



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Dupont Circle Advisory Neighborhood Commission 2B

Regular Meeting Minutes

Wednesday, December 11th, 2019; 7:00 p.m.
Johns Hopkins School of Advanced International Studies
1717 Massachusetts Avenue NW, Room 500

Call to Order

The regular December 2019 meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Daniel Warwick at 7:00 pm.

Introduction of Commissioners

The Commissioners identified their single member districts (SMDs). Present were: Matthew Sampson (2B01), Daniel Warwick (2B02), Aaron Landry (2B04), Randy Downs (2B05), Mike Silverstein (2B06), Kari Cunningham (2B07), and Ed Hanlon (2B09).

Announcements and Public Comments

Commissioner Announcements

Chair Warwick said that Dupont Underground's lease with the city for their space is expiring early next year. He said that the organization is working with the Deputy Mayor for Planning and Economic Development's Office (DMPED) to try and extend their lease.

Commissioner Landry said that the next meeting of the ANC's Zoning, Preservation, and Development (ZPD) Committee will take place on Thursday, January 2nd due to the New Year's Day holiday.

Other Public Announcements and General Comments or Future Agenda Items

Matthew Noonan, a representative for Paramount Pictures, said that the production team for a movie called "Without Remorse" will be filming at the Perry Belmont House at 1618 New Hampshire Avenue NW next week. He said that the filming will affect residential parking and will include street closures near the house. Herbert Niles, the Associate Director of the Film Division at the Office of Cable Television, Film, Music & Entertainment (OCTFME), said that the office has been working with the District Department of Transportation (DDOT), the Metropolitan Police Department (MPD), and the production team regarding the planning for the filming activities.

Joe Florio, a representative for Councilmember Jack Evans' Office, gave an overview of the DC Council Ad Hoc Committee in the Matter of Councilmember Jack Evans' recent actions to

recommend that Councilmember Evans be expelled from the DC Council. He said that a final vote regarding the matter is expected to take place on Tuesday, January 21st. He also gave an overview of several transportation bills that Councilmember Evans recently signed on to.

Nick DelleDonne, the President of the Dupont East Civic Action Association (DECAA), said that the first depositions for the organization's lawsuit regarding the Scottish Rite Temple development project at 1733 16th Street NW will begin next week. He said that the association will also be taking part in the 7th Annual Homeless Memorial Vigil on Thursday, December 19th and Friday, December 20th. He encouraged local residents to also take part in the vigil. He added that the association has established a committee to help coordinate neighborhood efforts regarding composting and rodent control.

A local resident raised concerns regarding the homeless encampments near the intersection of 17th Street and Corcoran Street NW.

Alcoholic Beverage Control Board Agenda

Sorellina – Application for a Substantial Change to the Establishment's Retailer's Class "C" Restaurant License at 2029 P Street NW

The Commission did not take any action regarding this matter.

Swingers – Application for a Substantial Change to the Establishment's Retailer's Class "C" Restaurant License at 1330 19th Street NW

The Commission did not take any action regarding this matter.

Casa de Montecristo – Application for a Substantial Change to the Establishment's Retailer's Class "C" Tavern License at 1132 19th Street NW

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

ANC 2B supports the request for a stipulated license as part of Casa de Montecristo's application for a substantial change to the establishment's Retailer's Class "C" Tavern license at 1132 19th Street NW.

Emissary – Application for a New Retailer's Class "D" Restaurant License at 1726 20th Street NW

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

ANC 2B protests Emissary's application for a new Retailer's Class "D" Restaurant license at 1726 20th Street NW based on the adverse impact on the peace, order, and quiet of the neighborhood, pending the negotiation of a settlement agreement between the applicant and the ANC.

WeWork – Application for a Substantial Change to the Establishment's Retailer's Class "C" Tavern License at 1875 K Street NW

Commissioner Cunningham moved to adopt a proposed resolution regarding the matter. Commissioner Downs seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

ANC 2B supports the request for a stipulated license as part of WeWork's application for a substantial change to the establishment's Retailer's Class "C" Tavern license at 1875 K Street NW.

Swahili Village / The Consulate – Application for a New Retailer's Class "C" Restaurant License at 1990 M Street NW

The Commission did not take any action regarding this matter.

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

Commissioner Downs moved to protest Decades' renewal application based on the adverse impact on the peace, order, and quiet of the neighborhood. Commissioner Silverstein seconded the motion, which was voted on and passed (VOTES: 7-0-0).

