

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION REGULAR MEETING MINUTES
Wednesday, October 12, 2011 Brookings Institution**

The October Regular Meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chairman Stephens at 7:00 pm. The Commissioners identified their Single Member Districts (SMDs). Present were: Mike Feldstein (2B01), Kevin O'Connor (2B02), Bob Meehan (2B03), Victor Wexler (2B05), Mike Silverstein (2B06), and Will Stephens (2B08). Absent were: Phil Carney (2B07) and Ramon Estrada (2B09). Commissioner Jack Jacobson (2B04) expected for a late arrival.

Commissioner Stephens made a motion to approve the September minutes. Commissioner Wexler seconded the motion. The motion carried (6-0).

Announcements

Commissioner Silverstein announced the passing of Dr. Frank Kameny.

Commissioner Stephens announced that all resolution letters and historical annual reports have been uploaded to the website.

Curt Farrar of the Dupont Circle Village announced that they are now selling calendars for \$15.

Commissioner Jacobson announced that the 17th Street Festival was a huge success and thanked everyone for their support. He also announced that Safeway on 17th Street and throughout the city have adopted a new store policy of checking receipts as customers exit the store. This was implemented to help cut down on theft.

Commissioners Jacobson and Silverstein announced Scott Digman's retirement from the MPD.

James Bulger from the Mayor's Office of Neighborhood Engagements announced that the Statehood Rally is on Saturday October 15th at 9:30am with the march starting at 10am. He also announced that the High Heel Race would take place on October 25th. Lastly, announced that the Mayor would like to have quarterly meetings with all ANC Chairmen and thanked Chairman Stephens for attending the last one. The next quarterly meeting will be in 3 months.

Public announcement made regarding the 44th Annual Dupont Circle House tour to take place on Sunday October 16th from 12pm-5pm at the North & Northeast side of Dupont Circle.

General Items

Resolution in support of special event by Stonewall Kickball in Stead Park

Commissioner Wexler read the following resolution of support for the Allstars Kickball Game, to take place on November 5th from 4pm-6pm where Andrew Huff will be honored:

Whereas, Stonewall Kickball regularly uses Stead Park for recreation on a permitted basis, and

Whereas, Stonewall Kickball has requested permission to hold a special event, An All Stars Kickball Game, from 4 to 6pm on November 5, 2011 at Stead Athletic Field,

Let it be resolved, that ANC 2B support such an event at above mentioned time and place.

Commissioner Feldstein seconded. The motion carried 7-0.

Resolution in support of temporary street closure for Right2March event 10/16/11

Commissioner Wexler read the following resolution in support for the march to go thru the city to advocate requiring labeling of genetically engineered food:

Whereas, THERIGHT2KNOW MARCH, to take place on Sunday October 16, 2011, will culminate in a rally in Lafayette Square at 1:00pm, and

Whereas, the purpose of this event and demonstration is to support the passage of laws requiring labeling of genetically engineered food, in order that consumers may make better informed purchases of food and better informed decisions about their diet and health, and

Whereas, The “ March Vehicles ” need to be stored during the time of demonstration on the 800 block of Vermont NW (Between H and Eye Street), in accordance with permission granted to march organizers by the Metropolitan Police, Be it therefore resolved that, ANC2B approve the street closure mentioned above from 12 noon until 6pm on October 16, 2011.

Commissioner Stephens seconded. The motion carried 6-1 with Commissioner Silverstein abstaining.

Resolution in support of the 17th Street High Heel Race 10/25/11

Commissioner Jacobson read the following resolution in support of the 25th Anniversary of the High Heel Race:

Whereas, the Annual High Heel Race is scheduled for October 25, 2011; and

Whereas, the High Heel Race brings upwards of 100,000 individuals from around the District to enjoy our vibrant, urban neighborhood; and

Whereas, this is the 25th Anniversary of the High Heel Race

Therefore, be it resolved, that ANC 2B supports all permits and public support necessary to ensure the safe, enjoyable execution of this year’s High Heel Race.

Commissioner Meheen voiced his concern about crowd control. Commissioner Jacobson assured that they were being proactive on this issue. Commissioner O’Connor seconded. The motion carried 7-0.

Presentation by Art Lawson (WMATA) on Dupont South Metro escalator project

Representative not present.

