



Government of the District of Columbia

Advisory Neighborhood Commission 2C

March 2021 Meeting Minutes

DATE: 9 Mar 2021

ANC-2C COMMISSIONERS PRESENT: Michael Shankle, Gigi Nelson, Ellie Miske

PRESENT: Commissioner Michael Shankle, Commissioner Gigi Nelson, Commissioner Ellie Miske, Councilmember Brooke Pinto, Howard Marks, Captain Jonathan Dorrough, Lieutenant Michael Hamelin, Jared Kline, Thomas Lee, Suzanne Sofge, Joseph Florio, Nik Apostolides, Amena Ross, Brian Romanowski, Maura Donlon, Barbara Wanchisen, Hailey Lernihan, Maggie Michael, Andrew DeFrank, J Bogenrief, Jon Gann, Shaiy Knowles, Joanne Neuhaus, Stephen O'Brien, Lara Hardcastle, Sidon Yohannes, Kamal Azzouz, Jon Gann, Matthew Benkert, Sami Khan, Katie Lenss, Jane Maffie, Maggie Michael, Christine Shiker, Thomas Wong and Jason Spencer

ABSENT: None

1. **CALL TO ORDER / ROLL CALL / INTRODUCTION OF COMMISSIONERS /**

QUOROM: Shankle called the meeting to order at 6:03pm, introduced Commissioners Miske and Nelson, and noted 3 of 3 Commissioners were present for a quorum.

2. **OPENING REMARKS / APPROVAL OF THE AGENDA:** Shankle reviewed the agenda and noted it is available at www.anc2c.us. Shankle noted he'd like to add to the Agenda a discussion and vote on the change of address for the ANC, and a job posting. Miske made a motion to approve the agenda, seconded by Nelson. (Vote 3-0-0)

3. **APPROVAL OF THE MINUTES:** Nelson made a motion to approve the February 2021 Minutes, seconded by Shankle. (Vote 3-0-0)

4. **TREASURER'S REPORT:** Nelson provided the February Treasurer's Report. The balance at the beginning of February was \$57,417.09. There were two disbursements: \$25 for the ANC security fund, \$175 for the minutes. Ending balance \$57,217.09.

5. **ANC ADDRESS:** Shankle noted that TechWorld Post Office, which housed the ANC PO Box, closed 4 years ago, and has not reopened. The PO box was transferred to

the Post Office near Union Station. To make it more easily accessible, Nelson stated they plan to open a PO Box at The UPS Store at 455 Massachusetts Avenue. While not technically within the ANC it is right across the street. Nelson made a motion to approve, seconded by Miske. (Vote 3-0-0)

6. **MINUTE TAKER JOB POSTING:** Shankle stated the current minute taker resides outside the ANC, and the ANC desires to have the position reside within the ANC. Shankle noted when the current minute taker was located, an attempt was made to find a local person but was not successful. Shankle made a motion to post the job announcement, seconded by Nelson. (Vote 3-0-0)

COMMUNITY ANNOUNCEMENTS

1. **Ward 2 Mayor's Liaison – Joe Florio, Mayor's Office of Community Relations and Services, Ward 2 Liaison, Joseph.Florio@dc.gov, 202.805.7122:** Florio noted the Covid-19 vaccination pre-registration process begins March 10. Individuals will be able to provide their information to DC Health online or through the call center. They are asking only those eligible to make appointments. As appointments are made available, individuals that have pre-registered will be notified and given a 48-hour window to respond. After the first week, invitations will be sent out Thursdays, Sundays, and Tuesdays by 10am. More information can be found at vaccinate.dc.gov, otherwise email or call Joe.

Shankle stated Florio has been proactive in helping solve issues in the area. Shankle noted that tomorrow they will be walking the alleyway just north of H ST between 6th and 5th to discuss challenges in that space regarding garbage, littering and drainage issues.

Miske asked if second vaccinations are being received at the same location as the first. Florio stated registration for the second is open almost immediately after the first vaccination, and they should be receiving a message to register for that. A call system is in place to ensure the second dose is received.

Knowles noted there was a change of location for her second dose. When the phone call came her cell said it was potential spam, so she didn't answer it. Florio noted he would share this with the team so it would get back to DC Health.

Sofge noted she was able to get an appointment and the process was efficient and a positive experience. She was told to return in 3 weeks and wants to make sure that is valid with the new system in place. Florio stated it should be fine.

2. Ward 2 Councilmember Brooke Pinto Update - Brooke Pinto Councilmember,

Ward 2, bpinto@dccouncil.us, 202.724.8058: Pinto confirmed that the pre-registration system was set up to prevent the loss of data when signing up for a vaccine. They noted issues with previous system, and hope this goes off seamlessly, but they will be watching closely. President Biden has set goal of mid-May for all adults to receive vaccination, hopeful they can return to semblance of normalcy by this summer.

