

ANC 2F | Regular Monthly Public Meeting

MINUTES

WEDNESDAY 7:00 P.M.
NOVEMBER 1, 2017

WASHINGTON PLAZA HOTEL
10 THOMAS CIRCLE, NW

Attendance

PRESENT

Alex Graham (2F03)
John Guggenmos (2F02)
John Fanning (2F04)
Ron Rubin (2F05)
Charlie Bengel (2F06)
Kevin Sylvester (2F07)

ABSENT

Jason Forman (2F01)
Kevin Deeley (2F08)

GUESTS AND PRESENTERS

Sergeant David Pereski, PSA 307
U.S. Senator Michael Brown
Jerry Chapin, Ward 2 Liaison (Mayor's office)
Tanya Hedgepeth, DC LATS Rehabilitation
Mandi Lablonk, DC LATS Rehabilitation
Micah Feigelson
Sherri Kimbel, Councilmember Evans' office
Joseph Donovan (buskers legislation)

Meeting **called to order** by Commissioner John Fanning at **7:02 p.m.**

Commissioner Announcements

[none]

Community Forum

Report from Metropolitan Police Department PSA 307

Sergeant David Pereski

Sergeant Pereski shared the monthly crime report, which compared crime statistics for the last 30 days to the same period in 2016. Overall crime is down significantly. Pereski spoke at length about a burglary arrest on October 16 related to multiple vehicle break-ins. Pereski also spoke to the pervasive issue of bicycle theft, and encouraged resident enrollment in the security camera rebate program. Resident asked about traffic enforcement in Thomas Circle, and vehicle encroachment into bicycle lanes.

The movement for D.C. statehood

U.S. Senator Michael Brown

Senator Brown commended ANCs for their role in community building and thanked ANC 2F for the opportunity to speak to the important issue of D.C. statehood. Brown explained the rationale and benefits of D.C. statehood, and discussed various efforts currently underway (including a recent referendum and a draft bill before Congress) to move toward applying for statehood.

DC Water Low Area Trunk Sewer (LATS) Rehabilitation Project

Tanya Hedgepeth
Mandi Lablonk

Tanya Hedgepeth and Mandi Lablonk from DC Water spoke to the two-year project starting in early 2018 to rehabilitate the sewers along Pennsylvania Avenue, NW. The project will involve road closures, detours, and sidewalk closures.

Benefits of Solar Power in the District

Micah Feigelson

Community member Micah Feigelson shared the benefits of solar-powered energy in the District. Feigelson stressed the economic and environmental benefits of solar, and shared information about available financing options for residents and businesses as well as tax credits.

Report Councilmember Jack Evans' office

Sherri Kimbel

Sherri Kimbel, Director of Constituent Services, shared three updates: 1) the "Dining Dogs" Act passed in emergency legislation; 2) the Pools Act will be heard by the Council on November 28; and 3) D.C. was not selected by the IOC for further consideration as the site for the 2022 games.

Community Announcements

1. Pastor Jackson introduced himself as the new pastor of the New Bethany Baptist Church and let the community know that the church will be coming before the ANC in the future related to potential development of the church parking lot.
2. Ms. Chance of the Department of Public Works (DPW) shared that disposal of electronics will no longer be allowed with residential trash pickup starting January 2018. Electronics must be taken to the Fort Totten disposal station on Saturdays.

BUSINESS MEETING

Commissioner Fanning noted there was quorum to conduct the business portion of the meeting (six Commissioners present out of the required five), and instructed that a copy of the meeting minutes be filed with the meeting notice.

Approval of meeting agenda

Commissioner Fanning moved to adopt the draft meeting agenda with two modifications: adding a new business item to nominate Bob Kimbel to the 2F-06 seat on the APC. Fanning's motion was seconded and approved unanimously by the Commission.

Vote: 6-0 (unanimous)

Approval of minutes for October 4, 2017 regular monthly public meeting

Fanning moved to approve the October 4, 2017 draft meeting minutes without modification; the motion was seconded and approved unanimously by the Commission.

Vote: 6-0 (unanimous)

Committee Reports

ABRA Policy Committee

Commissioner Graham, Chair

Commissioner Graham presented the October 18 APC report. Graham first provided updates on Settlement Agreement negotiations with Calico (50 Blagden Alley, NW) and Tiger Fork (922 N St, NW Rear). Graham shared that the Committee considered six Class "B" Grocery – Retail license renewals for ANC 2F establishments, for which he will write letters of support.

Proposed amendments to ABRA rule (DC Municipal Regulations Title 23), Chapters 1-3, 5, 7-10,

12, 13, and 15-17

Graham moved that ANC 2F send a letter to the ABRA Control Board recommending modification to Chapter 5 of the Title 23 Regulations to include a requirement that license transfers require that the new license holder first notify the ANC and engage in the ANC's ABRA review process; the motion was seconded and approved unanimously the Commission.

