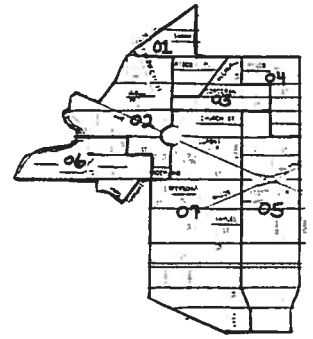




**DUPONT CIRCLE
 ADVISORY NEIGHBORHOOD COMMISSION 2B
 P.O. Box 33224
 Washington, D.C. 20033-0224
 Telephone: 202-822-6222 Fax: 202-822-6223**



Letters

- To: Control Board
- Re: ANC input into financial and management decisions for the City

- To: National Capital Planning Commission
- Re: Location of proposed new Convention Center

- To: DPW
- Re: Sink holes in the streets
- Re: Recycling

Minutes of the public meeting, September 10, 1997 of the Advisory Neighborhood Commission 2B, Dupont Circle (ANC 2B).

Mr. Pitsor called the meeting to order at 7:35. Commissioners Jackson, Cary, Dehart, and Newton were present.

Introduction of the Commissioners.

The minutes of the July meeting were approved.

POLICE CRIME REPORTS

Lt. Harasek gave the crime statistics for the Park Police, and introduced Officer Jonathan Hunter who will be patrolling Dupont Circle until the end of October. Lt. Harasek reported a resident was first accosted by someone with a knife who asked for his money. He didn't give up his wallet, but walked across the park and then was held up again at gun point. Mr. Pitsor asked if the woman that was feeding the birds in the park was still around. Lt. Harasek said the woman had been advised about the codes for feeding animals in the park. Ms. Eastment, a resident, asked if there were codes for areas outside the park. Lt. Harasek said he didn't know what municipal regulations covered this issue.

Mr. Pitsor said the 2nd and 3rd Districts of the Metropolitan Police were not being represented this evening.

GUEST SPEAKER

COMMISSIONERS

SMD 01
 Laine McRaney
 Vice Chair-Communications

SMD 02
 Stephen Angle

SMD 03
 Francine Cary
 Vice Chair-Operations

SMD 04
 Donald Jackson
 Secretary

SMD 05
 Meredith De Hart
 Treasurer

SMD 06
 Marilyn Newton

SMD 07
 Kyle Pitsor
 Chair

Mr. Pitsor introduced Mr. Jack Evans D.C. City Councilmember. Mr. Evans said he had been a resident of Dupont Circle for thirteen years. Mr. Evans said the biggest issue at the present is the adoption by Congress of the Revitalization Plan for the city. He said the Judiciary Committee of the City Council (CC) was very instrumental in negotiating the president's plan, which was part of the Revitalization Act. He said that a great deal was achieved very quickly. He said the Federal government will now pay for certain functions the city can no longer afford to cover; the pension liability, the prison system, 20% of 50% of the cost of Medicaid, and the court system - a total package of 750 to 800 million dollars. He said that the hope was the Federal government would eventually pick up all the costs for Medicaid. He said the District lost a Federal payment of 660 million dollars because it was thought necessary in order to get the Act passed. He said the Feds agreed to a 190 million federal payment on a one time basis. Mr. Evans said another important aspect of the Revitalization Plan (RP) was management; congress took the responsibility for the management of nine agencies away from the Mayor and put them under the control of the D.C. Financial Management Authority (Control Board - CB), which empowers the CB to appoint the managers for the nine agencies. He said the model that was being used was the Police Department. He said he was not sure if the model would work when imposed on other agencies. He said 163 million dollars of the 190 was being used against the District short term debt and 30 million management efficiency, probably to pay for consultants and buying computers and about 4 or 5 million to allow the District to borrow 50 million dollars in capital funds to be used for renovation of school buildings. He said the Senate has approved the Bill that the Council sent, but it still has to pass the House. Mr. Evans said the Council has been dealing with management issues as well as financial issues.

