

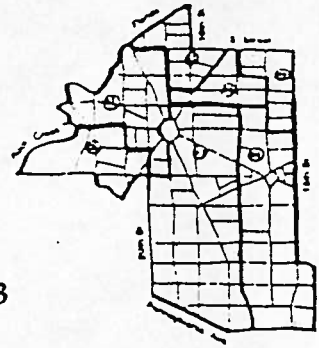


DUPONT CIRCLE
ADVISORY NEIGHBORHOOD COMMISSION 2B

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Letters

To: Financial Control Board
Re: Firehouse, Emergency Services Budget

To: Public Space Commission
Re: Bike Racks

To: Park Service (Dept. Of Interior)
Rep. Tom Davis
Sen. Rod Grams
Re: Proposed Design Penn. Ave. and LaFayette Park

To: Public Space
Re: Escandelo Restaurant

To: Public Service
Re: Phone 1645 Q St., Java House
Phone 1525 16th St.

Minutes of the June 12, 1996 public meeting of Advisory Neighborhood Commission 2B, Dupont Circle

Introductions of the commissioners. Commissioners Fernandez, Pitsor, Wemple, Heller, Haransky and Jackson were present.

ADMINISTRATIVE MATTERS

Dr. Fernandez announced that Mr. Smith, SMD02, had resigned his commission.

Mr. Wemple said that due to possible conflicts of interest with his new job as senior editor of the City Paper he was resigning from his position of ANC Commissioner as of midnight June 12, 1996.

MOTION

Dr. Fernandez moved and Mr. Jackson seconded to send a letter to Mr. Wemple on behalf of the ANC thanking him for his service to the community in his position as ANC Commissioner. The motion passed unanimously.

MOTION

Dr. Fernandez moved to nominate Mr. Jackson for the position of ANC Secretary. Mr. Pitsor seconded

COMMISSIONERS

the motion. The motion passed unanimously.

MOTION

Mr. Jackson moved and Mr. Wemple seconded to adopt the minutes of the May meeting. The motion passed 5-0-1. Mr. Pitsor abstained.

Sgt. Burton of the Third district gave the crime statistics report. Mr. Heller asked Sgt. Burton if he had any information on the robbery and shooting in the 1600 block of 19th Street on Memorial Day. Sgt. Burton said no, but he would get back to Mr. Heller on this issue. Mr. Pitsor asked if the statistics for robberies included robberies in which weapons were used. Sgt. Burton said they are all classified together. Mr. Pitsor asked is there were any homicides reported in the Third District. Sgt. Burton said no. Mr. Pitsor said a question had come up about a stabbing that happened at 16th and Q Streets. He said that this person died of the wound. Sgt. Burton he didn't know about this. Mr. Pitsor said he had received a call about this and he did not recall that a homicide had been reported. Dr. Fernandez asked Mr. Pitsor to follow up on this situation. Ms. Groves, a resident, said that the 17th Street merchants had been concerned about the increase in violent crime. Sgt. Burton said there had been very few robberies on 17th Street in February and March. He said the Third District is continually working on this problem. Mr. Haransky said he has been working with this problem. He said the problem is that there is no follow up with prosecution, suspects don't get papered. He said that there is a particular individual that is well known as a shop lifter. He said this individual has been seen after a break in. Mr. Haransky said he has called the police on the behalf of business owners. He said this individual has yet to be arrested or papered. He said this individual uses the address of the laundromat as his address. Mr. Haransky said this person also gets violent. Dr. Fernandez said it makes him angry that nothing is being done about this person. He asked if it would help to write a letter to the U.S. Attorney. Sgt. Burton said it would help if someone would go personally with the complaint. He said the police have no control over the court process and it would be more effective if citizens would complain directly. Dr. Fernandez appointed Mr. Haransky to pursue this issue. Mr. Jackson asked who to call about road closings. Officer Zelinka provide Mr. Jackson with numbers.