Vote: 6-0 (unanimous)

Community Development Committee

Commissioner Ron Rubin

In Commissioner Deeley's absence, Commissioner Ron Rubin presented the committee report from the October 25 CDC meeting. Rubin presented the business items one at a time.

Modifications to BZA approval for the Logan Station condominium at 1210 R St, NW

Rubin shared that the Committee took no action on the modifications to BZA approval for Logan Station condominium at 1210 R St, NW since the applicant is not moving forward with the modification at this time. The Committee took a straw poll on the applicant's initial proposal, which showed the majority of Committee members opposed to the proposed amendment terms.

DDOT public space committee application for new unenclosed sidewalk café at 1437 11th St, NW / Benito's Place

Rubin shared that the Committee took no further action on this request, since the Applicant did not attend the CDC meeting and ANC 2F already sent a letter to the DDOT Public Space Committee protesting the application.

DDOT public space committee application for new unenclosed sidewalk café at 1020 7th St, NW

Rubin moved that ANC 2F send a letter to the DDOT Public Space Committee in support of the public space application with the note that the ANC takes no position at this time on the proposed hours listed in the application; the motion was seconded and approved unanimously the Commission.

Vote: 6-0 (unanimous)

HPRB concept/three-story addition at 1335 Corcoran St, NW

Rubin moved that ANC 2F send a letter to HPRB in support of the proposed concept as presented by the Applicant; the motion was seconded and approved unanimously by the Commission.

Vote: 6-0 (unanimous)

HPRB concept, massing and design for addition to existing building at 1310 Vermont Ave, NW

Rubin detailed the Committee's discussion on this matter and the divided vote. Commissioner Rubin moved that ANC 2F send a letter to HPRB in support of the proposed concept, massing, and design as presented by the Applicant. Nearby neighbors spoke in opposition to the application on the basis that they did not receive notice from the Applicant and that the Applicant had modified the design since presenting to the CDC. Rubin's motion was seconded and approved by the Commission.

Vote: 4-1-1

HPRB concept/renovation for addition at 1412 Q St, NW

Rubin explained that subsequent to the CDC's vote to oppose this application, the Applicant withdrew the application. Commissioner Guggenmos moved that ANC 2F memorialize its opposition to the application both for the record and in the event the Applicant should submit a revised application to HPRB; the motion was seconded and approved unanimously the Commission.

Vote: 6-0 (unanimous)

DDOT public space application for paving, projections, landscaping, overhead work at 1628 11th St, NW

Rubin shared the CDC's recommendation that ANC 2F oppose the application based on the

Applicant's failure to participate in the CDC review process. Commissioner Graham moved that ANC 2F take no action on the application given its uncontroversial nature; the motion was seconded and approved unanimously the Commission.

Vote: 6-0 (unanimous)

Education Committee

Commissioner Forman, Chair

No update

Old Business

[none]

New Business

Request for Support of draft legislation to regulate "Buskers (street musicians) Sound Level"

Joseph Donovan

Joseph Donovan spoke on behalf of a group of 250 District residents and businesses that have organized to address the excessive noise levels of some "buskers" (street musicians and performers) in D.C. Donovan noted the group had recorded 330 examples since May 2017 of excessive noise levels; that other cities such as Chicago have passed legislation to regulate busker noise; and that other ANCs have joined this effort and passed resolutions. Commissioner Fanning moved that ANC 2F send a letter to the DC Council encouraging adoption of legislation to address and regulate noise levels from street buskers; the motion was seconded and approved unanimously the Commission.

Vote: 6-0 (unanimous)

Impact of outdoor fire smoke from 14th Street, NW restaurants

Commissioner Guggenmos

Commissioner Guggenmos spoke to the excessive smoke emanating from the chimney at Etto restaurant in his SMD. Guggenmos shared that residents of the adjoining Matrix condominium have reported damage to their building caused by the smoke as well as general nuisance resulting from the strong odor. Guggenmos moved that ANC 2F send a letter to Etto requesting that they initiate dialogue with the Matrix residents in order to address the issue; the motion was seconded and approved unanimously the Commission.

Vote: 6-0 (unanimous)

Consideration of the citywide "dockless bicycle" pilot

The Commissioners weighed in on the successes and drawbacks of DDOT's pilot program for "dockless bicycles." In general, the Commissioners agreed on several points of contention with the program, specifically related to users leaving bicycles in public spaces that pose both nuisance and danger to pedestrians, other bicyclists, and motorists. Commissioner Graham moved that ANC 2F send a letter to DDOT expressing concern with the handling of the pilot as related to the places users have left parked bicycles. Graham accepted Commissioner Syvester's friendly amendment to list specific concerns with the program, and Commissioner Guggenmos' friendly amendment to send the letter to Councilmember Mary Che's attention. The amended motion was seconded and approved unanimously the Commission.

