

# **ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION**

## **PUBLIC MEETING St. Thomas Parish Wednesday September 18<sup>th</sup>, 2002**

The September Public Meeting of ANC 2B was called to order by Chair Vince Micone at 7:30 PM. The Chair began the meeting by asking the Commissioners to identify themselves. Present were: Norma Chaplain, 2B01; Vince Micone, 2B02; David Jolliffe, 2B03; Jeff Hopp, 2B04; Marilyn Newton, 2B06; and Irv Morgan, 2B07.

### **Local Police and Crime Report**

MPD Investigator Kristian Kimble gave an update on the success of Operation Gold Coast, conducted from June 2001 to June 2002. The combined effort of the MPD and US Park Police has indicted 31 suspected sellers and 85 suspected buyers. Only nine suspected dealers remain at large. He asked that if anyone sees anything suspicious to call the police. Also, Investigator Kimble asked that neighbors who are available attend the sentencing hearings for those arrested. The next hearing date is October 25th. Contact Investigator Kimble on (202) 352-8401 for more information. MPD officers from the 2nd District (below N Street in the Dupont neighborhood) reported that violent crime is down 24% from last year in Police Service Area 209.

### **Open Forum**

The following general announcements were made at the August meeting.

- (1) The Chair invited those interested in running for election to ANC2B in November to introduce themselves to the audience. He noted that on October 9<sup>th</sup> there would be a general orientation meeting for new candidates to cover issues of significance to ANC2B.
- (2) Simon Gottlieb introduced himself as the City's liaison with the ANCs.
- (3) Mike Fasano, President of the Dupont Circle Citizen's Association, announced that there would be a fundraiser on October 1<sup>st</sup> at La Tomate restaurant benefiting the Hospice of Washington. He also stated that Monday, October 7<sup>th</sup>, would be the 1<sup>st</sup> membership meeting for DCCA at Belmont Mansion at 7:30pm.

- (4) Resident Jim McGrath asked the commission to investigate 1756 P Street, where what should be a residential unit is allegedly being used for office space. Commissioner Irv Morgan will look into it.
- (5) Chair Vince Micone announced that October 20<sup>th</sup> will be the DC House Tour, 12-5pm.
- (6) Representatives for Emergency Preparedness announced that there would be an Emergency Preparedness Meeting on Saturday, September 28<sup>th</sup> Francis High School. The Chair announced that the ANC was not informed of this meeting, and that it would be constructive if the ANC were notified in advance of any such meetings.
- (7) Resident Peter Knapp complained that he did not receive his voter registration card before the election. The Chair directed him to the DC Board of Elections and Ethics.
- (8) Resident Brian Stuffle announced that Friday, October 11<sup>th</sup>, the Foundry Baptist Church will be holding its annual Concert for Life.
- (9) David Moorehead, PEPCO's ANC Liaison, welcomed those present to visit the PEPCO headquarters' gallery at 8<sup>th</sup> and G Streets, open daily from 12:00 to 4:00pm. The Chair congratulated Mr. Moorehead for the quick response to the request to clean up the substation at 22<sup>nd</sup> and N Streets.
- (10) Norm Neverson, the Chair of the DC Democratic Party, congratulated everybody for the turnout to the primaries on September 10<sup>th</sup>, and stated that he hoped everybody comes back out to the polls in November.
- (11) The Chair announced that the Department of Transportation notified ANC 2B that 18th Street, NW, from Connecticut to Massachusetts Avenues, will be resurfaced between September 28th and November 30th.

