

**Advisory Neighborhood Commission (ANC) 6A  
Minutes  
Virtual Meeting via Zoom  
October 10, 2024**

**Present:** Commissioners Dave Wethington, Roberta Shapiro, Robb Dooling, Steve Moilanen, and Mike Velasquez were present. Commissioner Amber Gove was absent.

The meeting convened virtually via Zoom at 7:00 pm.

Commissioner Dave Wethington called the meeting to order and noted the presence of a quorum. The minutes for the ANC 6A September 2024 meeting minutes were accepted and the agenda was accepted by unanimous consent.

The community received meeting notice via listservs, the Hill Rag, ANC website, X, and Facebook.

**Community Presentation**

**Fred Moosally, Director, Alcoholic Beverage and Cannabis Administration (ABCA)**

Mr. Fred Moosally, Director of the Alcoholic Beverage and Cannabis Administration (ABCA), noted that the agency regulates alcohol and medical cannabis in DC and is tasked with enforcement of unlicensed or illegal cannabis businesses. There are separate license and enforcement divisions for cannabis and alcohol and the agency is working on hiring additional investigators on the cannabis side. Applications for medical cannabis are only accepted during open application periods, all of which have now ended, and the agency does not expect new open periods for some time. Hearings are held by the Alcohol Beverage and Cannabis Board which currently has three members with one more member up for consideration and three more open seats. The council recently passed extensive legislation changing the protest process, allowing abutting property owners, neighbors directly across the street, and daycare centers to protest; currently, only affected ANCs can protest. The new legislation will take effect by the beginning of 2025. The council also increased the distance between an applicant for a retail license and a recreation center or school from 300 to 400 feet and there is no commercial exception. In the event of onsite consumption locations, they cannot be within 400 feet of a daycare. The legislation also strengthens ABCA's ability to close unlicensed establishments. The process for ANCs for cannabis is similar to that for alcohol - ANCs can enter into settlement agreements that are enforced by ABCA and have the ability to protest and request an extension on the protest period. ABCA has a multi-agency enforcement team consisting of the Department of Licensing and Consumer Protection, DC Health, and MPD; currently they have issued 84 warnings, over 30 cease-and-desist orders, and eight closures. More closures are forthcoming. The new legislation removes warnings and the agency will move forward directly with cease-and-desist orders. Establishments will receive these if there is an imminent health and safety danger or if there are unregistered firearms; ABCA can close an establishment selling Schedule 1 substances, which in DC is mostly psychedelic mushrooms, not cannabis. ABCA is working with landlords as well, who can now be fined \$10,000. Commissioners are frustrated with loopholes in the law, leaving many unlicensed cannabis shops open, especially along H Street.

The agency is moving in November to 899 North Capitol Street NE and is currently working on overhauling their website to be clearer and more user-friendly.

## **Consent Agenda:**

The following items were adopted by unanimous consent:

### **Alcohol Beverage and Cannabis (ABC)**

- ANC 6A enter into a new settlement agreement with 7 River Mart, 7 River Mart, 250 11th Street NE (ABRA #089591) per their request, updating the existing 2012 agreement to allow sales of spirits per their license and that Commissioner Velasquez represent ANC 6A in negotiations.
- ANC 6A approve two new draft settlement agreements - one for alcoholic beverage license applications and one for medical cannabis license applications - drafted to simplify language and comply with ABCA Counsel's recommended changes.

### **Transportation and Public Space (TPS)**

- ANC 6A send a letter to DDOT requesting urgent action along the corridor and then clarify their plans for traffic calming along 11th Street NE between Florida Avenue NE and East Capitol Street.
- ANC 6A send a letter to DDOT requesting an all-way stop sign at the intersection of Tennessee Avenue NE and 14th Street NE, requesting repainting of the bike lane on 14th Street NE between E Street NE and Tennessee Avenue NE, and requesting restoration of a raised crosswalk at 14th and E Streets NE.
- ANC 6A send a letter to DDOT requesting an all-way stop sign at the intersection of Tennessee Avenue NE and E Street NE.

### **Economic Development and Zoning (EDZ)**

- ANC 6A send a letter of support to the BZA for Special Exceptions from the roof top and upper floor element requirements of Subtitle E § 204.1, lot occupancy requirements of Subtitle E § 210.1 and rear wall requirements of Subtitle E § 207.4 in order to construct a third story with roof deck and a three-story with cellar rear addition, to an existing, attached, two-story with cellar, principal dwelling unit in the RF-1 zone at 910 12th Street, NE. (BZA 21196).