Pinto stated as they engage with Performance Oversight and Budget, the primary legislative priorities continue to be affordable housing and moving more neighbors experiencing homelessness into housing, criminal justice reform and improving public safety, and support and recovery for small businesses.

Last week the council passed the Coronavirus Support Emergency Amendment which authorizes the Mayor to extend the Public Health Emergency through May 20th.

They are in the middle of Performance Oversight with all the District Agencies. This is a great opportunity to hear from the public and meet with Agency Directors; these conversations inform their budget work going forward. She thanked attendees of the budget meeting. If any additional comments or questions about the budget priorities, please forward to Ella Hansen at EHansen@DCCouncil.us.

The Council has extended the Mayor's budget submission date until April 22, which allows incorporation of \$2.2b of federal relief into the budget. The Council is still working on an updated budget schedule but will share through the newsletter. Pinto would love to hear more residents testify at those public hearings coming up, those interested can sign up at www.BrookePinto.dc.com.

Pothole Palooza and Alley Palooza begin this month. DDOT takes input and recommendations from residents, so get requests in. She has had oversight with DDOT regarding trash cans, longer timing of crosswalks, and additional projects. The Council is concerned about WMATA's proposed budget cuts. Comments can still be made until March 16 at <http://bit.ly/37tGxBk>. All are encouraged to make their voices

heard. She feels cuts should be delayed until the \$1.4b from the federal budget can be implemented towards WMATA and public transit - these cuts would be devastating. Legislation is pending on small business recovery, expand Great Streets. Hearing date pending for minor consent HIV healthcare bill. Co-introduced legislation around senior citizen property tax relief, white supremacy and policing prevention, a comprehensive cannabis bill and an amplified noise amendment.

Census data will not be received until September, the city will be undergoing a redistricting process. The Redistricting Committee will be chaired by Councilwoman Elissa Silverman. Pinto would love to hear from residents if they have comments, but recommends they reach out to Silverman's office as Pinto is no longer on the committee.

Pinto noted concerns about the security perimeter remaining around the Capitol. Countless residents are asking that it be scaled back or removed. Due to recent threats on members of Congress, President Biden Administration, the Secret Service and National Guard, the perimeter will remain until the violent rhetoric is scaled back. The pandemic has reduced the level of crime throughout the city. Grand theft auto and car jackings have steadily been an issue. They continue to advise neighbors to not leave vehicles running or unattended for any level of time.

They are attempting to secure additional relief for those businesses that had to close during the Inauguration. Using a multiprong approach, she is working with Congresswoman Norton and the Deputy Mayor for planning economic development. There is an increase in vacant office spaces and buildings downtown. They are working with ANC and the BID to incentivize leasing up of that space and improve affordable housing options downtown.

Shankle requested information on the noise ordinance legislation that was proposed. The downtown area isn't zoned residential, and the proposal to his understanding was for residential areas. Pinto noted the music industry and musicians are a huge part of DC culture, and the noise ordinances and laws are extremely complicated, leading to unclear enforcement at different times of the day. The law generally says you can make noise up to 60 decibels, there's an exception for that if it's amplified noise, that says you can make any noise you want. There's an exception to that exception that says unless you're in specific residential zones. The language of the bill is being

reworked to say amplified noise should be limited to 90 decibels everywhere, including the downtown area. 90 decibels are equal to the noise of a motorcycle engine right next to your ear. The purpose is to standardize the noise requirements and rules. She believes this should be enforced by the Mayor's Office of Night Life and Culture, rather than partly enforced by DCRA and partly by MPD.

Miske attended the budget hearing and asked Pinto to explain a little more about how the budget hearing works. Pinto stated the Mayor and her team are coming up with their proposed budget for Fiscal 2022 which starts October 1, 2021. The budget will be sent to the Council for their review in April. They will have hearings, determine if there can be additional efficiencies and/or if additional funding is needed. The Council will then pass their budget based on the Mayor's budget. Throughout the hearings, they often hear from public witnesses, and encourage people to do so, to testify. Pinto wanted to make sure Ward 2 residents had an opportunity to speak to their priorities. Miske noted cuts to the METRO and the survey <http://bit.ly.37tGxBk>. Pinto is alarmed by the cuts: dozens of service line cuts, bus routes, and ridership hours. She is hopeful they can stop the cuts if they make their voices heard, or at least wait until they have the federal funding. She's heard that it could take effect as early as this summer, and thinks they are working out the details of their funding.

