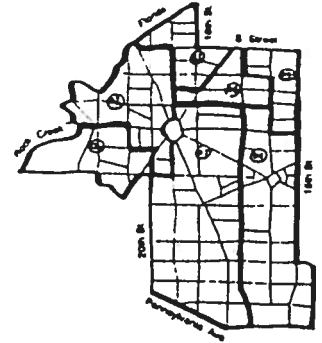




**DUPONT CIRCLE
ADVISORY NEIGHBORHOOD COMMISSION 2B**

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Letters

To: HPRB
Re: Codman Carriage House
Re: Spencer Stables

To: ABC
Re: JR's

To: ABC
Re: State Liquors

To: Public Space Committee
Re: Dupont Plaza Hotel

To: Public Space Committee
Re: Trio (two letters)

MINUTES OF THE JULY 12, 1995 MEETING OF ANC 2B - DUPONT CIRCLE

The Dupont Circle ANC 2B held a regularly scheduled public meeting on July 12, 1995 At St. Thomas Parish. Commissioners Fernandez, Heller, Smith, Bass, Wemple, Pitsor and Haransky were present. Chairman Fernandez called the meeting to order at 7:35PM.

Introduction of the Commissioners.

Adoption of the minutes. Dr. Fernandez moved to adopt the minutes with the amendments, correction of phrase on page 5 and commissions names be added to motion when they abstained or voted against a motion. The minutes passed with Mr. Pitsor abstaining.

TREASURERS REPORT

MOTION

Mr. Heller moved and Mr. Smith seconded to adopt the Third Quarterly 95 Financial Report of the ANC 2B presented by Mr. Heller. The motion passed unanimously.

COMMISSIONERS

- | | | | | | | |
|------------------|------------------|--|----------------|------------------------------------|--|-------------------------------------|
| 01 Brad Haransky | 02 Stephen Smith | 03 Jonathan Heller <i>Treasurer</i> | 04 Dennis Bass | 05 Erik Wemple <i>Secretary</i> | 06 Henry Fernandez <i>Chairperson</i> | 07 Kyle Pitsor <i>Vice-Chair</i> |
|------------------|------------------|--|----------------|------------------------------------|--|-------------------------------------|

ANNOUNCEMENTS

Mr. Bass said he would be resigning from the ANC as of July 13, 1995. He said he had been very pleased to be on the commission for the past 8 years and found the commissioners during all of that time to be caring, thoughtful and concerned about their duties.

MOTION

Dr. Fernandez moved and Mr. Wemple seconded to send a letter to Mr. Bass acknowledging his 8 years of dedicated service to the community. The motion passed with Mr. Bass abstaining.

Dr. Fernandez announced there was information on D.C. Recycling, the upcoming AIDS Walk, and the Children's Park on the back table. He told the audience that there also was a summary of the proposed ANC 2B's guidelines for use of public space.

POLICE CRIME REPORT

Captain Taylor of the 2nd District reported that there is an increase in crime over all of 45% from 1994 to 1995 and he asked the residents to make efforts to cooperate with the police by registering bikes and locking cars. He said the 2nd District has been making arrests. Mr. Heller asked what people used to break into autos. Captain Taylor gave an account of the tools and devices used.

Lt. Johnson gave the crime statistics for the 3rd District. Mr. Wemple said that some residents had expressed concern over not seeing foot patrols in the areas of 15th and 16th and O Streets, and along Rhode Island Avenue in the same blocks. Lt. Johnson said that a lot of the officers in that area are in plainclothes. Dr. Fernandez asked if the Citizen's Academy was still in operation. Lt. Johnson said yes it was. Dr. Fernandez thanked Officer Connors of the 3rd District for coming to the meeting.

ISSUES

1. Mr. Pitsor introduced Kim Williams, who gave a presentation on the pending proposed Historic Landmark status of the Spencer Stable and Codman Carriage House. Ms. Williams said that both of these structures represented the few remaining, completely intact examples of their respective architecture, and the Historic Preservation Review Board was seeking to have them declared Historic Landmarks. She told the commissioners and the audience about the criteria of the HPRB for Historic Landmark Status. Mr. Pitsor said that the tenants of both properties had been informed of the pending status and neither of parties had any objection.