Sgt. Dignan of the Second District gave the crime statistics. He said there was a shooting during a robbery of a jewelry store. He asked the residents to called 2D if they have any information. He gave a description of the two suspects. Sgt. Dignan asked if any residents had information on the shooting that happened on February 9th in the 2100 block of N Street would they please call 2D. Dr. Fernandez asked why the police were soliciting more information in that the detectives assigned to the case had already asked quite a few resident about it. Sgt. Dignan said 2D is looking for

additional people, because they are probably are working on a specific suspect. Dr. Fernandez asked Mr. Herman of the Orange Hat Patrol to get a flyer with the description of the suspect from Sgt. Dignan. Sgt. Dignan gave out his mail box number to the audience and invited them to call with any requests or questions. Dr. Fernandez said that he had sent two photographs of a burglar to Capt. Burrell. He ask Sgt. Dignan to be on the look out for that. Sgt. Dignan said that those photos had been passed on to the detective who works specifically with that case.

Michelle Sedgewick of Jack Evans office said that the City Council approved an amount for the FY1997 budget which would allow the fire department to repair and replace equipment and avoid closing the station closings. She said the Council met with the Control Board and there is a sincere effort on the part of those two bodies and the Mayor to come to a consensus on the 1997 Budget. She said that as of 6:00pm (June 12) when she left the City Council, there was some concern the amount the Council recommended for the fire department budget would be reduced. She said the Council is ready to fight for those amounts if necessary. Dr. Fernandez asked if it would be helpful if the ANC sent a FAX to the Control Board. Ms. Sedgewick said it wouldn't hurt. She said that Councilmember Lightfoot had canceled the Public Hearing that was scheduled for the 15th of June on the proposal to close the fire stations. She said that assuming that all goes well with the meeting with the Control Board there will be no hearing on the 15th. Mr. Heller asked about the status of the Noise Bill. Ms. Sedgewick said that the Noise Bill had been through its second reading. She said the Council will meet two more times before their recess. She said there is sufficient time to get the Bills through Congress. Dr. Fernandez asked about the status on the Bill introduced by Mr. Brazil on changing for amending the ABC Statutes which allow private clubs to apply. Ms. Sedgewick said there was no action on this and there probably wouldn't be any before the recess. She said it is not scheduled for mark-up. A resident asked what Mr. Evans position on Representative Norton's Tax proposal. Ms. Sedgewick said that Mr. Evans is in support of that action. Mr. Heller asked if it would be useful to write a letter to Mr. Evans urging him to make sure the Noise Bill is on the agenda for the next meeting. Ms. Sedgewick said she would call the ANC on that issue.

OPEN FORUM

Domas

Mr. George Domas owner of the Elite Restaurant 1623 17th Street said he was aware of the Moratorium and restrictions. He said some of the restrictions on the serving of alcohol are making it very difficult to survive as a business. Dr. Fernandez asked if Mr. Domas was aware of the restrictions, why he opened a restaurant in a Moratorium Zone. Mr. Domas said he was hoping the ANC would consider what was fair. He said it is unfair for other businesses to operate until 3a.m. where he is required to close earlier. He

said he is requesting a fair judgement. Mr. Pitsor said that he would speak with Mr. Domas about this problem.

Mrs. Madeliene Lane, a resident, said that the car lot at 1525 15th Street is being used for drug dealing, prostitution, and vagrancy. He said it also is being used by muggers. He asked that a fence be erected to discourage use of this lot. Mr. Jackson said he is working on this issue with the abutting ANC.

A resident commented on the status of the comfort station on the Circle. Mr. Pitsor said the plans have been resubmitted to the Park Service and the HPRB to sign off on the exterior work that is proposed for the renovation. He said the plans are going to be submitted to the Park Service and both police stations for their review of the interior plans to make sure it meets their requirements. He said he understands that these approvals have happened in the past two weeks and the project is moving forward to get formal approvals.

ISSUES

1. Mr. Milton Bailey of the D.C. Housing Finance Agency gave a presentation on what this agency does. He said he wanted to give the residents an idea of what the agency does. He distributed literature to the residents on the various mortgage packages the Agency finances.

