

# Government of the District of Columbia

Advisory Neighborhood Commission 2C

## January 2023 Meeting Minutes

**DATE:** January 10, 2023

**ANC-2C COMMISSIONERS PRESENT:** Michael Shankle, Rebecca Strauss, Kristin Roe, Thomas Lee

1. **CALL TO ORDER:** Shankle called the meeting to order at 6:03 pm over Zoom (available at [2023 January 10 ANC 2C Community Meeting - YouTube](#)).
2. **INTRODUCTION OF THE COMMISSIONERS:** Commissioner Shankle introduced himself and noted that, through the process of being redistricted, ANC-2C has gained an additional commissioner. Shankle stated that all four commissioners had been sworn in to serve their two-year terms of office. Commissioners Strauss, Lee, and Roe each introduced themselves.
3. **QUORUM:** A quorum of four commissioners was present.
4. **OPENING REMARKS / APPROVAL OF AGENDA:** Shankle reviewed the agenda (available at [www.anc2c.us](http://www.anc2c.us)). Additions were made to the Other Business segment of the agenda: construction during the MLK holiday, monies for a new website, and business cards for the new commissioners.

**MOTION:** Roe made a motion to accept the November 2022 agenda as posted. Seconded by Strauss. The motion carried. (Vote 4-0-0)

5. **APPROVAL OF THE DECEMBER 2022 MINUTES:** Postponed until next meeting.
6. **TREASURER'S REPORT:** Shankle reviewed the December 2022 Treasurer's Report. He reported that the opening balance was \$67,459.76, with one quarterly transaction for \$1,821.05. The closing balance was \$71,358.44, resulting in a change of \$3,898.68.

December saw two quarterly allotments received:

Q3 FY22: \$2085.21

Q4 FY22: \$2188.47

One check for Minutes Services: \$375.00

Shankle reiterated that the Treasurer's Report need not be approved but does have to be presented.

## **ANC Security Fund**

Shankle explained the ANC Security Fund, a legal defense fund for the ANCs that serves as an insurance policy. Shankle believes it is advantageous to be bonded.

**MOTION:** Shankle made a motion to accept membership in the ANC Security Fund and to issue a check in the amount of \$50. Seconded by Roe. The motion carried. (Vote 4-0-0)

## **Approval of FY23 Q1 Financials**

Shankle stated that in lieu of a treasurer, Commissioner Nelson completed the Quarter One Report. The ANC received \$6094.73 in district allotments. Beginning balance was \$66,263.71. The checking account was \$72,358.44. There were \$1000 in disbursements, which were for development of minutes. The ending checking account balance was \$71,358.44.

Commissioner Nelson informed Shankle of a pending invoice for a post office box.

**MOTION:** Strauss made a motion to approve the Quarter 1 Financial Report. Seconded by Lee. The motion carried. (Vote 4-0-0)

**ELECTION OF 2023 ANC OFFICERS:** Shankle stated that the commissioners discussed last week's election and a slate of officers will be put forth to fill the 2023 positions. Shankle asked if there were any questions and proceeded to announce the slate:

- Chair, Michael Shankle (ANC Commissioner 2C)
- Vice Chair, Rebecca Strauss (ANC Commissioner 2C02)
- Secretary, Kristin Roe (ANC Commissioner 2C04)
- Treasurer, Thomas Lee (ANC Commissioner 2C03)

**MOTION:** Shankle made a motion to submit and approve a slate of officers: Chair, Michael Shankle; Vice Chair, Rebecca Strauss; Secretary, Kristin Roe; Treasurer, Thomas Lee. Seconded by Roe. The motion carried. (Vote 4-0-0)

**2023 MEETING SCHEDULE:** Shankle outlined the commission's yearly schedule of meetings, underscoring that the second Tuesdays of each month, at 6:00 PM is the standard timetable. Shankle stated that beginning next month a Zoom link will be established, maintaining the same link for all meetings. QR codes will be distributed to help encourage participation in these meetings.

Meeting Dates: February 14, 2023; March 14, 2023; April 11, 2023; May 9, 2023; June 13, 2023; July 11, 2023; August 8, 2023; September 12, 2023; October 10, 2023; November 14, 2023; December 12, 2023

**MOTION:** Lee made a motion to approve the 2023 meeting schedule. Seconded by Strauss. The motion carried. (Vote 4-0-0)

## **COMMUNITY ANNOUNCEMENTS**

1. **Ward 2 Mayor's Liaison – Julius Terry, Ward 2 Liaison Mayor's Office of Community Relations and Services (MOCRS), [julius.terry@dc.gov](mailto:julius.terry@dc.gov), 202.805.7122.** Terry spoke of planning for the Martin Luther King Holiday Parade. Mayor Bowser encourages people to join her in walking the parade route.

