



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Dupont Circle Advisory Neighborhood Commission 2B

Regular Meeting Minutes

Wednesday, December 14th, 2016; 7:00 p.m.

Brookings Institution, 1775 Massachusetts Avenue NW

Call to Order

The December 2016 meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Nicole Mann at 7:03 pm.

The Commissioners identified their Single Member Districts (SMDs). Present were: Amy Johnson (2B01), Daniel Warwick (2B02), Stephanie Maltz (2B03), Michael Upright (2B04), Abigail Nichols (2B05), Mike Silverstein (2B06), John Kupcinski (2B07), Nicole Mann (2B08), and Noah Smith (2B09).

Announcements and Public Comments

Commissioner Announcements

Commissioner Nichols gave an overview of the ANC's protest timeline for Rosebar, including how the ANC withdrew its protest once the concerns of nearby residents were addressed.

Commissioner Kupcinski said that there had recently been quite a bit of activity regarding the St. Thomas Church development project over last few days. He said that the process of dismantling the church ruins had begun. He gave an overview of the upcoming construction schedule on the project. He also noted that there is an outstanding lawsuit filed by the Dupont Circle Citizens Association (DCCA) regarding whether the project should have been granted a Board of Zoning Adjustment (BZA) variance.

Commissioner Silverstein said that the sentencing date for Wayne Bridgeforth is January 6th, 2017. He said that the DC Superior Court is currently accepting community impact statements regarding the case. He encouraged community members to reach out to Commissioner Upright and himself regarding the process for filing community impact statements.

Other Public Announcements and General Comments or Future Agenda Items

Jerry Chapin, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS), said that the Mayor recently spoke during World AIDS Day where she unveiled the District's 90-90-90-50 plan to combat HIV. He said that the Mayor also recently traveled to Mexico City for a global meeting on climate change. He gave an overview of the Mayor's climate change initiatives.

Tom Lipinsky, a representative for Councilmember Jack Evans' office, said that the DC Council will have its final legislative session of 2016 on Tuesday, December 20th. He said that all Council bills

that have not been voted on at that point will have to be reintroduced during the next Council session. He said that the annual budget season will be starting soon, and that the Council will be hosting oversight sessions as part of budget season.

Commissioner Nichols asked about the status of the Advisory Neighborhood Commissions Omnibus Amendment Act of 2016. Mr. Lipinsky said that Councilmember Evans agrees that some of the burdens put on the ANC as part the bill are over burdensome.

Susan Volman, a representative for the Dupont Circle Citizens Association (DCCA), gave an overview of DCCA's legal work regarding two current cases in front of the BZA, one to challenge the Zoning Administrator's definition of a basement versus a cellar, and one regarding the St. Thomas Church development project. She said that DCCA will once again be hosting its annual Resolutions party in January.

Patrick Kennedy, the Chair of ANC 2A, said that Councilmember David Grosso's proposed amendment to the Advisory Neighborhood Commissions Omnibus Amendment Act of 2016 will have many negative effects on the ANC's ability to properly represent its community. He talked about how the amendment could derail commission efforts by automatically cancelling ANC protests of various types of regulatory applications. He asked that the ANC 2B commissioners lobby the Council to defeat Councilmember Grosso's proposed amendment.

Commissioner Nichols asked if there have been any efforts to derail the entire bill and to have it then reintroduced during the next Council session. Mr. Kennedy said that the Council has indicated that a final vote on the bill will be held on December 20th.

Commissioner Upright moved to adopt a proposed resolution regarding the matter. Commissioner Maltz seconded the motion, which was voted on and passed (VOTES: 8-0-1). The resolution reads as follows:

ANC 2B commends Councilmember Bonds for her work on drafting DC Council Bill 21-0697 – the “Advisory Neighborhood Commissions Omnibus Amendment Act of 2016,” however the ANC strongly opposes Councilmember Grosso's proposed amendment to the bill.