Mr. Pitsor said the owners of the properties had been contacted, but had he not heard any comments from the them.

MOTION

Mr. Pitsor moved and Dr. Fernandez seconded to support the Historic Preservation Review Board Applications Numbers 95-4, Spencer Stable and 95-5, Codman Carriage House. The motion passed with Mr. Heller opposed.

2. Mr. Pitsor introduced the Dupont Plaza Hotel's (DPH) application for a use of public space permit. He said that the original permit, applied for 2 years ago, was being reactivated with modifications. Mr. Pollard of the Dupont Plaza Hotel presented the plans for the outdoor cafe proposed by the DPH. He said the floor area would be 1,600 square feet with a seating capacity of 120. Mr. Pitsor asked if there were any historic preservation issues. Mr. Pollard described the color of the brick for the paving of the patio floor and the design of the door to the kitchen. Mr. Wemple asked why the application was being reactivated. Mr. Pollard said that before this point there had been other priorities. Mr. Haransky asked what the hours of operation would be. Mr. Pollard said that had not been established. Dr. Fernandez said that the seating capacity seemed quite high. Mr. Pollard said that was the capacity permitted by public space, but probably not what they would be opening with. Cynthia Eastment asked what the indoor seating capacity was. Mr. Pollard said that was 120. Mr. Pitsor asked if the existing landscaping would remain. Mr. Pollard said for the most part it would. Mr. Pitsor presented a motion of support. Dr. Fernandez said he would like to propose an amendment to the motion to state the hours of operation. Mr. Grandis, the attorney for the DPH, asked for no restriction to the hours, as the DPH had always been a good neighbor and the permit was for one year and could be reviewed by the ANC after the year was up. Ms. Groves said she felt there had not been enough notification on this issue.

MOTION

Dr. Fernandez moved and Mr. Heller seconded that the hours of operation for the proposed use of public space by DPH be restricted to 11 pm. on weekdays and 12 midnight on weekends. The motion did not pass. Six were opposed. Dr. Fernandez for.

MOTION

Mr. Pitsor moved and Mr. Smith seconded that a letter of support for the design concept presented in the plans by the Dupont Plaza Hotel for the application for the use of public space be sent to the Public Space Committee. This support is with the understanding that the pavers and kitchen door will be consistent with the existing structure. The motion passed (4-1-2). Mr. Wemple and Dr. Fernandez abstained, and Mr. Heller opposed.

3. Mr. Wemple presented the discussion for the guidelines for

the use of public space by ANC 2B's Public Space Committee. He said that in May the committee was created to put guidelines together and a town meeting called to get a consensus on what issues needed to be included in the guidelines. He said in June he had asked for additional comments on the guidelines and had, since that time, prepared a summary based on the guidelines and comments. He said he thought a broad spectrum of concerned individuals and citizen's groups supported the concept of having guidelines. He said that he would open the discussion first for general comments, and then comments on the individual sections of the guidelines. He said he would hold separate votes on the individual points made in the sections of the guidelines. Mr. Wemple said that these guidelines would not apply to pending applications, such as JR's. Mr. Callahon of the 17th Street Merchant's Association said he was happy with the consensus achieved by the various groups working on the guidelines. Mr. Eastment, Dupont West Citizens Association, endorsed Mr. Callahan's comment, but added he had two additional points, 1) the ANC needs to distinguish application of guidelines area by area and 2) a general support of guidelines is not a good idea in that it implicitly ceases to support the moratorium on liquor licenses. Deacon Maccubbin of D.C. Map said no one set of guidelines can apply to all situations as the neighborhoods under consideration are all unique. A resident urged the commission to go slowly in drafting a final set of guidelines, and he disagreed that the guidelines represented a broad consensus. A resident said that the guidelines could be flexible and useful, and were a good idea to have for debates. The president of the Restaurant Association said his group supports the effort of the merchants and residents to come to an agreement, but that it was too early to end discussions and ratify the guidelines. He said that closing the process at this meeting was not a good idea. A resident said a survey should be conducted to get a true consensus. Mr. Wemple said that in the summary of the guidelines the preamble had been revised to state that the guidelines applied only to mixed areas and not to commercial zones.

