



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Dupont Circle Advisory Neighborhood Commission 2B

Regular Meeting Minutes

Wednesday, November 8th, 2023; 7:00 p.m.
Online via Zoom

Call to Order

The regular November 2023 meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Meg Roggensack at 7:01 pm.

Introduction of Commissioners

The Commissioners identified their single member districts (SMDs). Present were: Meg Roggensack (2B01), Jeffrey Rueckgauer (2B02), Vincent Slatt (2B03), China Dickerson (2B04), Z Stein (2B05), Matt Johnson (2B06), Zach Adams (2B08), and Christopher Davis (2B09).

Election of Vacant Secretary Position

Commissioner Johnson moved to elect himself as the ANC's Secretary. Commissioner Adams seconded the motion, which was voted on and passed (VOTES: 8-0-0).

Adoption of the Agenda

Chair Roggensack adopted the ANC's meeting agenda by unanimous consent.

Announcements and Public Comments

Update from Food for All DC Regarding the Organization's Distribution Center at the Universalist National Memorial Church at 1810 16th Street NW

Peter Sage, the Executive Director of Food for All DC, gave an update regarding the organization's distribution center at the Universalist National Memorial Church at 1810 16th Street NW.

Update from Allister Chang, the Ward 2 Member of the State Board of Education

Allister Chang, the Ward 2 Member of the State Board of Education (SBOE), gave an update regarding his SBOE work.

Update from the Office of Campaign Finance Regarding the Office's Traditional and Fair Elections Campaign Finance Programs

Belinda Perry, an Attorney Advisor for the Office of Campaign Finance (OCF), gave an update regarding the office's traditional and Fair Elections campaign finance programs.

Reports from DC Government Representatives

Cierra Jay, a Constituent Liaison and Intern Coordinator for Congresswoman Eleanor Holmes Norton's Office; Grace Reeder, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS); Pablo Velasco Rodriguez, the Constituent Services Coordinator for Councilmember Brooke Pinto's Office; Captain Sharde Harris, a representative for the Metropolitan Police Department's (MPD) Second District; and Harold Davis, a Solid Waste Inspector for the Department of Public Works (DPW), gave DC Government reports.

Commissioner Announcements

Chair Roggensack and Commissioners Davis and Slatt gave commissioner announcements.

Committee Updates

Commissioner Rueckgauer, Chair of the ANC's Mobility Committee (MC), gave committee updates.

Other Public Announcements and General Comments or Future Agenda Items

Bill McLeod, the Executive Director of the Dupont Circle Business Improvement District (BID); Ann Blackwell, the Executive Director of Historic Dupont Circle Main Streets (HDCMS); Susan Volman, the President of the Dupont Circle Citizens Association (DCCA); and a local resident gave other public announcements and general comments or future agenda items.

Alcoholic Beverage and Cannabis Board Agenda

National Holistic Healing Center – Application to Add a Safe Use Treatment Facility Endorsement to the Establishment's Medical Cannabis Retailer License at 1636 Connecticut Avenue NW

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

WHEREAS, the National Holistic Healing Center (“applicant”) has applied to add a safe use treatment facility endorsement to the establishment's Medical Cannabis Retailer license at 1636 Connecticut Avenue NW, located within single member district 2B02,

WHEREAS, the National Holistic Healing Center has operated at this location and another location nearby for over ten years without noted incidents or disturbances to the neighborhood,

WHEREAS, the applicant seeks to include a “summer garden” and “safe use treatment facility” at the premises for patients to consume products purchased from the establishment, including smoking cannabis products,

WHEREAS, at a hearing about proposed cannabis regulations by the Alcoholic Beverage and Cannabis (ABC) Board on June 7, 2023, concerns were raised about odors from cannabis smoking having annoying, adverse, and detrimental effects on nearby residents and businesses,

WHEREAS, the Alcoholic Beverage and Cannabis Administration (ABCA) has not yet established guidance for resolving issues arising from negative impacts on the neighbors of summer gardens, or whether smoking inside the premises is permitted as part of a “safe use treatment facility” and how to manage the smoke,

WHEREAS, many ANC commissioners and other members of the public who attended the ABC Board hearing urged the board to delay implementation of summer gardens until sufficient study and guidelines for resolving issues were developed,

WHEREAS, two days prior to the ABC Board hearing, on June 5, 2023, DC Superior Court Judge Ebony Scott ruled in favor of a resident in a multi-family dwelling that a neighbor who is legally permitted to purchase and consume cannabis was barred from smoking cannabis in the residence because of the odor adversely affecting the plaintiff,

WHEREAS, many ANC commissioners and other members of the public who attended the ABC Board hearing urged the board to delay implementation of summer gardens as the DC Superior Court decision conflicts with DC’s medical cannabis regulations and raises further concerns about the impacts on neighboring residents and businesses, and

WHEREAS, nearby residents on Hillyer Place NW have raised concerns about odors, air quality, and noise from people on the summer garden.

