



Advisory Neighborhood Commission 2A

“Serving the Foggy Bottom and West End communities of Washington, D.C.”

Regular Meeting Minutes

Wednesday, September 16th, 2020; 7:00 p.m.

Online via Zoom

Call to Order

Chair James Harnett (08) called the meeting to order at 7:01 pm. Commissioners Patrick Kennedy (01), Nicole Goldin (02), Trupti Patel (03), and Jeri Epstein (06) were present.

Adoption of the Agenda

Chair Harnett made a motion to adopt the ANC’s meeting agenda. Commissioner Epstein seconded the motion, which was voted on and passed (VOTES: 5-0-0).

Adoption of Past Meeting Minutes

Chair Harnett made a motion to adopt the ANC’s regular July 2020 meeting minutes by unanimous consent. Without any objection the minutes were adopted.

Election of New Commission Officers

Chair Harnett moved to elect Commissioner Kennedy as the ANC’s Vice Chair. Commissioner Epstein seconded the motion, which was voted on and passed (VOTES: 5-0-0).

Community Forum

Report from the Office of Ward 2 Councilmember Brooke Pinto

Barry Weise, the Legislative Director for Councilmember Brooke Pinto’s Office, gave updates from the Councilmember’s office.

Report from the Metropolitan Police Department’s PSA 207

Commander Duncan Bedlion, the Commander of the Metropolitan Police Department’s (MPD) Second District, gave an overview of the recent crime statistics for the neighborhood.

Commissioner Updates

Chair Harnett and Commissioners Goldin and Epstein gave commissioner updates.

Report from the Executive Office of the Mayor

Peter Sacco, the ANC’s Executive Director, gave an update on behalf of the Executive Office of the Mayor.

Announcements and Public Comments

Barbara Kahlow, the Secretary-Treasurer of the West End Citizens Association (WECA); Inez Saki-Tay, a Community Outreach Specialist and Account Manager for the Department of Consumer and Regulatory Affairs (DCRA); Tsjenna Daley, an Account Manager for DCRA; Sean Sullivan, a Senior Project Manager for Boston Properties; and several local residents gave announcements and public comments.

General Agenda

Presentation by the District Department of Transportation and Consideration of a Resolution Regarding the Pennsylvania Avenue NW Streetscape Project

Chair Harnett made a motion to adopt a proposed resolution regarding the matter. Commissioner Goldin seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

WHEREAS, the District Department of Transportation (DDOT) is moving forward on evaluating and designing the Pennsylvania Avenue West Streetscape Project between 17th Street NW and Washington Circle, after holding a public meeting on June 14th, 2019, seeking comment on 30 percent designs in the summer of 2019, and is now seeking comment from the public on preliminary 65 percent designs, and

WHEREAS, ANC 2A cannot wait until 2022 for safer conditions on Pennsylvania Avenue West and supports the immediate implementation of a road diet, protected bike lanes, and pedestrian elements of the Pennsylvania Avenue West Streetscape Project plan.

THEREFORE, BE IT RESOLVED that ANC 2A supports the objectives of the Pennsylvania Avenue West Streetscape, which are:

1. Enhancing the monumental corridor,
2. Introducing dedicated multimodal amenities like protected bike lanes,
3. Improving the pedestrian experience,
4. Safely connecting destinations and neighborhoods for all users, and
5. Enhancing sustainability through the introduction of green infrastructure.

BE IT FURTHER RESOLVED that ANC 2A supports DDOT immediately implementing temporary measures through a Notice of Intent (NOI) that would create the roadway conditions and protected bike facilities called for under the Pennsylvania Avenue West Streetscape Project until the permanent project is ready to move forward with construction, made more urgent by the deaths of Thomas Dwight Spriggs and Jesus Antonio Llanes-Datil, who were killed along this corridor in July 2019 when a vehicle traveling at high speed fatally struck them.

BE IT FURTHER RESOLVED that ANC 2A thanks DDOT for increasing the width of the permanent separated bike lanes by one foot, to seven feet, to allow for greater passing

width and enabling the use of Department of Public Works (DPW) clearing equipment to clear away snow and debris, as called for in an ANC 2A resolution from July 2019.

BE IT FURTHER RESOLVED that ANC 2A thanks DDOT for leveling the proposed protected bike lane with the surrounding treescape and sidewalk in some of the blocks of this design, as doing so makes passing others on bicycles safer.

BE IT FURTHER RESOLVED that ANC 2A supports designating any remaining on-street parking as commercial and rideshare loading spaces.

BE IT FURTHER RESOLVED that ANC 2A requests and expects that DDOT will be timely, transparent, and accountable to the community concerning issues that could cause delay or alteration of the project.