Shankle noted that in ANC 2C 01 they had a number of small businesses that opened just as the pandemic was gearing up. They have been excluded from any federal support thus far. They operated throughout trying to scale and modify their business plans to be successful. He asked if any of the new District funding that is being proposed addresses those businesses that may not have been fully operational at the beginning. Pinto stated that she is unsure. She thinks DMPED was following the guidelines of the SBA in large part because it was easier to collect proof from businesses about their payroll and rent. Pinto stated she will be happy to follow up with DMPED to see if they could expand eligibility with new grants that are coming to those businesses that have been excluded. Existing grants around the Bridge Fund had so many applicants, the eligibility was already determined. Pinto stated that as more funding becomes available, and as they look at this budget for small business recovery, it's a good opportunity to expand those eligibility requirements by policy and by language in the authorizing statute.

Neuhaus asked about arts venues that don't necessarily have an address. Are they included in consideration for funding? Pinto stated they have been included in many types of relief, one through DC Events, who proactively did outreach to community centers, cultural spaces, museums, to make them aware of funding opportunities. Pinto also noted that it is important to keep them in mind for longer term recovery. Donlan stated that 90 decibels are unhealthy and asked how that became the number, and how hearing damages will be addressed. Pinto stated it's a major concern, especially with the continued noise. They have been considering additional language that makes it more clear. Is it reasonably audible down the street? Who determines what's reasonable? That language is not included in this draft. Pinto requested residents consider it a starting point, to engage the community, get points of view. This is the point of the legislative process, to make out the compromises. She is happy to work with you to get your experience and get the balance right. Donlan said she's happy to work with them on this. Other cities don't have decibel levels that high. A link to the legislation was provided in the chat: <https://lms.dccouncil.us/Legislation/B24-0137>. Pinto stated legislation is important especially because of the pandemic, as so many people are working from home. Wanchisen posted in the chat that <http://dc-harmony.com> provides information on noise/amplification legislation in terms of impact on residents and other messaging.

Lee stated that Ward 2 bears the front of the growing homeless problem in the city, and asked Pinto her thoughts on mitigation as it impacts quality of life. Pinto stated that a top priority is moving as many people as possible into housing using a number of programs. Last summer, \$5m of permanent housing vouchers were funded, and these have more long-term success in housing because they provide additional wrap around services and support for residents, so they don't end up back out in the street the next year as with temporary vouchers. Housing is not just a matter of funding, it's direct service and care. They are working with many agencies like DHS, DBH, MPD, DMHHS, Cameron's Coordinator to limit operations silos. Residents aren't always clear who they should call when for what services, that's been a focus. Pinto noted the Federal Government has strict standards for what constitutes an entitlement vs. discretionary spending. Examples of entitlements are SNAP and food stamps - if a resident is eligible, if they meet the requirements, they automatically get the benefit.

Housing is discretionary. Only 25% of District residents who are eligible for housing assistance get it. President Biden believes housing assistance should become an entitlement rather than discretionary funding. This could be the single most effective strategy the country and this city will have to help neighbors experiencing homelessness and move them into housing. They have \$200m from the Federal Government for housing support that they are working on dispersing now. A big piece of that is preventing additional evictions and moving people into housing. Pinto does have hope that over the long term they will be able to make a meaningful impact. Neuhaus stated they've been working on the noise ordinance for two years now and asked if Pinto had seen previous ordinances. Neuhaus asked for a copy of what is being currently considered. Pinto stated that there is a link in the newsletter from last week. Shankle post the link on the ANC website.

Marks stated that open air drug market that occurs outside Gallery Place is of concern. They met with Neil Albert from the Downtown BID. They are concerned with the sale of marijuana right outside their door 24/7. Marks stated MPD is watching but can't do anything about it. He wants Pinto to contact the U.S. Attorney's Office to get some relief on the issue. Commander Kane 1st District Commander says her hands are tied. Pinto stated that drug activity is not acceptable and that she did meet with the U.S. Attorney's Office about this issue, particularly in China Town. The MPD hands are not tied, it is still illegal to sell drugs. She is hopeful the cannabis legislation, which will create a legal adult use recreational marketplace for cannabis, will take things into the regulated market, just like anything else. This benefits for tax base, criminal justice reform effort, and will decrease illegal drug activity that continues to go on in broad daylight. She is hopeful that legislation is an important first step. Marks believes it's a win-win and will do what they can to get legislation passed.

- 3. MPD 1st District Crime and Community Awareness, Captain Jonathan Dorrrough, Jonathan.Dorrrough@dc.gov, 202.729.2179:** Dorrrough stated for 30 prior days crime numbers are doing well – two violent crimes, property crimes down 29%. Still seeing decreased activity. Car thefts have been a problem but have quieted down. The MPD did stand up the Car Jacking Task Force and they have had some good arrests, especially in 1st District. A lot are juveniles which will be challenging-Dorrrough noted

the future of legislation for juveniles needs to be considered. For the violent crimes, one was an assault with intent to rob, they have a BOLO out for that suspect. The other was a stabbing inside the William Hill facility. William Hill usually has part time officers working there, MPD is not sure why they didn't that night, may be due to increased deployment of MPD due to backlash of the Capitol Incident and civil disturbances. Sometimes there just aren't any officers available. William Hill did have several unarmed SPO's. It was an argument that escalated very quickly between two people who came in together, they have the incident on video. A gentleman was stabbed, non-life threatening, then both ran outside, the perpetrator got away, and the victim was completely uncooperative.

