

Transcript of ANC 3B Meeting of July 13, 2023

Edited for Clarity and Readability

Timestamp	Agenda Items
0:00:00	Approval of Agenda
	Police Report (Not discussed)
	Old Business (Not discussed)
0:01:19	New Business
0:01:19	<ul style="list-style-type: none">• 2236 40th Street, BZA Case #20937
1:02:07	<ul style="list-style-type: none">• 2315-2323 40th Place, BZA Case #20945
1:16:41	<ul style="list-style-type: none">• All About Burger, ABCA Class D Liquor License Application
1:18:12	Updates
1:18:44	Open Forum
1:18:44	<ul style="list-style-type: none">• Mayor's Office of Community Relations and Services (MOCRS)
1:22:03	<ul style="list-style-type: none">• Ward 3 Councilmember Matthew Frumin's Office
1:29:05	Administrative Matters

Approval of Agenda [0:00]

Blumenthal: Good evening, everyone. This is the July meeting of ANC 3B. Welcome to our meeting. Please keep yourself on mute unless you are called upon to speak. When we have open question time you can raise your hand and we'll call on you. You don't need to have your video on if you don't want to have your video on, unless you're a presenter. And I think those are the instructions for now. I will make a motion that we approve the agenda.

Lane: Second.

Blumenthal: All in favor? Okay, the motion carries. We approved the agenda. Commissioner Lavezzo is unable to attend tonight, but we do have a quorum with five other commissioners here. Commissioner Lane, Commissioner Bergmann, Commissioner Howie, Commissioner Carroll, and myself, Commissioner Blumenthal. Lieutenant Johnson is unable to be here for the police report, so we will be skipping that part of the meeting.

New Business [1:19]

2236 40th Street, BZA Case #20937 [1:19]

Blumenthal: And we are going to jump right into new business, which is a Board of Zoning Adjustment case, number 20937. And I'd like Marty Sullivan and whomever he's here with to make themselves known, and see if you can get the screen. Anybody who's not presenting, maybe you could get rid of your video for the meantime, it would be a lot easier. And just keep your audio. Thank you. I don't mean commissioners. Commissioners should stay on. Marty, is anybody else wanting to present with you?

Sullivan: Yes, thank you. Dave Bloom, the architect, is here. And the owner should be here too, as well, Luqman Ghauri. And I didn't realize it would be this quick, so I'm going to switch over-- It looks like you're letting me in on my computer. It's easier for me to share from my iPad, so I'm going to jump off this device and get onto another device.

Blumenthal: Okay, no problem. Gupi, do you want to set this up while he moves himself around? No, you don't want to talk? Okay, we should explain that Gupi's on her vacation, and it's midnight where she is. And she's sharing a room with her children, so it's a little tricky. This case, well, Marty will be on in a minute. I don't want to describe it for him, so I will wait for Marty Sullivan to come on. There he is. Okay, Marty, you can take it away. And you can use your screen. Melissa, he can do that without any control issue, right?

Lane: Yeah. Yeah, I set up sharing.

Blumenthal: Okay.

Sullivan: Okay, thank you. Thank you. So my name is Marty Sullivan, I'm zoning counsel for the applicant here. This is for 2236 40th Street. I'm pulling up a presentation here, and then I'll share my screen as soon as I get that up here. Okay, got it. Okay, can everybody see that? The BZA application?

Blumenthal: Yes

Sullivan: Okay, thank you. So I'll just do a brief introduction of why we're here, and then I'll turn it over to the architect to go through the plans. We're asking for relief under Section U421. This is a relief that BZA requires approval for any new residential development, and up until just a couple years ago, new residential development meant a new building. And due to some changes in interpretations -- there were no changes in the regs, actually, but there was change in interpretations -- we've now gotten to the point where anytime you add a unit to an existing apartment building in the RA-1 you're also required to go to BZA for approval just to add the unit. So we're adding two units, and so that's what triggers BZA relief. Because you'll notice there's a lot of additions to buildings in this area that were done prior to, let's say 2018, when you could do it. It wasn't done real often before 2015 because the parking requirement was so steep. It was one to one, and that's no longer true. So the proposal includes a third-floor addition and a rear addition, going from four to six units. And we're asking for relief from the parking screening requirements as well. And I can get into that when we go into the plans, because there is a way around that if the ANC isn't in favor of that particular relief. But it's an odd provision that was really meant for parking lots, not necessarily for parking lots that are just accessory to a building. And I'll explain that when we get into it. Regarding the specific development standards, it's a 40-foot height limit. We're proposing less than 32 feet, meaning the FAR 0.9 lot occupancy is being met. The side yard is eight-and-a-half feet. Rear yard is about twice what's required. And providing four parking spaces. So I'll turn it over to Dave. And, Dave, just let me know when you want me to switch slides.

Bloom: Yeah, so here you can see a view from the street with the subject property, 2236, slightly to the left. And you can go to the next slide, I think. And the next one. So here you have the existing and proposed site plan. As Marty mentioned, this is an existing four-unit building. Our proposal is for six units. Obviously the party wall, the front wall, and the sidewall are remaining, existing to remain. We're removing an existing wood-framed rear addition, and essentially replacing it with something just slightly bigger, but not much bigger. But we're right at the 40 percent lot occupancy maximum. There's still a front entrance, which leads to a single unit, which I'll kind of go through the individual floor plans, but we have entrances on the front, the back, and side. And let's just go to, let's go to the actual floor plans, Marty. It's a little bit easier to describe the project from these. So here on the left you have the cellar plan. There's two units in the cellar. Each one has a private entrance. The one at the front, front is page down, the alley is page up. The one at the front has an entrance at the front. You go in, the bedrooms are to the left, I'm sorry, to the right, and then the living room and kitchen are to the left, which is a very typical setup for this building. The rear unit is essentially a mirror of the front one with the entrance being, or facing the alley, I will say. There are two window wells on the right side. These are window wells. They're not serviced by a door. We did, we had discussed as the team maybe making these a little bit smaller. I know one of the concerns of the neighbors was people potentially going out into these window wells and, you know, congregating. I think if we make them smaller maybe that impulse is less. You can go back to the floor plan, Marty. Obviously even to get out there they'd have to crawl out through the window. They're only three feet, side to side, left to right, in these plans. And you're sort of, in a window well the wall is probably eight feet tall, so it is not a nice place to congregate. Each of these units do have larger areaways.

