

DEITER LEHMANN MORALES, SMD 1A02, Chair
JEREMY SHERMAN, SMD 1A04, Vice-Chair
ANTHONY THOMAS-DAVIS, SMD 1A06, Secretary
BILLY EASLEY, SMD 1A10, Treasurer



JASPAL BHATIA, SMD 1A01
CARLO PERRI, SMD 1A02
STEPHEN COLEMAN KENNY, SMD 1A05
MUKTA GHORPADEY, SMD 1A07
vacant, SMD 1A08
JAMES A. TURNER, SMD 1A09

APRIL 10, 2024

REGULAR MEETING OF THE COMMISSION

MEETING MINUTES

Hybrid - in-person at Harriet Tubman ES and virtual via Zoom Webinar

Chairperson LEHMANN MORALES was present and called the meeting to order at 7:05 p.m. Comm'r THOMAS-DAVIS, Secretary, was present. In accordance with D.C. Official Code §§ 1-309.11(c) and 1-207.42, the meeting was properly noticed in advance and open to the public. The meeting was scheduled from 7:00 p.m. to 9:00 p.m.

The Secretary called the roll. A quorum was established.

PRESENT: Comm'rs BHATIA, EASLEY, GHORPADEY, KENNY, LEHMANN MORALES, PERRI, SHERMAN, THOMAS-DAVIS

ABSENT: Comm'r TURNER

The Chair called for *Approval of the Agenda*, which was moved by Comm'r THOMAS-DAVIS and seconded. The motion to approve the agenda was approved unanimously by a voice vote.

The Chair called up the *Reading and Approval of the Minutes* from the previous regular meeting of the Commission on March 13, 2024. Comm'r THOMAS-DAVIS moved waive the reading and to approve the minutes, which was seconded. The motion to approve the minutes passed unanimously by a voice vote.

The Chair called up *Officer Reports*. The Chair had no report. The Chair recognized the Vice Chair who had no report. The Chair then recognized the Secretary laid before the Commission the scheduling request from Councilmember Brianne K. Nadeau to appear before the Commission during its May 8, 2024 public meeting. The Chair then recognized the Treasurer for a report, which included a treasury update of a balance of more than \$40,000 in the Commission's accounts. The Commission's second quarterly financial report is due to the Office of Advisory Neighborhood Commissions ("OANC") on May 15, 2024.

The Chair opened the floor for *Public Comments & Community Announcements*. Speakers were permitted one minute to address the Commission.

The Chair recognized Comm'r THOMAS-DAVIS for one-minute speech, which pertained to ongoing issues in his SMD (1A06) at the Columbia Heights Civic Plaza, including unpermitted activities that have continually impaired the enjoyment of the Civic Plaza for residents and visitors. Comm'r THOMAS-DAVIS notified the Commission and public of correspondence he intended to



**APRIL 10, 2024 REGULAR MEETING
MEETING MINUTES**

send to various agencies, including the Department of Licensing and Consumer Protection, the Metropolitan Police Department, as well as the Council on the matter of enforcement of noise laws and regulations.

Next, the Chair recognized Comm'r SHERMAN for a one-minute speech, regarding the vacancy in Single-Member District 1A08.

The Commission then heard Daniel Hayes, regarding Bike to Work Day, a event that he has long organized, which is usually on the third Friday of May each year. Mr. Hayes announced that the next Bike to Work Day will be on Friday, May 17, 2024, 4:00-7:00 p.m. This will be the 12th anniversary of the event in Columbia Heights. Several local businesses will be participating in the event.

The Commission then heard Tim Hampton, who spoke about a Board of Zoning Adjustment case at 1361 Oak St. in Single-Member District 1A04, where he resides. Mr. Hampton spoke about what he characterized as “inaccurate information” presented to BZA and the Commission, when it heard the matter before its Committee on Housing Justice and Zoning and when it debated and voted on the matter at its February 10, 2024 public meeting. Mr. Hampton added that he would be requesting reconsideration of the matter by the Commission.

The Commission would then hear from Dr. Carly Hampton, one of the owners of Buddy’s DC, to announce an event being held at the establishment.

The Chair opened the floor for *Committee Reports*.

