

# ANC 2F | Regular Monthly Public Meeting

## MINUTES

WEDNESDAY  
MAY 3, 2023

VIRTUAL MEETING VIA ZOOM

### PRESENT

David Rubenstein (2F01)  
Neil Rocklin (2F02)  
Joe Florio (2F03)  
Brian McCabe (2F04)  
Christopher Dyer (2F05)  
Matt Fouracre (2F06)  
Brant Miller (2F07)

### ABSENT

Caroline Zagraniczny (2F08)

### GUESTS AND PRESENTERS

Lieutenant Sylvester Garvin (MPD)  
Captain Riley Hong (MPD)  
Brian Romanowski (DC Council)  
Grace Reeder (MOCRS)  
JR Russ (CAH)

The meeting was called to order at 7:04 PM. The Chair called roll and confirmed quorum. He apologized for any zoom bombing that had happened previously.

### Agenda

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Commissioner Christopher Dyer moved to approve the agenda for the meeting. The agenda was approved

### Community Forum

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#### **Report from Metropolitan Police Department, *Lieutenant Sylvester Garvin***

Lieutenant Garvin shared updates from the Metropolitan Police Department, including data and statistics from the Second District.

Captain Riley Hong shared updates from the Third District of the MPD, including an uptick in violent crimes, particularly robberies.

Commissioner Neil Rocklin asked about an attempt to steal a scooter on 14TH and S ST NW. He asked what actions could be taken if such an incident occurred.

Captain Hong shared more details about an incident in which a juvenile attempted to steal scooters; the individual with the scooter attempted to resist and prevent the perpetrator from stealing another scooter. The perpetrator produced and discharged a firearm. Police provided first aid on the scene and the victim suffered only minor wounds.

Commissioner Brant Miller asked for more clarity around the targeting of the incident. Capt. Hong explained that the perpetrators were targeting “DC Scooters,” a location on 14TH Street. Commissioner Miller also asked whether the “scooter” was a motor driven cycle (like a moped) or an electric mobility device. Capt. Hong clarified that this was a motor driven cycle.

Commissioner David Rubenstein noted the density on 14TH Street and the danger of gun violence in this neighborhood, which was not limited to this single incident. He asked what efforts were being considered to better police the corridor.

#### **Report from DC Councilmember Brooke Pinto’s Office, *Brian Romanowski***

Brian Romanowski shared updates on ongoing budget hearings, including efforts to fund safe commercial corridor grants and funding community based policing efforts. He also reported on other funding initiatives that the

Councilmember had proposed as part of her committee. He noted that it would be important to weigh in with the CM and At-Large CMs on budget considerations before the upcoming vote.

Mr. Romanowski noted a change of Swann Street to “[William Dorsey Swann Street](#)” (as opposed to Thomas Swann Street).

He also noted that the CM would be marching in the Pride Parade and welcomed other participants.

Commissioner Dyer expressed his appreciation to the Councilmember for her pushback on limiting the K Street funding project in favor of free buses. He also asked whether the Circulator would be maintained. Mr. Romanowski explained there was an ongoing discussion around whether the Circulator would remain and he encouraged outreach. Commissioner Dyer asked whether the K street funding would be maintained in any way; Mr. Romanowski explained that it was still a live issue.

Commissioner Miller echoed the gratitude about the K Street transitway. He also expressed his frustration with the accessibility of the budget discussions, particularly when discussions ran so long and ANCs needed to meet in the evenings. Mr. Romanowski explained that there were still plans to place bicycle lanes on L Street.

Commissioner Rubenstein asked for more clarity on the K Street funding versus free bus project, as he had thought the K Street transitway was meant to be budgeted as a Capital project and buses were an operating expense. He also noted that he opposed grants for community policing when there was no “community leader” that could coordinate this effort. He also asked whether the CM had sent a letter to DDOT on Vermont Avenue. Mr. Romanowski explained that no letter had yet been sent regarding the Vermont Avenue bike lane proposal.

Joyce Cowan seconded Commissioner Rubenstein’s concerns on the utility of grants for community policing. She noted the need for more accountability with the MPD on what is working and not working in crime mitigation, particularly going into the summer months. Mr. Romanowski acknowledged this concern and agreed that small grants could only be one part of a larger solution.

Chair Florio noted that he would love more information on the L Street Bike lanes.

**Report from Mayor’s Office, *Grace Reeder***

Grace Reeder gave more information regarding the MPD’s new policing strategy, including increased patrols, varied experience for officers, improved community engagement, and other techniques that would be employed heading into the summer months. She also noted that Chief Conte would be retiring and joining the Federal Bureau of Investigations.

Ms. Reeder reminded the audience about grants for summer programs for DC youth.

She discussed the vision for “DC’s Comeback” and the revitalization of the downtown as a mixed-use community.

Finally, she shared information about how to stay apprised of Ward 2 news via the MOCRS bi-weekly newsletter and her own professional social media.

Commissioner Rubenstein asked who in the Mayor’s office was charged with overseeing and coordinating criminal justice issues; Ms. Reeder explained this would be the Deputy Mayor for Public Safety and Justice. She also encouraged direct outreach to the MOCRS for immediate response.