That's how you enter these units, and so I would imagine if anyone wanted to hang out outside of these units they'd probably just do it at the front or the back, and not the side. The plan to the right is at the first floor. Again, you enter the unit directly from either the front or the back. The bedrooms to the right, living room and kitchen to the left. You can also see-- Sorry, go back to the first floor, Marty. The side entrance, which is roughly halfway along the side of the building. This takes you to the upper two units, so it services the units that occupy the second and the third floor. You can go to the next page. Here we have the second floor. Again, a unit to the front, a unit to the back. The unit to the back kind of wraps around the side to create the two bedrooms. The unit at the front has an interior stair that takes you to the third floor, and that's where the bedrooms are for that unit. It's a partial third floor, I don't know, roughly 40 percent of the building footprint. Something like that. A few things to point out, maybe if you go back to the site plan, Marty. All of these units, the bedrooms are to the right side, the side that we have an alleyway, that we have a side yard, excuse me. Which we think somewhat addresses the neighbor's concern about noise. You know, people generally congregate in their living rooms or play their TVs in the living rooms or the kitchen. Those are all to the party wall side. And then we talked internally about potentially providing a fence along our shared property line. This would be a privacy fence. I don't think it would block any of the sunlight that would get into their windows, and that fence could be both at the front and at the back. And then, Marty, if you keep going down I think there's some elevations. One more. Okay, so on the left you see the front elevation. Pretty much looks like it does today, we're just replacing the windows. We are required to provide a ramp to meet accessibility, and so that's what you see, that sloped section to the right side of the front elevation. Next to it you see the side elevation with the side entrance. And if you go to the next page, Marty. And this is the rear elevation. Again, we have to provide a ramp so you see that. There are some small balconies that face the rear alley. And that's the floor plans.

Sullivan: Okay, so I have some slides on here where I would go through some of the concerns that have been stated in the party status opposition, and in a separate letter as well by the neighbors at 2240. I could do that now, or if the ANC would prefer to just hear from the neighbor at 2240, and then come back to us, however--

Blumenthal: I think it makes sense to hear the neighbor's concerns, and then you can respond to that. And then we can open it up for discussion.

Sullivan: Okay, so I can stop sharing? Unless they, you know, want to look at-- Unless you want to look at some of this.

Blumenthal: Susan or Dana, are either of you willing or ready to speak?

Wilson: Yes, I would like to be able to share my screen.

Blumenthal: Okay, so you have to take yours down, Marty. For people who are not aware, the two women on the screen, Susan Wilson and Dana Bender, live next door. And they are

separated from this building that's being renovated by about eight feet, nine inches. And their concern is related to that in particular, but they have other concerns. Sorry, go ahead.

Wilson: Okay, so to start with my name is Susan Wilson, and I'm the secretary treasurer of the Glover Park Condo Association. And Dana is also here, and she is the president. Currently, we own all four units within 2240 40th Street, which is right next to 2236. This is a four-unit condominium at the intersection of Benton and 40th Street, and we became a condo in 1992. So we've essentially lived in the neighborhood for a long time. I currently own three units in the building. I own both units on the south side, so I am most impacted by the proposed renovation. And I also just recently acquired unit number four, which is upstairs, which is parallel to Benton Street. And Dana owns one unit, unit number two, on the north side downstairs. Our main issue with the 2236 renovation is that there's a lot going on in a very, very narrow space between the buildings. And this is going to be disruptive to the residents of units one and three. My permanent, current address is unit number three. And I have rented the downstairs unit in the past. We did send a letter to Mr. Ghauri outlining our concerns about the project. We were able to meet with him last Friday. We went through those objections. At that point, we did not come to any resolution. He did try to convince us that this would not be that disruptive to our building, and he said that he could not redesign his project. He did say that he would consider screening the parking, which is one of our concerns. And he did say that he would think about issues related to drainage. So I'm going to urge the ANC to oppose this project. Again, these are two special exceptions, and special exceptions can only be granted if there's no adverse impact to the adjacent property owners. So at this point I would like to go through some of my slides here. So, again, this is the picture that you just saw. This is our building. This is Mr. Ghauri's building, and the subject of this renovation. The view on-- I think that a picture is worth a thousand words. This gives you a photo of the distance between the buildings from the 40th Street side. Again, at the widest this building is, the two buildings are 13-and-a-half feet apart. Excuse me. And at the most narrow, which is back in this area, the two buildings are almost nine feet apart. And only 5.6 feet, or basically half a foot, belongs to us. And again, this was done by the original builder when these buildings were built in the early '40s, late '30s. Again, you have gone through, Dave has gone through what the renovations are to include. One of the things that I was adamant about doing was to try to match up our building with the designs that were submitted to BZA on the part of Mr. Ghauri. You can see that, if you can see my screen, this is where the side entrance is going to be. This is directly across from my bathroom window, which will again be around 13 feet. This is my bedroom window in the downstairs unit. These are where the areaways are, right here and here. And this is where the lead walkway is going to come down. Whoops, excuse me. And basically traverse the whole length of our building. I want to point out that the lead walkway is literally right up against my bedroom wall. This bedroom wall goes for about 15-and-a-half feet. There is this indentation, and then this is where the bathroom is, and then this is where the living room is. Okay, so moving along to one of the things that we, again, tried to do was to photograph what the impact of this project was going to be on our property. If you look at, and again, I tried to draw in the lines where I thought, from reading the plans for 2236, where this was going to hit. And say, the area to the left of this red line is where the side entrance is going to be. You can see how close that is to my bathroom window, how close it is to

the bedroom window. This is where the areaways are going to go. This is the back areaway. This is the front areaway. And if you look over here to the right hand photo, the lead walk is literally going to come right--

Victoria: This is a bathroom window, this would be the end--

Blumenthal: Victoria, mute yourself.

Wilson: So this is where the lead walk is going to come and again, it is right up against my bedroom wall. Okay, so the next photo is from the interior of apartment one downstairs, then it faces Mr. Ghauri's building. Again, I tried to draw in, maybe not very expertly, where the entrance is gonna go, where the areaways are going to go. Areaway here, areaway here. And this is where the lead walk is going to go. So you can see how close it is to my bathroom window. Literally, the toilet is here, the tub and the shower are over here. So again, there's a whole lot going on in a very small space. So, there are other projects within the neighborhood where renovations have taken place. This is for-sale condos at 2216 40th Place. What I want you to take in is how much space is between these buildings. Because of the way our building was laid out, again, there's very little space between the two buildings. With other buildings within Glover Park, there's a much wider distance. Again, between these two there's 25 feet. This is a walkway, this is the only side entrance that we are aware of in Glover Park. There are no areaways on this side. There are areaways on the back, and there's a very small areaway on the side here. Okay, next slide. This is another project which is going on on 40th Place right down the alley from us. This particular property maintained the center hallway. And you can see, I put the drawings here. There are two very small areaways on the side. There is a walkway right here, but again, there's 16 feet between the edge of this building and the edge of this building. So, again, you know, the impact of renovation on the adjoining buildings is much less than what I think it's going to be for ours. So the conclusions, and some of the questions that we came to, is that the buildings are too close, and the current plans really do impose on the privacy of apartments one and three. That lead walk abuts the bedroom window of apartment one, and it's five feet from the bedroom. Probably most distressing to Dana and I is the fact that there is a side entrance. We expect that there's going to be noise generated from a door which bangs open and shut, and we anticipate because that's leading to a second and third floor, that there's going to be noise from people being buzzed in because residents of the second and third floor are not going to want to come downstairs to let people in. There's going to be residents talking and walking from via the lead way to the side, and to the front of the building. And there's also going to be a lot of delivery people and visitors coming in and out. So where we've had, you know, for a very long time since we've owned this building, nothing going on between the two buildings, all of a sudden there's going to be all this activity there. So Dave spoke to the areaways. I won't go over that. Another issue for us has to do with rain water and drainage, and how the renovation and the lead walk are going to affect our foundation. And particularly the humidity within apartment one. Also one of the things that we talked about with Mr. Ghauri was the green area requirement, and there's a requirement of 40 percent. That program is administered, and those regs are administered by the Department of Energy in the District. So