Resolutions on the Embassy of the Republic of the Congo

Commissioner Jacobson read the following resolution regarding the Embassy of the Republic of the Congo violating the initial agreement:

Whereas, during testimony before the FMBZA in February and March 2011, Emily Eig on behalf of the Embassy of the Republic of the Congo assured the Board that no changes to the green sward in the front of the building would be impacted, other than installation of a national flag for the Embassy; and

Whereas, in the past six weeks, the Republic of the Congo has removed at least two mature trees from the greensward and has paved over the entire front and south side yard with cement, leaving no green space and violating the Embassy’s agreement with FMBZA; and

Whereas, since the Embassy has taken possession of the Toutorsky Mansion, MPD has been called dozens of times due to illegally parked vehicles on the sidewalk on Riggs Place in the entrance to the Toutorsky Mansion’s garage; the illegally parked vehicles pose a hazard to pedestrians and impede the ability of disabled individuals to utilize the sidewalk; and

Whereas, neighbors have complained of late-night (up to 2:00 am) parties and loud music emanating from the Toutorsky Mansion in recent weeks

Therefore, be it resolved, that ANC 2B requests that FMBZA and the State Department intervene in the operation of the property now owned and occupied by the Republic of the Congo and utilize all options available to address the issues raised herein; and

Be it further resolved, that FMBZA and the State Department notify ANC 2B of all actions taken to date to bring the Embassy into compliance with its original agreement with FMBZA, and each additional activity taken to bring the property into compliance with all zoning, parking and peace, order and quiet laws of the District of Columbia.

Commissioner Feldstein seconded. The motion carried 7-0.

Commissioner Jacobson also read the following letter which he intends to send to the Ambassador:

It is with great regret that neighbors of the Republic's new property at 16th Street and Riggs Place, NW, have witnessed the removal of all mature trees and all greenspace in the east front yard and south side yard of the Toutorsky Mansion. This removal was conducted in violation of the Embassy's agreement with the District's Foreign Missions Board of Zoning and Adjustment and counter to your own testimony before the FMBZA.

This commission, on behalf of the neighborhood, greatly appreciates the completion of necessary repointing of brickwork on the property. However, the removal of mature trees and cementing of the entire east and south yards has caused anxiety among neighbors and has spawned a feeling of mistrust and betrayal throughout the neighborhood among opinion leaders and residents.

We formally request that the cement be removed from the east front and south side yard of the Toutorsky Mansion and trees and grass be replanted, in accordance with the agreement the Embassy has with the FMBZA.

We look forward to working more cooperatively with the Embassy as these revisions are undertaken as soon as possible. We also hope to forge a more permanent and cooperative relationship with the Embassy to avoid any future conflicts of this nature.

Commissioner Feldstein seconded. The motion carried 7-0.

Regulatory

HPRB & Zoning Applications

Application #18283 by International Monetary Fund (IMF) to the Board of Zoning Adjustment (BZA) for (1) variance from parking requirements under section 2101, and (2) special exception from roof structure requirements under section 411, for redevelopment of existing apartment house 1250 New Hampshire Ave NW (Square 70, Lot 186, zoned R-5-E). BZA hearing 12/13/11. (2B06)

Commissioner Silverstein moved to support. Commissioner Stephens seconded. The Motion carried 7-0.

Discussion of Design Concept package from Third Church of Christ Scientist for the Redevelopment of 16th & Eye Streets NW. Note: HPRB and Zoning Applications to be heard at subsequent ANC Meetings. (2B05) (15 mins)

No action needed at this time for this item. Third Church of Christ Scientist presented the proposed new construction project in advance to provide more information.

Public Space Applications

Amended application by several establishments on the 1300 block of Conn. Ave. NW for valet parking. DDOT hearing 10/27/11. (2B07)

This item has been postponed until the next monthly meeting.

ABC Applications

For the following Renewal Applications for Class "B" Retail Licenses (Grocery, selling wine & beer only), no action was taken:

1. Metro Supermarket, 2130 P St NW, Sales Hours 9am-8pm (2B02)
2. Marbi's Newsstand, 1730 Rhode Island Ave NW, Sales Hours 9am-6:30pm (2B05)

3. Oasis, 2024 P St NW, Sales Hours 9am-12am (2B06)
4. Freedom Market, 1901 New Hampshire Ave NW, Sales Hours 9am-12am (2B09)

Application by Boqueria, 1837 M Street NW, for new CR (Restaurant) license for “upscale sophisticated Spanish cuisine serving a wide variety of tapas” with occupancy load 129; sidewalk cafe 32 seats; hours of operation Sun-Thu 8am-1am, Fri-Sat 8am-1:45am; hours of sales/service Sun 10am-1am, Mon-Thu 8am-1am, Fri-Sat 8am-1:45am; sidewalk cafe hours Sun-Thu 8am-1am, Fri-Sat 8am-1:45am. Petition date 10/17/11; Hearing date 10/31/11 (2B06)

Commissioner O’Connor moved to support and Commissioner Jacobson seconded. The motion carried 5-0. Commissioner Wexler and Silverstein stepped out.

