

DRAFT – Pending Approval

Regular Meeting Minutes

Wednesday, April 14th, 2021; 7:00 p.m.
Online via Zoom

Call to Order

The regular April 2021 meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Daniel Warwick at 7:02 pm.

Introduction of Commissioners

The Commissioners identified their single member districts (SMDs). Present were: Meg Roggensack (2B01), Daniel Warwick (2B02), Robin Nunn (2B03), Mo Pasternak (2B04), William Herbig (2B05), Mike Silverstein (2B06), Michael Scott McKernan (2B07), Matthew Holden (2B08), and Kyle Mulhall (2B09).

Announcements and Public Comments

Commissioner Announcements

Chair Warwick and Commissioners Nunn, Silverstein, Herbig, and Roggensack gave commissioner announcements.

Committee Updates

Commissioner Mulhall and Amy Nasr, Co-Chairs of the ANC's Education and Parks Working Group; Commissioners Roggensack and Silverstein, Co-Chairs of the ANC's COVID-19 Emergency Response Task Force; and Commissioner Pasternak, Chair of the ANC's Mobility Committee, gave committee updates.

Update from the DC Office of the People's Counsel

Cheryl Morse, Consumer Outreach Specialist for the DC Office of the People's Counsel, gave an update from the agency.

Other Public Announcements and General Comments or Future Agenda Items

Commissioner Nunn; Susan Volman, Treasurer of the Dupont Circle Citizens Association (DCCA); Joe Florio, Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS); Brian Romanowski, Constituent Services Coordinator for Councilmember Brooke Pinto's Office; Nick DelleDonne, President of the Dupont East Civic Action Association (DECAA); Tim Alborg, Government Affairs Principal for goPuff; and Richard Henrich, Artistic Director for Spooky Action Theater, gave other public announcements and general comments or future agenda items.

Land Use Agenda

1329 21st Street NW – Concept / Fourth-Floor Roof Addition

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

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WHEREAS, ANC 2B finds that the owner of 1329 21st Street NW, the applicant for Historic Preservation Review Board (HPRB) application #21-258, is seeking support for concept plans to construct a new, fourth-floor roof addition and deck atop their existing principal dwelling unit,

WHEREAS, ANC 2B, in April of 2021, reviewed in an online Zoom meeting the architectural plans, elevations, and color photographs, and received a presentation on the project using the materials submitted to HPRB for consideration at their meeting scheduled for April 22, 2021,

WHEREAS, ANC 2B's Land Use Committee (LUC) previously reviewed these plans on April 7, 2021 in an online Zoom meeting and did not find reason to oppose the concept plans as presented,

WHEREAS, ANC 2B recognizes that the applicants represented that they proactively worked to engage neighboring properties and received no opposition, and

WHEREAS, ANC 2B believes that the concept plans appear to be in harmony with the general purpose and intent of the zoning regulations and zoning maps and do not appear to adversely affect the use of neighboring properties in this context.

THEREFORE, BE IT RESOLVED that ANC 2B supports the Historic Preservation Review Board application for 1329 21st Street NW as presented in April of 2021.

734 15th Street NW – Concept / Penthouse Addition, Window and Door Replacement

Chair Warwick recused himself from discussing and voting on this matter. The statement he sent to commissioners prior to the meeting stating his recusal is attached to these minutes.

Commissioner Herbig moved to adopt a proposed resolution regarding the matter. Commissioner Pasternak seconded the motion, which was voted on and passed (VOTES: 8-0-0). Commissioner Warwick did not vote on the matter. The resolution reads as follows:

ANC 2B requests a 30-day delay of the consideration of the Historic Preservation Review Board (HPRB) application for 734 15th Street NW in order to allow the Commission to further discuss the project plans with the applicant.

1733 16th Street NW – Appeals from the Decision Made on November 19th, 2020 by the Zoning Administrator to Approve the Subdivision of Square 192, Lot 108 into Two Separate Lots Denoted as Lots 110 and 111

Commissioner Herbig moved to adopt a proposed resolution regarding the matter. Commissioner Pasternak seconded the motion. Commissioner Pasternak moved to adopt a proposed amendment to the resolution to change the phrase "does not support" to "opposes". Commissioner Holden seconded the motion for the amendment. A roll call vote was requested. The motion for the amendment was voted on and did not pass (VOTES: 2-7-0). The roll call vote was as follows:

Commissioner Roggensack: Nay
Chair Warwick: Nay
Commissioner Nunn: Nay
Commissioner Pasternak: Yea
Commissioner Herbig: Nay

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Commissioner Silverstein: Nay
Commissioner McKernan: Nay
Commissioner Holden: Yea
Commissioner Mulhall: Nay

Commissioner Herbig moved to adopt a proposed amendment to the resolution to edit the final clause of the resolution to state:

BE IT FURTHER RESOLVED that, given the significant local interest in this matter and confusion surrounding old and new zoning laws regarding these appeals, in order to support future development proposals, ANC 2B requests that the Board of Zoning Adjustment in its ruling confirms that the subdivision does not create nonconforming lot(s), including a brief explanation of what the agency finds is the applicable zoning law regarding which facade of a corner building can be designated as the front for purposes of calculating rear and side yard setbacks; confirms what constitutes an embellishment and how that impacts building height measurement; and clarifies baseline ground measurement accounting for the temple's existing areaways.