Discussion and Consideration of a Resolution Regarding Snows Court Businesses

Commissioner Patel made a motion to adopt a proposed resolution regarding the matter. Chair Harnett seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution read as follows:

WHEREAS, Initiative 71, which was passed by ballot referendum in 2015, is cited as the “Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Act of 2014.” The ballot initiative legalized the recreational use of cannabis,

WHEREAS, since the adoption of this ballot initiative, the Mayor and the DC Council have yet to address loopholes that permit businesses to operate without a Department of Consumer and Regulatory Affairs (DCRA) business license,

WHEREAS, one such loophole that was created is that law enforcement no longer has the authority to intervene when illegal cannabis businesses become bad actors in the community,

WHEREAS, another loophole is that DCRA cannot fine or regulate an illegal cannabis business if there has been no license issued, as you cannot take away a business license from a business that does not have one,

WHEREAS, on Snows Court NW in Foggy Bottom, a business that conducts the sale of cannabis in a historic district in a residentially zoned area has been operating throughout the pandemic and has been presenting a unique challenge to residents who live in an area that is not designed for this sort of business activity, and

WHEREAS, after numerous community complaints and a community walk-through with staff of Councilmember Brooke Pinto and Mayor Muriel Bowser’s offices, the ANC was recommended to submit a resolution to the DC Council detailing the challenges that led to cannabis businesses operating without a DCRA business license so that the DC Council may consider and take up legislation to end the practices that permit such behavior.

THEREFORE, BE IT RESOLVED that ANC 2A encourages Councilmember Pinto to propose legislation that directs DCRA to design and provide the mandatory guidelines and policies that:

1. Provide clear guidance to community stakeholders when DCRA and law enforcement can intervene when violations occur,
2. Distribute the rules and regulations to employees and require written agreement of acceptable business practices, and
3. Require adherence to business practices that do not violate the rights of surrounding residents.

BE IT FURTHER RESOLVED that ANC 2A strongly urges the DC Council and the Mayor to propose legislation that provides clear guidance and enforcement for issues surrounding Initiative 71.

Matters Before the State Health Planning and Development Agency

Certificate of Need Application by Capitol SC to Operate an Ambulatory Surgical Facility at 2121 K Street NW

Commissioner Goldin made a motion to adopt a proposed resolution regarding the matter. Chair Harnett seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

ANC 2A supports Capitol SC's Certificate of Need application to operate an ambulatory surgical facility at 2121 K Street NW.

Matters Before the Department of Consumer and Regulatory Affairs

Consideration of a Resolution Regarding Boston Properties' Request for an Extension of their After-Hours Permit as Part of the 2100 Pennsylvania Avenue NW Construction Project

Chair Harnett made a motion to adopt a proposed resolution regarding the matter. Commissioner Kennedy seconded the motion, which was voted on and passed (VOTES: 4-0-0). The resolution reads as follows:

ANC 2A supports Boston Properties' request for an extension of their after-hours permit until October 31st, 2020 as part of the 2100 Pennsylvania Avenue NW construction project. The ANC also supports Boston Properties' request to work on Indigenous Peoples' Day on October 12th, 2020 as part of the project.

Matters Before the Alcoholic Beverage Regulation Administration

Flavors of India / Marshall's Bar – Application for a Substantial Change to the Establishment's Retailer's Class "C" Tavern License at 2524 L Street NW

The commission did not take any action regarding this matter.

Homeslyce – Application for a Substantial Change to the Establishment’s Retailer’s Class “C” Restaurant License at 2121 K Street NW

The commission did not take any action regarding this matter.

Matters Before the Board of Zoning Adjustment

Board of Zoning Adjustment Application by 2100 M Street Property Owner LLC for a Special Exception from the Penthouse Setback Requirements and for Variances from the Setback Requirement, from the Closed Court Area Requirements, and from the Loading Berths Requirements, to Renovate and Expand an Existing 11-Story Office and Retail Building at 2100 M Street NW

Commissioner Epstein made a motion to adopt a proposed resolution regarding the Board of Zoning Adjustment application for 2100 M Street NW. Commissioner Patel seconded the motion, which was voted on and passed (VOTES: 4-0-0). The resolution reads as follows:

ANC 2A supports 2100 M Street Property Owner LLC’s Board of Zoning Adjustment application for a special exception from the penthouse setback requirements and for variances from the setback requirement, from the closed court area requirements, and from the loading berths requirements, to renovate and expand an existing 11-story office and retail building at 2100 M Street NW.

Commissioner Epstein made a motion to adopt a proposed resolution regarding the public space application for 2100 M Street NW. Commissioner Kennedy seconded the motion, which was voted on and passed (VOTES: 4-0-0). The resolution reads as follows:

ANC 2A supports 2100 M Street Property Owner LLC’s public space application for streetscape improvements at 2100 M Street NW based on the understanding that the mid-block crosswalk on the 1100 block of 21st Street NW will remain.

Matters Before the Public Space Committee

Public Space Application by Founding Farmers DC for a New, Un-Enclosed Sidewalk Cafe with 24 Tables and 86 Seats at 1924 Pennsylvania Avenue NW

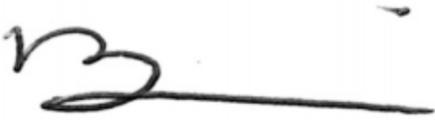
Chair Harnett made a motion to adopt a proposed resolution regarding the matter. Commissioner Epstein seconded the motion, which was voted on and passed (VOTES: 4-0-0). The resolution reads as follows:

ANC 2A supports Founding Farmers DC’s public space application for a new, un-enclosed sidewalk cafe at 1924 Pennsylvania Avenue NW.

Adjournment

Chair Harnett adjourned the meeting at 9:54 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Nicole Goldin', written over a faint rectangular stamp.

Nicole Goldin
Secretary, ANC 2A02