Mr. Evans said the District is the only one of the top 20 cities in the country which did not experience a drop in crime in the past three years. Mr. Evans said he and other officials (MOU Partners) met and agreed that they would all make efforts to make the city safer. He said the group hired Booz Allen to consult with on the Police Department. Booz Allen recommended changes and how to implement the changes. He said one of the recommended changes was to re-deploy officers back out onto the street, and to replace antiquated equipment. He said experts from GSA helped the Metro Police implement a procurement process. Mr. Evans said the MOU Partners meet every few weeks to evaluate the progress that is being made. He said the redistricting of police officer deployment has been part of the implementation of innovations that has helped the police function more effectively. Mr. Evans discussed the financial situation of the Metro subway and bus system.

Mr. Evans said the District needs to evaluate and stabilize its finances. He said the District has four years to balance its budget, and that with work that should be possible. He said he

feels that the improvement of the delivery of services is also possible. Mr. Evans said that in 1991 Philadelphia was the worst managed city in the country, it went into receivership and had a control board appointed. He said that five years later after a lot of hard work and tough decisions the city was back on track and the control board no longer had to exercise control. He said the council now is comprised of people who are more serious about getting the city back on its feet.

Mr. Pitsor asked how ANCs, civic organizations, and citizens can be involved in the regulatory reforms that will be taking place in the next 90 days. He said some of the agencies are very important to Dupont Circle such as the DCRA, who through their disfunction have impacted the Dupont Circle area negatively for years and as there is potentially a lot of opportunity for reform it would be desirable for the above mentioned to have some input. He said a lot seems to be happening behind closed doors with consultants, who aren't seeking the comments from people in the community. Mr. Evans said he would provide the ANC with a copy of the Booz Allen report. He said there will be a committee hearing on the report within a month or 60 days, and it would be important for the ANC to have input on those suggestions at that hearing. He said he hoped the council representative on all the committees would involve the citizens, and he would make that suggestion. A resident said it was a question if New York or Philadelphia would have turned around without the benefit of a commuter tax, and how long would Booz Allen be part of the management of the police department. Mr. Evans said Booz Allen would be part of the process as long as necessary. He said the commuter tax had always been in place in New York and Philadelphia, so it is not the case that this was part of the solution in those cities. A resident said that the city has been studied to death and the necessity was for the city to stick with recommendations. Mr. Evans said that sometimes the problem is that a plan will help the city but adversely effect people. Mr. Pitsor asked why a (city) manager who had failed in a position would be appointed to an agency. Mr. Evans often a person who would be a good manager was hampered by the situation; insufficient resources, over extended, and so forth. He said that he would give people who were appointed 6 to 9 months before evaluating their efforts. He said that Mr. Cell Bernindino head of DPW asked to be freed up from the bureaucratic regulations and to have the money to do the job that he wants to do. Mr. Evans said that Mr. David Gilmore, who was put in charge of public housing, turned that situation around because he had the power to hire and fire and the money he needed he succeeded. He said that when the courts come in and put an agency in receivership the heads of agencies are allowed to do a great deal that they cannot do if constrained by regulations. A resident said that Metro had been guilty of discrimination against Afro-Americans. Mr. Evans said that Metro has been sued not only for race discrimination but also for sex discrimination. He said for a variety of reasons they are under more scrutiny than they were in the past. Ms. Cynthia Eastment, a

resident, asked if Mr. Evans was elected as Mayor would he support liquor licenses in residential neighborhoods. Mr. Evans said that he would not support, but it makes sense that establishments are legally in operation they would be grandfathered in. Ms. Eastment said that Mr. Evans had in fact voted for a Bill that would allow private club licenses. Mr. Evans said that respective to the Mansion on O Street that establishment had been on O Street since the 1980s. He said it is a divisive issue; there are as many supporters as detractors. He said he did not write or introduce the legislation on liquor licenses for private clubs. He said he was on the committee and voted for it because the issue would be resolved when the Mansion applied for the license, and to date it has been rejected by the ABC Board twice. He said it will be resolved by the ABC Board.