Commissioner Roggensack seconded the motion for the amendment, which was voted on and passed (VOTES: 6-2-1). The final motion was voted on and passed (VOTES: 7-1-1). The resolution reads as follows:

WHEREAS, the Dupont East Civic Action Association (DECAA; appellant) and Michael Hays (appellant) have submitted related appeals to the Board of Zoning Adjustment (BZA) regarding a decision made on November 19, 2020 by the Zoning Administrator to approve the subdivision of Square 192, Lot 108 into two separate lots denoted as Lot 110 and Lot 111,

WHEREAS, the subdivision will encompass land that is currently vacant, having been cleared of the dwellings formerly occupying it between 1920 and the early 1990s, and now maintained as private open space,

WHEREAS, the appeals are in the context of a proposed new development which the ANC has reviewed several times in proceedings before the Historic Preservation Review Board (see Appendices A-D), and

WHEREAS, ANC 2B's Land Use Committee (LUC) on April 7, 2021 and ANC 2B on April 14, 2021 considered the appellants cases and were not convinced to support the appeals.

THEREFORE, BE IT RESOLVED that ANC 2B does not support appeals #20452 and #20453 as presented in April of 2021.

BE IT FURTHER RESOLVED that, given the significant local interest in this matter and confusion surrounding old and new zoning laws regarding these appeals, in order to support future development proposals, ANC 2B requests that the Board of Zoning Adjustment in its ruling confirms that the subdivision does not create nonconforming lot(s), including a brief explanation of what the agency finds is the applicable zoning law regarding which facade of a corner building can be designated as the front for purposes of calculating rear and side yard setbacks; confirms what constitutes an embellishment and how that impacts building height measurement; and clarifies baseline ground measurement accounting for the temple's existing areaways.

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General Agenda

Consideration of a Resolution Regarding the District Department of Transportation’s H Street and I Street NW Bus Lanes Project

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

WHEREAS, the District Department of Transportation (DDOT) has issued Notice of Intent #21-42-TDD for improvements to the H Street and I Street NW bus lanes,

WHEREAS, ANC 2B has previously supported the bus lanes, including the implementation of double-wide bus lanes (Appendix A), and

WHEREAS, the proposed changes would improve the efficacy of the bus lanes and represent an important commitment to improving the bus network in ANC 2B and DC as a whole.

THEREFORE, BE IT RESOLVED that ANC 2B supports DDOT’s proposal, as expressed in the Notice of Intent to upgrade the bus lanes on H Street and I Street NW, to improve bus performance and reliability, increase safety for all users, bring travel lanes up to DDOT’s technical standards, and improve curbside access.

BE IT FURTHER RESOLVED that ANC 2B urges DDOT to incorporate pick-up / drop-off (PUDO) and loading zones in other curb space to help promote behavior consistent with the intended purpose of the bus lanes.

BE IT FURTHER RESOLVED that ANC 2B urges DDOT to clearly mark lane shifts and entry points to turning lanes in order to help promote safety and ease of operation for drivers and bicyclists.

BE IT FURTHER RESOLVED that ANC 2B reiterates its request that DDOT implements a permanent mechanism for enforcing compliance with safety guidelines and the permitted use of the bus lanes and shares data in a timely manner with the public.

BE IT FURTHER RESOLVED that ANC 2B urges DDOT to implement safety protocols based on real world behavior rather than ideal compliance.

Administrative Matters

Discussion Regarding Meeting Request from Congresswoman Eleanor Holmes Norton

This discussion was added during the meeting’s Other Public Announcements and General Comments or Future Agenda Items period.

Approval of the ANC’s Regular March 2021 Meeting Minutes

Commissioner Holden moved to approve the ANC’s regular March 2021 meeting minutes. Commissioner Mulhall seconded the motion, which was voted on and passed (VOTES: 8-0-0).

Approval of the ANC’s FY 2021 Quarter 2 Financial Report

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The Commission delayed consideration of this matter until the ANC's regular May 2021 meeting.

Adjournment

Chair Warwick adjourned the meeting at 10:32 pm.