Terry addressed a Vitality Fund to help businesses to expand or relocate to the District. Companies must have 25 or more full-time employees, and lease or own a location that is 7000 square feet or more in size.

Terry spoke of the mayor's Comeback Plan for 2023 and provided a link to the report.

Commissioner Lee inquired about the mayor potentially vetoing the Criminal Law Reform Bill. Terry stated he has no information on the mayor's plans as this has not yet been announced, though he suspects a veto will be forthcoming.

A community member questioned Terry about Black Lives Matter Plaza, and it becoming an eyesore over lack of upkeep. The individual wondered what is being done over this matter. Terry stated that numerous groups and organizations have responsibility over the plaza. Terry said he will personally investigate the plaza and take notes, putting forth service requests as needed.

Howard Marks noted the Chinese Lunar New Year Parade is upcoming January 22.

2. **Ward 2 Councilmember Brooke Pinto Update -- Brooke Pinto Councilmember, Ward 2, [bpinto@dccouncil.us](mailto:bpinto@dccouncil.us), 202.724.8058, Pablo Velasquez Rodriguez.**

Rodriguez welcomed the new commissioners, stating Councilmember Pinto was honored to have sworn everyone in. Rodriguez noted that Pinto was sworn in as chair of the Judiciary and Public Safety Committee. Her three key areas include enhancing public safety, underserved residents, developing interagency partnerships. Pinto will also focus on housing stability, revitalizing the downtown, and ensuring the continued economic recovery from Covid.

Rodriguez said budget appropriations hearings are upcoming. Pinto will hold her budget hearing virtually on January 19. Pinto is also interested in participating in ANC-2C meetings and will reach out to coordinate, as well as to conduct a walking tour with each commissioner.

Shankle inquired as to any updates regarding the Patricia Handy Shelter. Rodriguez said he had nothing new to offer.

A community member inquired as to the status of a work order to deter illegal entry of an abandoned building.

Father Vincent DeRosa inquired about drug selling and consumption in Chinatown, especially as it concerns the homeless population. He also spoke of people congregating around the Patricia Handy Shelter, stating it causes access issues for area businesses.

DeRosa asked about accountability, saying that for the past two years people have been reporting that a new shelter is under construction. DeRosa stated that the mayor had ignored him when he confronted her over these issues. Julius Terry said he will gather information and get back to DeRosa. Commissioner Lee requested to be included in these updates.

A member of the community inquired about amplified noise legislation and any progress that has been made since this issue was brought up with Pinto at last month's meeting.

- 3. Community Update. Chairman Phil Mendelson. [pmendelson@dccouncil.gov](mailto:pmendelson@dccouncil.gov) and Declan Falls Community Outreach Specialist, [dfalls@dccouncil.gov](mailto:dfalls@dccouncil.gov), 202.724.8158.** Falls welcomed the new commissioners, stating he has little to report at this time from a legislative standpoint.

- 4. MPD 1st District Crime and Community Awareness, Captain Justin Roth, [Philip.McHugh@dc.gov](mailto:Philip.McHugh@dc.gov), 202.763.9936**  
Captain Roth reported that crime has been reduced by 30% since his last appearance before commissioners. Robberies and motor vehicle theft have increased. There have been three or four robberies in Chinatown, targeting individuals wearing expensive jewelry. Roth states that Metropolitan Police Department detectives are investigating car break ins, especially in the timeframe surrounding a January 8 boxing event at the Capital One Arena.

Roth cautioned owners of Kia and Hyundai vehicles about an ongoing stolen vehicle challenge on Tik Tok that has been in the news of late.

Roth noted the presence of numerous cameras in the Chinatown area leads to many arrests. Roth stated that every Wednesday a multi-agency task force has converged on Chinatown. He spoke of finding a balance between police attending to quality of life, lesser crimes, versus confronting major crime. He listed Chinatown, H Street corridor, and Navy Yard as areas that are driving crime in the District.

Howard Marks noted how the Gallery Place Metro stop has become a hang out spot and open-air drug market. Individuals block metro escalators. Roth said it might be prudent

to have a member of the Metro Transit Police Department attend a commission meeting. Another member of the community inquired about loiter enforcement, to which Roth replied there is no loitering law in the District.

Father Vincent DeRosa spoke of officer retention issues in Washington.

**5. MPD 2nd District Crime and Community Awareness, Lieutenant Sylvester Garvin, (202) 715-7340**

Lieutenant Garvin introduced himself as he has been reassigned and on the job in the 2<sup>nd</sup> District for only three weeks. He reported of a January 4 homicide that resulted in an arrest, in addition to a sexual assault also resulting in an arrest. Garvin stressed his belief in foot patrols over that of police cars.