### **Officer Reports:**

1. The October 2024 Treasurer's report by Commissioner Steve Moilanen reviewed the expenditures accrued in September: \$250 for notetaking, \$771.19 for webmaster services, and \$15.90 for a DocuSign subscription (checks #2126-#21228, respectively). The opening uncommitted funds available were \$31,691. After accounts payable totaling \$4,090.06 the closing available checking balance is \$27,600.94. The savings account opened at \$100.05, gained no interest, and closed at \$100.05, and petty cash remained at \$25. The Treasurer's report was approved by unanimous consent.
2. Commissioner Moilanen moved and Commissioner Roberta Shapiro seconded the motion that ANC 6A adopt the FY2025 Budget Plan as laid out in the agenda, which assumes standard payments for notetaking and webmaster services, advertising expenses, and some grants, totaling an annual spend of roughly \$20,000. The motion passed 5-0.
3. Commissioner Moilanen will compile proposed changes to service agreements for package prep/web services and notetaking to incorporate cost of living adjustments FY2025.

### **Standing Committee Reports:**

#### **Community Outreach (COC)**

1. The September 2024 committee report was accepted by unanimous consent.

2. Next meeting: October 28, 2024 (4th Monday)

### **Alcohol Beverage and Cannabis (ABC)**

1. The September 2024 committee report was accepted by unanimous consent.
2. The Committee recommended and Commissioner Mike Velasquez seconded the motion that ANC6A send a letter to the DC Council Chair Mendelson and Mayor Bowser requesting the following actions:
  - 1) The City Council adopt and the Mayor sign legislation making public input on medical cannabis licenses equivalent to the input allowed for liquor licenses, specifically allowing adjacent property owners and a group of five to protest medical cannabis licenses, as provided for in Title 25 of D.C. Official Code and Title 23 of the District of Columbia Municipal Regulations.
  - 2) The City Council adopt and the Mayor sign legislation providing for moratoriums on new medical cannabis licenses equivalent to the provisions for liquor licenses contained in Title 25 of D.C. Official Code and Title 23 of the District of Columbia Municipal Regulations.
  - 3) The City Council adopt and the Mayor sign legislation providing for fines for landlords who allow for and eviction of tenants who engage in serious violations of liquor and cannabis law and regulation and, certificates of occupancy and basic business licenses in furtherance of operating any business that violates liquor and cannabis law.
  - 4) The City Council adopt and the Mayor sign legislation requiring temporary or permanent closure of establishments who fail to remediate serious violations of liquor and cannabis licenses or health, safety, or other licenses and permits required in furtherance of operating a business that engages in the commerce of liquor or cannabis or illegal substances. Further, such action should be taken immediately if the Chief of Police deems public safety an immediate and serious risk, including but not limited to violent acts or the recovery of firearms.

Commissioner Shapiro recommended that the ANC defer this motion to November, given ABCA Director Moosally addressed these and several other concerns in today's presentation. Commissioner Velasquez proposed sending at least the letter's first two requested actions to increase the Mayor's awareness of the public's displeasure with the current process. The motion as amended - to send the letter with the first two items and send a further letter next month with more inclusions - passed 5-0.

3. Commissioner Velasquez moved and Commissioner Shapiro seconded the motion that ANC 6A will automatically send a letter of protest of alcoholic beverage license and medical cannabis applications and renewals unless the Commission is able to meet and consider such an application before the published protest deadline. In that case, the protest will be due to the effect of the establishment on peace, order and quiet, including the noise and litter provisions, pursuant to the allowable appropriateness standards set forth in DC Municipal Regulations.

Commissioner Robb Dooling voiced discomfort with a default letter of protest and suggested special meetings for cases when they are needed but agreed with other Commissioners that special meetings can be difficult to schedule with a quorum. Commissioner Velasquez noted that another compromise could be to skip the committee reviewal of these applicants and move them straight to full ANC review, but Commissioner Shapiro noted that the timing for this too would not always allow all Commissioners and

constituents to have their voices heard. The motion passed 3-2; Commissioners Wethington and Dooling opposed.

4. Next meeting - October 29, 2024 (4<sup>th</sup> Tuesday)

#### **Transportation and Public Space (TPS)**

1. The September 2024 committee report was accepted by unanimous consent.
2. The Committee recommended and Commissioner Dooling seconded the motion that ANC 6A send a letter to DDOT requesting conversion of the 1400 block of G Street NE to a one-way westbound. This has been long advocated for by residents of the 1400 block of G Street NE, who say the current situation is a safety concern for pedestrians, cyclists, and nearby Miner Elementary. A previous DDOT study found that an eastbound one-way would not work. The motion passed 4-1; Commissioner Velasquez opposed.
3. Commissioner moved and Commissioner Dooling seconded the motion that ANC 6A send a letter of support for NOI-24-262-CPD for parking adjustments on H Street NE. Commissioner Velasquez was concerned about the lack of H Street business owners at the TPS meeting and the impact on these businesses from parking adjustments, but Commissioner Dooling said that several business owners continuously ask for more short-term parking for easier Uber/Lyft pickups and drop-offs, among other things. The motion passed 4-1; Commissioner Velasquez opposed.
4. Next meeting - 7:00 pm, October 21, 2024 (3<sup>rd</sup> Monday)

#### **Economic Development and Zoning (EDZ)**

1. The September 2024 committee report was accepted by unanimous consent.
2. Next meeting - 7:00 pm, November 20, 2024 (3<sup>rd</sup> Wednesday); No October meeting
3. Commissioner Velasquez added a new agenda item of adding Russ Greenfield as a new member of the EDZ.

