



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Dupont Circle Advisory Neighborhood Commission 2B

Regular Meeting Minutes

Wednesday, May 11th, 2022; 7:00 p.m.
Online via Zoom

Call to Order

The regular May 2022 meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Matthew Holden at 7:02 pm.

Introduction of Commissioners

The Commissioners identified their single member districts (SMDs). Present were: Meg Roggensack (2B01), Jeffrey Rueckgauer (2B02), Robin Nunn (2B03), William Herbig (2B05), Mike Silverstein (2B06), Randy Downs (2B07), Matthew Holden (2B08), and Kyle Mulhall (2B09).

Adoption of the Agenda

Chair Holden moved to approve the ANC's meeting agenda. The motion was voted on and passed (VOTES: 8-0-0).

Announcements and Public Comments

Commissioner Announcements

Chair Holden and Commissioner Downs gave commissioner announcements.

Committee Updates

Commissioner Rueckgauer, Chair of the ANC's Mobility Committee (MC); Commissioner Mulhall, Chair of the ANC's Education and Parks Working Group; and Commissioner Herbig, Chair of the ANC's Land Use Committee (LUC), gave committee updates.

Other Public Announcements and General Comments or Future Agenda Items

Brian Romanowski, the Constituent Services Director for Councilmember Brooke Pinto's Office; Susan Volman, the President of the Dupont Circle Citizens Association (DCCA); Barbara Meeker, a representative for the Dupont East Civic Action Association (DECAA); Leslie Barbour, an Advisory Board member for All Out For Change; Julius Terry, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS); and

Deborah Shapley, the President of Restore Mass Ave, gave other public announcements and general comments or future agenda items.

Alcoholic Beverage Control Board Agenda

Nora 2 – Application for a New Retailer’s Class “C” Tavern License at 1924 I Street NW

The Commission did not take any action regarding this matter.

DC Vegan – Application for Substantial Changes to the Establishment’s Retailer’s Class “C” Restaurant License at 1633 P Street NW

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

ANC 2B protests DC Vegan’s application for substantial changes to the establishment’s Retailer’s Class “C” Restaurant license at 1633 P Street NW based on the adverse impact on the peace, order, and quiet of the neighborhood.

Consideration of Several Alcoholic Beverage License Renewal Applications for Restaurants, Hotels, Multipurpose Facilities, Clubs, Marine Vessels, Arenas, and Caterers

The Commission did not take any action regarding this matter.

Land Use Agenda

1736 Swann Street NW – Application for a Special Exception from the Lot Occupancy Requirements to Construct a Two-Story Rear Addition, to an Existing, Attached, Two-Story with Basement, Principal Dwelling

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

WHEREAS, Dr. Charles Samenow, the applicant for Board of Zoning Adjustment (BZA) application #20737, is seeking support for special exceptions from the lot occupancy requirements to construct a two-story rear addition to an existing, attached, two-story with basement, principal dwelling; and the rear yard requirements to construct an exterior stair to access a terrace located atop an accessory garage at 1736 Swann Street NW, zoned RA-2 and located within ANC 2B01,

WHEREAS, ANC 2B’s Land Use Committee (LUC) reviewed the requests for special exceptions at its duly-noticed monthly meeting held both in-person and via Zoom on May 4, 2022,

WHEREAS, the BZA hearing on this project is scheduled for June 15, 2022,

WHEREAS, the LUC recognizes that the applicant has received positive feedback from adjacent properties and neighbors, and

WHEREAS, the LUC believes that the relief sought is in harmony with the general purpose and intent of the zoning regulations and zoning maps and will not tend to adversely affect the use of neighboring properties.

THEREFORE, BE IT RESOLVED that ANC 2B supports BZA application #20737 for 1736 Swann Street NW as presented on May 11, 2022.

BE IT FURTHER RESOLVED that ANC 2B's support is contingent on the applicant working with neighbors to jointly prepare a plan for construction staging to avoid blocking the rear alley and adjacent properties throughout the buildout.

