

ANC 2F | Community Development Committee Meeting

MINUTES

WEDNESDAY
AUGUST 23, 2017

7:00 P.M.

WASHINGTON PLAZA HOTEL
10 THOMAS CIRCLE, NW

Attendance

PRESENT

Commissioner Deeley (2F08)
Garrett Berntsen
Dave Feinstein
Helen Kramer
John Long
Jim Loucks
Greg Melcher
Commissioner Rubin (2F05)
Commissioner Sylvester (2F07)

ABSENT

Lou Cipro
Joel Heisey
Sarah Marcus
Philip Miatkowski
Jenny Rickard

GUESTS AND PRESENTERS

Alan Meislich, Taylor Gourmet
Bob Knopf, Quadrangle
Scott Walzak, Engenium Group
Brandon Harwick, Engenium Group
Jim Foster, Arcadia Design
Dylan White, 1400 14th St, NW
Dmitri Chekaldin, Dacha
Scott Rome, Veritas Law

**denotes Committee member(s) not present for all votes*

Committee meeting **called to order** by CDC Chair Commissioner Kevin Deeley at **7:03 p.m.**

Approval of Meeting Agenda

Commissioner Deeley moved to adopt the draft agenda without modification; the motion was seconded and adopted by the Committee.

Vote: 8-0-1

Approval of June 28, 2017 Meeting Minutes

Commissioner Deeley moved to adopt the draft June 28, 2017 meeting minutes without modification; the motion was seconded and adopted by the Committee.

Vote: 8-0-1

Old Business

[none]

New Business

1401 K Street, NW (2F05)

Alan Meislich, Taylor Gourmet

DDOT public space application for new unenclosed sidewalk cafe

Alan Meislich, Construction Manager for Taylor Gourmet, requested the Committee's support for a new unenclosed sidewalk cafe. The Committee inquired about the alignment of the proposed sidewalk café with adjacent sidewalk cafes. Greg Melcher moved that the CDC recommend that the full ANC send a letter to the DDOT Public Space Committee recommending approval of the submitted design; the motion was seconded and adopted unanimously by the Committee.

Vote: 9-0 (unanimous)

901 Massachusetts Ave, NW / Marriott Marquis (2F06)

Bob Knopf, Quadrangle

DDOT public space application for fixture/bollards (exception)

Bob Knopf of Quadrangle Development requested the Committee's support for installation of five additional bollards along the front of the Marriott Marquis sidewalk as a safety measure and in order to provide additional protection from vehicles. Knopf explained the impetus for the request was a vehicle that recently careened off of Massachusetts Avenue, flipped, and skidded into the Marriott driveway. Greg Melcher moved that the CDC recommend that the full ANC send a letter to the DDOT Public Space Committee recommending approval of application for installation of additional bollards; the motion was seconded and adopted unanimously by the Committee.

Vote: 9-0 (unanimous)

1318 10th Street, NW (2F04)

Scott Walzak, Engenium Group
Brandon Harwick, Engenium Group

HPRB concept, massing, and design for raze and new construction of three-story, two-unit condo

Scott Walzak and Brandon Harwick of the Engenium Group requested the Committee's support for raze of an existing non-contributing building and construction of a three-story two-unit condo building. The Applicants specifically requested that the CDC conclude the existing building is non-contributing and that the CDC support the proposed design, massing, and concept for the new structure. The Committee asked questions about building heights; material for stairs; lot occupancy; and the applicant's decision not to use wood windows. The Committee had several concerns with the proposed design and its compatibility with the neighborhood.

Greg Melcher moved that the CDC recommend that the full ANC send a letter to HPRB requesting that HPRB recognize the existing building is not contributing, and requesting approval of the concept, massing, and design for raze and new construction, while expressing the following concerns: 1) that the windows be fixed or double hung; 2) that satisfactory detail of iron staircase be shown; and 3) that additional detail about the wood deck be provided to ensure it is not visible per historic guidelines. Melcher accepted a friendly amendment by Deeley recommending extension of the bay down to the ground. The motion was seconded but failed to be adopted by the Committee.

Vote: 4-5 (vote failed)

Commissioner Sylvester moved that the CDC recommend that the ANC send a letter to HPRB disapproving of the proposal for concept, massing, and design as presented, requesting that the applicant resubmit a design that is more traditional in nature, compatible with the prevailing styles in the neighborhood, and consistent with the Applicant's original intention to have a more traditional design (which was discouraged by HPO). Sylvester accepted a friendly amendment from Melcher requesting that HPRB recognize that the current structure is not a contributing building, and a friendly amendment from Long clarifying that "traditional" means "a style that comports with existing, prevailing historic architecture." The motion was seconded but failed to be adopted by the Committee.