General Agenda

Presentation by Representatives of the DC Public Library Regarding the Renovation Plans for the MLK Library and the Plans for a Temporary Central Library Replacement that will be Located Within ANC 2B

Manya Shorr, Director of Public Services for the DC Public Library (DCPL), and Kim Zabłudwere, Assistant Director of Public Services for DCPL, gave a presentation regarding interim services for MLK Library during the MLK Library renovation process.

Ms. Shorr said that MLK Library is planning to close for the renovation this spring, and that, following the closure, a dispersed interim services model will be put into effect. She said that DCPL has identified a space at 1990 K Street NW where some of the interim services can be held in a

central location. She said that once MLK Library closes, the neighborhood branch libraries will expand their hours on Thursday mornings and that special collection services will be increased at Georgetown Library, Carnegie Library, and the Library of Congress. She said that DCPL still has to identify a location to house their media lab services.

Ms. Shorr said that the location at 1990 K Street NW will be a library express location with approximately 5,000 square feet of space. She said that the location will function somewhat similarly to a neighborhood library, and will include library holds pickup, limited computer access, a small browsing collection, and DCPL administrative offices. She added that DCPL has held an extensive public outreach process for the renovation of MLK Library.

Consideration of a Resolution Regarding the Golden Triangle BID's Efforts to Explore the Need for a DC Government Leader to Coordinate DC Government Agency Activities During Overnight Hours in Nightlife Areas

Commissioner Silverstein moved to adopt a proposed resolution regarding the matter. Commissioner Nichols seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

WHEREAS, ANC 2B began to work on and address nightlife management when, in April of 2010, the ANC passed the Club Central Resolution to mitigate the effects of the concentration of late-night activity in the area south of Dupont Circle,

WHEREAS, hospitality is the number two industry in the District of Columbia, responsible for nearly 60,000 jobs and \$2.8 billion in revenue,

WHEREAS, the Dupont Circle area and the central business district are home to more than 100 licensed hotels, restaurants, and nightlife venues that are the drivers of that economic engine,

WHEREAS, the nighttime economy is growing ever larger and more complex, requiring a multi-agency governmental approach to matters including health, waste collection, safety, transportation, law enforcement, and public safety,

WHEREAS, many District agencies are currently set up to manage regulatory issues during the day, and have limited staffing and resources available at night to manage waste collection, parking, occupancy, and other issues,

WHEREAS, the recent change of service hours for Metrorail has demonstrated the need for a coordinated response to the resultant transportation problems, including late night traffic gridlock, confusion and pedestrian safety issues involving ridesharing services, and the difficulty for emergency responders and buses trying to navigate the traffic tie-ups,

WHEREAS, other cities in the U.S., Canada, and Europe are seeing similar nightlife issues and some have already established nightlife coordinators or so-called Night Mayors/Managers and multiagency teams of government and industry officials to proactively tackle issues and problems and coordinate agency responses, and

WHEREAS, the Golden Triangle Business Improvement District (BID) has begun work on a pilot program, with positive input from the Metropolitan Police Department, affected District agencies, the Executive Office of the Mayor, the business community, industry advocates, and citizens groups.

THEREFORE, BE IT RESOLVED that ANC 2B agrees that a best-practices-based approach to managing the nighttime economy, coordinated across city agencies and with the input of businesses and residents – would be beneficial to the District on many levels.

BE IT FURTHER RESOLVED that ANC 2B applauds the Golden Triangle BID for their initiative to pilot a new approach to fostering a more safe and vibrant neighborhood nightlife while also minimizing negative impacts – and strongly urges all parties, including appropriate District agencies, to designate members for the pilot task force group and actively participate in this program for the public good and welfare of our neighborhood and the District as a whole.

Consideration of a Resolution Regarding the 2017 Season of the FRESHFARM White House Farmers' Market

Commissioner Mann moved to support FRESHFARM's public space application for the 2017 season of the White House Farmers' Market. Commissioner Upright seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

ANC 2B supports FRESHFARM Markets' application for the renewal of its public space permit and for three reserved parking spaces in order to stage the 2017 White House Farmers Market on Vermont Avenue between H Street and I Street NW.