where we saw for one of the other cases that came before the Zoning Commission, there was a submittal of a very explicit worksheet as to how that requirement was met. That is not present for this particular project, so we have questions about that. So we want to point out that we have no particular objection to the cellar units, to the partial third floor, or to the parking. We do have an objection to the side entrance, and the size of the areaways that we really feel are going to invade the privacy of the 2240 residents. We would urge the redesign of this project to eliminate the side entrance and to greatly eliminate the traffic between the two buildings. And lastly, we think that if it's possible, that the lead walk should be reduced in size, and that it should be pushed more towards the 2236 building, as opposed to being right next to our building. We think that there should be screening of parking, and we do not think that a special exception should be granted to eliminate the need for plantings around the parking. In particular, we think, and particularly with unit number one downstairs, that residents coming in and out of the parking at night, that those headlights are gonna beam right into the back bedroom. And that will be eliminated if there is parking. And lastly, the developer needs to show how the green area requirements of 40 percent is going to be met. So all in all, again, we did meet with Mr. Ghauri. Our concerns were not met. We would urge ANC 3B to oppose this project. As was mentioned, we have applied to be a participating party in the zoning hearing, which is going to occur in September. So, Dana, I don't know whether you want to add anything to my presentation at this point.

Bender: Hi, I just, I just want to say that I agree with everything you said, and I'm really concerned about the lack of green space in Glover Park with all of these developments. I really would prefer not to have buildings like this, but it's his property, and we understand, and that's why we're not really objecting to the project except for the side entrance. I really just think that the space is just too narrow. And there are several other buildings that have similar renovations with an addition of cellar units and a partial third floor, but they've managed to do it without a side entrance, except for the one that Sue showed in her slides. But again, you know, I measured myself the distance between those two buildings is much greater. And you mentioned earlier in the, I think, it was Mr. Bloom or Mr. Sullivan, the side yard. And that there's a side yard minimum of eight feet. And my question would be what constitutes a side yard? Does it count that there are the areaways? Do they count as side yard, and the walkway? And also, the idea of possibly putting up a fence. I mean, you see where the lead walkway would be. It's right up against Sue's bedroom wall. It's right up against our building. So where would you put a fence? And if the fence is right up against our building, then her living room window and her bedroom window would be about four feet from a fence. I mean, I would really urge you to please consider a redesign without a side entrance. That's all I have to say.

Wilson: So I would also like to say that the fence was brought up, and I am adamantly opposed to a fence. I don't know how we would garden the area that we do have. And I just anticipate lots and lots of issues because there's a fence so close to our building. I don't think that that's a solution. It doesn't eliminate noise that we anticipate from a side entrance. And it's just going to be a huge bother.

Blumenthal: Okay, thank you, Susan and Dana, very much. Before the commissioners ask questions, let's give Marty Sullivan a chance to respond to this and also tell us what possibility there is of moving the side entrance. I think that's going to be our basic question at this point.

Sullivan: Okay, yeah, and I'll turn it over to Dave for that. But I will, I'll share, because-- So the first thing I want to address is the parking. Just to get that out of the way, the screening. Let me--

Blumenthal: Susan, can you take your screen down?

Wilson: I'm sorry.

Sullivan: I think it's letting me share. I can, I just-- I'm looking for the screen here. Hold on. I'm going to try again.

Wilson: Oh, wait a minute, there's a button to stop sharing. I'm sorry.

Sullivan: It's okay. Okay, so can everyone see that page saying addressing concerns?

Blumenthal: Yes.

Sullivan: Okay, so I just, I want to point out that everything we're proposing by itself is permitted as a matter of right, subject to the parking screening which, well, we can talk about. We're within FAR height, lot occupancy. The GAR will be met. We don't-- Typically we don't have to provide the landscape architect certification of GAR before the BZA hearing, because it's a building permit issue. But we will provide that so when that issue is raised, we've got the-- Putting together a little landscape architect to do that. So we'll have a GAR certification in the next 30 or 40 days, I think. The distance between the buildings, it's eight-and-a-half feet on our side. It's five feet on the other side. But the wall that they reference is on the property line. The reason why the lead walk is near up against their wall is because their wall is up against the applicant's property. And you see, and you know this very well, of course, I don't need to show you this. But this is the size of the side yards here. They're not big. There's very short sides, there's not much distance between any of these buildings. The difference here with the 2240 property is it's on the property line. And this is the wall with no windows. So, I mean it sounds like they're saying, "Because I have a wall on your property line, you shouldn't have anything on your property near my wall." So regarding the-- Let me go to the parking, you can find a plan. So the parking screening, there's a requirement that they adopted a few years ago that was for parking lots, and they said a parking lot needs to be screened, but it can have openings of no more than 20 feet. And I don't think it was intended for this situation where you're pulling in from an alley into parking spaces. And so the way around this parking screening requirement is to set, put a space between these two parking requirements of about a foot. And put a fence in between there. Some people have solved that that way. It looks a little silly, but that's the screen they're talking about. They're not talking about screening back here on the side. They're talking about screening to the entrance, so obviously we can't screen that because we have to enter it. But

they allow for 20 foot openings. So, Dave, maybe you can talk a little bit more about that, if we're able to do that. And then we could just drop the screening relief that's a concern. Back to the other concerns. I'll turn it over to Dave to talk about the need for the side entrance. Regarding the window wells, these are going to be eight-foot-high concrete walls that you would have to walk out a window to get into. They're not recreation spaces, they're not party spaces. They're to allow light in, just like any other window well. The lead walk, the plans are going to be revised to make that pervious pavers. I mentioned the GAR score. Some of the ideas we have to address privacy concerns are the fence. We put up a fence on our property line to a level that would block the view, but not the sunlight coming from above. Could offer to install greenery on the 2240 property to mitigate those concerns, or to even install new windows to mitigate noise concerns. All of this stuff we could do today, by the way. I mean, we could put a fence up six feet high on the property line. They can put a sidewalk on the property, and put parking spaces in. And people would be using this. Regardless of the BZA relief, there'll be parking spaces and a sidewalk, so it's not really part of what the BZA is considering as the relief. Dave, do you want to talk about this issue with the side entrance?