2. Mr. Wemple said he wanted to take the removal of the payphone at 15th and O Streets off the agenda.

3. Mr. Heller said there is an application before the public Service Commission (PSC) for the installation of a payphone in front of Java House at 1645 Q Street. Mr. Jackson said there are already eight phones in that immediate area. Mr. Heller said he didn't see how the installation of the phone would be a problem. Mr. Heller proposed a motion to allow a phone as long as it is within the confines of the sidewalk cafe. The motion was not seconded and died.

MOTION

Mr. Heller moved and Mr. Jackson seconded that the ANC take no action on this proposal. The motion failed 2-4. Mr. Pitsor, Haransky, Fernandez, and Wemple were opposed.

MOTION

Dr. Fernandez moved and Mr. Haransky seconded that ANC 2B oppose the installation of the phone because the service is not necessary as there is already sufficient public phone service in that area. The motion passed 6-0-1. Mr. Heller abstained.

4. Mr. Jackson introduced the proposed installation of a public pay phone at 1525 15th Street. Mr. Jackson said that there has been

a reoccurring history of attempts to put a phone at this location. He said the history on this particular location reflects a consistent wish by the surrounding residents that a phone not be installed at this location.

MOTION

Mr. Jackson moved and Mr. Pitsor seconded that the PSC be informed that ANC 2B is opposed to the proposed installation of a public pay phone at 1525 16th Street because of reoccurring problems of a public pay phone at this location being associated with drug dealing. Additionally, there are enough public pay phones at this location to service the needs of the residents. The motion passed unanimously.

5. Dr. Fernandez introduced the proposed expansion of the expansion of Cafe Japone, 2032 P Street. Mr. Akiho presented the proposed expansion of the cafe. Dr. Fernandez said he wanted assurance from the owner that the additional exit will only be used as an emergency exit and that there would be no signs attached to that exit. He said that it was important to the residents that there be no noise in association with the cafe's additional seating. Dr. Fernandez further stipulated that the support of the ANC would be contingent upon the owner signing a Voluntary Agreement with the ANC. Mr. Akiho said he would be willing to sign a Voluntary Agreement with the ANC. Ms. Pam Taylor said she had concerns with the "CR" license of the restaurant and how this was an expansion of alcohol service. Dr. Fernandez informed Mr. Akiho that there were going to be additional inspections from the city to enforce existing sanitation and the increase in fines for violations. Ms. Taylor said she sees this as a significant increase in the serving of liquor in a moratorium zone.

MOTION

Dr. Fernandez moved and Mr. Heller seconded support for the proposed expansion of Cafe Japone, 2032 P Street if Cafe Japone agrees to sign a Voluntary Agreement prepared by the ANC 2B which would stipulate, among other requirements that Cafe Japone (1) restrict the use of the 21st Street exit to use as an emergency exit. That this exit not be used for access or for taking out trash (2) that there be no sign or advertisement on the 21st Street exit (3) there would be no additional noise and (4) that the establishment abide by all the health and sanitation municipal regulations. The motion passed 5-1. Mr. Wemple was opposed.

6. Dr. Fernandez introduced Mr. Reyes, the representative for Escandelo, 2122 P Street. Mr. Reyes said that Escandelo wished to add an outdoor cafe which would require the use of public space. He said it would be approximately 28 seats. Mr. Reyes provided the commissioners and audience with plans for the proposed outdoor cafe. He said the cafe would only operate from 6pm until 11pm on the week days and until 12 midnight on the weekends. Mr. Reyes