Consideration of a Resolution Regarding the Washington DC Hand and Upper Extremity Ambulatory Surgery Center's Certificate of Need (CON) Application to Relocate an Ambulatory Surgery Center to 1145 19th Street NW

Commissioner Smith moved to support the Washington DC Hand and Upper Extremity Ambulatory Surgery Center's Certificate of Need application. Commissioner Maltz seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

ANC 2B supports the Washington DC Hand and Upper Extremity Ambulatory Surgery Center's Certificate of Need (CON) application to relocate an ambulatory surgery center to 1145 19th Street NW.

Presentation and Consideration of a Resolution Regarding the Women's March on Washington on January 21st, 2017

Commissioner Kupcinski moved to adopt a proposed resolution regarding the matter. Commissioner Upright seconded the motion, which was voted on and passed (VOTES: 8-0-1). The resolution reads as follows:

WHEREAS, the rhetoric of the past election cycle has insulted, demonized, and threatened many of us,

WHEREAS, the Women’s March on Washington (Women’s March) stands for spirit of democracy and honoring the champions of human rights, dignity, and justice,

WHEREAS, the ANC recognizes that the Women’s March is a grassroots effort comprised of dozens of independent coordinators,

WHEREAS, the ANC understands that the Women’s March is a program featuring nationally recognized artists, entertainers, advocates, entrepreneurs, and thought leaders,

WHEREAS, to date, 145,000 Facebook users have indicated on the site that they would attend the march, and organizers indicated that they are planning to accommodate 200,000 people, and

WHEREAS, “people from across the nation will gather at the intersection of Independence Avenue and Third Street SW, near the U.S. Capitol, at 10:00am” on January 21st.

THEREFORE, BE IT RESOLVED that ANC 2B supports the Women’s March on Washington and encourages participation by any of those who wish to participate in the demonstration.

BE IT FURTHER RESOLVED that ANC 2B supports the mission and principles of the Women’s March as women’s rights are human rights, regardless of a woman’s race, ethnicity, religion, immigration status, sexual identity, gender expression, economic status, age, or disability.

BE IT FURTHER RESOLVED that ANC 2B condemns all hate speech and acts that seek to divide our community.

Alcoholic Beverage Control Board Agenda

Catch 15 – Application for Renewal of the Establishment’s Retailer’s Class “C” Tavern License at 1518 K Street NW

The Commission did not take any action regarding this matter.

Jr’s Bar and Grill – Application for Renewal of its Retailer’s Class “C” Tavern License at 1519 17th Street NW

The Commission did not take any action regarding this matter.

Historic Preservation and Zoning Agenda

1721 20th Street NW – Concept / Renovation of Two-Story House and Rear Three-Story Plus Roof Deck Addition in Rear Yard

Commissioner Warwick moved to adopt a proposed resolution regarding the matter. Commissioner Johnson seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

WHEREAS, the proposed addition to 1721 20th Street NW is within the Dupont Circle Historic District and Advisory Neighborhood Commission 2B,

WHEREAS, ANC 2B appreciates several changes that the applicant made to its project in order to accommodate requests of the ANC and neighbors, including:

1. Moving the connector hallway from the existing building to the new construction from the north side to the south side in order to address light and air concerns of residents at the condominium on the north side of the building,
2. Restricting outdoor space (patios and roofdeck) to individual units in order to reduce the frequency of noise emanating from each space,
3. Making the interior court match the neighbor's court in depth so that no currently-existing light will be blocked from the new construction,

WHEREAS, ANC 2B further appreciates the applicant's restoration of a historic front facade, and

WHEREAS, ANC 2B encourages the applicant to work with Historic Preservation Office staff to further refine the materiality of the southern wall of the new construction, which will be visible from 20th Street NW looking down a private corridor, by considering indenting the wall and exploring a stucco exterior rather than cedar plank.

THEREFORE, BE IT RESOLVED that ANC 2B supports the project as proposed.

