



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Dupont Circle Advisory Neighborhood Commission 2B

Regular Meeting Minutes

Wednesday, November 9th, 2016; 7:00 p.m.

Brookings Institution, 1775 Massachusetts Avenue NW

Call to Order

The November 2016 Meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Nicole Mann at 7:02 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 Johnson gave an overview of the American Geophysical Union's (AGU) upcoming community meeting regarding their building renovation project, which will be on Thursday, November 10th at 7:00 at the AGU Headquarters, 2000 Florida Avenue NW.

Other Public Announcements and General Comments or Future Agenda Items

Tom Lipinsky, a representative for Councilmember Jack Evans' Office, said that, with regards to the recent DC Department of Health (DOH) proposal regarding school nurse assignments, the DC Council recently passed emergency legislation to temporarily halt the implementation of the proposal. He said that he also reached out to Richard Kenney, a Senior Project Manager for the District Department of Transportation (DDOT), regarding the Dupont overpass park, and that Mr. Kenney said that DDOT will be interviewing potential project planners at the end of November.

Introduction by Representatives from Kramerbooks & Afterwords Cafe

Jamie Galler, the new Chief Operating Officer for Kramerbooks & Afterwords Cafe, encouraged meeting attendees to come visit the restaurant and the store.

Commissioner Warwick asked if Mr. Galler's team had any expansion plans for the establishment. Mr. Galler said that the establishment is in the process of expanding into the vacant space next door.

General Agenda

Presentation by Christopher Shorter, the Director of the Department of Public Works, Regarding Leaf and Snow Initiatives

This matter was rescheduled to a future ANC meeting.

Consideration of a Resolution Regarding the Planned Closure of the Fillmore Arts Center

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

ANC 2B reaffirms the ANC's support for the continuation of funding for the Fillmore Arts Center program.

Approval of the Drafting of Community Impact Statements for the DC Superior Court Case Regarding Wayne Bridgeforth

Commissioner Upright moved to approve the drafting of a community impact statement for the DC Superior Court Case regarding Wayne Bridgeforth. Commissioner Johnson seconded the motion, which was voted on and passed (VOTES: 9-0-0).

Announcements and Public Comments (Continued)

Other Public Announcements and General Comments or Future Agenda Items (Continued)

Jerry Chapin, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS), said that the Mayor is committed to making sure that the Presidential transition goes smoothly.

Alcoholic Beverage Control Board Agenda

Decades – Application for a New Retailer's Class "C" Nightclub License at 1219 Connecticut Avenue NW

The Commission did not take any action regarding this matter.

Consideration of Several Alcoholic Beverage License Renewal Applications for Taverns and Nightclubs

Eye Bar / Garden of Eden

Commissioner Nichols moved to protest Eye Bar / Garden of Eden's license renewal application based on adverse impact on the peace, order, and quiet of the neighborhood, subject to the negotiation of a settlement agreement. Chair Mann seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

ANC 2B protests the application for Eye Bar / Garden of Eden at 1716 I Street NW (ABRA-083133) to renew the establishment's Retailer's Class "C" Nightclub license based on

adverse impact on the peace, order, and quiet of the neighborhood, subject to the negotiation of a settlement agreement that allows for the peaceful cohabitation with current neighbors.

Rosebar

Oscar Guardado, the General Manager of Rosebar, was present.

Commissioner Nichols moved to protest Rosebar's license renewal application based on adverse impact on the peace, order, and quiet of the neighborhood, subject to the renegotiation of the establishment's settlement agreement. Commissioner Johnson seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

ANC 2B protests the application for Rosebar at 1215 Connecticut Avenue NW (ABRA-077883) to renew the establishment's Retailer's Class "C" Tavern license based on adverse impact on the peace, order, and quiet of the neighborhood, subject to a renegotiation of the establishment's settlement agreement that allows for the peaceful cohabitation with current neighbors.

The Fireplace

Commissioner Warwick moved to protest the Fireplace's license renewal application based on adverse impact on the peace, order, and quiet of the neighborhood, subject to the renegotiation of the establishment's settlement agreement. Commissioner Upright seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

ANC 2B protests the application for The Fireplace at 2161 P Street NW (ABRA-014419) to renew the establishment's Retailer's Class "C" Tavern license based on adverse impact on the peace, order, and quiet of the neighborhood, subject to a renegotiation of the establishment's settlement agreement that allows for the peaceful cohabitation with current neighbors.