Mr. Evans explained the Federal Tax Credit for first time home buyers. A resident asked if Mr. Evans supported the new Convention Center and efforts to keep the city bus routes. Mr. Evans said he does support the new Convention Center. He said that what is being proposed by Metro is that 75-80% of the current bus routes would continue to exist and be funded by Metro and that 20% will be designated as local routes and the local governments will decide what they want to do with those routes; terminate, service routes with private companies, or hire Metro. He said that no bus service in the District will be cut. Mr. Evans said that his efforts are to make the District economically competitive when necessary. A resident said the taxpayers of the District will be paying for the Convention Center (CC) for years. Mr. Evans said expenses have to be offset against costs. He said the idea behind the CC complex is to have revenue from the ancillary businesses stay in the District. He said that D.C. needs a new bigger CC and the Mt. Vernon site is the best one to be proposed. He said that D.C. owns the old center and the plan is to tear it down and sell the property. Dr. Cary said there have been a lot of concerns about shoehorning the largest building in the District into a small historic space, the impact on the historic Afro-American Shaw community, the question of parking; there is no new parking created for the site, and there would be buses and additional traffic. Dr. Cary said an independent economic impact study had been suggested of the Mt. Vernon site and the Union Station site and asked Mr. Evans if he would support such a study. Mr. Evans said that in 1992 11 sites were studied, and ANCs 2C and 2F support the Mt. Vernon site along with virtually all the community associations. He said the positive effects of the CC on the Mt. Vernon site are enormous for that area and also for the city as a whole. Dr. Cary said a 21st century economic development corridor between downtown and Union Station has been talked about for years and that it could have tremendous strategic impact on the city. Mr. Evans said if the CC isn't built in Mt. Vernon Square it will be built in Potomac Yards. He said that Virginia has already authorized the money to study the building of a CC in Potomac yards. A resident asked if Mr. Evans would support the abolition of rent control. Mr. Evans said no.

A resident said the decision to use Mt. Vernon is a purely political decision. Mr. Evans said there is not a conspiratorial motive behind the selection of the site. He said he feels after being involved with the issue since 1991 it is, although not an ideal situation, the best site. Mr. Evans said the District has fallen to 39th in convention business in the country, and the District needs the money that would be generated by a CC. He said if the District does not move quickly on this the opportunity will be lost. A resident said the blame for the problem should not be shifted back to the community from the City Council as it is the Council's responsibility. Mr. Evans said that Philadelphia started planning a CC after the District and opened up its CC last year. Mr. Pitsor thanked Mr. Evans for attending and speaking to the residents.

OPEN FORUM/ANNOUNCEMENTS

Mr. Pitsor announced that there would be a special election on December 2 to fill an available at-large seat on the City Council. Mr. Patrick Joseph Tegman introduced himself to the audience and announced he would be running for the seat.

Margaret Young announced a fund raiser for the renovation of the Dupont Circle Comfort Station on Tuesday September 16 from 6-8p.m. She said the tickets would be tax deductible.

Ms. Beth Solomon, a resident of Shaw, said that she appreciated the questions the audience and commissioners asked about the proposed site for the CC. She said that the CC would destroy the Shaw neighborhood and be one of the biggest boondoggle in the District. She said the reason the plans for the CC had gotten as far as they had is that there had not been enough questions asked about it. She said that Bill Ecos, head of the Restaurant Association, said no one wants a CC in Virginia, and the people around Potomac Yards don't want it because of all the problems. She said the transportation management plan said that 900 buses would service the CC daily. She said the Union Station site is better and it hasn't been studied. The Committee of 100 is doing a report which will be released on September 18 and much of the information from the report will be presented at the Jewish Community Center the night before at 7:30p.m. She said the financial aspect of the proposed CC is really terrible and will be quite shocking. She said ANC 6A passed a resolution in June pointing out the problems and asked that a better location for the project be considered and she hoped that ANC 2B would also ask for more information. She said the Committee of 100 will be meeting at the Sumner School at 1:30 to present the facts.

Mr. Larry Slagle, co-chair of Missions at Foundry Methodist Church, gave an updated on the Dupont East Community Project, started in January in response to problems with the homeless sleeping on the church steps on the 16th Street corridor. He said that at a

community meeting in May Foundry and other civic and religious organizations decided to further explore how to remedy this and other problems with the homeless. He said part of that process was to examine what services were already available in the neighborhood. He said the next meeting will be September 30, 7:00p.m. at Metropolitan AME Church. He said he would welcome any concerned parties. He said some possibilities that are being looked at it night shelters and day care centers. Debbie Hanrahan, a resident, thank the church for taking children in for a summer program. Mr. Pitsor said that Commissioner Jackson had been attending the meetings as liaison for the ANC.