1722 Swann Street NW – Application for Special Exceptions from the Court Requirements and the Lot Occupancy Requirements to Construct a New, Three-Story with Cellar, Penthouse, and Roof Deck, Apartment House

and

1722 Swann Street NW – Concept / Construction of Three Unit New Residential

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

WHEREAS, 9 Tree, LLC has submitted Historic Preservation Review Board (HPRB) application #22-276 for the construction of a new, attached, three-dwelling unit building at 1722 Swann Street NW,

WHEREAS, 9 Tree, LCC, the applicant for Board of Zoning Adjustment (BZA) application #20718, is seeking support for special exceptions from the court requirements and lot occupancy requirements to construct a new, three-story, three-unit building with cellar, penthouse, and roof terrace at 1722 Swann Street NW,

WHEREAS, the lot is zoned RA-2 and is located within ANC 2B01,

WHEREAS, ANC 2B's Land Use Committee (LUC) received a presentation on the project, including submitted concept plans, reference images, elevations, and color images, at its duly-noticed monthly meeting held both in-person and via Zoom on May 4, 2022,

WHEREAS, 1722 Swann Street NW is a vacant lot situated within the Dupont Circle Historic District,

WHEREAS, the BZA hearing on this project is scheduled for May 25, 2022 and the HPRB hearing is scheduled for May 26, 2022,

WHEREAS, the concept plan reduces the court size in an effort to transition between the different setbacks of adjacent properties (the front of the east adjacent property abuts the public sidewalk, while the setback of the west adjacent property is much more extensive),

WHEREAS, the LUC believes that the relief from both special exceptions is in harmony with the general purpose and intent of the zoning regulations and will not adversely affect the use of neighboring properties,

WHEREAS, the setback fourth floor of the building (penthouse) meets traditional viewshed tests as measured from points directly in front of the building, however, given the unique setback and low scale of the west adjacent property, the setback penthouse and terrace surround (fencing) would remain visible from portions of Swann Street NW to the west,

WHEREAS, neighbors expressed concern over the building's aesthetic and stylistic cohesion with Swann Street NW's ensemble of 19th and 20th century structures,

WHEREAS, the east adjacent neighbor expressed concerns over impacts to light and air due to the structure's penthouse placement, and claimed inadequate notice to assess impact of only a subset of concept designs,

WHEREAS, the applicant shared concepts for the penthouse from an aerial perspective, but acknowledged that it was not the full package presented at previous meetings, and restated a willingness for continued community engagement to satisfactorily address issues raised,

WHEREAS, the project design could benefit from continued community outreach and engagement led by the applicant team, and

WHEREAS, by law, the HPRB gives "great weight" to recommendations in duly adopted ANC resolutions and carefully considers the views of community organizations and citizens per DC Code 1-309-10 (d)(3)(a).

THEREFORE, BE IT RESOLVED that ANC 2B supports BZA application #20718, which requests special expectations from the open court and lot occupancy requirements.

BE IT FURTHER RESOLVED that ANC 2B recognizes the applicant's efforts to work with the community to understand concerns and propose a structure that is of its time, while attempting to honor the street's historic character relative to massing, height, and setback.

BE IT FURTHER RESOLVED that ANC 2B requests that HPRB keeps the project on the HPRB agenda, does not delegate the project to staff review following a single HPRB hearing, and allows time for the applicant's continued consultation with neighbors (not to exceed 30 days) to refine components of the proposed building as identified below.

BE IT FURTHER RESOLVED that ANC 2B requests that the ANC has the ability to review and provide formal ANC comments as plans are revised and before final HPRB approvals are granted.

BE IT FURTHER RESOLVED that ANC 2B supports the applicant's continued consultation with the ANC, single member district (SMD) commissioners, and Swann Street NW neighbors, as well as HPRB and Historic Preservation Office (HPO) staff to refine components of the proposed building, specifically:

- aesthetic and stylistic cohesion with Swann Street NW, including viewshed and streetscape impacts imposed upon the public realm by the penthouse, roof terrace, and required terrace surround (fencing),
- the rear alignment of the penthouse structure in accordance with adjacent uniformity,
- unintended impacts of the penthouse and rooftop terrace imposed on adjacent structures, particularly with regards to potential light and air impacts on adjacent owners,
- the proper placement of trash and recycling receptacles that support municipal waste pickup and operations, and
- construction staging and work plans to mitigate traffic and obstructions within the alley.

