



Government of the District of Columbia

Advisory Neighborhood Commission 2C

June 2019 Meeting Minutes

DATE: 11 June 2019

ANC-2C COMMISSIONERS PRESENT: Michael Shankle, Jamaal Burton, Kevin Wilsey

PRESENT: Wendy Caddell, Sean Cahill, Frederick DePew, Jonathan Dorrough, Christopher Fusco, Joan Goldfrank, Jamaal Jordan, Ellen Jones, Howard Marks, Matt Minora, Stephen Moulton, Scott Perske, Khalid Pitts, Randy Shedd, Christine Shiker, Gottlieb Simon, Sidon Yohannes

ABSENT: NA

1. **CALL TO ORDER:** Call to order made by Chair Kevin Wilsey at 6:37pm.
2. **OPENING REMARKS/APPROVAL OF THE AGENDA:** A motion was made by Wilsey to approve the agenda with the following amendment—that the Transportation and Public Space sections be deleted as the representatives for those discussions were not present. The motion was seconded by Shankle. (Vote: 3-0-0)
3. **APPROVAL OF THE MINUTES:** Wilsey made a motion to approve the minutes from both the April and May meetings. He said they would be posted to the website shortly. Seconded by Shankle (Vote: 3-0-0)
4. **TREASURER’S REPORT:** Shankle provided the treasurer’s report and noted there were no changes. The balance of \$ 48,379.81 at the beginning of the month remained the same at the end.

COMMUNITY ANNOUNCEMENTS:

5. **The Department of Public Works, Wendy Caddell, DPW Inspector, Wendy.Caddell@dc.gov:**
Ms. Caddell discussed the issue of trash and debris at 515 D St NW which is an unoccupied building—formerly the Court of Deeds—owned by the city. She said that DPW plans to coordinate with other agencies like DHS to address not only the trash issue but surrounding issues like homelessness that contribute to the refuse problem. There was also discussion about a similar issue near 400 Mass NW where there were random cars parked and trash cans overflowing in close proximity to 400 Mass which is a residential building. Caddell said there was internal coordination within MPD to address these problem areas. She reiterated that all residents need to call 311 to report overflowing trashcans and any other issues that contribute to an increase in the rodent population of the city like grease run-off going down city drains. Caddell said that she would try to discover if there are disposition plans for 515 D St NW and brief ANC 2C at the next meeting.
6. **MPD 1st District Crime & Community Awareness, Captain Jonathan Dorrough, Jonathan.Dorrough@dc.gov:** Capt Dorrough briefed that MPD now has a program in place

Approved July 9, 2019

where all officers spend a day at the National Museum of African American History and Culture (NMAAHC) in DC to gain an understanding of the Black experience in relation to policing and police officers. He said this is the first program of its kind in the country. Capt Dorrough also noted that crime was up—with six robberies in five nights. Three of the victims were overly intoxicated which contributed to their being robbed. Overserving has become more of a problem and MPD plans to address that issue with more outreach to the restaurants in the area, specifically Fado Irish Pub and Lucky Strike. MPD plans to do an ABRA report and then follow up. There was also some discussion of an increase in scooter crimes—with people as both as victim and perpetrator. He said there has been an increase. It appeared that most of the crimes were timed to coincide with MPD terminating their shift at 2:30 am. There has been a marked increase in crime between the early morning hours of 2am-6am. To address this, MPD has created a short beat at H ST NW between 7th and 8th as most crimes are occurring in this area. There is also increased activity around Capital Arena. A group of younger men who have made that area their hangout have contributed to the overall disorderliness which may in turn have contributed to the increase in crime. He noted that Gallery Place is privately owned—and that the owners can ban people from the premises.

7. **MPD 2nd District, Crime & Community Awareness, Sergeant Randy Shedd,**
Randy.Shedd@dc.gov: Sgt Shed noted that crime is up a little. He discussed the concentrated effort that MPD has made against idling tour buses—it is a new program that just began last week. He warned that credit card fraud and subsequent theft are on the rise and that people need to be vigilant. Shankle discussed the section of G Street between 9th and 10th where there are parties and events at the Portrait Gallery and that idling buses are causing pollution there. He also discussed the issue of accidents at the intersection of 9th and F Streets. Sgt Shedd said he was not aware of any accidents but agreed that it is a “blind” and dangerous intersection.
8. **Downtown DC, Business Improvement, Historic Callbox Refurbishment, Ellen Jones, Deputy Executive Director, Ellen@downtowndc.org:** Ms. Jones discussed the issue of the historic but rundown callboxes in public spaces in downtown DC. Of the 14 that remain to be refurbished, 10 are in ANC 2C—with four in 2C01 and six in 2C03. She noted that last year, Downtown DC received a grant that allowed for the refurbishment of nine of the callboxes (a ceremony for those boxes will be held in October). She requested a letter of support to assist with obtaining a grant. The grant would fund a beautification plan for each box. Additionally, the plans support local artists as their work on this project will become part of their portfolio and help to advance their artistic careers. The grant application is due 9 August and they will receive notification of their status in October. If they receive the grant, the work has to be completed by 30 Sep 2020. The grant covers the costs of not just repainting but also lead abatement and extensive metal repair work. Shankle moved to support the project and Wilsey seconded. (Vote: 3-0-0)
9. **DC Harmony, Update on the excessive volume of street entertainers, Commissioner Michael Shankle:** Mr. Shankle provided an update on the issue of excessive sound in the District. A new coalition, DC Harmony (which grew out of the Turn It Down Coalition), was established as a way to garner more support as well as to show their commitment to working with the city and street entertainers to find a sensible solution on safe decibel levels for all in the community. Mr.