Dorrrough stated they see drug dealing as their wheelhouse and issue to address. They don't accept it, their hands aren't tied, they make arrests weekly. How they are papered and prosecuted needs to be looked at, as there aren't many repercussions, unless it's a large federal case. Drug dealers know what MPD can and can't do. MPD must see currency and narcotics change hands. A lot of what they are seeing in Chinatown are amphetamines, a lot of pill sales but not large quantities. They continue to talk about it, would like to step up efforts, and get officers in who have more drug experience. It is a specific skill set, and they are still working on it.

Shankle questioned William Hill's ability to hire armed officers. Dorrough stated they have that capacity. He noted that they are very cooperative and proactive, they closed for the rest of that day and installed metal detectors the next day. They've been good partners.

Neuhaus asked if there's a real reduction in crime over previous year or if there have been more because there aren't enough people in the street to bother them. Dorrough reiterated that the numbers are significantly lower, and that manpower is less because they've been pulled so much with protests and the incident at the Capitol. There has been a growing sense of disorder, more quality-of-life problems. He believes the community feels is that the sense of orderliness has decreased during the pandemic. Dorrough note that with new era of criminal justice, there are a lot of other agencies that will be responsible for some of these quality-of-life problems.

Marks suggests that the MPD reach out to the Capital One Bank regarding their ATM surveillance cameras for footage on drug deals. Dorrough stated they have made a

number of arrests around the ATM vestibules but getting video of someone handing someone else something isn't enough. You must be able to say what the drug was, you must see the money change hands.

- 4. MPD 2nd District Crime and Community Awareness, Lieutenant Michael Hamelin, michael.hamelin@dc.gov, 202.715.7340:** Hamelin stated crime is down, he believes in part due to Coronavirus and the number of people coming and going to work every day. The biggest issue is people leaving vehicles running and walking away, those vehicles are getting stolen. The stolen vehicles are used to commit more serious offenses. In drug enforcement, usually you would arrest the buyer and the dealer. You must physically see money and the drugs - and you must know what it is before you can make the arrest. The criminals know the game, know how to conceal it. Even though MPD can tell what they are doing, MPD needs probable cause, and it can be challenging. This usually takes Drug Operations, which the District doesn't have anymore, they have been moved out of the District. They are still investigating, just not at the District level. If officers see it, they will address and arrest. Whether or not the arrests make it through the courts is another question.

Apostolides suggested in the chat that it may be helpful to invite an AUSA from the U.S. Attorney's office to speak at a meeting about the prosecutorial side of crime priorities in the downtown area.

- 5. District Department of Transportation: DDOT 2020 Accomplishments and 2021 Goals: Andrew DeFrank, Ward 2 Community Engagement Specialist, Andrew.DeFrank@dc.gov, 202.603.4550:** DeFrank presented PowerPoint on Overview of Services, and highlighted 2020 accomplishments. Default speed limits to 20 MPH as part of DDOT's commitment to safety. New Director Everett Lott. 14TH ST NW Streetscape with bus islands. More than 20 miles of roadway paved. Provided overview of services: Safety, Infrastructure and Assets, Move DC, Quality of Life, Public Space and Curbside Management. DDOT's response to Covid 19 – Car Free Lanes, Slow Streets and DC Streateries. Current Projects: reviewed capital projects, bus lane projects, and projected bike lane projects. Resources Programs & Protocols: Move DC – 30–40-year plan can be seen at <https://movedc-dcgis.hub.arcgis.com/>. The

last update was 2014, so the 2021 update will be critical. Residents can call 311, download the DC311 app, or go to 311.dc.gov for submitting requests. If you email to him, he can investigate further.

Service Level Agreement Timeline for DDOT Services – from 2 days to 500 days, shows how they address issues and quantity of requests they get.

Pave DC Website <https://dcgis.maps.arcgis.com/apps/MapSeries/index.html?appid-76784c82ddcb4fb7989769138f27c0ed3> for road, sidewalk, alley and markings planned work – the “Paving Plan.” It will be updated with the 2021 paving plan. You can see what is planned (red), what’s started (orange), what’s completed (green).

The Traffic Safety Assessment (TSA) can be found at:

<https://ddot.dc.gov/service/traffic-safety-assessment>. Residents should complete a TSA Assessment Questionnaire to provide information about reported issues. It’s required for stop signs, speed humps, automated enforcement camera requests, and other traffic concerns.