General Agenda

Consideration of a Resolution Regarding Future Comprehensive Plan Amendment Language Specific to LGBTQ-Friendly Housing for Homeless Youth, Transgender People, and Seniors

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

Advisory Neighborhood Commission (ANC) 2B recommends that the following be addressed in its final feedback document to the Office of Planning (OP) and aims to inspire other Advisory Neighborhood Commissions across the District of Columbia to support similar recommendations to the Comprehensive Plan amendments:

ANC 2B concurs with and supports the recommended amendments in the Arts and Culture Element, Urban Design Element, Near Northwest Area Element, and other elements as they relate to their inclusion of the LGBTQ community.

ANC 2B believes that the Housing Element severely lacks sufficient recognition and needed support for the LGBTQ community in DC, especially:

1. Recognition of the LGBTQ community when referring to the housing needs of the District's most vulnerable populations in H-4.3, and
2. Addressing LGBTQ Older Adult Housing, as DC has the highest percentage of LGBTQ adults in the country and does not have any LGBTQ older adult housing while other comparable cities do.

ANC 2B believes that the Community Services and Facilities Element severely lacks sufficient recognition and needed support for the LGBTQ community in DC, especially:

1. Support for youth experiencing homelessness who self-identify as LGBTQ, which constitutes nearly half of DC's youth experiencing homelessness,
2. Healthcare and services for LGBTQ patients, a group that faces disparities similar to other populations identified as at-risk or disadvantaged, and
3. Inclusion of the LGBTQ community in Action CSF-2.3.D on Improving Coordination and Service Delivery Among District Agencies.

ANC 2B requests that the Office of Planning examines the Housing Element, Community Services and Facilities Element, and other elements where appropriate to fully address the above concerns.

ANC 2B agrees to formally adopt the above language or similar language in January of 2020 in its resolution to the Office of Planning prior to their deadline, and encourages other ANCs in the District of Columbia to consider similar recommendations.

Consideration of a Resolution Requesting More Time for Public Comment on Amendments to Comprehensive Plan Citywide and Area Elements

Commissioner Hanlon moved to adopt the following proposed resolution regarding the matter:

Whereas, the Comprehensive Plan is a 20-year framework, intended to guide the future land use planning decisions for the District. Barry Farm Tenants and Allies Association v. DC Zoning Commission, 182 A.3d 1214, 1218 (D.C. 2018);

Whereas, principal purposes of the Comprehensive Plan are among others to define the requirements and aspirations of District residents, and influence social, economic, and physical development, environmental protection, historic preservation, transportation, promote economic growth and jobs for District residents and assist in the conservation, stabilization, and improvement of each neighborhood in the District. DC Code §1-306.01; Barry Farm Tenants and Allies, 182 A.3d at 1218;

Whereas, in 2017 the Office of Planning opened the amendment process, despite not providing data on the efficacy of existing policies 12 years into the plan, including which policies are working, which are not, and reasons why;

Whereas, OP and DC Council completed amending the Comp Plan's Framework Element, the leading Chapter in the Plan only on October 15, 2019, and OP's published proposed amendments to the 13 Citywide Elements and 10 Area Elements total 1500 pages and constitute a major rewrite, striking and adding large portions of text;

Whereas, the Office of Planning is currently limiting the public comment period to only 65 days to a Plan which is intended to provide a 20-year framework for future land use planning decisions which affect hundreds of thousands of District residents; Whereas, the public comment period ends in less than two weeks on December 20, 2019 and ANCs have only an additional comment period ending January 31, 2020. Six weeks of the review period falls within the Thanksgiving, Christmas, and other religious holidays;

Whereas, DC Council Chairman Mendelson says the Council will not even consider amendments until after passage of the District FY2021 budget in June 2020;

Whereas, the 1500-page proposed amendments are very complex and will require a serious commitment of time and attention by residents, ANCs, and other stakeholders to study and provide meaningful feedback; and

Whereas, in fairness residents and stake holders should have more than 65 days to comment on a Plan which will affect this City for the next 20 years,

THEREFORE, BE IT RESOLVED:

- 1. ANC 2B requests the Mayor and DC Office of Planning extend the time for reasoned and informed public and ANC comments to at least April 30, 2020, and*
- 2. ANC 2B requests the DC City Council recommend that the Mayor and OP provide this additional time for public comment and provide appropriate data and information which stakeholders, residents and ANCs across the city have requested in order to make possible informed, transparent decisions pursuant to D.C. Code § 1-306, et. seq.*

The motion was not voted on due to the lack of a second.

The Commission did not take any action regarding this matter.