said the businesses right under Escandelo were in favor of the cafe. Dr. Fernandez asked if Mr. Reyes had applied to the Public Space Commission. Mr. Reyes said they had recently applied. Dr. Fernandez asked if Escandelo had filed an application for an ABC amendment to include a outdoor cafe. Mr. Reyes said not at this date. Dr. Fernandez asked Mr. Reyes if he had received the FAXed copy of the Voluntary Agreement that the ANC has with Gabriel's and the copy of the ANC public space guidelines. Mr. Reyes said yes he had. Mr. Heller asked if the tables would be in place during the day. Mr. Reyes said no the tables would not be out. Mr. Pitsor said it was his understanding that an establishment cannot rent space it does not abut. He said he also had a problem with the egress onto the cafe requiring passage onto public space. Mr. Heller asked if the seating would be limited to 28 seats. Mr. Reyes said yes, that the space would be to crowded otherwise. Mr. Wemple said the proposal and plans are in agreement with the ANC guidelines for use of public space, and the question of abutment was one that would be determined by the Public Space Commission. Mr. Haransky asked if there had been any considerations given to reconfiguring the space so that the sidewalk would not be used for egress onto the cafe patio area. Mr. Pitsor asked where patrons waiting to be seated out doors be waiting. Mr. Reyes said that patrons awaiting seating on the patio would wait inside in the bar. Ms. Taylor, a resident, voiced an objection to additional outdoor cafes on P Street. Dr. Fernandez asked her if she was opposed to Gabriel's. Ms. Taylor said no she had not opposed that cafe. She said DCCA did not oppose Gabriel's Cafe because the group did not want to be seen as the bad guys. Mr. Pitsor said he saw no comparison between the situation at the Barcelo/Gabriel's. Ms. Taylor said she thought the proposed cafe was in violation of regulation 201.1 which governs the use of public space. A resident asked if the license was a "CT". Mr. Zuber, the owner, said the license was a "CR", and so therefore was able to apply for use of public space for an outdoor cafe.

MOTION

Dr. Fernandez moved and Mr. Haransky to send a letter to the Public Space Commission to ask for clarification of regulation 201.1. The motion passed 5-1. Mr. Heller opposed.

MOTION

Mr. Pitsor moved and Mr. Jackson seconded the issue be tabled because the right to use was not clear. The motion failed 2-4. Mr. Pitsor and Mr. Jackson were in support.

MOTION

Dr. Fernandez moved and Mr. Haransky seconded a letter be sent to the PSC supporting the proposed use of public space by Escandelo, 2122 P Street providing Escandelo sign a Voluntary Agreement with ANC 2B and agrees to the following terms. (1) The applicant meets the specifications in DCR 201.1 (public space regulations regarding the abutment of the cafe to the restaurant),

and (2) if restaurant waiters can utilize public sidewalk space to transport food to/from the cafe. Additionally, the Applicant must voluntarily agree to the following conditions which will be attached to the application. The cafe will not have more than 28 seats available outdoors, all food and drink will be purchased from a waiter by patrons who are seated (no standees will be served food or drinks, no food or drinks may be transported from the restaurant by patrons, all garbage will be stored inside the restaurant, or in proper containers in the rear of the restaurant, the consumption of food by each cafe customer will be encouraged, the hours of operation of the outdoor cafe will be limited to 11 PM on weekdays and midnight on weekends and the day preceding a federal holiday, all tables and chairs shall be stored promptly at closing time of the cafe, loitering in the cafe will be discouraged after closing time, no outdoor music live or taped shall be heard or played in the cafe, the Applicant will make every reasonable effort to ensure the environs of the Applicant's establishment, including their tree boxes, are kept free of litter and debris, and that the Applicant will specifically acknowledge its responsibility under D.C. law and ABC regulations to not sell or deliver alcoholic beverages to any person who is inebriated, or is known to have a history of alcohol abuse, or to any person under the age of 21. Applicant also agrees not to sell alcoholic beverages to any person appearing to be mentally ill or to be mentally incapacitated. The applicant agrees to ensure that all employees are informed of the provisions of this agreement. The motion passed 4-2. Mr. Jackson and Mr. Pitsor opposed.

Dr. Fernandez said that he has seen loiterers and vagrants in front of the hair salon and Bagel Shop. Mr. Reyes said that Escandelo had a temporary out door license during the Gay Pride weekend and it helped with the situation of loiterers.

