



# GOVERNMENT OF THE DISTRICT OF COLUMBIA

## Dupont Circle Advisory Neighborhood Commission 2B

### Regular Meeting Minutes

Wednesday, September 14th, 2016; 7:00 p.m.  
Brookings Institution, 1775 Massachusetts Avenue NW

### Call to Order

The September 2016 meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Nicole Mann at 7:00 pm.

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

### Announcements and Public Comments

#### Commissioner Announcements

Commissioner Johnson thanked Councilmember Evans' Office for its help with coordinating recent alley and sidewalk repairs in her district.

Commissioner Maltz gave an overview of the School Without Walls at Francis-Stevens' upcoming auction on October 15th.

Commissioner Kupcinski said that the residents on Church Street NW would be holding an upcoming block party on October 1st.

#### Other Public Announcements and General Comments or Future Agenda Items

Eva Lewis, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS), said that this was her last week with the Mayor's Office. She also gave an overview of the Kids Ride Free program and the Mayor's security camera rebate program.

Robin Diener, the President of the Dupont Circle Citizens Association (DCCA), gave an overview of the Dupont Circle House Tour, which will be on October 16th. She encouraged meeting attendees to volunteer for the event.

### General Agenda

#### Updates from the Metropolitan Police Department's Second and Third Districts

Commissioner Johnson introduced the Metropolitan Police Department (MPD) officials who were present. Commander Gresham, Captain Sledge, Sgt. Brown, and Officer Luna from MPD's

Second District, and Sgt. Rodriguezgil, Sgt. Terestre, and Officer Katz from MPD's Third District, were present.

Commissioner Silverstein gave an overview of the crimes that Wayne Bridgeforth has committed in the neighborhood over the course of several amounts. He also gave an overview of the amount of times that Mr. Bridgeforth has been arrested, released, and then re-arrested.

Captain Sledge said that Mr. Bridgeforth is currently being held while awaiting a hearing. He said that Mr. Bridgeforth's stay-away order for the neighborhood will continue to remain in effect. He added that the patrol officers in the area have a photo of Mr. Bridgeforth.

Commissioner Johnson asked how the ANC would learn about the outcome of Mr. Bridgeforth's upcoming hearing. Captain Sledge encouraged the ANC to reach out to him to find out about the hearing outcome.

Rob Halligan, a local resident, expressed concerns regarding MPD's recently announced proposal to transition from the use of "police service areas" (PSAs) to "sectors". Commander Gresham said that the proposal is currently being postponed and that there is no timeframe for implementing the change.

Chair Mann asked how MPD would inform the community about the implementation of the proposal when it does go out into effect. Commander Gresham said that there would be ample public notice regarding the implementation of the proposal.

Commissioner Johnson said that she has talked to many ANC 2B residents who feel as though there are no longer as many regular neighborhood patrols as there used to be. She added that the residents feel that the neighborhood's nightlife scene is pulling away officers from their regular patrols in the residential portions of the neighborhood. Commander Gresham said that he would share Commissioner Johnson's concerns with Commander Emerman of MPD's Third District.

Commissioner Kupcinski asked if it would be okay for the commissioners to compile a list of problem areas in each respective single member district (SMD) to pass along to MPD. Commander Gresham encouraged the commissioners to do so.

Commissioner Smith requested that MPD provide the ANC with resources that it could distribute to residents regarding the proper use of the 9-1-1 system. He said that some of his residents were hesitant to call 9-1-1 when they witness a crime.

Captain Sledge encouraged meeting attendees to attend the MPD Second District's regular safety seminars. He also encouraged meeting attendees to schedule a ride-along with a police officer.

#### Presentation by Karl Racine, the Attorney General of the District of Columbia

Karl Racine, the Attorney General of the District of Columbia, said that the Office of Attorney General is now directly accountable to the people. He added that the office is currently working

to transition away from the old model of the office where it was subordinate to the Mayor's Office.

Mr. Racine gave an overview of the city's process to establish an independent Office of the Attorney General. He said that because of public efforts the independent office was eventually established. He added that his priorities for the office include advising the DC Government on how to best implement and follow the laws of the District of Columbia, defending the District's laws, including DC's strict gun control laws, in court, and partnering with the Office of the U.S. Attorney for the District of Columbia on various efforts, including on juvenile cases.

Mr. Racine said that his office handles many cases where youths are committing nonviolent crimes. He said that his office works to reduce recidivism by keeping these youths out of the criminal justice system. He added that his office works with the DC Department of Human Services to arrange for these youths to receive intensive services for six months in order to turn their lives around. He said that the DC Government can do much more to alleviate the problems that the city's youths are facing.