Barbara Kahlow, a resident, said there would be a Sports Day at Stead Playground September 20 from 10a.m. un til 2p.m.

Debbie Hanrahan said the Committee of 100 are experts on the CC and she urged residents to attend the meetings.

ISSUES

Mr. Pitsor introduced the discussion on the Special Purpose (SP) zoning issue. He said what is being addressed is the second phase of a two phase process that began earlier this year. He said ANC 2B has already taken a position on the re-zoning of SP2 to Residential 5E, areas which include the Bristol House, The Appoline condominium, the Hampshire Hotel and Condominium on N. H. Ave., the building where the association of the Colonial Dames is located, and the Chancery of the Embassy of Egypt. He said the first part is a text change proposal, which the ANC discussed this summer and the current discussion is about the map changes for the hearings on October 6 and 9 at the Office of Planning. Mr. Pitsor read from the handout given to the Commissioners. He said the change being proposed is to move the area indicated on the map from SP, which is mixed use, to R5E to protect the housing supply and residential character of the periphery of the central employment area by means of the map change and to allow general office use within the remaining SP zoned areas in the city. He said ANC 2B has already supported the map change and opposed the lifting of the general use restriction outside the central employment area. He said in response to the ANC's position the Zoning Commission has made a modification to the text change; section 503.1 has been modified to read the general office use shall be permitted in SP Districts...and added section 508.4 which states that if the application proposes to convert a residential building or hotel to office use, the residential or hotel shall be considered the preferred use of the property unless the applicant can prove the superior public interest of the conversion to office use. He said this is significant in that the testimony of the ANC in July before the Zoning Commission raised the question of the situation that has occurred over the years in Dupont Circle where SP buildings were converted to office use and no residential. He said the language of the zoning codes didn't sufficiently guide the BZA as to whether

or not there should be retention of any residential. He said for this reason these applications were granted over the objections of the ANC and other civic groups. He said the proposed language, which will be discussed at the October 6 meeting will seek to clarify and provide further guidance to the BZA that if the building is in an SP area the residential use is to be preferred unless the applicant can demonstrate a superior purpose with a non-residential use. Mr. Pitsor clarified the specific items using the map and text. Mr. Pitsor asked Mr. Fondersmith of the Office of Planning if he would like to comment. Mr. Fondersmith said that he thought Mr. Pitsor covered the proposed changes very well, and that the object is to protect the residential areas. Dr. Cary asked if there were any changes on 16th Street. Mr. Pistor said there is no map change on 16th Street, so the areas that are currently SP would stay SP and the historic district designation of 16th Street would be the same. Ms. Dehart asked who was responsible for Scott Circle. Mr. Fondersmith said the actual land was the park service and the underpasses are the City's responsibility. Mr. Pitsor said the Dupont Circle Overlay Zone/SP2 (area around the Lauren Condominium), which is the current zoning is not changing. Mr. Jackson said he was not comfortable about dropping the language about SP, or general office. He said he would prefer to see the general office and SP zones limited to the central employment area, as there are problems with buildings being used for commercial purposes on 16th Street. He said he didn't think (amendment) 508.4 goes far enough. Mr. Pitsor said for comparison purposes in an SP area doctors, dentists, or architects offices are permitted, but stockbrokers or real estate office would not be permitted. He said an international agency would be permitted but not a mortgage company or insurance office. He said the change in the SP zone regulations would eliminate these restrictions, but if the buildings are currently residential the preferred use would be maintained as such. Mr. Jackson asked if it would be easier for a building that is currently office use wanting to change from SP to general office under this change in the guidelines. Mr. Pitsor said if a building is currently an SP limited office use with this change these other office uses would be permitted, there is no loss of residential just a change in the types of offices that would be permitted. Ms. Dehart said she shares Mr. Jackson's concerns about the general office use, because its harder to get it out once its established. A resident said that as an owner of a condo he feels he should be able to choose what the property is used for. Ms. Dehart said it is to keep the SP2 zones from becoming commercial. Mr. Jackson said along 16th Street there are individual houses that are zoned SP2 that could become densely populated as offices if the regulation changes. Mr. Pitsor said for clarification there are two aspects being discussed; 1) the map change along New Hampshire Avenue, and 2) the overall SP text change which changes the language as to SP uses for a city lot. He said the point is in the proposed text change is whether the non-permitted uses, currently in place, would represent a significant impact in terms of additional traffic, or in other ways disrupt the residential area.