A member of the community spoke of crime and safety concerns regarding the Barcode club, with people congregating, making it difficult and unsafe to walk, as well as challenging for one to park their vehicle as cars have followed this individual into her garage. Garvin stated he would pass this information on to his midnight watch.

**6. 1336 Green Court NW**

Shankle stated the building, a former gym, was purchased by the city. Residents are wanting to know the status of this property. David Ross of the District of Columbia Department of Human Services stated it still has not been determined what the property will become. The facility has not been renovated to such a degree as to support a shelter.

Strauss inquired about the timeframes and public commentary process once a determination has been made. Ross said renovations will be determined by what kind of service the property is deemed to support. From an informational standpoint Ross said they would come directly to the community or through ICH. Shankle expressed that reaching out via the ICH, on its own, would not be prudent from a communications perspective. Strauss also inquired as to the city's thought processes with this property. Ross stated he could not address the rationale behind having made the acquisition.

A local resident termed the building "landlocked," and underscored that immediate neighbors of this building reside in an assisted living facility. She alluded to a shoot-out that occurred in the abandoned building, saying there is no evidence that the promised plywood to better seal the building has arrived. Ross said for her to email as much information to him as possible and ensured that the issue will be addressed.

Lee inquired about cameras to reduce crime. Ross said it would be standard protocol to include cameras. Roe stated the alleyway sees a lot of vehicle traffic, and this consideration needs to be taken into account when it comes to deciding what to do with the building as it is inconsistent with safe pedestrian traffic.

Strauss asked about the homeless encampment on McPherson Square and the city government's approach towards Federal land. Ross introduced Bill Keenan, DHS outreach, who stated that direct engagement with individuals in this encampment is ongoing in trying to direct them towards housing opportunities. Keenan also spoke of hypothermia and the provision of warming items.

Strauss asked if most individuals want alternative housing, if offered? Keenan said people generally say yes, though mental health issues come into play and certain people are incapable of making proper decisions for themselves. Strauss asked for a percentage of individuals wishing to remain outdoors, but Keenan declined to provide a number.

Ross spoke of an upcoming "pit count," a country-wide effort to better tally homeless numbers and provide housing options. Lee inquired about the demographics of the McPherson encampment. Keenan said it's primarily male. No families. Most are from the District. Ebony Walton, of BID, underscored the difficulty of acquiring demographics.

## **ABRA LICENSING**

### **1. Barcode, 1101 17th ST NW, Substantial Change to Retailer's Class "C" Tavern (ABRA-115593), Stephen J. O'Brien, 202.625.7700, [sobrien@malliosobrien.com](mailto:sobrien@malliosobrien.com).**

Representatives of the Barcode establishment stated that greater space requirements are needed for private events. A former dry cleaner space is sought. The Barcode general manager explained the hours in which the establishment is licensed to be open, stating the 5:00 AM closing only occurs on holidays and extended days.

Shankle inquired further about the special event and holiday hours. The general manager referenced the World Cup as an example when the extended hours are applied. Strauss alluded to noise issues yet acknowledged that thriving downtown nightlife is also good for the city. Strauss said being a better neighbor would be good for the business. The general manager underscored Barcode's tradition of working with local commissioners.

A neighborhood resident challenged Barcode on its good neighbor claim, stating outdoor seating is well beyond that what is licensed. Another speaker stated that Barcode has been flouting their outdoor seating restrictions for years. The Barcode general manager states that the business is working with ANCs on the outdoor seating issues. She said that sound reduction efforts were put into place pre-Covid, such as with the installation of sound proofing material and door closings of 10:00 PM.

Barcode also referenced its interaction with District police, saying the club encourages the ticketing of illegally parked cars and other law enforcement.

Susan Volman, president of the Dupont Circle Citizens Association is anticipating a protest to this request and invites Barcode representatives to the next DCCA meeting. Volman encouraged ANC 2C to protest so that a settlement agreement can later be had.

Shankle states there are clear challenges with the Barcode request. There needs to be a codified community agreement. He underscored to residents that the ABRA website allows individuals to submit a complaint. Shankle said he will reach out to Barcode legal counsel in follow up to this meeting.

**MOTION:** Shankle made a motion to protest the license change for Barcode, and to pull all sides together in creating a comprehensive community agreement to guide further disruptions. Seconded by Strauss. The motion carried. (Vote 4-0-0)

**2. Kitchen + Kocktails by Kevin Kelley DC, LLC, 1300 I ST NW, New (ABRA-123472)  
Retailer's Class "C" Restaurant, Stephen J. O'Brien, 202.625.7700,  
sobrien@malliosobrien.com**

The Dallas-based restaurant chain describes itself as providing comfort food. Located at 1300 I (Eye) Street the seating capacity indoors will be 233 and sidewalk 44. Live entertainment will be provided indoors. Shankle noted there are no residences within the building and that he has no issues or concerns with the establishment.