## ISSUES

1. New ABC Application by Azul; CR; 1753 CT Ave., NW; Restaurant with Live Music and a Sidewalk Café; Hours - Monday-Thursday, 11 am - 2 am, Friday, 11 am - 3 am, Saturday, 10 am - 3 am, & Sunday, 10 am – midnight. Owner Mike Graham presented his plans for the new establishment. After a brief presentation, ANC 2B considered testimony from many constituents. Residents noted that parking problems, live music, open windows, trash issues, hours of operation, noise on S Street, the size of the proposed establishment, proximity to residential property, and the possibility of a future sidewalk café were issues of significant concern. Chair Vince Micone motioned and commissioner

Marilyn Newton seconded that the commission protest the new ABC application until the parties are able to negotiate a voluntary agreement, if one can be agreed upon, on the topic of the stated neighborhood concerns. ANC2B voted unanimously to pass the motion. (2B02)

2. New ABC Application by Recessions II; CR; 1823 L St., NW; Restaurant with Background Music; Hours - daily, 11 am – midnight. Dmitri Mallios, counsel for the applicant, noted that this is a “new” license, but that the operation will be same as the existing restaurant of the same name. Essentially a continuation of the establishment that currently exists but that needs to move to vacate the present building for construction work. Commissioner Irv Morgan motioned and commissioner Jeff Hopp seconded that ANC2B support the new location for the establishment. ANC2B voted unanimously to pass the motion and a request for a stipulation to begin ABC service prior to the Board’s hearing. (2B07)
3. New ABC Application by Copperfields; CR; 888 17th St., NW; Restaurant with No Entertainment; Hours - Monday-Friday, 8 am - 5 pm. Commissioner Irv Morgan stated that as of this time he has yet to have contact with the ownership of this establishment. He motioned and Commissioner Dave Jolliffe seconded to oppose the new ABC Application pending a presentation from the ownership. ANC2B voted unanimously to pass the motion. (2B07)
4. ABC Substantial Change by Larry's Lounge; CT; 1840 18th St., NW; Sidewalk Café with Seating for 20. Ken Megill, co-owner of Larry’s Lounge, provided an overview of his application for a sidewalk Café at Larry’s Lounge. Resident Chamille Chlost shared a petition from the neighbors which requested that the ANC protest the application due to noise concerns. ANC 2B considered further testimony from those present. After discussion, ANC 2B considered a motion by Commissioner Norma Chaplain to protest the application and authorized the negotiation of a voluntary agreement to address hours of operation and noise concerns. Commissioner Norma Chaplain motioned and Commissioner Marilyn Newton seconded to protest the application on the grounds of peace, order, and quiet, with authority to negotiate a voluntary agreement. ANC2B voted 4 in favor, with Commissioner Irv Morgan voting as the one opposed, and the motion passed. (2B01)
5. ABC Substantial Change by Grille 88; CR; 1910 18th St., NW; Live Music. Alan Popofsky, owner of Grille 88, provided in overview of his request for a substantial change to allow unamplified piano music. Commissioner Chaplain raised various questions and concerns from neighbors, including the

considerable problem of both parking and trash in the neighborhood. It was further noted that the establishment has already made great progress towards previous concerns with the neighborhood, and that a voluntary agreement was forwarded to ANC 2B to address these concerns. ANC 2B voted to adopt the voluntary agreement submitted by the applicant (the agreement was read into the record during the meeting), withdraw its protest of the renewal of Grille 88's ABC license, and support the substantial change application with the limitations noted in the agreement. It was discussed that the establishment has already made great progress towards previous concerns with the neighborhood, and the manager agreed to work with the commission to work out a cooperative agreement. Commissioner Jeff Hopp motioned and Commissioner Irv Morgan seconded to support the substantial change by Grille 88, with the contingency of the signing of a cooperative agreement. ANC2B voted four in favor with Commissioner Norma Chaplain voted as the one opposed, and the motion passed. (2B01)