Bloom: Yes, sure. If you could go to any of the floor plans, maybe the cellar and the first floor would be a good place. So there's-- Yeah, right there. So there was one comment of, well, what would happen if we put the entrance to all the units on the front? I think maybe there's two major points with this. One being is even with the entrance on the front and the parking in the rear, people will still be going through the side yard to either get to the parking or drop their trash off. I'm not sure moving the entrance to two units to the front would necessarily alleviate pedestrian traffic on the side yard. The other point would be if we had the entrance on the front, it naturally sets up a layout where you have a unit to the left with the party wall, and a unit to the right with the side yard. And then the stairs are in the middle. The stairs divide the building front to back. You have a unit on the left and a unit on the right. That's great for the unit on the right because it has a very long length of exterior wall where you can put windows on it. And so it's fairly straightforward, I would say, to make that a two-bedroom unit. It's more problematic for the unit on the left. It has a shared wall. You obviously can't put windows on the shared wall, so you're limited to windows on the front and then windows on the back. Every bedroom, by code, needs a window. And because of the limited number of windows you could put in that sort of space you pretty much end up with a one bedroom and maybe a one bedroom with an interior den or office. And so instead of having six, two-bedroom units, you only have three, two-bedroom units. And so we're obviously trying to maximize the value of the building. And having the sort of division of units with the units in the front and units in the back allows us to have these extra bedrooms with windows. And then just to kind of piggyback on a few things that Marty said, we are working on the GAR plan. That is typically met with a combination of landscaping, pervious pavers, and potentially solar panels on the roof. I think that would also probably address the drainage issue that they mentioned. Door banging, you know, it's pretty easy to put a closer on the door, and you can't slam a door with the right kind of closer on it. And I think that's it.

Sullivan: Will there be a buzzer, Dave? I mean, people don't use buzzers.

Bloom: I don't think people really use buzzes. Kind of, people think of it sort of emanating a loud sound. You know, I think most people probably use access via their phone these days. But, you know, I don't think there'd be a buzzer that would be audible.

Sullivan: So I think-- Okay.

Bloom: Oh, I'm sorry. Sorry, Marty, there was one other comment about deliveries, I think, packages and things, and such like that. I would imagine because there are, we are proposing multiple entry points, that all the mailboxes and a box for packages would be in the front.

Sullivan: Okay, thanks. I just want to, just as a way to try to-- We're open to any sort of mitigation ideas that the ANC might suggest, or the neighbor. The three that we have in mind were a fence, or greenery, or upgrading their windows. But the impact of removing the side entrance is to take three of the units from two-bedroom units to one-bedroom. It's significant. And essentially what it kind of comes down to is like, we meet our side yard requirement. So this building meets its side yard requirement, and then some. And even actually the third story is a little set back from that requirement, as well. So the neighbor, because they have a wall on the property line and windows that are less than the required eight feet, are saying that the normal use of the property side yard shouldn't be allowed because their building's closer to the property line than our building is closer to our property line. So I don't, I can't move the buildings. I mean, we do meet the side yard requirement. But we can do the fence. It could just go up to the height of the window, so it would allow the sunlight in. I don't know what impact that would have on their gardening, because the fence would be on our property. Other than that, I'm kind of at a loss on how, other than the three things we proposed, on how to address that issue. Other than saying the residents of 2236 can't use their side to get to the parking, to take out their trash, or to enter the building, which is just for two units. It's two units. People go in a couple times a day, maybe. And the deliveries won't be on that side. So, I don't know. Dave, if you have anything else? That's all I have.

Bloom: Yeah. I'm sorry, if I could just chime in. I remember one thing that Dana asked about, whether it was allowed to have areaways and sidewalks in the side yard. And those are allowable elements to have in the side yard. And I do, I think the owner, Luqman, would like to say a few things.

Ghauri: Yes, hi, Luqman here. And I wanted to address Susan and Dana. Marty, can you put the floor plan? So a couple of things. You know, I completely understand what their concerns are coming from. You had this sort of space several years that, you know, you're saying that people don't go back and forth, but now we are making changes, we are planning on making them. The changes are actually, and you know, you are concerned about the side entrance and what it will do with all the traffic and the noise, and noise and privacy are two issues that you brought up. In terms of noise, first of all, those so-called areaways in the basement, they are really window wells with windows, which are in the bedrooms of the lower, the basement units. There are areaways on the front and back, as Dave was mentioning, which open to the living

room of the same units. If anybody actually did-- In my experience, I've never seen people congregating in these so-called areaways, because there are concrete walls on three sides, and they're tall walls, and it's not very pleasant. But if they were to congregate in the way, it would be from the living room, not from a bedroom window. These so-called areaways facing your site, your building, they are really window wells to give light and for providing this for the bedrooms. Likewise, on all levels, the basement, the first floor, the second floor, all but one window is a bedroom window. And even that one window is basically a small hallway window on the second floor, which goes to the bedroom. So windows, if anything, we should have-- Maybe we have quieter tenants in our building right now. Tomorrow they may not be that quiet. They may open their windows from their living room. You know, they're directly opposite your living room window, and your bathroom window is directly opposite of our building currently. And, you know, in terms of privacy, there's not much privacy to begin with even now. There will be more privacy in the sense regarding the windows, because they are all bedroom windows are facing your side in our plan. As opposed to bedroom and living room windows. So, you know, as Dave was saying, if we were to configure, completely reconfigure this project, which is not really feasible for us, but if even if we had four units in this building with the front entrance, you know, if we wanted we could do six units. We could do up to nine units. We will want to have some sort of walkway going along to the front and back anyway, with window wells. Window wells have to come first, obviously, because they're against the actual structure, the building. And only after that we can have walkway. So, you know, no matter what we do, you would have a concern that people are using our side yard, even if you didn't have that side entrance. So that is something, as you know, as Marty was saying, you know, we can put up like a walkway, even tomorrow we can just put a walkway going from front to the back, and make parking. You know, so we can do whatever for your privacy. You know, you don't like the idea of the fence, you've made that very clear to me before. Fence doesn't need to be that high, you don't need to even put a fence. We are willing to put bushes or trees, or willing to pay for-- Because we don't have that much right to put evergreen trees or bushes, but on your side where your windows are, we can pay for that landscaping. Now you have a big bush and tree, I don't know if it's a bush or a tree, but it's a very big plant at the rear of your building which really actually, hits, almost touches your back window. So you have that sort of configuration where you have window which completely is sort of what is being blocked by a very big plant.