**MOTION:** Roe made a motion to send a letter of support for approval of the Kitchen + Kocktails Washington location. Seconded by Strauss. The motion carried. (Vote 4-0-0)

**3. TWB DC Chinatown, LLC, Tom's Watch Bar, 781 7th ST NW (ABRA-119403) – New Retailer's  
Class "C" Restaurant. Sidon Yohannes, Esq., The Veritas Law Firm,  
syohannes@theveritaslawfirm.com, (202) 686-7600**

Shankle stated assurance was given that appropriate sound proofing would be installed prior to opening. Residents have been complaining of noise and have reached out to the establishment, unsuccessfully, in addressing these issues. Various residents told of incessant thumping of their floors and walls owing to the music.

Ms. Lean, a building resident, complained of the bar not giving them any recognition over their complaints. Howard Marks states the bar violates a community agreement on music, and thus demonstrating a lack of faith.

Lee inquired if a representative of Tom's Watch Bar is present in the meeting and noted that they have violated their community agreement. Shankle replied there is no representative of the establishment present at the meeting.

**MOTION:** Shankle made a motion to send a letter of protest regarding the renewal of the Tom's Watch Bar license. Seconded by Roe. The motion carried. (Vote 4-0-0)

## TRANSPORTATION/PUBLIC SPACE

**1. 501 H ST NW, All About Burger Chinatown. DDOT Tracking#: 10966276 Sidewalk Café, Mohammad Esfahani, mo@aaburger.com, 202.255.7775**

Shankle announced that All About Burger in Chinatown is seeking a Sidewalk Cafe. It was explained that the area is 330 square feet in size. Eleven tables are being proposed along with 22 seats. Shankle inquired about fencing, of which there will be none, however, two planters are in the design plans. Alcohol will not be served.

Shankle stated this is a narrow sidewalk, but it is a good use of this space. He suggested locked down chairs and tables for the overnight hours. Lee suggested installing an elevated patio, however Esfahani underscored the ADA requirements prohibit this idea.

**MOTION:** Shankle made a motion to send a letter of support for an outside patio for All About Burgers. Seconded by Lee. The motion carried. (Vote 4-0-0)

## Planning, Zoning, Environment, and Historic Preservation

**1. 509-517 H Street NW Residential Project. Stephan Rodiger, Managing Partner, Rift Valley Partners, Stephan@riftvalleycapital.com, 202.361.0570**

Stephan Rodiger spoke of wanting to remain flexible with the project, stating it could go residential or lodging or to a mixed property, with no ground floor retail. Verbal support of the design has been given. A proposed massing is being drawn up by Cunningham Architects of Washington, D.C. Rodiger stated it is nine stories in height, yielding 47 units. The structure is designed to accentuate the existing historic buildings. Lodging with no retail will require a zoning request. Decrease in rear yard setback also sought. A third zoning request concerns loading with no dedicated loading dock.

Shankle wanted to clarify what is being sought, which is a letter of support over the concept design, and zoning relief on the setback. Shankle reiterated concerns from previous meetings regarding access to delivery in the alleyway. Shankle also inquired as to whether the group encountered a covenant limiting building height. Though none had been found, Rift Valley Partners thanked Shankle for alerting them to a possible covenant.

Shankle stated that he believes the overall design for this property makes sense. Rodiger offered to draft a letter the letter of support for the commission.

**MOTION:** Shankle made a motion to send a letter of support for the design concept and for the requested zoning relief in the rear of the building. Seconded by Lee. The motion carried. (Vote 4-0-0)



## OTHER

1. Administrative Assistant
2. Minutes taker

**MOTION:** Strauss made a motion to pursue hiring an administrative assistant as well as a minutes taker. Seconded by Shankle. The motion carried. (Vote 4-0-0)

**MOTION:** Strauss made a motion to approve the printing of business cards. Seconded by Strauss. The motion carried. (Vote 4-0-0)

Strauss inquired about hiring a coding expert for the website. Shankle stated there is budget for such a hire, while noting that a public notice will have to be made. Strauss inquired about a vote on after hours construction work: 1111 20<sup>th</sup> Street and at the Lincoln property. Shankle said no commission vote is needed. Strauss can issue a letter in support of after-hours construction.

**ADJOURNMENT:** Roe made a motion to adjourn the meeting at 9:42 pm. Seconded by Lee. The motion to adjourn carried. (Vote 4-0-0)

**Minutes Submitted by:** Minutes Services

**Minutes Approved by:** 3.14.23

**Next Meeting:** February 14, 2023, 6:00 pm

ANC Commissioners and Website

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Meetings are scheduled for the Second Tuesday of each month.