Shankle suggested that moving forward, the words “sound” or “volume” be substituted for “noise” to keep the tone of the discussions more neutral. The existing bill is E23-0030 and is concerned with noise in public places. There was some discussion about the public health issues associated with elevated noise levels. It was noted that the *Washington Post* had an article about the harm of excessive volume on page 3 (11 June edition).

- 10. Capitol Crossing, LLC, Modification of Significance (BZA Application No 08-34), Christine Shiker, Holland & Knight LLP, Christine.shiker@hklaw.com, and Sean Cahill, Property Group Partners, scahill@pgp.us.com :** Ms. Shiker requested support for a waiver to the 35-day waiting period to ensure that the plans proceed on schedule. The background to this modification is that the original plans were brought before the commission in Nov 18 and again in Jan 19. What had initially been a modification of consequence was upgraded to a modification of significance because the plans reverted back to their original design which was that one building would be rental apartments (studio to 3-bedroom) totaling about 150 with 50 set aside as affordable housing units. The building would not be designated as “high-end” or “luxury”. The amenities include a rooftop deck and pool (no view of the Capitol) and ground floor retail with a residential entrance. The other building would be non-residential and have mixed-use floor retail, office space, hotel, and also possibly an educational (university) space. Ms. Shiker said that a notice had been sent to all residential condo boards within 200 feet on 16 May. Commissioner Burton said that residents themselves were not notified. The design for the second building has to be filed by July 2021. The waiver would allow them to file their application on 1 July and also be in place to have the application reviewed at the 29 July zoning committee meeting. There would then be a public hearing in October. There was discussion about the possibility of adding more affordable units but they explained that the current proposed mix was the most viable and sustainable for the project. The DCHD (DC Dept of Housing & Community Development) defines affordability as 80% of the MFI (median family income). Burton voiced his concern for the project going through several iterations already, and the possibility that it might change again, as well as the process of notification of area residents. Wilsey motioned to approve the modification and Shankle seconded. (Vote 2-1-0) Wilsey then moved to approve the waiver, Shankle seconded. (Vote: 3-0-0)

ALCOHOLIC BEVERAGE LICENSING:

- 11. Truluck’s Seafood Steak and Crab House, 700 K Street; ABRA 113783 – Retailer’s Class C restaurant. Matt Minora, Mallios & O’Brien PLLC., mminora@malliosobrien.com:** According to Mr. Minora, this will be the 13th location nationwide and the first in D.C. The fine dining restaurant will have a seating capacity of 375 total with a ground floor and mezzanine level. There is no outside seating. Shankle moved to support the license and Wilsey seconded. (Vote: 3-0-0)
- 12. The Henri LLC., 1301 Pennsylvania AVE NW; ABRA 113937—Retailer’s Class C restaurant. Sidon Yohannes, Veritas Law, syohannes@theveritaslawfirm.com:** The Henri will primarily be a private dining restaurant with a bar in the front. The restaurant—in the space formerly

occupied by Chef Geoff's—will seat a total of 226, and feature gourmet meals sourced with products from local farms. Shankle moved to support the license and Burton seconded. (Vote: 3-0-0)

13. Luke's Lobster IV, 624 E St NW; ABRA 087667—Retailer's Class D restaurant. Chris Fusco, Chris.Fusco@lukesLobster.com: Mr. Fusco said that currently Luke's restaurant has a Class D license and would like to upgrade to a Class C in order to serve a few mixed drinks (cocktails). The other restaurant locations in Farragut and Georgetown already serve a few cocktails like Moscow Mule, and Dark and Stormy. The Chinatown location is too small for a full bar and the hours of operation will not change. Wilsey moved to support the license upgrade and Burton seconded. (Vote: 3-0-0)

14. Trump Old Post Office LLC., dba Trump International Hotel, 1100 Pennsylvania Ave NW; ABRA 100648: Mr. Pitts discussed the reasons for the "Group of Five's" protest against the Trump Hotel—specifically its bar. The group is asking for a letter of support to consider allowing a protest hearing on the owners of the Trump Hotel and examining their character. The way that the law is written means that in order for ABRA to conduct an investigation, there must be a protest against the license owners. Good character is a requirement of any bar owner to obtain and maintain a liquor license in the District. The group contends that Trump, who owns the entity that holds the license, has not demonstrated good character. There was some discussion as to whether or not the support of the ANC would be viewed as a political statement. Mr. Pitts noted that ANC 4C and other neighborhood associations have passed resolutions supporting a protest hearing. Judge Goldfrank added that honesty and good character are required to have an alcohol license. Even if no crimes have been proven, the ABRA has a responsibility to review the underlying conduct of the licensee. There was some discussion about the possible loss of jobs for the people who work in the bar and the loss of the hotel's overall business. However, it was pointed out that that was an unlikely scenario given that there are so many ways that the issue could be resolved—the most likely of which is that Trump could simply divest himself of the business. Wilsey made a motion to support and Shankle seconded. (Vote: 3-0-0)

15. The Office of Anita Bonds, Councilmember-at-Large, 1350 Pennsylvania Avenue NW, Suite 404: Mr. Perske from Councilwoman Bonds' office discussed Ms. Bonds overview of the Council budget. There was some discussion about Ms. Bonds' support for residents over the years.

ADJOURNMENT: At approx. 8: 30p.m. Wilsey moved to adjourn. Burton seconded.

Minutes Submitted by: Aungelic Nelson

Minutes approved by: ANC 2C Commissioners, July 9, 2019

Next meeting: 9 July, 6: 30pm, Wilson Building, Room G-9.