Consideration of a Resolution Regarding the District Department of Transportation's Notice of Intent to Install an In-Street Micromobility Corral at 1755 Q Street NW

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

ANC 2B requests a 30-day delay of the deadline for the Commission to submit comments regarding the District Department of Transportation's Notice of Intent to install an in-street micromobility corral at 1755 Q Street NW.

Consideration of a Resolution Regarding the District Department of Transportation's Notice of Intent to Install an In-Street Micromobility Corral at 1928 17th Street NW

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

WHEREAS, pursuant to the "Administrative Procedure Amendment Act of 2000" DC LAW 13-249 (48 DCR 3491 April 20, 2001), the District Department of Transportation (DDOT) is required to give a written Notice of Intent to modify traffic and/or parking requirements,

WHEREAS, on November 19, 2019 DDOT issued a Notice of Intent letter, Notice #19-290-PSD, regarding the installation of an in-street micromobility corral in front of 1928 17th Street NW,

WHEREAS, the proposed location is within the boundaries of ANC 2B and Single Member District (SMD) 2B08,

WHEREAS, the proposed location was recommended to ANC 2B by a nearby business owner in an effort to improve sight lines for drivers attempting to exit the adjacent alley and for better management of parking of micromobility vehicles,

WHEREAS, the proposed corral will repurpose approximately one (1) residential private vehicle parking space to increase sight lines for drivers attempting to exit the adjacent alley while also adding much-needed bicycle and scooter parking to the area,

WHEREAS, the District actively seeks to promote low-carbon active transportation and micromobility, and is experiencing a significant increase in the number of micromobility vehicles that are vying for limited parking space in the right-of-way,

WHEREAS, to accommodate this growth, in pairing with specific dockless vehicle parking requirements, DDOT is building out new parking infrastructure to ensure that these vehicles can be parked and stored safely and out of the way of pedestrians and other vehicles while not in use,

WHEREAS, in-street micromobility corrals, or dedicated parking space for bicycles and scooters, are designed for and consist of bike racks, painted scooter parking decals, rubber parking curbs, and flex posts, and are intended to accommodate the parking of at least six bicycles and six scooters,

WHEREAS, DDOT conducted an independent analysis of the proposed location and has determined that the installation of a micromobility corral in this location is a cost-efficient way to improve safety and accessibility for pedestrians, bicyclists, and drivers,

WHEREAS, Commissioner Beverly Schwartz of SMD 2B08 and Commissioner Randy Downs of SMD 2B05 and Chair of the ANC's Transportation and Public Infrastructure (TPI) Committee have conducted outreach among nearby neighbors and business owners and found that there was general support for the proposed repurposing of public space in the interest of safety, accessibility, and better management of micromobility vehicles,

WHEREAS, ANC 2B, in April of 2018 and in December of 2018, formally requested that DDOT provides more corral locations for bicycle and scooter parking, and

WHEREAS, ANC 2B sees bicycle and scooter parking in appropriate on-street locations as a way to provide more sidewalk space for pedestrians; support neighbors and visitors who choose cleaner transportation options; provide better visibility for motorists, bicyclists, and pedestrians near intersections; and support businesses by allowing multiple, smaller, vehicles to be parked in a single motor vehicle space.

THEREFORE, BE IT RESOLVED that ANC 2B supports Notice of Intent #19-290-PSD, the District Department of Transportation's proposal to install an in-street micromobility corral in front of 1928 17th Street NW, in an effort to improve safety and accessibility for pedestrians, bicyclists, micromobility vehicle users, and drivers.

BE IT FURTHER RESOLVED that ANC 2B encourages DDOT to continue to work with the ANC, residents, and businesses to identify and install additional in-street micromobility corrals where appropriate.

Administrative Matters

Approval of the Regular October 2019 Meeting Minutes

Commissioner Landry moved to approve the ANC's regular October 2019 meeting minutes. Commissioner Silverstein seconded the motion, which was voted on and passed (VOTES: 7-0-0).

Approval of the Regular November 2019 Meeting Minutes

Commissioner Landry moved to approve the ANC's regular November 2019 meeting minutes. Commissioner Cunningham seconded the motion, which was voted on and passed (VOTES: 6-1-0).

Approval of the ANC's 2019 Annual Report

Commissioner Landry moved to approve the ANC's 2019 Annual Report. Commissioner Silverstein seconded the motion, which was voted on and passed (VOTES: 6-1-0).

Break

The Commission took a break at 8:32 pm and reconvened at 8:35 pm.