Blumenthal: I wonder if I can interrupt. In the interest of time, I think it's very clear here that there's going to have to be some more negotiation on this project. At least that's my assessment of it. And I wonder if it is something that you would entertain to postpone the hearing a month so that you could spend a month working something out, seeing if there's a solution you could work out with the neighbors, and then come back to the ANC so that the ANC doesn't need to take a position tonight when everything is up in the air. It seems to me that the issue of the walkway and the noise could be there regardless of where the main entrance is, whether or not there's an entrance. But the neighbors need to be compensated for these problems that are being caused to them by this development, and I think that they need an opportunity to work out what, if any, of those offers would work for them before the ANC makes a decision one way or another. So I guess I'm putting on the table whether or not you'd be willing to move the hearing.

Sullivan: Hi, I'm a little concerned about the use of the term, compensated.

Blumenthal: Yeah, that was my mistake, sorry.

Sullivan: No, but we're happy to offer anything to mitigate the concerns of what is normal, everyday use by residents. You can see how hard it is to provide housing in the city when a provision of two units and, you know, basically what they're saying is, "Because our building is closer to the property line than it should be, that we're going to ask you to eliminate three bedrooms from three of the units, or to otherwise completely redesign your housing. Or just not add two housing units to the city." So it's difficult. I was at an ANC in Ward 5 last night. An eight-unit apartment building is going up with a side entrance for eight units, about ten feet away from a single-family dwelling. It has the full support of that homeowner, so it's not in my opinion an objective certainty that the use of someone's side yard for access between the front and the back and entrance for two units is objectively a problem. But regarding the postponement. If the ANC is gonna, is pretty clear that their approval is dependent on the neighbor supporting us in the end, and I think it sounds like the things that we've proposed haven't resonated with that neighbor-- I'm almost thinking like, you could vote no tonight, and we could work with the neighbor, and then we could postpone. So we'd lose a month at the BZA, and then if we have party opposition, gosh, we'd lose about almost a year sometimes, because it takes them that long to finish an order when there's party opposition. So if, I mean, I guess, yes. I mean, a month isn't that long to ask for a postponement, if we can get to October 18th. So I want to do that. My only concern is if there's no chance at all to get the support, I don't want to lose another month, so that's kind of what I'm dealing with. And I don't, if the ANC doesn't mind, and you want to vote on it-- And it's up to you, of course. You could say, "Well, we're not voting. We want you to postpone it." You could ask for a postponement, and in that case I would do that, I would recommend that we do that as well. But if you voted no, then at least we'd have the option of not losing the month, if it looks like there's no way out of the party status opposition. I don't, basically though, I mean, I don't want to sound like I have a problem with postponing, because you know, it's the first postponement, and I want to give the ANC time to consider everything.

Blumenthal: It would have been easier if you had said, "Yes, fine." Because now we have to make a decision by communicating in public about things we're not sure of. So I'd like to call on Commissioner Bergmann, who has something to say.

Bergmann: Yeah, well, I have a few thoughts, but I have kind of a preliminary question, which I think is another reason why I would like to postpone, because I think some of these things, this is the first time we're seeing it. And in my experience, sometimes ideas that seem not feasible or crazy to the developer, might seem more feasible when you guys go home and think about it. So I have a question about the side entrance. So is there any reason why the rear unit on the second floor cannot be, you can't enter that via stairwell that's added to the back? That's obviously not going to address the front unit, but is there any reason why you couldn't?

Bloom: Yeah, the quirk of the zoning regulation is that anything above four feet from grade is considered lot occupancy. And so that stair, the first four feet of it vertically wouldn't count towards lot occupancy, but once you got above that, then it counts towards lot occupancy, and we're already at our 40 percent maximum lot occupancy

Bergmann: Right. Okay, that's an explanation. I guess what I'm thinking out loud is that, you know, if you had an entrance for that unit in the back, and you could then move the, the stairwell entrance could be moved a little bit closer to somewhere else on that so that's not directly across from the windows. Move it maybe closer to the front. But I throw that out there as a possibility. You know, it seems like this is one of those projects where there's a lot of agreement, a lot of-- There's not opposition to the principle of the project, which is not always the case. So, you know, I would urge you guys to take two months to think about how to make this work, because that will ultimately save you considerable time and expense if there is opposition. This is, you know, because there are design issues, and I understand that's-- I'm not a designer, but it strikes me that this is something that could be mitigated, and perhaps through other, you know, maybe if you can work with the neighbors and they can sign on to be supportive of other exceptions, that would be less objectionable to them.

Blumenthal: I guess we're in a position where we would prefer to have you work more with the neighbors on these issues. The offer to replace windows, for example, strikes me as an interesting mitigation approach. But I'm not the neighbor, so I actually don't know if that would make a difference, and I think that they have to figure that out with you. Because I don't feel that we're at a place where it's either/or, although I guess I could ask Susan and Dana that. Is there anything that could mitigate your feelings about the side entrance, other than removing the side entrance? Susan and Dana?

Wilson: I mean, I would have to think about this. And Dana and I would have to talk about it. You know, my ideas have been presented. I can't say tonight that I would be willing to sign on to those or not.

Blumenthal: That's the point I'm trying to make. None of us can decide tonight where we are because a lot of this has just been put on the table just now.

Sullivan: We agree to a postponement. Let's do that.

Blumenthal: Okay, I mean, that just makes it better for everybody. And, you know, maybe there is a way we can get to some resolution on that.

Sullivan: Yeah, I'm hopeful. I mean, and I want to hear more feedback too. I mean, if we're not done, if there's any more feedback from other commissioners. But we're hopeful that, we're optimistic that we can find solutions and move the ball.

Bender: I just want to point out, again, that we're trying to, you know-- My preference would not,

for this to not happen at all. But we're trying to be reasonable, and we're not opposed to a walkway. We understand. We're not opposing the parking. And we're not opposing, you know, adding the units in the basement and going up another floor, which is going to-- It's southern, south side, it's gonna affect the light and sunlight. We're not opposing that. We just really are in opposition to the side entrance.

Blumenthal: Okay. Commissioner Howie?

Howie: You had mentioned the requirement for ramps for the front and rear entrance. Is there a requirement to have a ramp for the side entrance? And second, one other thing I think about is like lighting over a doorway, if that would impede on the adjacent property?

