting agenda item regarding Golden Triangle BID

Commissioner Warwick,

Thank you for your submission. Pursuant to D.C. Official Code § 1-1162.23 (c)(1)(B), your written statement of recusal is accepted by this Office.

Note: The Ethics Act also requires that the recusal is put on the record at the meeting by the Chairperson.

Sincerely,

Ashley D. Cooks

Acting Director

Office of Government Ethics

Board of Ethics and Government Accountability

One Judiciary Square

441 4th Street, NW, Suite 830 South

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From: Holden, Matthew (SMD 2B08) <2B08@anc.dc.gov>

Sent: Tuesday, August 10, 2021 8:13 AM

To: Warwick, Daniel (SMD 2B02) <2B02.ANC@dc.gov>; Cooks, Ashley (BEGA) <ashley.cooks@dc.gov>

Subject: Re: Notice of Recusal from ANC 2B meeting agenda item regarding Golden Triangle BID

Thank you Daniel.

Matthew Holden

Chair ANC 2B
Commissioner ANC 2B08
2B08@anc.dc.gov

Newsletter Signup: <http://eepurl.com/hnJUuX>

From: Warwick, Daniel (SMD 2B02) <2B02.ANC@dc.gov>
Sent: Tuesday, August 10, 2021 12:19 AM
To: Holden, Matthew (SMD 2B08) <2B08@anc.dc.gov>; Cooks, Ashley (BEGA) <ashley.cooks@dc.gov>
Subject: Notice of Recusal from ANC 2B meeting agenda item regarding Golden Triangle BID

Hello ANC 2B Chair Holden and Director Cooks,

Please be advised that I am recusing myself the following item on the August 11th, 2011 ANC 2B agenda: Public space application by the Golden Triangle BID for the installation of a temporary sculpture at 17th Street and K Street NW (DDOT #377921) (2B05) (10 mins)

My employer is a consulting firm which has an active engagement with the applicant. Although I am not involved in the work and to my knowledge it is not related to the project under review, there is a financial link between the applicant and my employer which necessitates my recusal.

Please reach out if you have any questions.

Best,

Daniel