THEREFORE, BE IT RESOLVED that ANC 2B supports the National Holistic Healing Center’s application subject to restrictions on the use of the summer garden and subject to any exhaust from the safe treatment facility being scrubbed of offending odors, as agreed to in a settlement agreement.

BE IT FURTHER RESOLVED that ANC 2B protests the National Holistic Healing Center’s application based on the adverse impact on peace, order, and quiet of the neighborhood, to be withdrawn upon the ABC Board’s acceptance and approval of a settlement agreement.

Streets Market – Application for Renewal of the Establishment’s Retailer’s Class “B” Full Service Grocery License at 1255 22nd Street NW

The Commission did not take any action regarding this matter.

Foxtrot – Application for Renewal of the Establishment’s Retailer’s Class “B” Full Service Grocery License at 1601 Connecticut Avenue NW

The Commission did not take any action regarding this matter.

Oasis – Application for Renewal of the Establishment’s Retailer’s Class “B” Grocery License at 2024 P Street NW

The Commission did not take any action regarding this matter.

Happy Gyro/Happy Ice Cream – Application for Renewal of the Establishment’s Retailer’s Class “B” Beer and Wine License at 1509-1511 17th Street NW

The Commission did not take any action regarding this matter.

Metro Supermarket – Application for Renewal of the Establishment’s Retailer’s Class “B” Grocery License at 2130 P Street NW

The Commission did not take any action regarding this matter.

Residence Inn Dupont Circle – Application for Renewal of the Establishment’s Retailer’s Class “B” 25 Percent License at 2120 P Street NW

The Commission did not take any action regarding this matter.

Safeway – Application for Renewal of the Establishment’s Retailer’s Class “B” Full Service Grocery License at 1701 Corcoran Street NW

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

WHEREAS, Safeway Store #0923, at 1701 Corcoran Street NW, is requesting the renewal of its Retailer’s Class “B” Full Service Grocery license,

WHEREAS, the current settlement agreement, signed in 2017, has multiple clauses and metrics for reporting on its alcoholic beverage and other operations, and a settlement compliance check has been requested from the Alcoholic Beverage and Cannabis Administration (ABCA), and

WHEREAS, the constant neglect, poor maintenance, and unsanitary conditions at Safeway have resulted in numerous health code inspections; grown increasingly worse during 2023; and earned the store a bad reputation throughout the neighborhood and across the city.

THEREFORE, BE IT RESOLVED that ANC 2B protests the renewal of Safeway's license based on the adverse impact on peace, order, and quiet of the neighborhood, until the compliance check is complete and the settlement agreement is updated.

Land Use Agenda

1775 T Street NW – Concept / Three-Story Rear Addition

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

ANC 2B supports the Historic Preservation Review Board (HPRB) application for 1775 T Street NW, however the ANC asks the applicant to consider more historically-compatible materials for the window treatments on the front façade of the building.

1517 Q Street NW – Concept / Two-Story Addition at Rear

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

ANC 2B supports the Historic Preservation Review Board (HPRB) application for 1517 Q Street NW. The ANC commends the applicant for turning some of the impervious surface in the front of the property to vegetation and for preserving the tree in the rear of the property.

General Agenda

Consideration of a Resolution Regarding Safe Routes to School Remedies for Ross Elementary School

Commissioner Rueckgauer moved to adopt a proposed resolution regarding the matter. Commissioner Johnson seconded the motion. Commissioner Slatt moved to adopt an amendment to the proposed resolution to add language regarding daylighting at the intersection of New Hampshire Avenue and R Street NW and the intersection of 17th Street and R Street NW. Commissioner Johnson seconded the motion for the amendment, which was voted on and passed (VOTES: 7-1-0). The final motion was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

WHEREAS, Ross Elementary School is located at 1730 R Street NW, between 17th Street NW and New Hampshire Avenue NW,

WHEREAS, many young children walk or ride bicycles to and from the school in a walk shed and school zone that provides insufficient protection from drivers who are traveling too fast or are otherwise not obeying traffic control,