Aura Lounge

Commissioner Warwick moved to protest Aura Lounge's license renewal application based on adverse impact on the peace, order, and quiet of the neighborhood, subject to the renegotiation of the establishment's settlement agreement. Commissioner Upright seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

ANC 2B protests the application for Aura Lounge at 2147-2149 P Street NW (ABRA-090204) to renew the establishment's Retailer's Class "C" Tavern license based on adverse impact on the peace, order, and quiet of the neighborhood, subject to a renegotiation of the establishment's settlement agreement that allows for the peaceful cohabitation with current neighbors.

Historic Preservation and Zoning Agenda

2147-2149 P Street NW – Application for Variances from the Lot Occupancy Requirements and the

Rear Yard Requirements to Renovate an Existing Structure to Create a Mixed-Use Building Containing Eight Dwelling Units with a Ground-Floor Restaurant

Commissioner Warwick moved to adopt a proposed resolution regarding the matter. Chair Mann seconded the motion, which was voted on and passed (VOTES: 5-3-1). The resolution reads as follows:

WHEREAS, the project as proposed is within the confines of Advisory Neighborhood Commission 2B,

WHEREAS, ANC 2B would like to note that the project is on a rectangular lot in a historic district which is a quite ordinary condition,

WHEREAS, ANC 2B notes that compliance with historic preservation is not an extraordinary condition—it is a quite ordinary condition in Dupont Circle and the 40% of the District of Columbia built environment which is located within a historic district,

WHEREAS, ANC 2B is concerned with the proposed impacts on the zone plan and the surrounding property views, light, and air quality,

WHEREAS, ANC 2B is concerned with the project building to the lot line on two sides and nearly to the lot line in the rear, relying on the property and continued air rights of other owners, and

WHEREAS, the tavern tenants of 2147-2149 P Street NW have caused adverse impacts on the peace, order, and quiet of the neighborhood due to their nightlife orientation.

THEREFORE, BE IT RESOLVED that ANC 2B does not object to the project, contingent on a condition of approval by the Board of Zoning Adjustment that revokes the ability of the property in perpetuity to apply for and receive an alcohol license.

2200 P Street NW – Relocation and Renovation of Landmark Gas Station, and Construction of Nine-Story Addition

Commissioner Warwick moved to adopt a proposed resolution to the Historic Preservation Review Board (HPRB) 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 proposed development at 2200 P Street NW is within Advisory Neighborhood Commission 2B and the Dupont Circle Historic District, and is under the purview of the Commission of Fine Arts pursuant to the Shipstead-Luce Act,

WHEREAS, the applicant proposes to move the historic landmark Embassy Gulf Station for the closing of the Sunoco service and petroleum station and the development of a nine-story new construction residential building,

WHEREAS, of the 23 service stations in the District of Columbia designed by Pierre Hogner for Gulf Oil between 1935 and 1941, this structure is the least altered of three remaining and is the only surviving service station designed in the neoclassical style,

WHEREAS, the applicant proposes to close the service station, requiring the approval of the Gas Station Advisory Board, which since 2007 has been unable to enjoy a quorum to vote on any matters due to its lack of members,

WHEREAS, many neighbors have reached out to ANC 2B regarding their concern with the proposed permanent closure of the service station,

WHEREAS, depending on the option, the massing as the proposal includes up to a fourteen-foot cantilever over the neighboring Dumbarton Place Condominium Association's surface parking lot,

WHEREAS, depending on the option, the cantilever has a floor area of approximately 15% of the total gross floor area of the proposed new construction, and

WHEREAS, the applicant and Dumbarton Place Condominium Association have not yet reached an agreement regarding a permanent easement allowing the development of a cantilever over their property.

THEREFORE, BE IT RESOLVED that ANC 2B believes it is troubling to consider moving the historic landmark, as historic landmarks are defined by their built environment and removing the gasoline pumps and open space surrounding the Embassy Gulf Station removes it from the built environment context.

BE IT FURTHER RESOLVED that ANC 2B believes it is too soon for the Historic Preservation Review Board to consider the application due to the applicant's inability to close the service station without approval of the Gas Station Advisory Board and its massing proposal which intrudes on a neighboring property without their agreement.

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

WHEREAS, a proposed development within the confines of Advisory Neighborhood Commission 2B calls for the closure of the Embassy Gulf Service Station, a service and petroleum station at 2200 P Street NW,

WHEREAS, ANC 2B understands that the closure of a service station within the District of Columbia requires the approval of the Gas Station Advisory Board, which is under the purview of the Department of Energy and the Environment, and

WHEREAS, ANC 2B understands that the closure is likely to be a difficult objective to achieve due to the Gas Station Advisory Board's lack of members since 2007.