Mr. Racine said that he disagrees with MPD Chief Cathy Lanier's recent comments regarding how DC's criminal system is broken beyond repair. He added that he disagrees with the thought that DC's multiple criminal justice agencies make the system broken beyond repair. He highlighted the fact that there are strong partnerships between city and federal agencies regarding criminal justice.

### **District Department of Transportation Agenda**

#### **Consideration of a Resolution Regarding the District Department of Transportation's Proposed Rulemaking on the Residential Permit Parking (RPP) Program**

Chair Mann moved to adopt a proposed resolution regarding the matter. Commissioner Warwick seconded the motion, which was voted on and passed (VOTES: 6-1-1). The resolution reads as follows:

WHEREAS, DDOT has proposed new rulemaking to revise the Residential Permit Parking (RPP) program,

WHEREAS, the proposed rulemaking originally only provided 30 day's notice for public comments, ending in July, and was later extended to 60 days, through August,

WHEREAS, previously a defined guideline and structure through which resident-only parking restrictions could be requested did not exist, and DDOT issued resident-only parking restrictions to select areas city-wide with limited study and evaluation,

WHEREAS, DDOT suspended the issuance of resident-only parking restriction blocks in order to create defined guidelines for requesting resident-only parking restrictions,

WHEREAS, the proposed rulemaking would require all blocks of an entire eligible ANC to be assigned resident-only parking restricted parking on one half of the block, instead of specific blocks in certain single-member-districts that experience the most parking issues,

WHEREAS, ANC 2B and other community stakeholders have been working with DDOT since 2015 on a Neighborhood Curbside Parking Pilot study with recommendations specific to Dupont, which has already been successfully implemented in similar neighborhoods like Georgetown and Eastern Market, and

WHEREAS, as part of the Curbside Parking Pilot study, after an initial evaluation of data, DDOT recommended that the study treat ANC 2B as two separate entities to study: North Dupont and South Dupont, in response to the difference in needs between the residential and commercial areas of the neighborhood, and recommended as part of the toolkit different solutions for each area.

THEREFORE, BE IT RESOLVED that while ANC 2B applauds DDOT for finally proposing rules to govern the issuance of resident-only parking restriction blocks throughout the city, ANC 2B supports the proposal of policies backed by substantial data instead of indiscriminately assigning resident-only parking restrictions to blocks with little study.

BE IT FURTHER RESOLVED that ANC 2B however, does not support the specific proposed rulemaking change, as ANC 2B is currently in the process of working with DDOT to create a toolkit for parking solutions and recommendations for Dupont, and to implement such a blanket change throughout all of Dupont would not adequately address the specific needs of our neighborhood, which contains dense residential blocks as well as vibrant commercial blocks. A one-sized-fits-all solution would not benefit Dupont residents, businesses, and visitors in an ANC with such mixed-use diversity such as ANC 2B. Should this rulemaking be finalized however, we request that it does not preclude DDOT from implementing unique changes to RPP and other parking policies based on the Dupont Curbside Parking Pilot study.

BE IT FURTHER RESOLVED that ANC 2B asks that DDOT provide more notice in the future for such proposed rulemaking changes, as 60 day's notice during the summer months when many residents of ANC 2B are out of town is not sufficient enough for thorough public outreach.

### **Alcoholic Beverage Control Board Agenda**

Stonefish Grill & Lounge – Application for a Substantial Change to the Establishment's Retailer's Class "C" Restaurant License at 1050 17th Street NW

*The Commission did not take any action regarding this matter.*

Wahlburgers-DC – Application for a New Retailer's Class "C" Restaurant License at 1 Dupont Circle NW

Commissioner Warwick moved to protest Wahlburgers-DC's license application based on adverse impact on the peace, order, and quiet of the neighborhood. Commissioner Johnson seconded the motion, which was voted on and passed (VOTES: 7-0-0). The resolution reads as follows:

ANC 2B protests Wahlburgers-DC's application for a new Retailer's Class "C" Restaurant license at 1 Dupont Circle NW based on adverse impact on the peace, order, and quiet of the neighborhood, subject to a negotiation of a settlement agreement that allows for the peaceful cohabitation with current neighbors.