Nelson requested more information about Pothole Palooza. DeFrank stated they have a season that starts in mid to late March depending on weather. Pothole Palooza and the paving plan go live in a week or two. Pothole Palooza is basically a fun term for the team going out and filling in potholes. DeFrank suggested when submitting a 311 request, residents include photos and specifics.

Shankle asked who is responsible for sidewalk repair. DeFrank said it is DDOT’s responsibility if it’s in public space. Residents can find more information at propertyquest.dc.gov about private property lines. Adjacent property owners are responsible for snow removal, tree boxes on residential streets. Shankle stated that materials being utilized to repair sidewalks downtown and in Chinatown are not the same, for example, granite repaired with asphalt, pavers repaired with concrete. DeFrank stated they have a permanent and a temporary repair team. The temporary team repairs things when they are not safe, but they make the area safe sometimes in a way that’s not pretty. The permanent team should come up with a work plan for the year to totally replace the sidewalk or repair a roadway, but it may take a couple years for a sidewalk to go from a safe repair to a pretty repair. These are sometimes created by utility companies. Residents can send information to him and he will check if permits were followed. Teams are working, modified but more than last summer and

spring. Shankle stated another major challenge is the modified parking rate pilot that has become permanent with posts and space numbers. Parking is not currently being enforced, but the signs on the posts need to be replaced before enforcement begins again, or this will be a big problem. In a 10-block area where a lot of signs are located, he estimates 90% are missing stickers. Residents and guests, even though they are paying, have no idea what space number they are parked at. DeFrank will follow up with the team and reconnect with Shankle.

Marks noted that the car free lanes were a big battle last year and they want it taken off the agenda. DeFrank understands the constituency of Ward 2 does not want the car free lanes. Marks noted that scooters are a huge hazard for the handicapped, that there's no enforcement of their use and storage. Marks asked that Lott reverse the scooter policy. DeFrank stated that DDOT is confident that they can continue the dockless scooter program and make it safe for pedestrians and the handicapped. Lee stated he is a user of the program, and that he is in favor of the Razor scooters, as larger wheelbase makes them safer and more stable. The way they are set up, like an A Frame, makes them less difficult to tip over on the sidewalks. Other brands of scooters just fall over. Lee suggested switching to Razors scooters may be part of the solution. DeFrank asked Lee if he would connect with the micromobility person to provide that information, provide DeFrank his email and DeFrank will connect them.

LOCAL EVENTS THAT IMPACT THE COMMUNITY

- 1. Marine Corps Marathon, MCM5K, MCM10K. October 31, 2021. Jared C. Kline, Operations Coordinator, Marine Corps Marathon, Jared.Kline@usmc-mccs.org, 703.432.1163:** Kline presented a map of the proposed marathon. The Marine Corps Marathon is a non-profit, non-appropriated organization of the US Marine Corps with headquarters on Marine Corps Base in Quantico. This is the largest single day public relations event for the Marine Corps. The goals are to promote physical fitness, generate community goodwill and showcase the organizational skills of the Marine Corps. Kline reviewed the course as it runs through ANC 2C. Set up would begin at 5am October 31, the 50K at 7a, the Marathon and 10k at 755a. The first athlete is expected to arrive in ANC 2C around 830a, last is expected to exit around 110p. They allow for a cleanup crew after an additional 30 minutes with rolling road openings as

they pass certain points along the course.

Kline stated they will be coordinating with DC, VA, the Mayor's Special Event Task Group as well as Fire and Police regarding Covid. Last year they presented this information in January, there was not a single Covid case, and it was approved. The event went virtual last year. They are hoping for a letter of approval from the ANC 2C to be sent to the Mayor's Special Event Task Group.

Shankle requested the anticipated participation. Kline stated they are planning for 30,000 runners, which is what they get in a normal year, but will decrease as needed to meet guidance. This is a qualifying course for other marathons, known as The People's Marathon. Shankle noted it has a low impact on 2C.

Miske suggested making it clear that they endorse the event if all protocols are followed based on what's occurring the time. Nelson stated the Marine Corps has been a good partner for a long time, and she is confident they are going to do the right thing but has no issue if the letter is worded with those provisions. Shankle agreed and made motion to send a letter of support, including the provisions related to Covid concerns, seconded by Nelson. (Vote 3-0-0)

- 2. Norton in Your Neighborhood (Presentation by Congresswoman Eleanor Norton), March 23, 2021. Hosted by ANC 2C, contact Commissioner Miske, 2C02@anc.dc.gov.** Miske stated that Congresswoman Norton's office had reached out requesting time to present about the work she has been doing. They decided to set up as a separate event, hosted on March 23 at 6p. The link below will also be on ANC website. <https://zoom.us/meeting/register/tJArcemoqj0rE9YTNn9tfMY6IRvI3nbwKEbU> Miske will also post fire safety tips that she received from the Fire Department.