WHEREAS, ANC 2B has been actively engaged for the last two ANC terms with the District Department of Transportation (DDOT), Ross Elementary School, and Councilmember Brooke Pinto to obtain safety improvements for those commuting to and from the school,

WHEREAS, in 2020 DDOT commissioned a study of the school area and proposed the Ross Elementary School Action Plan (RESAP) as part of DC's Safe Routes to School (SRTS) program, which validated the previously identified safety concerns,

WHEREAS, implementation of the RESAP has been delayed due to the pandemic and other factors,

WHEREAS, a boy was struck by a speeding driver in a clearly marked crosswalk at the intersection of New Hampshire Avenue and S Street NW in 2021,

WHEREAS, a girl was struck in a clearly marked crosswalk at the intersection of 17th Street and R Street NW in September 2023 by a driver turning from R Street to 17th Street NW,

WHEREAS, while it is very fortunate that the children who were hit were not seriously injured, great concern remains that it is only a matter of time before current conditions lead to a tragic outcome, and

WHEREAS, at ANC 2B's November 2023 Mobility Committee meeting, parents from Ross Elementary School met with members of DDOT's SRTS team to discuss the deficiencies and devise a number of safety improvements that can be implemented in a short time frame.

THEREFORE, BE IT RESOLVED that ANC 2B supports the Ross Elementary School Action Plan, the efforts of DDOT's Safe Routes to School team, and the parents of Ross Elementary School students seeking safer conditions for their children to commute to and from school.

BE IT FURTHER RESOLVED that ANC 2B requests that DDOT's Safe Route to School team prioritizes implementation of the following safety improvements from the RESAP:

- Placing a flashing electronic "School Zone – Your Speed Is" device on the 1600 block of R Street NW,
- Improving placement and visibility of "School Zone – Speed Limit" and related signage on the 1600 and 1700 blocks of R Street NW,
- Relocating the "Speed Limit 30" sign from the 1700 block of R Street NW to beyond the school zone,
- Placing flexpost bulb outs at all four corners of the intersections of 17th Street and R Street NW and New Hampshire Avenue and R Street NW,

- Ensuring that there is always a crossing guard or traffic control officer at the intersection of 17th Street and R Street NW during school arrival and dismissal periods,
- Implementing traffic calming on the 1700 block of R Street NW, in particular through the installation of a raised crosswalk or speed table at or close to the school entrance,
- Considering making the school zone all times,
- Ensuring that other streets used by students such as S Street NW and Corcoran Street NW have signage and safety measures consistent with the R Street NW measures,
- Daylighting (removing parking spaces) at the intersection of New Hampshire Avenue and R Street NW, and
- Daylighting (removing parking spaces) at the intersection of 17th Street and R Street NW.

Consideration of a Resolution Regarding the Killing of Nijad Huseynov at the Intersection of Connecticut Avenue and L Street NW

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

WHEREAS, Nijad Huseynov was a 24 year old man from Azerbaijan attending the George Washington University to earn his graduate degree in computer science and data analytics,

WHEREAS, on Tuesday, October 17, 2023, Mr. Huseynov was riding a bicycle eastbound on the 1700 block of L Street NW in the bike lane when he was struck by a driver traveling northbound on Connecticut Avenue NW at approximately 12:44 am,

WHEREAS, Mr. Huseynov succumbed to his injuries on Saturday, October 21, 2023,

WHEREAS, the District Department of Transportation (DDOT) reports that, so far in 2023, there have been 42 traffic fatalities District-wide, nearly half of which were bicycle riders, scooter riders, and pedestrians (2 each of the former, 16 of the latter),

WHEREAS, DDOT data also indicates that, so far in 2023, 123 pedestrians and 40 bicyclists suffered major injuries,

WHEREAS, the design of the intersection of Connecticut Avenue and L Street NW makes it too easy for collisions between bicycles and vehicles to occur as the Connecticut Avenue NW median extends into the left turn space, making it physically impossible for a left-turning driver to stay out of the bike lane while proceeding,

WHEREAS, who was at fault for a crash is a secondary concern behind roadway designs that do not adequately discourage or protect against oversights or bad decisions by the users,

WHEREAS, DDOT's fatality report mentioned signal timing and sight lines along Connecticut Avenue NW, suggesting adjustment to the length of all-red phase as well as landscaping changes to improve visibility,

WHEREAS, ANC 2B has put a considerable years-long effort into advocating for vastly improved safety for vulnerable street users in Dupont Circle and across the District, including significant upgrades for the L Street NW and M Street NW bike lanes and the intersections surrounding them, and

WHEREAS, the current state of DC's Vision Zero program is so broken due to inadequate funding and a complete oversight failure to compel adherence and compliance by DC Government agencies that it has had the exact opposite effect of increasing injuries and fatalities.