1515 Rhode Island Avenue NW – Application of KHP IV DC, LLC for a Variance from the RA-Accessory Use Requirements to Permit the Conversion of an Existing Ground-Floor Office Area into a Café and Add New Signage to an Existing Hotel

Commissioner Warwick moved to adopt a proposed resolution regarding the matter. Commissioner Nichols seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

WHEREAS, the hotel at 1515 Rhode Island Avenue NW is within the confines of Advisory Neighborhood Commission 2B,

WHEREAS, the applicant requires a zoning variance to convert approximately 1,200 square feet of office use to cafe use and an expansion of signage,

WHEREAS, the cafe will provide a neighborhood-serving retail amenity and allow for better use of an existing sidewalk cafe, and

WHEREAS, the additional signage does not face residences and will have a lesser visual impact than other signs due to utilizing halo lighting as opposed to a back-lit alternative.

THEREFORE, BE IT RESOLVED that ANC 2B supports the zoning variance as proposed.

Public Space Committee Agenda

1515 Rhode Island Avenue NW – Application by the DoubleTree Downtown Washington DC for a New, Un-Enclosed Sidewalk Café with 5 Tables, 20 Seats, and 5 Umbrellas

Commissioner Nichols moved to support the hotel’s public space application. Commissioner Upright seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

ANC 2B supports the Darcy’s public space application for a new, un-enclosed sidewalk café with 5 tables, 20 seats, and 5 umbrellas at 1515 Rhode Island Avenue NW. The ANC notes that this public space application will bring the hotel into compliance with existing conditions.

Update Regarding Safeway’s Public Space Application for a New, Un-Enclosed Sidewalk Café at 1701 Corcoran Street NW

Commissioner Maltz said that Safeway has modified their plans for the public space application, and they have thus requested to be removed from the December Public Space Committee meeting agenda. She said that she continues to have ongoing conversations with Safeway regarding the Alcoholic Beverage Regulation Administration (ABRA) application process, which they are planning on going through. She added that Kim Lucas, the Bicycle and Pedestrian Program Specialist for the District Department of Transportation (DDOT), has sent examples of other bikeshare station configurations that are similar to the one proposed by Safeway.

General Agenda (Continued)

Presentation and Consideration of a Resolution Regarding the People for Fairness Coalition’s Downtown Washington DC Public Restroom Initiative

Chair Mann moved to adopt a proposed resolution regarding the matter. Commissioner Nichols seconded the motion, which was voted on and passed (VOTES: 7-0-1). The resolution reads as follows:

WHEREAS, many individuals need access to clean, safe, available public restrooms, including tourists, families with young children, women who are pregnant, the elderly, individuals with bowel incontinence, and people without housing,

WHEREAS, a study conducted by the People for Fairness Coalition (PFC) revealed that there are very few public restrooms in downtown Washington, DC, some establishments do not allow people to use restrooms unless they first purchase something, and in most

downtown neighborhoods there are no restrooms available late at night or early in the morning,

WHEREAS, most capital cities in Europe and Asia have clean, safe public restrooms that are easily accessible at any time of night or day, while this is not the case in our Nation's Capital,

WHEREAS, a number of large cities in the U.S. have begun to experiment with a variety of restroom options, including self-cleaning restrooms, restrooms with attendants, and the Portland, Oregon Loo, a 24-hour sustainable public restroom, while in London there is a government program that provides incentives to private establishments if they put up signs indicating their restroom is open to all, and

WHEREAS, if a person cannot find a restroom in DC and has no other option than to relieve themselves in a public space, the penalty is a ticket of up to \$500 or a jail term up to 90 days.

THEREFORE, BE IT RESOLVED that ANC 2B asks the DC government to explore and identify options for installing and maintaining clean, safe public restrooms available 24/7 in needed areas of downtown DC.

Administrative Matters

Approval of the Regular October 2016 and November 2016 Meeting Minutes

Chair Mann moved to approve the regular October 2016 and November 2016 meeting minutes. Commissioner Upright seconded the motion, which was voted on and passed (VOTES: 8-0-1).

Election of a 2017 ANC Officer Election Chairperson

Commissioner Smith moved to elect Commissioner Maltz as the 2017 ANC Officer Election Chairperson. Commissioner Johnson seconded the motion, which was voted on and passed (VOTES: 9-0-0).

Adjournment

Chair Mann adjourned the meeting at 9:12 pm.