Exiles – Application for a Substantial Change to the Establishment's Retailer's Class "C" Restaurant License at 1610 U Street NW

Chair Mann moved to protest Exiles' substantial change application based on adverse impact on the peace, order, and quiet of the neighborhood. Commissioner Upright seconded the motion, which was voted on and passed (VOTES: 7-0-0). The resolution reads as follows:

ANC 2B protests Exiles' application for a Substantial Change to the establishment's Retailer's Class "C" Restaurant license at 1610 U Street NW based on adverse impact on the peace, order, and quiet of the neighborhood, subject to a negotiation of a settlement agreement that allows for the peaceful cohabitation with current neighbors.

Discussion Regarding Upcoming Alcoholic Beverage License and Public Space Permit Applications for Safeway at 1701 Corcoran Street NW

Commissioner Maltz gave an update regarding Safeway's renovation plans. She said that Safeway will eventually be applying for a liquor license and for a sidewalk cafe.

**Historic Preservation & Zoning Agenda**

1716 17th Street NW – Concept Three-Story Rear Addition

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

WHEREAS, the project as proposed is within the Dupont Circle Historic District and the confines of Advisory Neighborhood Commission 2B,

WHEREAS, the project has not received negative feedback from immediate neighbors,

WHEREAS, while ANC 2B typically opposes front roof decks due to visibility concerns, in this case the front roof deck will be hidden by the existing turret, and

WHEREAS, ANC 2B urges the applicant to expand the parapet to screen mechanical, electrical, and plumbing equipment due to an adjacent window looking over the roof of the south side of the project.

THEREFORE, BE IT RESOLVED that ANC 2B supports the project as proposed as long as noise from the mechanical equipment is shielded and garbage is stored indoors.

1759-1761 P Street NW – Concept Four-Story New Construction on Two Vacant Lots

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

WHEREAS, the project as proposed is a new construction located within the Dupont Circle Historic District and Advisory Neighborhood Commission 2B,

WHEREAS, ANC 2B commends the applicant for working with and receiving the support of the two adjacent neighbors by providing light wells on the rear to preserve light and air quality and determining a way to provide one neighbor with access to their parking pad through the common area of the project,

WHEREAS, ANC 2B believes that the rear facade is well designed and interestingly setback,

WHEREAS, ANC 2B urges the applicant to consider adding texture and strengthening the smaller bay to further enhance the compatibility of the front facade with the two adjacent buildings,

WHEREAS, ANC 2B further urges the applicant to provide more of a gesture towards horizontal design elements, considering the horizontal elements of the neighboring buildings, and

WHEREAS, ANC 2B feels that the front facade color contrast should be less stark than the current plans.

THEREFORE, BE IT RESOLVED that, while ANC 2B supports the height and massing of the project, ANC 2B urges further design changes to the front facade of the project as described above to improve its compatibility with the Dupont Circle Historic District. ANC 2B further urges these design changes to be made available to the ANC and neighbors through a public process.

1626 Riggs Place NW – Concept Three-Story Rear Addition and Roof Deck

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

WHEREAS, the project as proposed is within the Dupont Circle Historic District and the confines of Advisory Neighborhood Commission 2B, and

WHEREAS, there are significant community concerns with this precedent-setting addition that have yet to be worked out.

THEREFORE, BE IT RESOLVED that ANC 2B requests a one-month delay of the hearing of the project before the Historic Preservation Review Board in order to allow the Commission to work with the applicant to address community concerns.

1717-1719 Corcoran Street NW – Application for Variances from the Floor Area Ratio Requirements and the Lot Occupancy Requirements to Construct an Addition to an Existing Three-Unit Apartment House

Commissioner Warwick moved to adopt a proposed resolution regarding the Historic Preservation Review Board application for the project. Commissioner Maltz seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

WHEREAS, the project as proposed is within the Dupont Circle Historic District and Advisory Neighborhood Commission 2B,

WHEREAS, ANC 2B supports and is encouraged by the applicant's restoration of the historic front facade, but urges the applicant to landscape the front facade similarly to the rest of the street,

WHEREAS, ANC 2B appreciates the applicant's provisioning of a dedicated garbage can storage area on the property,

WHEREAS, ANC 2B supports the modern rear facade which will be visible from R Street NW due to the park at Ross Elementary School,

WHEREAS, the project proposes to reduce rear lot coverage and bring the building back from the alley, and

WHEREAS, while ANC 2B understands the proposed roof deck will not be visible from in front of the building on Corcoran Street NW, the Commission is significantly concerned with the addition of the roof deck which will be visible from 17th Street NW and along Corcoran Street NW towards 17th Street due to the one-story configuration of the Safeway at 1701 Corcoran Street NW.

THEREFORE, BE IT RESOLVED that ANC 2B would support the project if the roof deck additions on both properties were removed.