Reporting on behalf of the Housing Justice and Zoning Committee, ANC 1A resident Max Ewert, who chairs the committee, addressed the Commission. The committee’s most recent meeting was on Thursday, April 4, where the committee did not take any official action. The committee did consider the housing related matters in the Mayor’s FY2025 Proposed Budget to provide recommendations for the Commission to send its budget letter to the Council. The committee is also planning a second annual Tenant Resource Fair, in partnership with ANC 4B, which will be discussed in more detail at the committee’s May 6 meeting.

Comm'r SHERMAN, reporting on behalf of the Small Business and Economic Development Committee, which he chairs, shared updates from the committee’s virtual meeting. The committee worked on a small business survey, which the Commission authorized for release to residents to understand what new businesses they want to see in Columbia Heights. The committee will meet in person on April 16 meeting later in the month at El Chucho and will consider a measure on streateries as well as a settlement agreement for medical cannabis retailer license.

Comm'r KENNY, reporting on behalf of the Transportation, Parks, and Public Spaces Committee, discussed that committee’s March 20, where it heard from a DDOT representative



about the Clear Lanes program and the agency’s automated traffic enforcement technology to ensure bike and bus lanes and bus stops are not blocked or obstructed by other vehicles. Comm’r KENNY noted that the committee would be addressing the Mayor’s FY2025 Proposed Budget and DDOT’s notice to reduce the speed limit on stretches of 16th St. at its next meeting.

ANC 1A resident Christine Miller, reported on behalf of the Education, Youth and Family Committee, which she chairs. Ms. Miller discussed the efforts here committee has been undertaking regarding the Mayor’s FY2025 Proposed Budget, which is expected to face deep cuts to education and schools. Ms. Miller also discussed the release of a number of report from the Deputy Mayor for Education, including the DC Education Adequacy Study, which provides a data-driven estimate of the costs of providing an adequate pre-K through 12th grade education to students in DC's traditional public schools and public charter schools based on current District academic performance standards as well as the new Common Core Standards. A Master Facilities Plan for Schools was also released, along with the 2023 Boundary and Student Assignment Study, which is a comprehensive review of District of Columbia Public Schools (“DCPS”) boundaries and feeder patterns and public-school student assignment policies conducted every 10 years in accordance with the Attendance Zone Boundaries Act of 2013 passed by the Council. The committee also looked at the Strengthening Student Access and Success in Dual Enrollment in Washington, DC report. The committee is looking at Safe Passage and other public safety approaches to protect students as they travel to and from school and out of school time activities. The committee will convene again on April 24.

Comm’rs PERRI and EASLEY reported on behalf of the Public Safety Committee. The committee discussed several updates, including presentation from the Engine Company 11 Fire Captain Christopher Anderson regarding gas leaks, narcotics incidents, and sidewalk vending activity that have been obstructing FEMS response. Comm’r PERRI talked about the strain on resources with responding to incidents of opioid and narcotics overdoses at the Columbia Heights Civic Plaza and trying to respond to other areas of the neighborhood and surrounding community. The committee also provided updates on initiatives targeted to seniors and living communities for the rollout of lockboxes. The committee discussed several FY2025 budget related priorities, including rollout of the Camera Connect Program for residents and businesses to register their cameras for integration into the citywide public safety camera system. The committee noted that cameras may be deregistered at any time. The next meeting of the committee is on April 30.

Comm’r THOMAS-DAVIS, reporting for the Special Committee on Public Life in Columbia Heights, which he chairs, shared updates on the special committee’s first regular meeting where it finalized a scope of work for the next 12-24 months and began examining various public life and other planning documents from the Office of Planning and various community stakeholders. The special committee also discussed several initiatives being discussed for public space activation and peacekeeping efforts at the Columbia Heights Civic Plaza and other areas of



the public realm. The special committee also launched a webpage on the Commission's website with resources for community members.

The Chair opened the floor for *Community Presentations*.

The Commission heard from Jessica Heinzelman, Co-Founder & Chief Operating Officer, Throne Labs, Inc., a startup based in Brentwood, MD, to discuss the District's Public Restroom Pilot Program. Ms. Heinzelman discussed background on the pilot program and the priority location of the Columbia Heights Civic Plaza by Ward 1 Councilmember Brianne K. Nadeau and following up on discussion with the Commission at its Committee on the Whole meeting identified several potential locations that were considered before a final selection was made with the agreement of Commissioner THOMAS-DAVIS and the District Department of Transportation. Ms. Heinzelman outlined the scope of Throne's product, including the maintenance and upkeep of the facility. She noted that are semi-permanent and can be moved or adjusted based on community feedback and anonymous data. Ms. Heinzelman requested the Commission approve a resolution to approve a public space permit. Ms. Heinzelman did address questions from Commissioners and the public.

