

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION  
SPECIAL MEETING MINUTES  
Wednesday, September 29, 2014, Brookings Institute**

Call to Order & Introduction of Commissioners & Staff

The September 29, 2014 Special Meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chairman Smith at 7:01 pm.

The Commissioners identified their Single Member Districts (SMDs). Present were: Mike Feldstein (2B01), Stephanie Maltz (2B03), Kishan Putta (2B04), Abigail Nichols (2B05), Mike Silverstein (2B06), Will Stephens (2B08), and Noah Smith (2B09). Commissioner Leo Dwyer was not able to attend.

The Commission staff introduced themselves: James Conway (Executive Director), and Daniel Warwick (2B02 Liquor Liaison).

Public Announcements

1. Commissioner Feldstein announced Irish Day in Dupont Circle this Saturday. He also congratulated Commissioner Smith on his work for St. Thomas Church.
2. Commissioner Putta reminded people to register to vote.
3. Commissioner Smith announced ZPD meeting this Wednesday (October 1) and ANC regular meeting next Wednesday (October 8).

Public Space Considerations

Request from DDOT for placement of a Capital Bikeshare station at 18th and R Street NW (2B03) – Commissioner Maltz moved the following resolution, seconded by Commissioner Silverstein. Passed 7-0 after amendment. The adopted resolution reads as follows:

ANC2B supports the location of a bikeshare station on the northwest corner of R & 18th Street NW with the condition that the two metered parking spaces not be relocated.

Historic Preservation & Zoning Applications

Rehearing on historic preservation application for development at 1772 Church Street NW. HPRB hearing on October 2 (#14-530) (2B07) – Commissioner Smith moved the following resolution, seconded by Commissioner Feldstein. Passed 6-1-0. The resolution reads as follows:

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Whereas, the project team for 1772 Church Street NW has submitted design plans to the Historic Preservation Review Board (HPRB) for review of concept and massing of a renovated church structure and a new residential structure;

Whereas, the development of the two components is to occur concurrently and was applied for together, ANC 2B has reviewed the religious and residential components separately, as required by Federal law;

Whereas, the project team submitted drawings in July that ANC 2B reviewed and commented on;

Whereas, in July, ANC 2B agreed with the Dupont Circle Conservancy in noting concern that “the residential massing presents an incongruous transition on Church Street with the rest of the block.” ANC 2B suggested that the designers reduce bulk adjacent to the townhouses on Church Street with a more gradual increase in height from the east to the west;

Whereas, ANC 2B recognizes that the project team has made changes to the design that address concerns raised in the July ANC resolution, including reducing bulk at the far east side of the project;

Whereas, the community greatly appreciated the gift of the park that the community has enjoyed for decades;

Whereas, there remain significant concerns from neighbors regarding total massing, setbacks on all sides of the lot, as well as elimination of park and green space;

Whereas, there is general consensus that the totality of the project is large in its scale and massing, however there is not consensus on whether that will have positive or negative impacts on the neighborhood, or both. Additionally, there are architectural approaches that can be introduced to reduce the perceived massing and height, particularly from the ground;

Whereas, ANC 2B supports a community involvement process, working with the office of Councilmember Jack Evans, that will bring together neighbors, the applicant, the developer and the ANC to proactively address potential negative impacts on quality-of-life issues such as light and air quality, traffic congestion and safety, parking, loading and unloading, and others;

Whereas, ANC 2B recognizes that these quality-of-life concerns are generally addressed through a zoning process that the ANC will hear in the near future, but that these concerns are also directly correlated to the massing of the structure that is the subject of HPRB review, especially the residential component that will house perhaps one hundred new residents, and also to the concept design of the structure that is subject to HPRB review, especially whether the design incorporates

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parking/loading/unloading elements sufficient to accommodate the proposed uses of the building, and that therefore these concerns are appropriate to address to HPRB and should be taken into account by HPRB; and

Whereas, the ANC in prior church construction or renovation projects has had concerns that the HPRB does not take into account applicable constitutional and federal law – including the Religious Freedom Restoration Act (RFRA) and the Religious Land Use and Institutionalized Person Act (RLUIPA) – and that the HPRB has not recognized that these federal laws supersede the HPRB’s own regulations and impose further limitations the HPRB’s authority.

Therefore, be it RESOLVED that ANC 2B does not object to the concept and massing of the religious component of the project and strongly urges the HPRB to take seriously its duty to follow applicable federal law – including RFRA and RLUIPA – by not imposing undue burdens on the use of this property for religious purposes; and

Be it further RESOLVED that ANC 2B would only support the residential component massing and concept under the following conditions:

- At the proposed residential building adjacent to the church, a significant setback is established beginning at the fourth or fifth floor as it faces Church Street;
- The project team begins active participation in a committee made up of neighbors, the church and the ANC to proactively address potential zoning and quality-of-life related matters prior to submitting an application for any zoning relief;
- The project team hires a professional arborist and submits plans to the ANC and HPRB that include methods to protect and preserve existing trees to the extent possible and, where not possible, to replace them;
- The plans are altered so that the setback of the ground floor on Church Street from the sidewalk is consistent from the residential to religious components (maximizing that setback where possible and adding as much landscaped green space as possible); and
- As recommended in the HPO staff report, the project team reexamine some of the earlier design elements as they relate to expression of the project at the pedestrian level and determine ways to improve the design’s relation to the street and overall unity of the two components.

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Draft Resolution in support of Market Price Purchase of Park – Commissioner Stephens moved to table to November Meeting, seconded by Commissioner Silverstein. Passed 6-0.

Adjourn (9:00 pm)

Moved by Commissioner Stephens.

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