ALCOHOLIC BEVERAGE LICENSING (ABRA)

Shankle noted the ANC had protested Chinatown Market ABRA #019616. They came to a resolution with the Market late last month and ANC withdrew the protest based on the existing agreements in place and the activities the establishment had already conducted based on feedback received from the ANC.

Shankle noted at the last meeting ANC addressed Equity H LLC "Bulldog," ABRA

#117308 concern about outdoor café hours of operation. The hours of operation were revised and per that change, a letter of support was sent.

- 1. Farmers and Distillers DC, LLC, Farmers and Distiller/Founding Spirits Distillery, 600 Massachusetts Ave, NW. Substantial Change to Retailer's Class "C" Restaurant (ABRA – 100647). Stephen J. O'Brien, Esq., Mallios & O'Brien PLLC, sobrien@malliosobrien.com, 202.627.7700, and Lara Hardcastle, Senior VP of Farmer's Restaurant Group (parent of Farmers and Distillers). O'Brien stated this was before the Commission in August 2020 for consideration of the public space permit, which was granted in December. It was believed that the temporary Streatery Authority would end as soon as the Covid emergency ended. Now it appears the Streatery Authority is going to extend somewhat beyond the cessation of the Covid emergency. He stated that most of the area is terraced, and the terraced area is public space. There are tables currently in place that would discontinue based on the permit. There are no residences in the vicinity that would be affected by the café seating. Hours are until 1130p during the week, 1a on the weekends. Shankle made a motion to send a letter of support for the license, seconded by Miske. (Vote 3-0-0)**

- 2. Taste, LLC, t/a Urban Roast, 916 G ST NW. Expansion and Substantial Change to Retailer's Class "C" Tavern – (ABRA – 115513). Sidon Yohannes, Esq., Associate, The Veritas Law Firm, syohannes@theveritaslawfirm.com, 202.686.7600 and Kamal Azzouz, owner.**

Shankle noted he does not believe the establishment has been officially placarded yet. Yohannes noted it should be on the register this week to be placarded next week. The application is for an expansion to the second floor and expansion of hours for the interior space to 2am and 3am. Additionally, they request a stipulated license to operate that in the event they get certificate of occupancy in time. Azzouz has had multiple communications with the residents and received positive feedback from the community thus far. Azzouz stated the second floor will be used as overflow for dining, and that he is looking to extend hours to prepare for the future. His plan is to show sports games / UFC fights on the first floor, and West coast basketball games don't start until 10/1030p. They don't want to cut themselves short by having to close in the

4th quarter of a game. They are not looking to become a night club, there will be no DJ etc., but they want to be able to take advantage of late-night sales. Shankle noted that the change is from a license that closes at midnight to a license that closes at 2a weekdays, 3a on weekends, and adding the second floor to that license. Mather Studios has been engaged regarding a community agreement and concerns. Nelson questioned closing times. Azzouz stated that while it is zoned commercial, it is not their intent to stay open that late. When things open-up and things let out later, they want to be able to work with the community to catch that business and not disturb the residents. Yohannes stated that it is not an entertainment venue. Neuhaus stated that she believes that there are specific hours within the ANC regardless of business type. Shankle stated that they are consistent with outside seating times when businesses are close to residences. They typically do not restrict a universal time inside a business unless they are within a residential building, and then that is negotiated with the residents of that building. Lernihan, a resident of Mather Studios, advocated on behalf of Azzouz and his family, stating that Covid has been challenging for everyone but specifically for Azzouz and his family. They've adapted to be able to survive. She understands the noise concern but knows that the family wants to make this work for the residents. They've made the area safer. Azzouz is also now a resident of Mather as well. She believes he will always work with them if any issues arise. Gann, Board Member of Mather Studios and resident, stated they are creating a committee next week to help develop this community agreement. Anyone in the building is invited to join the committee, email board@matherstudios.com. Gann also stated Azzouz is prepared to sign a community agreement. Yohannes requested that if the agreement is reached, the Board submit a letter of support to the ANC. Shankle stated that with Commissioner agreement, he recommended sending a letter of support for their stipulated license. He would like to recall the case at the April 13 ANC Meeting to determine if a settlement agreement has been reached between Mather Studios and the establishment, then the ANC would vote on the permanent license. Gann stated Azzouz has been responsive, and he hoped to have something done pretty quickly. Michael stated she also supports the family and the business. She shares a wall with the overflow seating and appreciates the consideration where everyone's home life and business life are considered. Shankle explained if they must go through the protest

process, it would bring the two parties together in a mediated session with an ABRA board representative, allowing negotiation of a potential settlement. Ultimately the decision to issue the license is that of the ABRA board. The idea is that both sides should have resolution. Shankle also stated that with a license like this, if the business is sold in the future, the license could transfer to another owner where the owner is not engaged. Shankle moved to send a letter of support for the stipulated license and recall at the next meeting to assess the status of the community agreement, seconded by Nelson. (Vote 3-0-0)