Vote: 6-0 (unanimous)

Appointment of Bob Kimbel to the ABRA Policy Committee

Commissioner Alex Graham moved to appoint community member Bob Kimbel to the 2F-06 seat on the ABRA Policy Committee; the motion was seconded and approved unanimously by the Commission.

Vote: 6-0 (unanimous)

Treasurer's Report

Approval of FY17 Q4 Quarterly Report

Commissioner Graham

Commissioner Graham presented and moved for adoption of the FY17 Q4 report; the motion was seconded and approved unanimously the Commission.

Vote: 6-0 (unanimous)

Approval of Expenses

Commissioner Graham

Commissioner Graham moved for approval of the following expenditure:

1. Check #1336 in the amount of \$770.00, payable to Executive Director Adam Beebe, for October 2017 salary.

Total expenses: \$770.00

Graham's motion was seconded and adopted unanimously by the Commission.

Vote: 6-0 (unanimous)

Commissioner Fanning moved to adjourn the meeting; the motion was seconded and approved unanimously by the Commission. Meeting adjourned at **9:38 p.m.**

**A RESOLUTION
OF ADVISORY NEIGHBORHOOD COMMISSION 2F
Support for Legislation to Regulate “Buskers” (Street Musicians) Noise Level**

WHEREAS members of Advisory Neighborhood Commission (ANC) 2F and the community support vibrant, mixed-use urban communities in Washington, D.C. where residential, retail, commercial, cultural, entertainment and recreational users are all welcome.

WHEREAS, pursuit of a high urban quality of life for all District residents and community members requires a constant effort to balance the rights, responsibilities, and impacts that community members have on one another’s quality of life.

WHEREAS, street performers ("Buskers") are one type of community member that should enjoy the right to perform, attract, entertain and solicit contributions.

WHEREAS, residents, employees and businesses are equally entitled to the reasonable use of their homes, offices, businesses, and places of community gathering.

WHEREAS, some Buskers in the District perform at sound levels so exceedingly high that they prevent other community members from reasonably and peacefully enjoying use of their homes, businesses, offices, and places of community gathering.

WHEREAS, the District of Columbia's current Noise Control Act is 40 years old, and because its provisions for covering Buskers’ sound levels are unenforceable, new legislation and enforceable rules are needed.

WHEREAS, such legislation can be achieved without infringing on any individual’s Constitutional rights.

THEREFORE BE IT RESOLVED that Advisory Neighborhood Commission 2F supports the enactment of legislation by the District of Columbia Council that will establish a reasonable and enforceable standard for the sound level of Buskers that ensures both their ability to perform and the right of residents, employees, businesses, and other community members to reasonably and peacefully operate, live, and work in their homes, offices, businesses, and places of community gathering.

**A RESOLUTION
OF ADVISORY NEIGHBORHOOD COMMISSION 2F
Request for Stricter Enforcement of Dockless Bicycle Program
November 1, 2017**

WHEREAS, members of Advisory Neighborhood Commission (ANC) 2F and the community [support programs that encourage public transportation through expansion of the availability of public transportation options to District residents and visitors.

WHEREAS, dockless bicycles have the potential to make bicycling more convenient and enticing.

WHEREAS, ANC 2F understands the dockless bicycle program is currently a pilot program, and thus is subject to change/modification/improvement based on feedback.

WHEREAS, the observed drawbacks of the dockless bicycle pilot have been significant, most notably the “dockless parking” of bicycles in public space, especially on sidewalks and near pedestrian crosswalks, and an increase in bicycles riding on sidewalks, both of which impede pedestrian traffic and most especially impede access for individuals with disabilities, in wheelchairs, with visual impairments, etc.

WHEREAS, dockless bicycling, implemented without sound planning based on realistic data and without proper enforcement mechanisms, can be expected to exacerbate the “modal feud” that is prevalent in the District, , ultimately affecting the general public regardless of travel mode.

WHEREAS, ANC 2F has legitimate safety concerns, among others, that can result from adverse changes in behavior due to increased competition for street space.

WHEREAS, it is the responsibility of all community members—drivers, bicyclists, and pedestrians—to act in accordance with established traffic laws and other ordinances.

THEREFORE BE IT RESOLVED that Advisory Neighborhood Commission 2F recommends that the District Department of Transportation and related agencies (1) strongly evaluate and affirmatively address the challenges of existing dockless bikesharing programs experienced both Internationally and domestically; (2) evaluate and report measures of success of the pilot based on feedback not restricted solely to program participants or operators, but other stakeholders that include pedestrians, motorists, and residents; and (3) work with the District Council to enact any ordinances necessary to address the introduction of dockless bikesharing to ensure the continued safe and efficient use of the streets by all users alike.