MOTION

Mr. Wemple moved and Mr. Heller seconded to vote on the issues in the guidelines. The motion passed 5 to 1. Mr. Smith opposed and Mr. Haransky abstained.

MOTION

Mr. Wemple moved and Mr. Heller seconded to approve the preamble of the guidelines as stated in page three of the summary for the use of public space. The motion passed with Mr. Haransky and Mr. Smith abstaining.

5-0-2

Mr. Wemple read the first section of the guidelines concerning hours of operation. A resident said there was no consensus on hours and that phrase should be deleted. A resident said that the hours of operation for outdoor cafes should be consistent. A resident said the issue of hours should be on a case-by-case basis. Mr. Heller said that the guidelines were not for existing operations, but for new establishments and

applications.

MOTION

Mr. Wemple moved and Mr. Heller seconded to approve Item A of the ANC 2B Public Space Guidelines (ANC 2B PSG) excepting the phrase 'a broad consensus'. The motion passed with 6 for, Mr. Smith abstained.

MOTION

Mr. Wemple moved and Mr. Bass seconded to approve Item B of the ANC 2B Public Space Guidelines with the amendment to section 1. b. of Item B to state the burden of proof for the necessity of a variance of less than 10' sidewalk clearance lies with the vendor. The motion passed 6 to 1, Mr. Heller opposed.

MOTION

Mr. Wemple moved and Mr. Bass seconded to delete the section about sandwich boards from Item B of the ANC 2B PSG. The motion passed with Mr. Heller abstaining.

MOTION

Mr. Heller moved and Mr. Bass seconded to reinstate section 2. d. of Item B. The motion passed, 4 for and three opposed.

Mr. Wemple referenced the bracketed section under 2, Item C. He said that the ANC is opposed to enclosing public space and that areas used for public space should look as open as possible as defined by public space regulations. A spokesperson for the Conservancy said support for the D.C. public space use regulations is important and urged the bracketed language be included in the guidelines.

MOTION

Mr. Wemple moved and Mr. Bass seconded to approve the bracketed language in Item C, subsection 2, which states ANC's opposition to enclosed space. The motion passed 5 to 2. Mr. Smith and Mr. Heller opposed.

MOTION

Mr. Wemple moved and Mr. Bass seconded to approve Item C, as amended. The motion passed 6 to 1. Mr. Heller opposed.

Mr. Wemple read Item D of the guidelines. A resident said he was opposed to Class CT licenses, and that guidelines should discourage CTs and provide incentives for Class CRs. Mr. Pitsor said that based on the views expressed to him by the residents it needs to be clear in the guidelines that ANC is generally opposed to Class CT licenses near residential areas, unless a Voluntary Agreement is worked out which satisfies the residents. Mr. Heller said he takes the opposite view. Mr. Haransky said there should be some allowances for CTs.

MOTION

Mr. Wemple moved and Mr. Pitsor seconded adoption of Item D section 2 with the amendment that ANC 2B generally opposes Class "CT" liquor licenses across from or in proximity to residential areas, with special exceptions. The motion passed 5 to 2. Mr. Heller and Mr. Smith opposed.

MOTION

Mr. Heller moved and Dr. Fernandez seconded to amend Item D section 2 by deleting "neighboring". The motion did not pass. 2 for 3 against and 1 abstention.

MOTION

Mr. Wemple moved and Mr. Pitsor seconded to approve Item D sections 1 and 2. The motion passed 5 to 2. Mr. Heller and Mr. Smith opposed. (Mr. Bass recused himself, leaving the room during the discussion).

4. Mr. Wemple introduced Mr. Eric Little of JR's Bar and Grill. Mr. Little asked the commissioners to approve JR's application for an amendment to its liquor license, which would allow JR's to serve liquor in its outdoor cafe.

MOTION

Mr. Wemple moved and Mr. Pitsor seconded to oppose JR's ABC license application for an amendment to serve liquor in its outdoor cafe. The motion did not pass. 4 opposed and Mr. Pitsor and Mr. Wemple for.

MOTION

Dr. Fernandez moved and Mr. Heller seconded to support JR's ABC license application for an amendment which would allow liquor to be served in its outdoor cafe, and include JR's Voluntary Agreement with this ABC amendment. The motion passed 4 to 2. Mr. Wemple and Mr. Pitsor were opposed.