7. Dr. Fernandez introduced the issue of the proposed renovation for Pennsylvania Avenue/President's Park. He said the ANC was given a notice by the Department of the Interior of that about a half a dozen plans are under consideration for renovation of Pennsylvania Avenue. He said all these plans necessitated that the Avenue in front of the White House remain closed. He said the Dept of Interior asked for comments from ANCs as to which plan would be best for the proposed President's Park. Dr. Fernandez said that he wished to create a motion that the ANC 2B would reiterate its position as being in opposition to the Avenue being closed to vehicular traffic.

MOTION

Dr. Fernandez moved and Mr. Jackson seconded a letter be written to the Department of Interior, with copies to

Senator Rod Grams and Representative Tom Davis reiterating the position taken in the Spring of 1996 as one in opposition to the closing of Pennsylvania Avenue. Additionally, ANC 2B is opposed to the use of any public funds if any of the designs are approved and go forward. The motion passed 4-1-1. Mr. Wemple was opposed and Mr. Heller abstained.

COMMISSIONERS REPORT

Mr. Heller reported that there was a shooting on Memorial Day weekend at 1:30am at the corner of Corcoran and 19th Streets. He said the situation as explained by residents is that there are people who park late at night on corners and wait for pedestrians. He said there were two people involved. He said it is something that residents need to be aware of if they are out late.

Mr. Jackson reported that he is working with the problems at 1525 15th Street. He said there have been numerous problems there with fires, trash and abandoned cars. He said he is going to have a meeting with the residents in 2F to get input on that.

Mr. Pitsor reported he had a meeting with constituents regarding the construction in the 1700 block of P Street, the Carnegie Quadrangle construction project. He said the meeting was with the developer and construction company to discuss the impact on the neighbor. He said some of the topics were the hours of operation, parking, and those types of things. He said it is going well considering it is a major construction. Mr. Pitsor said that work is progressing on the restoration work at Dupont Circle Park with bench extensions, the planting of trees. He said he was also working with the park Service to fix the problems of flooding from the fountain.

STAFF COORDINATORS REPORT

Karen Ruffin, the ANC 2B staff coordinator, reported that the ANC is in need of office space.

MOTION

Dr. Fernandez moved and Mr. Heller seconded an approval of an expenditure of up to \$500 for moving the office. The motion passed unanimously.

OLD BUSINESS

Dr. Fernandez reported that the ANC 2B Public Safety Committee had a joint meeting with ANC 1C, Adams Morgan regarding the closing of the firehouses. He said that Fire Chief Otis Latin was there as well as about 50 residents. He said it was strongly expressed that the community opposes the firehouse closings.

MOTION

Dr. Fernandez moved and Mr. Pitsor seconded a letter be sent to Mr. Brimmer and Mr. Hill of the Control Board expressing the ANC 2B's support for the budgeted amount for the purchase of new equipment and repair of old equipment for the D.C. Fire Emergency Services by the D.C. Council be approved. Additionally, ANC 2B urges the Control Board to not make any cuts in budgets associated with public safety matters. The motion passed unanimously.

NEW BUSINESS

Mr. Pitsor said he received notification too late from the Public Space Committee of the request to install two bike racks at 1771 and 1776 K Street. He said these racks are for bike couriers and tenants who bike to work. He said he has copies of the applications for these installations. He said he met with the owners of these two buildings and it looks like the racks would not be obstructive to foot traffic.

MOTION

Mr. Pitsor moved and Dr. Fernandez seconded to send a letter to the Public Space Commission that ANC 2B has no objection to these installations. The motion passed 5-1. Mr. Heller opposed.

Mr. Pitsor said he had a discussion with the Department of Public Works and they had made, on a temporary basis, a condition of permanent parking on the north side of Q Street in the 15,16 and 17 hundred blocks. He said this is a matter that they have been considering and looking at for several years. He said that for a variety of reasons they were persuaded to put this change in on a provisional basis. He said they will monitor this change over the summer and make a final determination in the fall as to whether this should be a permanent change.

Dr. Fernandez opened the floor to any comments.

The meeting adjourned at 10:30p.m.

Respectfully submitted,

Don Jackson, Secretary,
ANC 2B, Dupont Circle