2040 S Street NW – Concept / Restoration of 1904 Mansion to Residential and 1926 Commercial Building; New Three-Story Addition

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

WHEREAS, Bauman Family Foundation Inc. has submitted Historic Preservation Review Board (HPRB) application #22-224 for the restoration of the existing mansion and commercial building, including a three-story addition and interior and exterior alterations, at 2040 S Street NW, zoned MU-20 and located within ANC 2B01, for the purpose of converting both buildings into a nine-unit residential condo,

WHEREAS, 2040 S Street NW is a contributing building in the Dupont Circle Historic District,

WHEREAS, ANC 2B's Land Use Committee (LUC) received a presentation on the project, including the submitted concept plans, at its duly-noticed monthly meeting conducted both in-person and via Zoom on May 4, 2022,

WHEREAS, the concept plans respect the history of the Jewett House site, exterior facades, and viewsheds,

WHEREAS, the LUC does not oppose the historic design aspects of the application,

WHEREAS, the LUC suggests that the applicant prioritizes the pedestrian-oriented facade along 21st Street NW while accommodating parking for two vehicles. This includes prioritizing safety of non-drivers by mitigating the visual presence of the parking penetration with a glazed rollup door (or similar) and pedestrian-scaled lighting that collectively reinforces a building-like appearance for the entire 21st Street NW facade, along with additional consideration for secure storage of bikes and other micromobility options within the building, and

WHEREAS, by law, the HPRB gives “great weight” to recommendations in duly adopted ANC resolutions and carefully considers the views of community organizations and citizens per DC Code 1-309-10 (d)(3)(a).

THEREFORE, BE IT RESOLVED that ANC 2B supports HPRB application #22-224 subject to the aforementioned suggestions.

BE IT FURTHER RESOLVED that ANC 2B requests that the ANC’s Chair, the Land Use Committee’s Chair, and the ANC’s Executive Director be sent copies of the final concept design and actions as approved by the HPRB and/or HPRB staff.

General Agenda

Consideration of a Resolution Regarding the Latest Plans for the Stead Park Recreation Center Project

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

WHEREAS, the Stead Park Recreation Center is a community treasure, hub, and resource for Dupont Circle and the surrounding area,

WHEREAS, the recreation center requires substantial renovation and upgrades to enhance and expand its usefulness to the community, and ANC 2B is actively engaged with and supports the renovation effort,

WHEREAS, on March 15, 2022, the Department of Parks and Recreation (DPR) and the Department of General Services (DGS) held a community meeting via WebEx to present the most recent updates to the design of the Stead Park Recreation Center,

WHEREAS, substantial and unacceptable design and configuration changes had been made without prior consultation with community stakeholders, including:

- redesigned the existing building, new addition, and solar canopy,
- reconfigured the play areas and relocated the splash pad under the solar canopy, creating potential dampness and mold issues,
- reduced the size of the playing field by more than seven feet,
- replaced the “entry court” with an “entry plaza”, eliminating the “sensory garden”, and
- eliminated the programmable space at the P Street NW entrance.

WHEREAS, on April 27, 2022, DPR and DGS held another community meeting via WebEx that presented satisfactory corrections to some of the community stakeholder issues, including:

- the main building and addition were adjusted to reduce the footprint and the corresponding buffer space to the minimum necessary for safety requirements,
- the revised building footprint removes only one foot from the playing field, and
- the splash pad was relocated out from under the solar canopy and into the open air.

THEREFORE, BE IT RESOLVED that ANC 2B thanks DPR and DGS for listening to community input, reducing the impact on the playing field, and relocating the splash pad, and supports these changes.

BE IT FURTHER RESOLVED that ANC 2B cannot support any reduction to the size of the playing field greater than that presented on April 27, 2022.

BE IT FURTHER RESOLVED that ANC 2B requests that DPR and DGS continue working with the community stakeholders to address the following suggestions:

- reconfiguring the P Street NW entry plaza to provide flexibility for a wide range of programming options and an optimized viewshed,
- replacing the playing field turf with BrockFill, and
- replacing or relocating the benches on the playing field and converting to turf to improve safety and maximize usable space.

Consideration of a Resolution Regarding the District Department of Transportation’s Notice of Intent for Bus Zone Expansion and Meter Removal at Farragut Square

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

WHEREAS, the District Department of Transportation (DDOT) issued NOI #22-111 TOA for bus zone expansion and meter removal at Farragut Square on March 23, 2022, with a public comment period closing on May 5, 2022,

WHEREAS, ANC 2B supports the intent of this NOI to facilitate easier Metrobus parking downtown at the convergence of several important bus lines,

WHEREAS, DDOT implemented the change within approximately two weeks and with no notification to ANC 2B or the public and when ANC 2B inquired as to what was going on the response was that “the work was completed but comments from the public would still be accepted until the closing date”,

