

Minutes of the September 9, 1998 Public meeting of Advisory Neighborhood Commission 2B.

Dr. Cary called the meeting to order at 7:40 pm. Commissioners Jackson, DeHart, King, Rosenthal were present.

The commissioners introduced themselves and their single member district boundaries.

The minutes of the August 12, 1998 meeting were approved as distributed.

POLICE CRIME REPORTS

Sgt. Kutniewski of the Third District gave the monthly crime report. For July and August most crimes were down 25 percent, however, there was a slight increase in burglaries. Residents can call the Third Districts and an officer will examine residences and make recommendations to prevent burglaries. Sgt. Kutniewski also reported that PSA meets on the fourth Wednesday each month, the next meeting being at the Third District office. Also, Chief Ramsey and Commander Acosta will be holding a Third District Town meeting on October 8 at Howard University Cramden Auditorium at 7:30 p.m. Regarding the recently announced reorganization of the department, Sgt. Kutniewski confirmed that lieutenants would now be in charge of the PSA's since they have more authority, but the transition has no specific time frame and that no assignments had been made yet.

OPEN FORUM

Malcolm Lovell candidate for Ward 2 school board presented his platform and answered questions from the audience.

Caitlin Pike announced there would be a March for Cancer on September 25-26 to lobby for additional research dollars for cancer. The organizer's phone number is 1-800-THE-MARCH.

Dr. Cary announced that Congresswoman Norton was holding a meeting on the ANC budgets on September 10 at 6:30 p.m. and that Kathy Patterson has scheduled a ANC Oversight meeting on November 5 from 10 a.m. to 3 p.m.

A resident questioned the recent increase in rates by the Water and Sewer Authority and if the ANC would be having a forum on the topic. It was reported that a representative of WASA was present at the last ANC meeting and answered questions.

ISSUES

Xando, 1627 20th St, NW Public Space Application. Xando was represented by Andy Stensler, CEO, Carl Newberg, architect, and Andrew Klein, attorney. Commissioner Rosenthal led the discussion. Xando asked for a seasonal enclosure for cold weather only which would result in the side patio being open six to eight months. They also have removed 16 feet of the previous awning creating a more open area at the front corner of the building. They plan to use removable windows attached to a permanent knee wall at the bottom and the canopy at the top per request of HPRB. The knee wall would be slightly lighter in color than the railing in order to

highlight the railing. They are proposing closing hours of 11:30 p.m. weekdays and 12:30 am on weekends. Their ABC license allows for closing times of 1 a.m. and 2 a.m. respectively. The Dupont Circle Conservancy did not approve the side patio enclosure.

Anne Scanley, representing the Public Space Committee of Dupont Circle Citizens Association spoke in opposition of the enclosure citing the inconsistency with the Public Space Guidelines adopted by the ANC several years ago. A resident of the 1900 block of R Street presented a petition of persons opposed to the enclosure citing the privatization of public space. Ms. Scanley clarified that DCCA was not opposed to Xando's presence at 20th and R Streets, but does not support patio enclosures.

After reviewing the discussions, Commissioner Rosenthal made the following motion which was seconded by Commissioner Jackson.

ANC 2B supports the concept of the enclosed patio space for Xando at 1620 20th St. provided that: 1) the glass windows will only be in place during the months of November through March, 2) we would grant an extension of hours to 12 midnight weekdays and 1 am on weekends within the enclosed patio only, 3) that no duct work would be installed outside and that only heat would be provided by a wall vent, cooling would be by ceiling fans, 4) ANC 2B would review the operation of the patio biannually (at the time of their ABC renewal), and 5) that the above terms be written into the public space permit.

The motion passed 5-1-0 with Commissioner King opposed.

ABC License Renewals Dr. Cary read the list of licenses that were up for renewal as provided by the ABC Board. No objections were raised to those on the list.

However, residents noted placards were posted with September 29 protest dates at the Ha' Penny Lion at 17th & L Streets and Doubletree Hotel at 1525 Rhode Island Ave. Both businesses were cited as having problems with peace, order and quiet. The neighbors of the Doubletree also cited trash problems, placement of dumpsters on public space and early morning delivery truck noise. Mr. Desmond Foynes of 1026 16th St, NW a of neighbor of the Ha' Penny Lion indicated he could not find a public space permit for the business.

Since neither applicant was notified of the discussion it was decided to file pro forma protests and invite the applicants to the next meeting to discuss neighborhood concerns. Thus, Commissioner DeHart moved and Commissioner Jackson seconded:

ANC 2B file a protest to the ABC renewal application of the Ha' Penny Lion because of peace, order, quiet concerns on public space, trash problems in the public space, and uncertainty of the status of the public space permit.

The motion passed unanimously.

Commissioner DeHart then moved and Commissioner Rosenthal seconded that:

ANC 2B file a protest to the ABC renewal application by the Doubletree Hotel on grounds of trash problems, illegal use of public space for dumpsters, parking problems, and peace, order quiet violations, especially by trucks in the early morning hours.

The motion passed unanimously.

Marriott Courtyard Hotel 1600 Rhode Island Ave, N.W. ABC request for a new license. Commissioner DeHart reported that there were notice problems with BZA that prevented the project from coming before the ANC before it started. In her initial discussions, she was told that the hotel would only be serving continental breakfasts and not have a restaurant. Thus, the license request implies a restaurant as does the apparent design of a patio area on the 16th Street side of the building. Given the applicant was not present and the protest date is before the next meeting it was suggested that a pro forma protest be filed.

Commissioner DeHart moved and Commissioner Jackson seconded that:

ANC 2B protest the application by Marriott Courtyard at 1600 RI Ave, NW because no notice was given regarding changes in the operation, no HPRB review of the public space use in a historic district, and concerns for traffic, peace, order and quiet in the neighborhood.

The motion passed unanimously.

COMMISSIONER REPORTS

Commissioner Rosenthal reported that the Public Service Commission had granted a pay phone permit to the Fireplace at 22nd and P Sts despite the objections by the ANC, DCCA, and the Metropolitan Police.

Commissioner DeHart reported that the University of California would be holding a public discussion of their plans for 1616 RI Ave. from 10 a.m. to 3 p.m. on September 12.

OLD BUSINESS

There was none discussed at this meeting.

NEW BUSINESS

ANC Staff Coordinator and Budget Commissioner Cary gave a review of the ANC operations in light of the recent House decision to zero out ANC funding and the importance of judicious spending in the coming months. She also indicated that with the completion of the Resource Center and other organizations using the space, a coordinator may not be needed at the current level. Therefore, to allow Ms. Ruffin to find a more stable position given the budget uncertainties, Dr. Cary regretfully moved, and Commissioner Jackson seconded that:

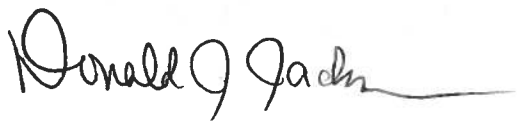
ANC 2B terminate the position of staff coordinator on September 30 (the end of the fiscal year) and that we offer our sincere thanks to Karen Ruffin for her five years of service.

The motion passed unanimously.

Desmond Foynes, a resident of 1026 16th St, NW questioned the installation of a wood frame handicap ramp at a new charter school at 16th and L Streets given its status as a historic district. Commissioner DeHart will investigate the material requirements of ramps in such districts.

The meeting was adjourned at 10:15 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Donald J. Jackson" with a long horizontal flourish extending to the right.

Donald J. Jackson,
Secretary