Commissioner Warwick moved to adopt a proposed resolution regarding the Board of Zoning Adjustment application for the project. Chair Mann seconded the motion, which was voted on

and passed (VOTES: 8-0-0). The resolution reads as follows:

WHEREAS, the project is located within Advisory Neighborhood Commission 2B,

WHEREAS, the applicant requests zoning variances for lot occupancy and floor area ratio,

WHEREAS, the variance for lot occupancy is slightly misleading as, through this process, the applicant is reducing lot coverage by covering its internal doglegs with a presumably legally-constructed addition which is nonconforming to the existing zoning code,

WHEREAS, the variance request for floor area ratio is a result of filling in the area of reduced lot coverage by the new addition, and

WHEREAS, ANC 2B is encouraged by the applicant's plan to convert the existing six one- and two-bedroom units to four three-bedroom units, which, while reducing density, provides desperately needed family-sized housing units across the alley from Ross Elementary School.

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

### **Public Space Committee Agenda**

#### **1701 Pennsylvania Avenue NW – Application by Eatsa for a New, Un-Enclosed Sidewalk Café with 5 Tables, 19 Seats, and 3 Umbrellas**

Commissioner Silverstein moved to support Eatsa's public space application. Chair Mann seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

ANC 2B supports Eatsa's public space application for a new, un-enclosed sidewalk café at 1701 Pennsylvania Avenue NW based on the understanding that the establishment will maintain a pedestrian passageway on the adjacent sidewalk that is at least 15 feet wide.

#### **1222 Connecticut Avenue NW – Application by Cava Mezze Grill for a New, Un-Enclosed Sidewalk Café with 4 Tables and 8 Seats**

Commissioner Kupcinski moved to support Cava Mezze Grill's public space application. Commissioner Silverstein seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

ANC 2B supports Cava Mezze Grill's public space application for a new, un-enclosed sidewalk café at 1222 Connecticut Avenue NW.



## **Administrative Agenda**

### **Approval of the FY 2017 ANC 2B Budget**

Commissioner Maltz moved to approve the proposed ANC 2B FY 2017 budget. Commissioner Smith seconded the motion, which was voted on and passed (VOTES: 8-0-0).

### **Approval of the Regular August 2016 Meeting Minutes**

Commissioner Upright moved to approve the regular August 2016 meeting minutes. Commissioner Johnson seconded the motion, which was voted on and passed (VOTES: 7-0-1).

## **Historic Preservation & Zoning Agenda (Continued)**

### **Consideration of a Resolution Regarding HPRB's Granting of "Great Weight" for Projects in ANC 2B**

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

WHEREAS, under DC Code 1-309.10.3B (Exhibit A), Advisory Neighborhood Commissions (ANCs) are granted Great Weight before all agencies, boards, and commissions within the affected ANC,

WHEREAS, the mechanism of Great Weight includes that a government entity must:

“articulate its views in writing. The written rationale of the decision shall articulate with particularity and precision the reasons why the Commission does or does not offer persuasive advice under the circumstances. In so doing, the government entity must articulate specific finds and conclusions with respect to each issue and concern raised by the Commission. Further, the government entity is required to support its position on the record”,

WHEREAS, while ANC 2B appreciates the efforts that the Historic Preservation Review Board and Historic Preservation Office staff make to include ANC 2B within their decision making process, these efforts do not constitute the requirement of articulating in writing the specific findings and conclusions with respect to each issue and concern raised by the Commission,

WHEREAS, HPRB has not complied with Great Weight requirements on the following, among other, projects:

- 1520 T Street NW (June 16th, 2016)
- 2000 Florida Street NW (April 29th, 2016)
- 1415 22nd Street NW (November 17th, 2015)

- 1772 Church Street NW (December 10th 2014; March 15th, 2015; April 18th, 2015; July 15th, 2015), and

WHEREAS, for the 1772 Church Street NW project, ANC 2B has received an opinion from the Office of the Attorney General which states Great Weight must be granted for that project (Exhibit B).

THEREFORE, BE IT RESOLVED that ANC 2B requests that specific written articulation of the findings and conclusions with respect to each issue and concern raised by the Commission be granted for the aforementioned and all future projects within its ANC within the response period prescribed by law.

BE IT FURTHER RESOLVED that ANC 2B offers to work with the Historic Preservation Review Board, Historic Preservation Office staff, and the Office of the Attorney General to determine the best policies and procedures for the documentation of Great Weight to Advisory Neighborhood Commissions as required by law.

### **Adjournment**

Chair Mann adjourned the meeting at 10:14 pm.