Zoning, Preservation, and Development Agenda

1832 15th Street NW – Application for Special Exceptions from the Rear Addition Requirements, from the Lot Occupancy Requirements, and from the Accessory Building Rear Yard Requirements, to Construct a Two-Story Rear Addition with a Basement to an Existing, Attached Principal Dwelling Unit, and a Second-Story Addition to a Detached Accessory Building

Commissioner Landry moved to adopt the following proposed resolution regarding the matter:

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

WHEREAS, the applicant seeks four areas of relief: two regarding a second floor addition to a garage, one regarding the total lot occupancy, and one regarding the 10-foot rule,

WHEREAS, the applicant and neighbors met with the ANC 2B's Zoning, Planning, and Development Committee on December 4, 2019, reviewed the revised plans submitted earlier that day, and heard testimony from adjoining neighbors and other Dupont Circle residents,

WHEREAS, the ANC 2B's Zoning, Planning, and Development Committee received significant written testimony from neighbors and Dupont Circle residents, which were shared in full with the committee, and summarized to the full commission,

WHEREAS, similar relief was sought by a neighbor located two properties south (1828 15th St NW – BZA 19739) for a garage addition, rear-yard setback, and lot occupancy, and was supported by the ANC 2B with a 6-0-0 vote in April 2018,

WHEREAS, the ANC 2B does not oppose the two reliefs sought for the garage as it is on the same footprint as the existing building and the proposed height and mass are comparable to neighboring garage structures,

WHEREAS, the ANC 2B finds no issue with the relief sought for the lot occupancy below 70%,

WHEREAS, the ANC 2B's Zoning, Planning, and Development Committee was concerned about the impact to the abutting neighbors and requested from the applicant a revised shadow study using the revised plans to see if the 3.25 feet of rear-yard addition relief being requested beyond a ten feet addition from the neighboring rear façade –

which would be compliant with the ten feet rule – does not to affect adversely the use of the neighboring properties,

WHEREAS, the ANC 2B on December 9, 2019, received a revised shadow study and revised submission package,

WHEREAS, the ANC 2B finds that upon review of the revised shadow study and the revised submission package, the project is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and does not adversely affect the use of neighboring properties,

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

Commissioner Sampson seconded the motion. Chair Warwick moved to adopt a proposed amendment to the resolution to change the “BE IT RESOLVED” clause to state:

THEREFORE, BE IT RESOLVED that, the ANC 2B supports the two areas of relief regarding the addition to garage and does not support the two areas of relief regarding the 10-foot rule and lot occupancy.

and, where there is an inconsistency from that change in the “BE IT RESOLVED” clause, to adjust the “WHEREAS” clauses as well to reflect that. Commissioner Silverstein seconded the motion for the amendment, which was voted on and passed (VOTES: 4-3-0). The motion as amended reads as follows:

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

WHEREAS, the applicant seeks four areas of relief: two regarding a second floor addition to a garage, one regarding the total lot occupancy, and one regarding the 10-foot rule,

WHEREAS, the applicant and neighbors met with the ANC 2B’s Zoning, Planning, and Development Committee on December 4, 2019, reviewed the revised plans submitted earlier that day, and heard testimony from adjoining neighbors and other Dupont Circle residents,

WHEREAS, the ANC 2B’s Zoning, Planning, and Development Committee received significant written testimony from neighbors and Dupont Circle residents, which were shared in full with the committee, and summarized to the full commission,

WHEREAS, similar relief was sought by a neighbor located two properties south (1828 15th St NW – BZA 19739) for a garage addition, rear-yard setback, and lot occupancy, and was supported by the ANC 2B with a 6-0-0 vote in April 2018,

WHEREAS, the ANC 2B does not oppose the two reliefs sought for the garage as it is on the same footprint as the existing building and the proposed height and mass are comparable to neighboring garage structures,

WHEREAS, the ANC 2B's Zoning, Planning, and Development Committee was concerned about the impact to the abutting neighbors and requested from the applicant a revised shadow study using the revised plans to see if the 3.25 feet of rear-yard addition relief being requested beyond a ten feet addition from the neighboring rear façade – which would be compliant with the ten feet rule – does not to affect adversely the use of the neighboring properties,

WHEREAS, the ANC 2B on December 9, 2019, received a revised shadow study and revised submission package,

THEREFORE, BE IT RESOLVED that, the ANC 2B supports the two areas of relief regarding the addition to garage and does not support the two areas of relief regarding the 10-foot rule and lot occupancy.

The motion as amended was voted on and did not pass (VOTES: 3-4-0).

The Commission did not take any action regarding this matter.

Adjournment

Chair Warwick adjourned the meeting at 10:09 pm.