THEREFORE, BE IT RESOLVED that ANC 2B conveys our condolences, sympathy, and wishes for healing to the family and friends of Mr. Huseynov.

BE IT FURTHER RESOLVED that ANC 2B urges DDOT and the Vision Zero team to implement a timely program to assess and correct design weaknesses or failures of intersections across the District, with special attention to those interacting with bike lanes, to improve safety for all, especially the most vulnerable non-vehicular users.

BE IT FURTHER RESOLVED that ANC 2B urges the DC Council to pass DC Council Bill B25-0296 – the "Prioritizing People in Planning Amendment Act of 2023."

Consideration of a Resolution in Support of the 17th Street High Heel Race

Commissioner Slatt moved to adopt a proposed resolution regarding the matter. Commissioner Stein seconded the motion. Commissioner Johnson moved to adopt an amendment to the proposed resolution to remove language regarding repealing a section of the DC Code. Commissioner Rueckgauer seconded the motion for the amendment, which was voted on and passed (VOTES: 6-1-1). The final motion was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

WHEREAS, the 36th Annual 17th Street High Heel Race took place along Frank Kameny Way on Tuesday, October 24, 2023, was sponsored by Mayor Muriel Bowser and the Mayor's Office of Lesbian, Gay, Bisexual, Transgender and Questioning Affairs (MOLGBTQ), and was attended by DC Council Chairman Phil Mendelson, Councilmembers Matthew Frumin, Zachary Parker, and Brooke Pinto, and the Metropolitan Police Department's (MPD) Acting Chief of Police Pamela Smith,

WHEREAS, ANC 2B, at its September 13, 2023 meeting, passed a resolution calling on MOLGBTQ and the District Department of Transportation (DDOT) to “work with the ANC to create a safe space for the thousands of participants and spectators of the race, including a pedestrian-only zone and other public safety measures;” and the ANC provided input and was consulted on safety measures and street closures,

WHEREAS, John Kim competed against hundreds of contestants to win the 17th Street High Heel Race for the third year in a row, and thousands of revelers participated in the festivities, including patronizing the many LGBTQ-serving businesses along 17th Street NW and legally purchasing and consuming alcoholic beverages; and the race, the costume contest, and other activities were safe and free from violence, harassment, or domestic terrorism,

WHEREAS, staff of the Alcoholic Beverage and Cannabis Administration (ABCA) arrived at the event and began ordering LGBTQ restaurants and bars to cease sales in outdoor areas, contradictory to their operations and practices in years past, and costing the businesses thousands of dollars in losses; and contradictory information is circulating about the methods and rationale for the crackdown, including open container provisions of D.C. Code § 25-113(a)(2)(A)(ii) and § 25-1001(a), and

WHEREAS, these crackdowns on LGBTQ-serving businesses are of the exact type that used to occur before there were openly LGBTQ people on the Alcoholic Beverage and Cannabis (ABC) Board, and

WHEREAS, the ABC Board currently has no residents of Ward 2 nor any openly LGBTQ people.

THEREFORE, BE IT RESOLVED that ANC 2B congratulates the organizers and city officials for a safe, enjoyable, and memorable event, and congratulates 17th Street High Heel Race winner John Kim on his third victory in a row.

BE IT FURTHER RESOLVED that ANC 2B calls for the DC Government to release a detailed after action report on the race that includes information on ABCA's enforcement actions and proposals to prevent future occurrences, and that other DC Government agencies contribute to such a report.

BE IT FURTHER RESOLVED that ANC 2B calls on Mayor Muriel Bowser to nominate, and the DC Council to confirm, at least one resident of Ward 2 and at least one openly LGBTQ person to the Alcoholic Beverage and Cannabis Board.

Administrative Matters

Approval of the ANC’s Regular October 2023 Meeting Minutes

Commissioner Johnson moved to approve the ANC’s regular October 2023 meeting minutes. Commissioner Dickerson seconded the motion, which was voted on and passed (VOTES: 8-0-0).

Approval of the ANC's FY 2023 Quarter 4 Financial Report

Commissioner Rueckgauer moved to approve the ANC's FY 2023 Quarter 4 financial report. Commissioner Dickerson seconded the motion, which was voted on and passed (VOTES: 8-0-0).

Adjournment

Chair Roggensack adjourned the meeting at 10:05 pm.