WHEREAS, the NOI presented no data, no study information, and no rationale for the change other than that “[Washington Metropolitan Area Transit Authority] asked”,

WHEREAS, at ANC 2B’s April 19, 2022 Mobility Committee meeting DDOT stated that this was the result of DDOT’s signage team completing their work ahead of schedule and going ahead with posting the signs without consulting DDOT’s curbside team. DDOT offered a perfunctory apology and promised to do better in the future. No explanation was offered as why the process was not adhered to,

WHEREAS, ANC 2B has had many occasions where requests to DDOT languished for months or years, vanished with no resolution, or received no acknowledgment that they ever existed,

WHEREAS, DDOT’s inability or unwillingness to maintain timely, accurate, and information-rich communication or abide by plans or promises to stakeholders harms its credibility and does not serve the best interests of the District of Columbia, and

WHEREAS, this consistent pattern of behavior by DDOT devalues, disrespects, and undermines the role and responsibility of ANC 2B and other ANCs across DC.

THEREFORE, BE IT RESOLVED that ANC 2B requests that buses parked along Farragut Square be required to comply with 20 DCMR § 900, the District’s anti-idling regulation, in order to protect air quality and the pedestrian experience in the area.

BE IT FURTHER RESOLVED that ANC 2B requests that DDOT evaluates and reports about whether the spaces must be dedicated for bus use 24/7 or if they can be exclusive for buses during specific daytime hours, then relinquished during other times, nights, or weekends.

BE IT FURTHER RESOLVED that ANC 2B requests that DDOT conducts whatever reviews and undertakes whatever policy and cultural changes are necessary to end disconnects, dysfunction, and “radio silence” that frustrates stakeholders and delays projects.

BE IT FURTHER RESOLVED that ANC 2B requests that this resolution be included as part of the DC Council's oversight metrics of DDOT in order to determine if durable improvements to its operations and culture are in fact being made.

Consideration of a Resolution Regarding the District Department of Transportation Regarding the K Street Transitway Project

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

WHEREAS, at the regular monthly meeting of ANC 2B's Mobility Committee on April 19, 2022, DDOT presented the 65% design of the K Street Transitway for review and comment,

WHEREAS, the committee's overall reaction was highly positive, and

WHEREAS, the committee named the following items for improvement and/or resolution prior to the next design review:

- bike lanes must be as wide and spacious as possible to avoid exceeding capacity at signals during peak bike transit periods,
- the 12th Street to 11th Street NW interchange needs to be configured to prevent cyclists from being stuck in a two-stage queue box,
- incorporate safe connectivity to other protected bike lanes (PBLs) for cyclists continuing westbound beyond 20th Street NW,
- include photo enforcement for making illegal left turns, running red lights, speeding, and non-transit vehicles entering the transitway,
- establish a snow removal plan and procedures for the transitway that ensures snowbanks or mounds do not foul bike lanes, transit lanes, pedestrian access, or crosswalks, and
- consider signal timing that includes leading intervals for pedestrians, cyclists, and busses in order to ensure smooth movement across all intersections, lower wait times, and further discourage illegal left turns across the transitway.

THEREFORE, BE IT RESOLVED that ANC 2B continues to support the K Street Transitway Project.

BE IT FURTHER RESOLVED that ANC 2B places great importance on the transitway being compatible with the DC Streetcar and requests that the design is compatible with streetcar station placement, platform height, clearances, and provisions for supporting infrastructure placement, and supports a future streetcar extension with no need to reconstruct the transitway.

BE IT FURTHER RESOLVED that ANC 2B requests that DDOT provides status updates regarding the ANC's recommendations as they are addressed, in advance of the next design phase presentation.

Administrative Matters

Approval of the ANC's Regular April 2022 Meeting Minutes

Chair Holden moved to approve the ANC's regular April 2022 meeting minutes. Commissioner Rueckgauer seconded the motion, which was voted on and passed (VOTES: 6-0-2).

Approval of Expenditures for the ANC's Participation in the Capital Pride Parade

Commissioner Silverstein moved to approve expenditures up to \$400 for vehicle rental and up to \$100 for signage and other ancillary expenses as part of the ANC's participation in the Capital Pride Parade. Chair Holden seconded the motion, which was voted on and passed (VOTES: 8-0-0).

Adjournment

Chair Holden adjourned the meeting at 9:37 pm.