Bloom: Yeah, for the ramps, the code requires that you only have wheelchair access to a single level, a single floor level. And so that's why we have ramps front and back, because we've sort of designated the first floor as that level that needs to meet that requirement. In terms of lighting, I feel like there will probably lighting there regardless, whether there's an entrance or not. I think it's probably a good idea to have some lighting there just so people feel more comfortable and safe going back and forth for parking and trash, and things like that. But it can be, you know, it doesn't have to be, you know, like they don't have to make a stadium out of the place. I think like very low to the ground foot lighting would certainly be sufficient. I think just to have some illumination of the actual walking surface would be, you know, be nice for everyone's safety.

Blumenthal: Any other commissioner questions? Are there any questions from participants at the meeting? If so, please raise your hand. I wonder if we could take the pictures down, thank you.

Lane: I don't see any hands.

Blumenthal: No hand?

Lane: No.

Blumenthal: Okay. So, thank you all for putting this all out before us in such a comprehensive way so that we can see the problems and some potential solutions. But we haven't quite gotten there yet. And this commission does not meet in August. But we meet again on September 14th, and we will put this on the agenda for September 14th. And in the meantime, I hope that there is some way that you all can work out a solution. And we are happy to mediate in any way that would be helpful to you.

Wilson: Thank you.

Sullivan: Thank you, and thanks so much for your time. I really appreciate you spending so much time on this and considering it. Thanks.

Bloom: Thank you.

Blumenthal: Okay, thank you very much.

2315-2323 40th Place, BZA Case #20945 [1:02:07]

Blumenthal: We're now moving on to another BZA issue, and a little bit less complicated one. We need Lawrence Ferris to come forward. And this is for 2315 to 2323 40th Place. And, Gupi, do you want to talk about it first or? No. Okay, so Mr. Ferris, why don't you describe the project and describe what relief you need from the ANC.

Ferris: Absolutely. And am I able to share my screen now?

Blumenthal: Yeah.

Ferris: Okay, I'll go ahead and pull up our slide decks then. Again, my name is Lawrence Ferris. Hopefully you all can see my screen now. I'm with the law firm of Goulston Storrs, and we're land use counsel for this project. As Chair Blumenthal mentioned, this is at 2315 through 2323 40th Place Northwest, actually not far from the project you all just reviewed. Very close to Stoddert Elementary School. So we filed a BZA application, which is for an existing apartment complex that you see here that has 45 units today. This building was built back in the 1940s like a lot of the other, or almost all the buildings around this area. The project essentially will just renovate the existing structure, and make some general site improvements, and then do some work in the existing cellar level to provide seven new units at that level. So we're also making some cosmetic improvements to the exterior of the building, and just the general site conditions. But we're not proposing to expand the building at all. It's just renovating that interior space. And they'll be reworking some of the interior unit layouts, but no additional square footage as part of this project. So the site is located in the RA-1 zone, which is intended for apartment buildings like this, running kind of the wide spectrum of size for apartment buildings. But it does require that all new residential development go through the BZA special exception process review, which is what this application is for. So we're not asking for any other zoning relief aside for just that approval for new residential development in the RA-1 zone. That's section U421 in the zoning regulations. So here I'll just kind of give a quick overview of the plans, and walk through what we're doing and the existing site conditions. Here's the building itself. This is sort of the post-project condition that we're envisioning, more improved. What you have here and here is just, again, orients you to the location, which I believe you're all familiar with at this point. Here is some aerial views of the existing building. These are a little out of date from DCGIS, but they at least give you a general sense of the overall site right here. I think hopefully you can see my cursor, but you have 40th Place right here, and then it slopes down running north towards Stoddert Elementary School just one block north. And then you have the alley, this view facing

the opposite way running to the rear that wraps all the way around here, opening onto the street there. So here are some current pictures of the site, so you have-- Here's the north end. As you saw from the prior photos, there's a significant grade change from the south end down to the north end of the site. So here's the north end of the site. You see the existing gravel parking with a chain link fence that's going to be in improved condition after the project. Here's a more central view. There's kind of three entrances across the site. Here's the north entrance, here's the central entrance. Here's another view of the central entrance. And all the site access is going to stay the same as the current condition. Here's the southmost entrance to the three, and then here's a view of the building from that rear alley to the east. So here's an overall just site plan view of the building, again, just to orient everyone. So here, as part of the site conditions there's an existing building restriction line that traverses all the way across the site that we have to respect. And here is just the overall view again. Here are the entrances that we're maintaining with the lead walks that are not moving. Overall the building is going to stay the same. We are adding some small mechanical enclosures. That's just part of the system updates to the building. And then we're also adding a new trash enclosure. There's currently an enclosure right here that we're moving all the way to the eastern corner to try and maximize, get as many parking spaces as we can in this area right here. So here are just some diagrammatic views again of the building. This is post renovation, but it's more or less the same, except for these little mechanical enclosures, as what you would see there today. The rear view, and then the front view from 40th Place. It just quickly-- I'll not linger too long, but here are the just floor plans. Here's the cellar level where the new units are being provided. You can see them here. We're also adding some new long-term bike storage for the residents on this level. It's pretty straightforward. And then, similarly, here's the first floor. We have existing units there, and we actually have, I believe it's two units on the cellar level right now. But again, the interior layout is being reconfigured kind of to update those units, bring them up to more modern standards. But otherwise very consistent with what is there today. Here's the second level. Third level. There's not a whole lot to talk about here, but if you have questions feel free to interject. And then just a roof view. Again, here's those new mechanical enclosures that we're adding that provide very generous setbacks from the exterior of the building, so they won't be visible from the street. And here just one more time is sort of a perspective rendering image of what it will look like after the project is complete. So the exterior renovations are very, I would say modest. We're replacing some of the awnings, painting the building, things like that. We're doing some landscaping, excuse me, improvements. And including adding three trees sort of on the north end down here that we're not showing just to make sure that you can see the building more clearly here. But that pretty much wraps up our presentation, but we're happy to answer any questions that anyone has. And we appreciate your all's time.

Blumenthal: Well, I have one question before I ask everyone. Will people be living in this during the renovation?

Ferris: I do not believe so, but maybe someone from the development team can chime in. Adam, are you on?

Adam: Yes. Nobody will be living in the building during the renovation.

Blumenthal: So there are no tenants in that building now?

Adam: So there are tenants in the building now. After closing, the majority of the tenants will vacate. A few tenants will move back into the property after the renovation is complete into newly renovated units. And during construction they'll temporarily relocate.

Blumenthal: Okay, I guess I didn't realize that. Any other commissioners with questions? Gupi? Commissioner Howie?

Howie: Thank you. I just have-- Is this still going to remain an apartment building? It's not being converted into condos?

Adam: Yeah, it'll still be an apartment building.

Howie: Okay, and then just to pass along some neighbors' concerns, just so-- The addition of seven more units, is there anything, has there been any idea about adding seven additional parking spots to help minimize the impact of street parking or any further additional spots?