3. Shinwari, LLC, 609 H ST NW. New Retailer's Class "C" Restaurant (ABRA-117478). Sami Khan, samikhan1962@gmail.com, 571.234.2045. Khan stated that this is for a Pakistani / Afghanistan cultural restaurant, he has two more in Virginia. They like to work with the community, and they are renovating the building. Shankle made a motion to send a letter of support, seconded by Miske. (Vote 3-0-0) Shankle also made a motion to send a letter of support for a stipulated license so the business can open during the protest period, seconded by Nelson. (Vote 3-0-0)

TRANSPORTATION / PUBLIC SPACE

1. Capitol City Brewing Company, 1100 New York Avenue, New Sidewalk Café Unenclosed – (DDOT 10840718). Matthew Benkert, mbenkert@uacompanies.com, 202.939.2579. Benkert stated they are applying to be able to open the sidewalk café because as restrictions loosen, customers still won't be comfortable inside. They want to offer another option, so they are adding 8 tables alongside the building. The hours are Sunday through Thursday 11a-12a, Friday and Saturday 11a-1a. The liquor license does go until 2a, but they have never used that. No live music, no amplification, just expanding outdoor footprint. Shankle stated there are no residential buildings in that location, so no issues with the hours. Miske made a motion to send a letter of support, seconded by Nelson. (Vote 3-0-0)

PLANNING, ZONING, ENVIRONMENT, AND HISTORIC PRESERVATION

1. 600 5th ST NW, Square 487 (Jackson Graham Building) Redevelopment – Commission of Fine Arts, Historic Preservation Review Board. Katie Lenss,

Vice President Regional Director, Rockefeller Group,
klenns@rockefellergroup.com, 202.251.9381, Alyssa Stein, Lead Entitlements,
Historian, Senior Project Manager, EHT Traceries,
Alyssa.Stein@traceries.com, 202.393.1199, and Jane Maffie, Stonebridge.

Lenss stated they were chosen by WMATA to enter into a 99-year lease and redevelop WMATA's headquarters that they've occupied since the 1970's. Lenss presented a PowerPoint of the current state and plans for remodeling. She noted that it was a priority to make sure that the resulting building is respectful of the surrounding buildings in Judiciary Square. They plan to reuse the existing structure. Three additional floors will be added but will be smaller than the floors below. WMATA will vacate 12/2022, so the earliest construction will begin is January 2023. They are looking at 2-2 ½ years of construction, with the building completed mid-2025. They've created sculptured terraces to liven up the building and add retail, to enliven that part of Chinatown. The ground floor will have a first floor East-West connecting lobby, 14,000 sq ft of retail. They will create outdoor seating areas for potential restaurants. They are seeking feedback and a letter of support to go to the Commission of Fine Arts.

Shankle stated he is pleased with the design. Miske questioned construction hours and noted that it is not really a residential area. Lenss stated there is no intent to do after hours construction, but that it is too early to discuss. Neuhaus questioned the height of the building. Lenss stated that they are being respectful of what is going on in Judicial Square, the building can go up to 130'. The design steps back to be respectful of the surrounding buildings. Maffie stated that they have the ability to get to 130', in discussions with CFA staff and in discussion with the buildings around, they wanted the 'step back.' Shankle asked if the building to the south is taller than WMATA, which was confirmed. They do have information on the height of all the buildings in the area and will share it if needed. Miske stated that this appears to have been addressed in planning. Shankle agreed. Nelson confirmed approval. Miske proffered an invitation to come back if there are any major changes.

Marks stated that the location is where Adas Israel Hebrew Congregation was founded, the largest Conservative Jewish Congregation in DC, and that there is a

plaque commemorating this in the lobby. This is important to the Jewish Community, and he urged Lenss to contact him or the Greater Washington Jewish Historical Society to make sure there is proper recognition for the first home of Adas Israel. Lenss stated appreciation for this information, she will locate the plaque. Sofge noted she appreciates the design, then asked how they will deter skateboarders from ruining the finishes they have chosen. Lenss stated she will add that to the next meeting, both physical deterrents and removing graffiti. Shankle made a motion to send a letter of support to the Commission of Fine Arts Historic Preservation Board, seconded by Nelson. (Vote 3-0-0)