Mr. Jackson asked Mr. Fondersmith to clarify the difference between general office and limited office. Mr. Fondersmith said general office is any kind of office, but the limited office is to permit the types of offices which have always been somewhat traditional in residential areas such as doctors, lawyers, and architects. He said as office use has evolved the limits don't make sense and the idea is to expand the definition outside of the central employment district. Mr. Pitsor said all the properties are part of the overlay which was enacted to enhance the residential character by maintaining existing residential uses, controlling the scale, location and density of commercial and residential development. He said it provides additional protection respective to new development. Mr. Jackson said the houses along P street could be changed under the general office use expansion and that would adversely affect the neighborhood, so he is not in favor of the changes in the language. Mr. Pitsor said if the new language is approved any general office use would be permitted as a matter of right in a SP area and would not need to go before the BZA for a special exception consideration. Mr. Haransky, a resident, said there is a big difference between a doctor's office and general use. Mr. Fondersmith said there were several overlays one is the SP provisions which limit the amount of commercial use and unrelated to zoning, but still important are the historic districts which call for review and would still require special exception. Mr. Pitsor quoting from the text said, "general office use is permitted in SP Districts provided; 1) if the building was constructed as an office building and has been occupied solely as such, or for uses other than residential or hotel, it may be occupied as general office use as a matter of right. 2) if it is construction of a new building, an addition to existing for office use, or conversion of an existing residential or hotel use to office use it can be permitted in an SP zone by the BZA as a special exception" and that is when 504.8 would become effective. Mr. Pitsor said he appreciates Mr. Jackson's concern. He said the proposed language by the Board following the July hearing goes a long way towards addressing the concern of residential space, the primary concern previously expressed. Mr. Pitsor said he is not yet convinced that some of the uses permitted in SP zones would necessarily be incompatible with current SP office use. Ms. Dehart said a problem she foresees with an expansion of the language of office use is that it would provide an argument for having parking lots in residential neighborhoods continue, making it harder to get rid of them. Mr. Pitsor asked Mr. Jackson if as an amendment he wished to maintain the language of keeping the restriction of general office use being limited to the central employment area.

MOTION

Mr. Jackson moved and Ms. Newton seconded an amendment to the following motion that would permit general office use only in SP areas within the central employment area with limited office use outside the central area. The motion passed unanimously.

MOTION

Mr. Pitsor moved and Dr. Cary seconded ANC 2B take a position in support of the map changes as presented in the Zoning Commissions proposal and support the proposed language that would strengthen the protection of residential use in 508.4 and would permit general office use in SP zones only in the central employment district with limited use outside the central area. The motion passed unanimously.

2. Mr. Pitsor introduced the issue of the National Capital Revitalization Self Government Improvement Act". Mr. Pitsor said that the ANC discussed this issue in July and there was the concern that respective to a proposed Economic Development Corporation this corporation would have had the right of eminent domain and the ability to overrule zoning and historic preservation and other land use regulations. He said the ANC sent a letter expressing this concern to Representatives Norton, Connie Mack, Tom Davis, and Senator Brownback, and Senator Faircloth. Mr. Pitsor said the ANC received responses from Senators Faircloth and Brownback, and Rep. Davis. Mr. Pitsor said that particular provision was dropped from the final bill. He said respective to the Management Reform Initiative that is now in process the ANC is going to play as active a role as possible in reviewing the recommendations and making suggestions as to how to streamline the management and regulatory impact of the agencies on review. He said as the ANC gets information the ANC will review and offer comments and suggestions. Mr. Pitsor said he will get a copy of the detailed recommendations from the Regulatory Reform Commission. He said the legislation also states that, "other existing and ongoing public and private regulatory reform efforts are also going to be considered" in this process, so there are other things going on outside the reform commission that needs to be looked at. Dr. Cary asked who is the Management Improvement Fund under. Mr. Pitsor said its under the Control Board. Dr. Cary said she wanted to move the ANC write a letter to the Control Board and Mr. Evans telling them the ANC would like to have input into the process about making management decisions and how the money is going to be used.