Ferris: So, if you look at the site view here, it's probably the best way to explain it. Right now there are seven units on site, or seven spaces on site. There's an old certificate of occupancy that says there's eight, but to be frank we've never been able to find the eighth. Right now there's two inside the building right about here, and then there's five that span from about here and to here. One of them actually encroaches into this building restriction line area that's not permitted, we're not allowed to maintain that as part of the updates. So what we've done, kind of the best, is we've pulled the two parking spaces that are here out, and put them here. We've brought this trash enclosure over to this side. Again, just to fit as many as we can. But eight is really the most that we can fit. This space right here is car share space, and under zoning it actually counts as three spaces. It's sort of a weird rule, but for practical purposes we have eight physical spaces right here. Which, I mean, as you can see it's kind of the most that you can get into this site while still meeting your landscaping and screening requirements. There's just nowhere else on the site that you can put them that would comply with zoning. You can't put them in this front yard here. You can't put them in this building restriction line, nor would you have a curb cut to access. But we have tried to improve the parking situation as much as we can.

Blumenthal: Anything else, Commissioner? No? Any other commissioners with questions? Any questions from people in the audience? Raise your hand if you have one. Okay.

Lane: No, I don't see anybody. But there's any question in the chat. "Not able to turn on mic, but you mentioned the addition of bedrooms. How many people are you expecting to move in?"

Ferris: Well, I don't know if we have a specific expectation of head count. There are 45 units today, and there will be 52 after the project is complete. We are trying to provide more bedrooms as part of the renovations, just because there's a strong demand in this area for two and three bedroom units. So where we can, we've tried to accommodate that. But I don't think we have a specific, you know, X number of residents expected.

Lane: I have one question. So you're going to go from, you're going to have all two or three bedrooms instead of---

Ferris: It'll be a mix of ones, twos, and threes. I don't think we have any studios. Adam, is that correct?

Lane: So can you give us the bedroom breakdown of what you're going from and going to?

Ferris: Sure, let's see if I can-- I think we have some of that data.

Adam: To touch on that, the units were really large units that, when we do the full reconfiguration of the building, which is pretty much a gut renovation, it wouldn't make sense to have 750 square foot one bedrooms for the location and the design. These were units that were built a very long time ago. That with the reconfiguration of a full gut renovation, you wouldn't build to that, what was there previously.

Speaker: Yeah, Lawrence, at the bottom-- I don't know if you can hear me, but at the bottom the existing of what was there versus what is proposed. Yep.

Ferris: Right, so right now it's all one and two bedroom units. And will be a full range of one to actually four bedrooms, I believe. But half of that will be two bedrooms, which is not far off of where we are to the existing conditions.

Blumenthal: Any other questions from anyone?

Lane: I don't see any.

Blumenthal: Gupi, do you want to make a motion? Do you want me to? Okay, I make a motion that we approve the variances or the special exceptions requested by the developer and advise BZA of that approval. Ben, Commissioner Bergmann second. All in favor? Okay, the motion carries about 5 to 0. Okay, thank you, Mr. Ferris.

Ferris: Thank you all very much. Appreciate your time. Have a good night.

Adam: Have a good night.

All About Burger, ABCA Class D Liquor License Application [1:16:41]

Blumenthal: We need to bring forward Manalle Mahmoud.

Mahmoud: Hi, good evening, Commissioners. This is Manalle Mahmoud with Mallios O'Brien & Sandground. This is on behalf of All About Burger, the ABCA matter. We are seeking a Class D license, which is beer and wine only. The premises are for seated for eight, and can occupy ten. And it will be indoors only. And the requested hours are Sunday through Wednesday, 10:30 a.m. to 10:00 p.m., Thursday 10:30 a.m. to 1:00 a.m. And Friday, Saturday, 10:30 a.m. to 3:00 a.m. And we are requesting a carryout and delivery endorsement.

Blumenthal: Okay, any questions from commissioners? Any questions from people in the audience? Okay, I make a motion that we send ABCA a letter supporting this application. And all in favor? Oh, second by Commissioner Howie. All in favor? Okay, motion carries 5 to 0. Thank you very much.

Mahmoud: Thank you so much, Commissioners.

Updates [1:18:12]

Blumenthal: Okay. All right, we just have a few updates which are printed on the agenda. But basically Wisconsin Avenue is being repaired, as you all know, and watch for the no parking signs. Trash pickup starting all summer will start as early as 6:00 a.m., so don't complain about that noise if you hear it. Is there anyone here who would like to add something in open forum? No?

Open Forum [1:18:44]

Mayor's Office of Community Relations and Services (MOCRS) [78:44]

Lane: Yeah, Matthew Barclay.

Blumenthal: Okay.

Barclay: Hello. How are y'all? Hold on one second. Let me get to the-- So, have some topics for the week. Hope you are doing well. My name is Matthew Barclay, Mayor's Office of Community Relations and Services. If you're in need of anything relating to services and government

agencies, please reach out to me. Number is 202-340-7853. matthew.barclay@dc.gov is the email. This week the emergency Safer Stronger legislation was voted upon, and the Mayor had a statement. She is grateful to Councilmember Pinto for partnership, leadership, and sense of urgency, and she wants to thank more than 150 people who testified two weeks ago at the council hearing. We know that a safer DC is possible, and our community increase in status quo isn't acceptable. People getting killed on our streets is unacceptable. People getting their cars or properties stolen at gunpoint is unacceptable. Parents being afraid to let their children play outside, or seniors being afraid to walk to the bus stop isn't acceptable. The legislation that the council passed today will fill gaps in our criminal justice system, and in doing so will increase accountability for violent and criminal behavior, and make our city safer. Thank you. Another Got Guns, so part of the Safer Stronger DC, if you know of somebody who has an illegal gun, you can participate in a gun tip reward program. Tips will remain anonymous. You can call 202-727-9099, or text 50411. You would be eligible for a cash reward up to 2,500 dollars for a tip leading to an arrest and seizure of an illegal gun. You will be eligible for a cash award up to 10,000 for a tip leading to an arrest and conviction in a shooting. Today there was some town halls for the Deputy Mayor of Education about the master facilities plan, a boundary study that happened today at 6:00 p.m. to 7:30, so it's passed. The Department of Employment Services is encouraging residents to apply for the Mayor's opportunity scholarship. The Mayor's opportunity scholarship will provide 75 scholarships, the amount of 2,000 each for each young adult age 18 to 24 who have successfully attended a high school diploma or equivalent, participated in the Marion Barry Summer Youth Employment Program, and enrolled in post-secondary education, skills training or the military. The application is now to apply, and it will close on Monday, July 17th, at 5:00 p.m. Let's see. The Mayor's Office of Clean City invites residents to bring any bulk items and used electronics to a drop-off site at no cost to help DC's zero waste goals. Space is limited. Any seniors or residents living with disabilities can contact Carmen Roberts Williams to get assistance. It'll be at North Michigan Park Recreation Center, 1333 Emerson Street Northeast, July 22nd, at 10:00 a.m. So bring any electronics and bulk that you may have. And that's all I have for today. Thank you guys.