The Commission then heard from Kilil Roussaw, founder & executive director of KRoussaw Foundation, a local educational enrichment nonprofit in the District. Mr. Roussaw spoke briefly about his organization's programs and invited the community to engage with their work.

The Commission heard last from Lee S. Templin, associate at Goulston & Storrs, who presented alongside her client, The Family Place, regarding an application for a special exception pending before the Board of Zoning Adjustment (BZA Case No. 21139). The special exception requested is from the minimum lot area and lot width requirements for public schools as well as the maximum permitted floor area ratio for public schools. A letter supporting the application was requested from the Commission. The Family Place presented its application to the District of Columbia Public Charter Schools Board ("DCPCSB") for a Facility Amendment to operate an adult Public Charter School at the new location at 1501 Park Road, NW. The Family Place requested a letter of support from the Commission to present at the DCPCSB Board meeting on May 20, 2024.

The Chair opened the floor again for *Presentations from the Council and the Executive*.

The Commission heard from Estelle McKinney, a constituent service specialist in the Office of Ward 1 Councilmember Brianne K. Nadeau, who provided updates to the Commission on outstanding requests from Commissioners and shared notice about budget oversight hearings at the Council. Ms. McKinney shared some brief highlights of the Mayor's FY25 Proposed Budget for Columbia Heights. Ms. McKinney addressed questions and comments from Commissioners and the public.



No measures were pending on the Consent Calendar.

The Chair called up *New Business*.

The first item for consideration was R24-0006, A Resolution Concerning Opposition to the Initiative Amendment Act of 2023 Under Consideration By the Council of the District of Columbia, as sponsored by Commissioner Billy Easley, and Chairperson Dieter LEHMANN MORALES. Chair LEHMANN MORALES recognized Comm'r EASLEY for a statement. Comm'r EASLEY outlined the history of the initiative process in the District, including several past ballot initiatives, to influence the policy discourse. Comm'r EASLEY highlighted a current ballot initiative that is being opposed by a major party organization in the District, which is seen as a reason for the Council's opposition to the measure and its reasoning for the legislation pending before it. Comm'r GHORPADEY sought recognition to ask two clarifying questions of Comm'r EASLEY, who outlined for the public what the initiatives process entails, and it means for an initiative to be subject to appropriations. Comm'r EASLEY moved the measure for consideration, which was seconded by Comm'r GHORPADEY. No further questions or debate followed. The Chair called the question, for passage of R24-0006, A Resolution Concerning Opposition to the Initiative Amendment Act of 2023 Under Consideration By the Council of the District of Columbia, which Comm'r THOMAS-DAVIS requested a recorded vote of the Yeas and Nays. The Chair ordered a roll call vote, which the Secretary took and recorded as 7 YEAS, 0 NAYS, 1 PRESENT.

YEAS: BHATIA, EASLEY, GHORPADEY, LEHMANN MORALES, KENNY,
PERRI, SHERMAN

NAYS:

PRESENT: THOMAS-DAVIS

NOT VOTING:

The second item for consideration was R24-0007, A Resolution Concerning A Protest of Rayan, Inc. t/a Columbia Height Market (ABRA-127497) for A Medical Cannabis Retailer License, as sponsored by Commissioner SHERMAN. Comm'r SHERMAN was recognized to make a statement and moved the measures for consideration. No further questions or debate followed. Following a brief discussion of Comm'r SHERMAN with the Chair regarding a procedural error, Comm'r THOMAS-DAVIS moved that the Commission adopt a standing rule allowing Members to move a measure for consideration, and absent an objection, it is assumed to be seconded. The Commission adopted the rule through unanimous consent. Returning to the underlying measure, Comm'r BHATIA asked for more information regarding concerns from Comm'r SHERMAN and the residents surrounding the business, which Comm'r SHERMAN addressed, noting that these concerns predated the business's application for a medical cannabis retailer license. Comm'r GHORPADEY asked a question regarding where negotiations are expected to proceed in the coming days and weeks, which Comm'r SHERMAN addressed. Following questions from the public, the Chair called the question, for passage of R24-0007, A



**APRIL 10, 2024 REGULAR MEETING
MEETING MINUTES**

Resolution Concerning A Protest of Rayan, Inc. t/a Columbia Height Market (ABRA-127497) for A Medical Cannabis Retailer License, which the Commission approved unanimously by a voice vote.