Application by El Tamarindo, 1785 Florida Ave NW for substantial change to existing CR (Restaurant) license for new sidewalk cafe with 14 seats with proposed hours Mon-Thurs 6am-2am; Fri-Sun 24 hours. Petition date 11/7/11; Hearing date 10/21/11. (1C07, adjacent to 2B08)

Commissioner Stephens moved to protest this application on the basis of peace, order, and quiet, subject to the successful negotiation of a voluntary agreement. Commissioner Meheen seconded. The motion carried 6-0. Commissioner Silverstein stepped out.

Committee Reports

ABRA Policy Committee: No updates

Zoning, Preservation & Development Committee: No new issues or updates and all issues resolved

Community Involvement Committee

Reports on old business (if any): Community “Grants” Policy- No update

New Business: Dupont Circle NPS and DDOT permitting: Resolution by Commissioner Feldstein:

Whereas, Dupont Circle park falls under the jurisdiction of the National Park Service (NPS), but the paved, concrete “jetties” or “bulbouts” to the west and east sides of the park fall outside of NPS jurisdiction and are controlled by the District;

Whereas, successful community events like Police Night Out have used the jetties/bulbouts for integral event activities which would not be possible under NPS rules in Dupont Circle park, such as cooking hamburgers and hot-dogs, or selling refreshments;

Whereas, despite having no jurisdiction over the jetties/bulbouts, the NPS permitting office has recently indicated that it will terminate on-going events that also use the jetties/bulbouts unless proof of a permit from the District is also provided;

Whereas, DDOT representatives have verbally informed community representatives that it has never issued permits for the jetties/bulb-outs and has never considered doing so.

Therefore be it resolved that ANC 2B respectfully requests DDOT to provide a letter to the ANC, MPD, and NPS clarifying what (if any) permits are required for use of the jetties/bulbouts for events such as Police Night Out.

Commissioner O’Connor seconded. The motion carried 7-0.

Commissioner Reports

Neighboring Jurisdiction Reports (if any): West End/Foggy Bottom (2B06), Adams Morgan (2B01, 2B08), Kalorama (2B01, 2B02), Logan Circle (2B04, 2B05, 2B09), Georgetown (2B06), Columbia Heights/Shaw (2B09)

Short Reports on Old Business

1. Bistro Bistro: valet parking (2B01) - **No Updates**
2. Marrakesh: CT tavern renewal (2B02) board issued orders to cut back hours, install security cameras, etc (refer to audio) - **No Updates**
3. 1506 19th St NW: alteration of facade & green space (2B02) - **Approved**
4. 2018 Hillyer Place NW: zoning relief for porch (2B02) - **No Updates**
5. G-Star Raw security gate (2B02) - **No Updates**

6. Sette Osteria: sidewalk cafe redesign (2B02) - **No Updates**
7. Whyland Condo: temporary parking space (2B03) - **No Updates**
8. First Baptist Church 17 & O: HPRB & Zoning relief (2B05) - **Received HPRB approval but no updates regarding zoning.**
9. 1776 Mass Ave: public space signage (2B05) - **Public Space did not approve sign design.**
10. Guitar Bar: new license (2B06) - **Still in negotiations**
11. 1729 H St NW: Zoning Relief (2B06) - **No Updates**
12. Ohfish: public space sidewalk cafe (2B06) - **No Updates**
13. Upper Crust Pizzeria: public space sidewalk cafe (2B06) - **No Updates**
14. Irish Whiskey: new CT license (2B06): **Petitioner agreed to scale back hours**
15. Kabab-Ji (et al): valet parking (2B07): **No Updates**
16. Penthouse Bar: new ABC license (2B08): **The has been VA signed & approved**
17. Policy: 14th St & T St sidewalk cafes (2B09): **Permits have been issued by ABRA and Public Space.**
18. Whitman Walker project car-sharing space (2B09): **No Updates**
19. Precinct 141 voting location (Stephens/Estrada): **No Updates**
20. ANC 2B Redistricting (Stephens): **Endorsement of new plan has been suspended**
21. Resource Center cleaning, renovation, leasing (Stephens/Feldstein): **Commissioner Stephens presented the new proposed changes, plans & layouts. Commissioner Feldstein - extensive Cleaning & revitalization has begun. Commissioner Stephens- No Leasing updates .**

Administrative/Financial Matters

Checking: \$29,330.50

Savings: \$34,784.78

Total: \$64,114

Savings account was closed and funds transferred to the checking account.

Auditors approved the next quarterly payment.

Expenditures to be approved are as follows"

1. Suite Services for cleaning of the Resource Center for an amount no greater than \$500.00
2. Check to Jose Delgado Construction in the amount of \$200.00 for cleaning of gutters at the Resource Center was voided. New check needs to be made out to Tim Follack for this service instead.
3. Board authorized an amount of up to \$2000.00 for 17th Street Festival. So far \$1200.00 has been spent. An amount not exceeding the remaining difference needs to be approved to be contributed towards DPW and clean-up.

Expenditures and Quarterly Statement approved 7-0.

Adjournment (9:50pm)