Blumenthal: Thank you, Matthew.

Ward 3 Councilmember Matthew Frumin's Office [1:22:03]

Lane: Elias has his hand up.

Blumenthal: Elias, welcome.

Benda: Hi, everyone. Elias Benda, I'm the Legislative Assistant with Councilmember Frumin, and happy to be back with 3B. The council just had the last legislative session before our recess. I want to be clear, recess does not mean vacation. We are still going to be working every day. This is a time where we get to make a lot of progress on the legislative research and

priorities for the councilmembers, so please reach out with any feedback or questions or ideas. I'll put my information in the chat. I do want to be clear, we did pass legislation regarding public safety. It wasn't exactly the Safer Stronger legislation that Mayor Bowser introduced, but we absolutely share her sense of urgency to address, especially violent crime that is rising here in DC. And, well, that legislation made a number of important steps. I think I can speak for Councilmember Frumin when we say that we are under no illusion that that legislation is at the end of this conversation on public safety. And we look forward to continuing to assess the solutions that we've implemented and think of new solutions to do so. A couple updates from us. DPW has changed its yard waste collection policy. So instead of including yard waste with your conventional waste in your trash container, our residents now must place yard waste in paper bags and submit a scheduled yard waste 3-1-1 service request for collection. If yard waste is found in the trash container, the trash will not be collected. That's a pretty big change from the past, so we'd appreciate any help getting the word out there. Wilson Aquatic Center, once again, was intermittently closed last week due to unsafe humidity levels, and as the temperature continues to rise over the summer we're going to be monitoring that. If you want to receive live updates about facility operating statuses, you can sign up to DPR alerts by texting DC DPR to 888777. We're really grateful that they're taking that step to provide the communication to the public. And then lastly, our third Workday in the Ward will be held on July 26th from 8:00 a.m. to 5:00 p.m. at Dolan Uyghur restaurant in Cleveland Park. We'd love to see you stop by and chat with us. We were just at Point Chaud last month in Glover Park. Had a great set of meetings. Went and visited with some parents outside of Stoddert, and we recently did a visit to the Guy Mason Recreation Center. We're going to be following up with DPR and DGS to make sure that the issues we identified there are addressed. Besides that, you can always head to our website if you have a constituent service request. And you can also head there to sign up for the Councilmember's newsletters, which are the best way to find this information. Really appreciate you all having us again. And thank you so much.

Blumenthal: Thank you, Elias.

Lane: Ben's hand is up.

Blumenthal: Ben? Commissioner Bergmann?

Bergmann: Hi, yeah, thank you, Chairwoman Blumenthal. Yeah, Elias, I have a question for you. So there was agreement obviously between the council and the Mayor on some crime legislation was different. There was another piece of legislation that the council passed that the Mayor does not agree with, which was to set up an independent investigation of sexual harassment allegations that have emerged about her right-hand person for the last two terms. And the councilmembers on the committee with oversight jurisdiction over the Mayor's office and the Mayor's office of legal counsel, which conducted a very narrow, purposely narrow investigation that didn't investigate core allegations. I'm just curious sort of what the plan is from an oversight perspective. Obviously, there's not going to be this independent investigation. But, you know, subsequent to the initial allegations that prompted Falcicchio to leave government

service, there was an allegation about a government contractor who felt pressured to perform sexual favors when she was trying to get government business. And that this was regarded, you know, the allegations, as a thing that happens. So I'm just kind of curious what the plan is, and how that's going to be a focus for the next two months from an oversight perspective.

Benda: Yeah, I really appreciate that question, Commissioner. Councilmember Frumin did support legislation to require an independent investigation into the specific allegations against former Deputy Mayor and Chief of Staff Falcicchio. I think that this recess will allow us to take a broader look at what steps we can take to make sure that the sexual harassment policies of the Mayor, of the executive branch and the legislative branch, are more comprehensive. We did just have our own sexual harassment training policy change at the council. It's now mandatory for everybody every year. So, you know, I can't speak to what specific steps will be taken, but I'm happy to look into what other councilmembers have proposed to this point. And what committees will be looking at moving, come the fall term. I do really appreciate you bringing light to that. Sorry for not having a more specific answer at this moment.

Bergmann: No, no, no. That's okay. I mean, I guess when we talk in September we'll follow up. I just know that Councilmember Bonds has said that her committee is going to hold hearings on it, but she said that. I don't know if that's an actual, real thing that's going to happen. But obviously--

Benda: Yeah, and as a member of that committee on Administration and Labor, we will absolutely participate in those hearings. And I'm sure encourage those hearings to have a scope that is necessary, considering the allegations that have been brought up. So, thank you.

Blumenthal: Anyone else for Elias?

Lane: I don't see anybody.

Blumenthal: Okay, thank you very much, Elias. Appreciate it.

Benda: Thank you, Commissioners.

Administrative Matters [89:05]

Blumenthal: Okay. We need to approve our June minutes. I move that we do approve them. Second by Commissioner Carroll. All in favor? Minutes are approved 4 to 0. I should note that Commissioner Howie has left the meeting. We still have a quorum, however.

Blumenthal: Commissioner Bergmann, do you want to do the treasurer's report and financials?

Bergmann: Yes, so I'll do the treasurer's report and then move to the QFR. We began the month of June with 33,662 dollars and 30 cents. And we ended the month with 31,197 and 18 cents. There was a few disbursements. One was the Glover Park Day grant that the commission approved. The other was to our transcription contractor. And to the DC auditor for the ANC security funds. So that's the report. And the QFR, which I will just briefly present, and then make a motion to approve it, just basically captures what I just said. That we expended that amount of money. I'm noticing an error, actually, on the quarterly report. It looks like the check-- Oh, you know what it is? It's that I attached the wrong one when I circulated it to everyone. The right one was uploaded, but not here. But anyway, it reflects the three transactions, and that's all it reflects. And so I can-- Let me just pull that up and I can circulate that to the commission to make sure everyone has it, but I would move to approve the QFR. But I'd like to circulate it, because-- I apologize.

Blumenthal: Could I have a second on that, please? Somebody-- Commissioner Lane second. All in favor? Motion carries 4 to 0. Thank you, Commissioner Bergmann. Our next meeting will be Thursday, September 14th. We do not meet in August. And I move that we adjourn. Second, Commissioner Lane. All in favor? Motion carries 4-0. Thank you all very much, and good night.

Lane: Good night.