The next measure for consideration, R24-0008, A Resolution Concerning the Approval of An Amendment in the Nature of a Substitute for a Voluntary Agreement Concerning Buddy's, Inc. t/a Buddy's DC, Retailer's Class C/T License (ABCA-123008), sponsored by Commissioner THOMAS-DAVIS. The Chair recognized Comm'r THOMAS-DAVIS for a statement. Comm'r THOMAS-DAVIS moved to table the measure, which Comm'r SHERMAN requested on what grounds it was being tabled. Comm'r THOMAS-DAVIS noted his intent to move both measures en bloc following discussion on the underlying voluntary agreement for the business later on the agenda. The Chair called the question on the motion to table the resolution, approved unanimously by voice vote.

The fourth measure for consideration was R24-0009, A Resolution Concerning the Endorsement of the Application of Throne Labs, Inc. for a Public Space Permit for the Public Restroom Pilot Program in Columbia Heights, which Comm'r THOMAS-DAVIS sponsored and moved on an emergency basis. Following up on the discussion of Throne Labs at the beginning of the meeting, Comm'r THOMAS-DAVIS discussed the need for moving the pilot program forward before the conclusion of the current fiscal year, and also spoke to the importance of the public engagement on this matter, which he believes was satisfied in this case, allowing for a waiver of the 45-day public comment period required by DDOT's Public Space Committee. Comm'r THOMAS-DAVIS moved the measure, for which the Chair called the question for passage. The Commission unanimously approved R24-0009, A Resolution Concerning the Endorsement of the Application of Throne Labs, Inc. for a Public Space Permit for the Public Restroom Pilot Program in Columbia Heights.

The next measure for consideration was LTR24-0010, A Letter to the Board of Zoning Adjustment Concerning a Motion to Reopen a Closed Record to Accept Documents for BZA Case 21037, which was introduced by Comm'r SHERMAN. The Chair recognized Comm'r SHERMAN to make a statement. Comm'r SHERMAN and Comm'r GHORPADEY entered into a colloquy regarding the reasoning behind delayed resident engagement on this matter and the process for the Board of Zoning Adjustment to reconsider any new testimony. Following Comm'r EASLEY noted that while he will support the measure, he is concerned about the Commission revisiting matters it has already dispensed with, for which Comm'r SHERMAN noted this is a special case. Turning to questions and comments from the public, including a resident, Tim Hampton, who lives adjacent to the applicant property who noted "false and misleading information" from the applicant, the Commission was requested to receive additional testimony on this matter from the public before its Committee on Housing Justice and Zoning. Another resident noted that BZA said the Commission took no position on this case and that the community



**APRIL 10, 2024 REGULAR MEETING
MEETING MINUTES**

had not adequately weighed in on this matter despite receiving over 17 letters of opposition – the resident asked what is in fact the appropriate forum if not the ANC to address these issues. Comm’rs PERRI, THOMAS-DAVIS, and EASLEY followed up with additional questions regarding procedures and next steps of the BZA and Commission. The Chair called the question, on LTR24-0010, A Letter to the Board of Zoning Adjustment Concerning a Motion to Reopen a Closed Record to Accept Documents for BZA Case 21037, which the Commission approved unanimously by voice vote.

The Chair turned to a final measure for consideration, a proposed Voluntary Agreement for Buddy’s Inc. t/a Buddy’s DC, introduced by Comm’r THOMAS-DAVIS. The Chair recognized Comm’r THOMAS-DAVIS for a statement. Comm’r THOMAS-DAVIS also moved to insert into the record statements from residents in support and opposition to how Buddy’s DC operates. The Commission received extensive public testimony and comment, including the abutting property owners, Gui Almeida and Jordan Nye, and the principal owners of the business, Mr. Grant Mason and Dr. Carly Hampton, and a lengthy discussion between the public and Commissioners, Comm’r THOMAS-DAVIS moved to table indefinitely the unsigned Voluntary Agreement, which the Commission approved unanimously by voice vote.

With no further business before the Commission, the Chair called the meeting to a close, noting that the next regular meeting of ANC 1A is Wednesday, May 8, 2024. The Chair adjourned the meeting at 10:35 p.m.


Anthony Thomas-Davis,
SECRETARY