- 2. Capitol Crossing, LLC, Notice of Intent to File a Zoning Application, Application to the DC Zoning Commission for a Second Stage PUD (BZA Application No. 08-34), Christine Shiker, Holland & Knight LLP, Christine.Shiker@hklaw.com, 202.457.7167, Thomas Wong, Jason Spencer, PGP.** Shiker presented a PowerPoint presentation. For every element they need approval from ANC 2C and ANC 6C for review of the project. The original project, approved in 2011, intended to create three new city blocks (North Block, Center Block and South Block) and reconnect - where possible - the street grid. The 2011 Zoning Commission approved a consolidated planned unit for the North Block. A first stage PUD was approved for the Center Block including a residential building, an office building and reconstruction of the rectory and annex for the Holy Rosary Church. The South Block included an office building and facilities for the Jewish Historical Society, and the synagogue building was to be relocated here. The first stage PUD established compliance and the amenities and benefits. The primary goal was the creation of three city blocks and two streets. It is a significant project including construction over the highway, a \$315m amenity. Reconstruction of the Holy Rosary Church facilities as well as the Jewish Historical Society facilities. All commitments have been fulfilled or will be within the next month or so. The project has environmental benefits as well. LEED Platinum for commercial buildings, Gold for residential. There are 50 affordable housing units within the residential building, a donation to Casey Trees, Capital Bikeshare, and reserve space for an innovative tech industry. Shiker is here to talk about the second stage.

Shiker showed the North Block pedestrian way coming through, those buildings are constructed. G ST has been constructed, the platform for the Center Block and Holy Rosary Church buildings have been constructed; the platform for the South Block office building, Jewish Historical Society, relocated synagogue building, and Jewish Historical Society are all approved for second stage. The South Block is fully approved, second stage PUD, art is going in soon for the building permit. The final two buildings are the residential building and the commercial building. About two years ago they received permission for the commercial building to be a hotel. They have not filed the application yet, but have filed the notice of intent, the application will be filed in mid-April. Once filed they will come back.

Wong stated that both buildings will be 12 stories on top a two-story shared podium. The ground floor is a mix of retail, hotel lobby, and residential lobby. The upper floor is the continuation of amenities for the hotel and amenities for the residential building. The hotel will have 222 rooms. The residential building will host a mix of 166 units, (36) studios, (93) one bedroom and (32) two bedrooms, with (50) units being affordable. The goal was to complement the existing palette and have something timeless. The hotel has ground floor retail, will likely be a hotel amenity (like a restaurant). There is a special treatment in the center for the 395 exit to concentrate the retail there for the most traffic. There are fully compliant penthouses on both the residential and the hotel building to activate the roofs and add to the amenities. The hotel has a restaurant on top, the residential building an enclosed amenity area and a swimming pool. The residential building has a series of balconies for about 50% of the units.

Shankle stated he is excited to see this project move along and asked about the process of applying for PUD Stage 2. Shiker stated now they come in for design review, file an application in mid-April, and be considered by Zoning Commission for set down. Once the Zoning Commission gives their initial comments, they will schedule a public hearing, then are required to take one vote (doesn't have to go anywhere else). Then it would be approved. At that point, PGP can move forward with building permits.

Marks asked about 395 exit portal noise and how it will be mitigated. He also questioned the iron gates etc. that prevent throughway on the pedestrian streets.

Shiker stated when they had the PUD approved, they understood they could only go to 2nd ST, they couldn't go through Georgetown Law because of the way their streets are closed. The more they can open the better, at some point in the future if opening is wanted, it would have to be a separate process. Wong stated the middle part of 2nd ST has a different material selection, slightly more solid to mitigate noise. As part and parcel of the LEED goals, there will be triple glazing. Those are the primary measures. It is an urban building, like all urban centers, there are urban sounds. Spencer added that most of the back of the house functions are along 2nd ST. Neuhaus questioned when construction is anticipated to begin. Spencer stated they have about another year of design, another 6-9 months for permitting, then economy needs to be re-evaluated. Earliest may be January 2023.

Shankle stated the ANC will wait until application is filed and final design are filed. Shiker stated they will file in April, anticipate the Zoning Commission will put them in for set down probably early June. Once they get approval, she would like to schedule time to do a formal presentation with the ANC and have the ANC vote on it at that point.

OTHER

Apostolides stated via the chat that while the US Capitol Visitor Center is closed on-site, they are open online. They are offering live virtual programs about the Capitol's art, architecture, and stories each weekday at 1pm. More information is available at visittheCapitol.gov. You can also find more information about student and family online programs there. Email napostolides@visitthecapitol.gov for additional assistance.

ADJOURNMENT Shankle made motion to adjourn, seconded by Miske. (Vote 3-0-0)

Minutes Submitted by: Gayle Gardner

Minutes Approved by: April 13, 2021.

Next Meeting: April 13, 2021, 6p