MOTION

Dr. Cary moved and Mr. Pitsor seconded to write to the Financial Responsibility Authority and Councilmember Jack Evans telling them that ANC 2B would like to be involved in the process of making city management and financial allocations decisions. The motion passed unanimously.

COMMISSIONERS REPORT

Ms. Newton reported the ANC was present and represented at the role call hearing for H.H. Leonards and that there were about 60 other protestants present. She said the first hearing will be November 19 starting at 10a.m and for November 26 also beginning at 10a.m. She said that people who have written protests and are noted as such can come and speak at that time. Mr. Pitsor said the ANC has

remained a protestant and a number of the other protests have combined and retained Richard Nettler as their legal representative. He said the ANC will be coordinating with Mr. Nettler to organize the protest and make it a collaborative effort. Mr. Pitsor said there will be a meeting on October 1 to discuss this effort.

Ms. Dehart reported that the hearing for St. Luke's parking lot has been continued for a month. She said her general impression after attending the hearing is that the Church Street parking lot application will be rejected and the P Street maybe granted although it has been referred to the DPW as it would need a curb-cut to make it usable. Ms. Dehart said the new fiscal year is coming up and she has asked some preliminary questions of the Auditor and the allocation to the ANC will remain the same as last year.

Dr. Cary reported that Councilmembers Ambrose, Patterson, the Committee of 100, the American Institute of Architects, and the HPRB have always been concerned about the economic impact of the CC at the Mt. Vernon site. She said they have all acknowledged that many questions have not been answered satisfactorily. Mr. Pitsor said expressing the concerns of the ANC about the site of the proposed Convention Center should be directed to the National Capital Planning Commission.

MOTION

Dr. Cary moved and Mr. Jackson seconded a motion to send a letter to the National Capital Planning Commission, copies to the D.C. Council requesting them to consider an independent study to analyze and consider the economic viability and impact on the surrounding neighborhoods of the two sites proposed (Mt. Vernon Square and Union Station) for the proposed Convention Center. The motion passed unanimously.

Mr. Pitsor reported the Hong Kong Economic office on 18th Street is going to enclose the noisy air conditioner compressor on their property to reduce the noise and hopefully correct the problem. He said he had received calls from residents of tree limbs blocking traffic signals, so he called the DPW. They told him it would take 6 months to do anything about it. He said he called the Dupont Circle Tree Trimming task force and she and Mr. Phil Carney trimmed the trees so the signs are now visible.

ANNOUNCEMENTS

Dr. Cary said she will be meeting with the DCCA task force on the condition and situation at the Safeway on 17th Street.

Mr. Pitsor announced the HPRB has used a grant to created some very nice brochures for various historic districts in Dupont Circle; 16th and 14th Street at present and there will be more. he said

the brochures are available at the HPRB office.

A resident, Karen Rosenthal, said that for the record she would like it noted that Mr. Stephen Angle, her SMD representative, was not present at the meeting and had missed all but two meetings since being elected to his office as commissioner. She said that this performance essentially leaves her SMD unrepresented and she would like the ANC to address this problem. Mr. Pitsor said his understanding is that Mr. Angle is often out of town because he has a job that takes him out of town a lot.

Mr. Haransky, a resident, said there are big sinkholes appearing on the streets in the area.

NEW BUSINESS

Mr. Pitsor said that the city is going to resume picking up recyclables.

MOTION

Mr. Pitsor moved and Mr. Jackson seconded ANC 2B request the DPW and the Control Authority in reviewing potential contractor award contracts to companies who have vehicles of the appropriate size to pick-up recyclables in the alley whenever that is where the regular pick-up of trash is already made. The motion passed unanimously.

MOTION

Dr. Cary moved and Mr. Pitsor seconded a letter be sent to the DPW asking them to fix the sink holes in the streets of the Dupont Circle area. The motion passed unanimously.

MOTION

Ms. Dehart moved and Ms. Newton seconded that Karen Ruffin the office coordinator be reimbursed \$25.35 for computer printer ink cartridge. The motion passed unanimously.

Mr. Pitsor said the next meeting of ANC 2B would be on October 8, 1997

The meeting adjourned at 10:15p.m.

Respectfully submitted,

Donald Jackson
Secretary - ANC 2B