Mr. Wemple said that JR's should be supported by the neighborhood now that the application had passed the ANC.
5. Mr. Wemple introduced Mr. Ed Grandis, representative for Trio's Restaurant. Mr. Grandis said he is asking the ANC's support for an enclosed patio for Trio Restaurant. He said he was looking for community input on the possibility of an enclosure, or of amended hours to relieve the financial pressures on his client, which had been a problem since Trio has been closing early. He said that Trio would like an alternative to the extra hours that have been cut since November 1993. He said that as an alternative Trio would like to be allowed to install an awning at the Fox and Hounds identical with the existing at Trio.

Ms. Groves of DCCA said that she lives across from the Fox and Hounds, and when it was open until 3a.m., it was unbearable. She said those hours of operation are unsuitable for the location. Dr. Fernandez asked how late the kitchen was open. Mr. Malios, the owner, said until 10:30p.m. Mr. Haransky asked Mr. Malios if

the Fox and Hounds is open until 3:00a.m. and the kitchen until 11:30p.m. Mr. Malios said yes. A resident said he was a restaurant owner and although a kitchen may be broken down and cleaned at 10:30p.m. food would still be available.

MOTION

Mr. Wemple moved and Mr. Heller seconded to send a letter to the Public Space Commission opposing the proposed enclosure of public space and issuance of a use of public space permit for that purpose. The motion passed with 6 votes for and 1 abstention.

MOTION

Mr. Wemple moved and Mr. Bass seconded to send a letter of support for the conceptual design of an awning, over the Fox and Hounds, which will match the existing, awning over Trio's and plans for landscaping as presented by Trio Restaurant 1624 Q Street with the understanding there will be no change in the present hours of operation. The motion passed with Dr. Fernandez opposed.

6. Dr. Fernandez said the issue of Udderly Cool's outdoor cafe was being postponed until September.

7.

MOTION

Dr. Fernandez moved and Mr. Smith seconded to withdraw ANC 2B's protest against the reissuance of a Class "A" liquor license for State Liquors upon the signing of a Voluntary Agreement. The motion passed unanimously.

8. Mr. Skversky presented his plans for a proposed bed and breakfast operation at 1604 19th Street N.W. He said that he had purchased the property in December 1994. He said that he intends to renovate the property, and is in the process of determining the zoning requirements to operate as a bed and breakfast. Dr. Fernandez asked Mr. Skversky if he presently owned the building at 1606 19th Street. Mr. Skversky said yes, and that it was a single family home. Dr. Fernandez asked if that property was advertised as a bed and breakfast. Mr. Skversky said no, all that was available were brochures. Dr. Fernandez asked if 1604 had been used as a bed and breakfast. Mr. Skversky said no, that he had only rented rooms in 1606 19th Street. Mr. Smith asked how many rentable rooms were available. Mr. Skversky said between 4 and 6. Mr. Smith asked if there was staff. Mr. Skversky said no, only himself and his wife. Mr. Heller asked if he and his wife would live at 1604 19th after it was renovated. Mr. Skversky said yes. Mr. Heller asked if any people were living at 1604 when Mr. Skversky bought it. Mr. Skversky said there were two people living there at that time on a month to month lease. Mr. Heller asked if Mr. Skversky would rent 1606 19th Street. Mr. Skversky said he would rent or sell the property. Ms. Ecles, a resident, asked how many units were in 1604, and if they were apartments. Mr. Skversky said the

house was not divided into apartments, but was floors. Ms. Zelda Zelden asked where does the conversions to bed and breakfasts stop. Dr. Fernandez urged Mr. Skversky to follow all the D.C. regulations for operating a bed and breakfast as to not incur the ill will of the neighbors.

COMMISSIONERS REPORT

Mr. Pitsor reported that the St. Matthew's PUD appeal was over turned in the D.C. Court of Appeals on June 29. He said that there will be a new hearing.

OPEN FORUM

Ms. Zeldan, a resident, asked the ANC to review a bed and breakfast operation at 1601 19th Street.

The meeting was adjourned at 11:30 p.m.

Respectfully submitted

Eric Wemple
Secretary ANC 2B, Dupont Circle