#### **New Business**

1. Commissioner Shapiro moved and Commissioner Dooling seconded the motion that ANC 6A send a letter to the Mayor, Deputy Mayor Appiah, the City Council and relevant Council committees recognizing the serious and life-threatening failures of the Office of Unified Communications (OUC) and requesting measures to include, but not limited to, monthly (at minimum) reporting to a public meeting of the Council or its designated committee, and an attestation to the accuracy by the OUC Director. Such reporting would include performance against key national 911 performance metrics as well as against staffing metrics and adverse event reporting and analyses. The letter would also request that the Council review the need for an external monitor or advisor to oversee the operations and performance of the OUC. Commissioners feel strongly that this is a major failure and oversight of DC government and continue to advocate for public safety. The motion passed 5-0.
2. Commissioner Velasquez moved and Commissioner Shapiro seconded the motion that ANC 6A send a letter to Chief Smith asking for a 30-day drug free zone on 8th Street NE and continuous police presence in response to the increased drug activity and shootings. Commissioner Velasquez reported that there was a recent shooting in broad daylight at 8<sup>th</sup> and I Streets and several constituents are now afraid to go out with their children. There is an urgent need to address drugs and establish a police presence in the area. 300 neighbors signed a similarly worded letter sent to Chief Smith. Commissioner Moilanen added a friendly amendment to include the valiant efforts and progress of the 1D MPD. Commissioner Dooling advocated for more violence interruption programs rather than an

increased police presence which could make the situation worse. The motion to send the letter as amended passed 4-1; Commissioner Dooling opposed.

## **Commission Business**

### **Single Member District reports**

Commissioner Moilanen (6A07) expressed disappointment with the lack of progress since last month's meeting concerning the pothole at the SWS playground. The Commissioner took part in the Ward 6 walk, bike, and roll event and appreciates community-wide efforts to make streets safer. The pilot installation of solar panels at several bikeshare facilities including at Eastern Market is great.

Commissioner Dooling (6A06) met with a group of restaurant owners interested in opening a restaurant in the former KitchenCray space. The Commissioner and Commissioner Wethington also met with people interested in taking over the former Biergarten space and had to do a great deal of explaining of the ANC processes.

Commissioner Velasquez (6A02) has been contacted by a constituent about a vacant property on the 1200 block of Maryland Avenue; it has been blighted and vacant and the Commissioner will try to address this ongoing concern.

Commissioner Shapiro (6A03) was promised an inspection of 1100 F Street a month ago and DOB said they could not inspect due to safety concerns. DOB is now working with MPD on a safe inspection. The upgrade to the outside of Sherwood will begin this month and continue through January. The Commissioner has been sending the director of DGS pictures of the holes in the playground at SWS; the contractor doing the work at Sherwood is not the same one as who did the resurfacing.

Commissioner Wethington (6A05) will be meeting with the executive director of the Academy at 14<sup>th</sup> and E Streets and touring the space. There is no news on Kingsman Dog Park. The Commissioner would appreciate any advice on how to get rid of long-standing unpermitted moving pods. Community members should use extra caution around Halloween and Hill Family Biking has an event coming up.

### **Community Comment**

Ms. Jen DeMayo noted that Councilmember Allen will be hosting an ABCA Cannabis Enforcement panel and those interested can register here:

[https://www.charlesallenward6.com/panel\\_cannabis\\_enforcement](https://www.charlesallenward6.com/panel_cannabis_enforcement)

Garfield Park is getting renovated this week and the north playground will be closed for about a month for repairs. The new fiscal year started October 1 and DOB should be opening a one-stop-shop for permitting vacant storefronts filled with new businesses. A grant of \$350k is in the budget to provide funding for ideas to active 8<sup>th</sup> Street. There is a safe passage team set up at Eastern Market and Potomac metro plazas and the new budget created an Eastern Market Metro Park Manager position. Councilmember Allen introduced a bill regarding residents in apartment buildings getting charged new fees for common space usage that was not in their original leases:

<https://twitter.com/CMCharlesAllen/status/1841494925742833821>

A contractor has been chosen for the Rumsey pool modernization project and a community meeting will be scheduled soon.

The meeting adjourned at 9:38 pm.