Vote: 4-5 (vote failed)

After additional discussion among the Committee, John Long moved that the CDC recommend that the ANC send a letter to HPRB requesting the HPRB recognize the existing structure is not contributing, and disapproving of the proposal for concept, massing, and design as presented, requesting that the applicant resubmit a design that comports with existing historic prevailing architecture and is consistent with the Applicant's original design intention. The motion was seconded and adopted by the Committee

Vote: 5-3-1

BZA variance relief to construct addition to existing nine-unit building

Jim Foster requested the Committee’s support for a zoning variance relief that would allow his client to reconfigure two lots into one, allowing for construction of a rear addition on the resulting nonconforming open court. Foster noted his client would return to the CDC at a later time to seek HPRB support. Dave Feinstein moved that the CDC recommend that the full ANC send a letter to BZA supporting the requested variance relief in order to construct the addition. Feinstein accepted a friendly amendment by Melcher noting support for conversion from a nonconforming side yard to a nonconforming open court. The motion was seconded and adopted unanimously by the Committee

Vote: 9-0 (unanimous)

Resident petition for RPP eligibility

Dylan White, resident of 1400 14th St, NW, requested the Committee’s support for a petition from residents of the building to DDOT requesting eligibility for the city’s Residential Parking Permit program. The Committee recalled that in consideration for relief from parking-space requirements, the developer agreed to include a covenant that would prevent residents from gaining RPPs, so as not to exacerbate traffic and parking congestion in the neighborhood. Greg Melcher moved that the CDC recommend that the full ANC deny the residents’ petition to become eligible for RPP in order to keep with the original agreement when the developer was obtaining approval for this building; the motion was seconded and adopted by the Committee.

Vote: 8-1

*DDOT public space application for new sidewalk café
HPRB concept, massing, and design for new construction*

Commissioner Deeley moved for suspension of the Committee rules requiring that Applicants submit all presentation materials 48 hours in advance so that the Committee could consider the Applicant’s request; the motion was seconded and adopted unanimously by the Committee.

Vote: 9-0 (unanimous)

Dmitri Chekaldin, co-owner of Dacha, and Scott Rome, Chekaldin’s legal counsel, presented preliminary concept drawings to the Committee for their sidewalk café and summer garden. Chekaldin and Rome stressed that no application had been filed yet, and that they were present to share, listen, and take comments. Commissioner Deeley recommended that the Committee provide the DDOT Public Space Committee with its preliminary thoughts so that the ANC 2F APC could take this aspect of the project into consideration as it deliberates Dacha’s ABRA license application.

The Committee asked the Applicant questions about removability of the sidewalk café structures; type of materials envisioned for enclosing the building along S Street, NW; seating capacity; noise dampening strategies; extensive use of public space for a private business; operating hours for outside space; public use of the playground; and total occupancy. Numerous community members shared their opposition to the plans as presented.

John Long moved that the CDC recommend that the ANC adopt a resolution noting that the CDC wishes to encourage the creation of responsible, new businesses within the ANC2F area; in this case the Committee encourages continuing discussions between Dacha representatives and the

ANC, to include members of its ABRA Committee, toward a revision of plans for Dacha that will better reflect the concerns of the ANC and the community about both the concept, massing, and design of the project as well as of the contemplated use of public space taking into account the Committee's position that: 1) consistent with 24 DCMR 316.9 a sidewalk café may only occupy 60% of any public space desired to be utilized, and per 24 DCMR 312.3, in the case of an enclosed café, the structure and furnishings must be removable within 24 hours; 2) notwithstanding the maximum limit set out above, it is the Committee's view that Dacha should be authorized to utilize only 40% of the public space (contiguous to its S Street side) with the rest reserved for green space and/or other public use; 3) since DC requires that any windows of an enclosed sidewalk café (requested by Dacha's owners) be open during the café's operation, the Committee believes that the proposed use of public space poses the likelihood of a significant noise nuisance to the neighborhood;; and 4) the Committee finds that the proposed 250 seats in the Summer Garden similarly pose the danger of a significant noise nuisance to the neighborhood. For these reasons, the Committee judges that seating in the Summer Garden should be substantially reduced and the Committee strongly endorses the modification of the existing plans to provide for creation of an acoustic sound barrier, that would run along the length of the property line on the S St side up to the property's end on 14th Street, NW. Long's motion was seconded and adopted by the Committee.

Vote: 8-0-1

Meeting adjourned at **10:02 p.m.**