6. Public Space Application by Starbucks; 1500 21st St., NW; Sidewalk Café with Seating for 8. Joe Spinelli presented plans for an unenclosed sidewalk café on 21st Street, NW, at P Street, for Starbucks. Commissioners and residents voiced concern about the trash problems at the sidewalk cafes operated by Starbucks on Connecticut Avenue near Dupont Circle. After discussion, a motion was passed unanimously to support the application contingent upon operating hours from 9 am to 10 pm; no advertising on the sidewalk café furniture, fences, or umbrellas; and regular cleaning of the public space from the curb to 18 inches into the street. Chair Vince Micone made the motion and Commissioner Jeff Hopp seconded it, and ANC2B voted unanimously in favor. (2B02)
7. Alley Closure Application by The Phillips Collection; 1618 21st St., NW. Rich Rutledge, Chief Operating Officer of The Phillips Collection, described the alley closure request. The Chair noted the alley will remain open to the public and that the "closure" is technical to allow The Phillips Collection to build below the alley. The Chair further noted that this issue was part of the Commission's master cooperation agreement with the Collection. ANC 2B voted unanimously to support the application contingent upon a covenant guaranteeing public access and use of the alley. Chair Vince Micone made the motion, and Commissioner Irv Morgan seconded it. ANC2B voted unanimously in favor. (2B02)
8. Zoning Application by William Bass; 1629 21st St., NW; Special Exception to Establish an Art Gallery in an Existing Apartment Building. Steve Gell, counsel for the applicant, provided an overview of the proposal. Mr. Gell noted

that a small gallery wishes to move to this location, currently zoned residential. ANC 2B considered testimony from residents, who noted concerns about the impact of yet another residential conversion on 21st Street. After discussion, ANC 2B voted unanimously to protest the application and authorized the negotiation of a voluntary agreement should issues of concern be addressed. (2B02)

9. Tree Removal Request, 1717 Rhode Island Ave., NW. The applicant noted that a number of healthy trees need to be removed due to substantial construction at this location. City regulations require that the ANC support such requests and that applicants replace any trees that must be removed for construction with new trees to equal those removed. Commissioner Irv Morgan motioned and commissioner Jeff Hopp seconded to adopt the plan as presented, with regret to the loss of the trees. ANC2B voted unanimously to pass the motion. (2B07)
10. Zoning Application #02-25, University of Notre Dame, 1615 New Hampshire Ave. NW. The Chair announced that the Zoning Commission had left the record open for the ANC to submit further testimony on this matter. The Zoning Commission made this decision based on the concerns voiced by residents that this issue was not properly noticed by the Office of Zoning. A substantial number of residents from the neighborhood provided testimony in opposition of the application. Issues noted were impacts on the peace, order, and quiet of the neighborhood; the potential loss of tax revenue caused by the change of the building; future expansion of the university program; the lack of community spirit arising from the high turnover rate after every semester; and the loss of residential space. After discussion, Commissioner Jeff Hopp motioned, and commissioner Marilyn Newton seconded, that ANC2B note in a letter to the Zoning Commission its disappointment that it didn't receive notice of application; that new testimony has lead the commission to change its position; and that the ANC opposes the application. ANC2B voted four in favor, with David Jolliffe voting as the one opposed, and the motion passed. (2B03)

### **Commission Administrative Matters**

ANC2B voted unanimously to approve the minutes of the September 18<sup>th</sup> meeting.

The Chair offered those who were not present at the beginning of the meeting who are ANC Commissioner Candidates to introduce themselves.

ANC2B voted unanimously to allow the Chair to represent the commission during testimony before the DC Council Hearings Regarding Pending ABC Legislation and Parking Issues.

### **Commissioner Reports**

Commissioner Norma Chaplain stated that the BP Amoco station on 18<sup>th</sup> and S Streets still did not have a buyer; she also motioned, and commissioner Marilyn Newton seconded, that ANC2B respectfully request that ABC and BZA put the hours of operation on their new applicant and substantial change placards. The motion passed unanimously.

### **Financial Issues**

Treasurer Jeff Hopp, 2B04, stated that there were no financial matters to report.

### **Next Meeting**

Chair Vince Micone stated that the next regular meeting of ANC 2B will be October 9<sup>th</sup>, 2002, 7:30 p.m., at St. Thomas Parish, 1772 Church St., NW.

There being no more old business, nor any new business, the September 18<sup>th</sup> Public Meeting of ANC2B was ADJOURNED.

Respectfully Submitted



Brian T. Piech  
Staff Coordinator  
ANC 2B