Venetia William-Vann asked about the K Street capital project and whether there would be major construction or redesign.

### **Report from DC Arts & Humanities, *JR Russ***

JR Russ shared updates on funds available in the FY 2024 budget (which would begin in October 2023). He shared more details on funding for programs around DC, as well as workshops and live chats to help guide the process.

### **Report from DC Smart Street Lighting Project Team, *Patrice Brooks***

Patrice Brooks shared information about the DC Smart Lighting project, including plans to upgrade street lights and offer greater WiFi connectivity throughout the community.

Commissioner Miller noted that it could be helpful to ensure continued communication with community members through condo boards or apartment management companies.

### **Community Announcements**

No community announcements were put forward.

### ***Consent Agenda***

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Chair Florio read the consent agenda, including:

- Approval of April Meeting Minutes
- Approval of Expenses
  - \$1278.81 for Executive Director's Salary
- Approval of Q2 Quarterly Financial Report

Commissioner Christopher Dyer moved to approve the consent agenda; the motion was seconded and approved unanimously.

**VOTE: 7-0-0**

### ***Committee Reports***

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#### **Public Space and Transportation Committee, *Commissioner David Rubenstein***

Commissioner Rubenstein reported back from the PSTC, noting that no quorum was reached but that the Committee continued efforts to audit all previous resolutions and ensure they had reached the appropriate DDOT representatives.

#### **Alcohol Policy Committee, *Commissioner Matthew Fouracre***

Commissioner Matthew Fouracre reported that the APC also did not achieve quorum, but noted that the Aslin protest hearing had been postponed until June 28. He also noted a discussion around the application for Dog Daze.

#### ***Dog Daze***

Commissioner Miller noted that no progress had been made at the previous two hearings. The protest hearing was still scheduled to take place on May 17. The business had not acceded to the ANC's standard Settlement Agreement, and the requests the business had put forward did not align with the ANC's standards for the neighborhood. He noted the greatest concerns were related to capacity and hours, particularly the 3 A.M closing hours presented on the applications. All standard SAs in 2F included a midnight closing time for outdoor operations. The applicants had provided a map showing various zones and operating hours; the area that was requested for later hours was an area between the interior and exterior. Commissioner Miller also noted secondary issues like rat abatement.

Commissioner Dyer noted that, given there was a standing protest, he had no additional motion to present. He noted his serious concern about why the applicants were resistant to the hours proposed in the Settlement Agreement, as these were the same for all establishments in the neighborhood.

Dan Koffman, legal counsel for the applicant, shared the view that the “outdoor area” under consideration was covered by a pergola and as such was considered an “indoor/outdoor” space and so believed it was in the best interest of the business to maximize hours on the patio. He noted that the “outdoor” space in the dog park would be subject to the earlier hours in the agreement. Kyle Cissel, the applicant, noted that the outdoor area would be more enclosed and so was asking for consideration for the special nature of the premises.

Commissioner Rubenstein asked about the capacity, and whether that was 225; Mr. Cissel explained it would be 150 total for the premises. He also asked for more specifics about enclosure of the area in question; Mr. Cissel and Mr. Koffman explained it would be potentially enclosable with walls that came down around the patio. Commissioner

Brian McCabe explained that the issue of concern was noise, and he asked whether it was possible that noise could be contained and mitigated in the area in question.

Commissioner Miller noted that there was no way to delineate specific spaces within “summer garden” or “indoor” spaces in an ABRA license, and as such there was a unique challenge in how to regulate the hours. He noted that carving out exceptions in the Settlement Agreement was not in line with a shared set of standards.

Commissioner Dyer expressed his empathy with the interests of the applicant, however he explained that without an established relationship in the neighborhood, he was not comfortable with making exceptions to the standard Settlement Agreement. He noted precedent for review of hours after an establishment had maintained its good faith operations.

Commissioner Rubenstein underscored Commissioner Dyer’s point that outdoor space had a single standard in the ANC. He noted that, while a Settlement Agreement could be drafted with specific exceptions included in a diagram, the applicant could also avoid these exceptions by enclosing the space in question as an actual interior space.

Joyce Cowan noted that the purpose of standard Settlement Agreements was to establish a shared set of rules. She expressed her concern for a trend in which applicants sought to circumvent the stipulations in the standard Settlement Agreement without prior engagement with neighbors. She emphasized that the Settlement Agreements existed in order to protect safety and hygiene in the neighborhood and she did not feel inclined to support exceptions that did not include affected neighbors.

Commissioner McCabe asked whether a compromise could be made whereby the area in question could be converted into an “indoor space” at the hours stipulated in the Settlement Agreement. Commissioner Dyer explained that the space could not be converted to an “indoor space” unless it was actually constructed as an indoor space.

Chair Florio noted that Commissioner Miller remained the representative of the ANC in seeking a Settlement Agreement and no action would be taken this evening.

David Feinstein posed a question regarding whom he should engage with regarding non-compliance with agreements made with several establishments along 14th Street during the period of license renewal. Chair Florio noted that he would be the appropriate point person.

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Commissioner Dyer moved to adjourn the meeting; the motion was approved unanimously.

**The meeting was adjourned at 8:53 PM.**