THEREFORE, BE IT RESOLVED that ANC 2B requests that the Department of Energy and the Environment send a letter detailing the procedure to approve closure of a service station under current laws.

1711 19th Street NW – Renovation of Single Family Home to 8 Units with Roof Deck and Enlargement to Rear Garage

Commissioner Warwick 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:

WHEREAS, the project at 1711 19th Street NW is within the confines of Advisory Neighborhood Commission 2B and the Dupont Circle Historic District,

WHEREAS, ANC 2B appreciates the applicant’s restoration of the historic facade,

WHEREAS, the project is reducing lot occupancy, and

WHEREAS, the project has received letters of support from adjacent neighbors.

THEREFORE, BE IT RESOLVED that ANC 2B supports the project under the following conditions:

- The outdoor stair railing is made of metal rather than wood
- Drawings are updated to reflect existing and future conditions

1532 U Street NW – Rear Addition and Front Basement Entrance

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

WHEREAS, the project at 1532 U Street NW is within the confines of Advisory Neighborhood Commission 2B and the Strivers’ Section Historic District,

WHEREAS, the applicant has not been responsive and has not attended ANC meetings, and

WHEREAS, the applicant has sent incomplete plans with no measurements as is typically required to the ANC, and, upon request, did not provide complete plans.

THEREFORE, BE IT RESOLVED that ANC 2B opposes the project until and unless the applicant engages neighborhood concerns through the ANC process.

1507 T Street NW – Rear 3-story Addition

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

WHEREAS, the project at 1507 T Street NW is within the confines of Advisory Neighborhood Commission 2B and the Strivers' Section Historic District,

WHEREAS, the project proposes to fill in its dogleg to a lesser extent than its neighbors porch,

WHEREAS, ANC 2B received a letter of support from two adjacent neighbors, and

WHEREAS, ANC 2B appreciates the applicant pulling back the parapet addition based on feedback from the ANC.

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

1514 Q Street NW – Dupont Circle Citizens Association’s Appeal of a July 18, 2016 Decision by the Zoning Administrator to Issue a Building Permit for the Conversion of One-Family Dwelling into a Four-Unit Apartment House

Commissioner Warwick moved to adopt a proposed resolution regarding the matter. Commissioner Johnson seconded the motion, which was voted on and passed (VOTES: 5-2-2). The resolution reads as follows:

WHEREAS, it has come to the attention of ANC 2B that projects with partially below-grade spaces with the characteristic of 1514 Q Street NW do not count against gross floor area. This appeal of a building permit requests those partially below-grade spaces to be counted against gross floor area.

THEREFORE, BE IT RESOLVED that ANC 2B requests an abundance of clarification regarding the gross floor area measurement issue.

Public Space Committee Agenda

1701 Corcoran Street NW – Application by Safeway for a New, Un-Enclosed Sidewalk Café with 4 Tables, 16 Seats, and 4 Umbrellas

Commissioner Maltz moved to request a 30-day delay of the Public Space Committee’s hearing regarding the matter. Commissioner Smith seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

ANC 2B requests a 30-day delay for the consideration of Safeway’s public space application in order to give the ANC more time to work with Safeway regarding the application. The ANC also wants to make sure that Safeway has talked with the District Department of Transportation (DDOT) regarding the configuration of the Capital Bikeshare station currently placed on the site of the proposed sidewalk cafe. The ANC asks DDOT to confirm that

Safeway's proposal to reconfigure the bikeshare station is doable. The ANC also wants to make sure that there is a sufficient amount of space for the sidewalk to be adequately utilized by bikeshare users, pedestrians, and shoppers.

1800 NStreet NW – Public Space Application for an Enclosed Sidewalk Cafe at Surfside

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

ANC 2B supports Surfside's public space application for a new, enclosed sidewalk cafe based on the following conditions:

- The sidewalk cafe will remain a removable structure
- The structure will remain up for no more than five months out of the year
- There is continued refinement of the architectural design of the structure so that it blends in more seamlessly with the neighboring buildings, including existing buildings and the building to the immediate west

Administrative Matters

Approval of the Regular October 2016 Meeting Minutes

The Commission did not take any action regarding this matter.

Approval of the ANC's FY 2016 Quarter 4 Financial Report

Commissioner Smith moved to approve the ANC's FY 2016 Quarter 4 financial report. Commissioner Johnson seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

Adjournment

Chair Mann adjourned the meeting at 10:08 pm.