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Not approved by ANC.

MINUTES OF THE APRIL 11, 1990 MEETING  
OF THE DUPONT CIRCLE ANC (ANC 2-B)

The Dupont Circle ANC held a regularly scheduled meeting on Wednesday, April 11 at 7:30 p.m. at St. Thomas Church. Present were commissioners Grandis, Rieffel, Bass, Maggi and Evans. Absent were commissioners Moses and Gaugler.

1. The meeting was called to order at 7:30 p.m.
2. Captain McDonald of the 2nd District Police reported that in general property crimes are up while crimes against persons are down. Burglaries in March were up from 36 to 65 for the same month last year. The investigation of the "Badlands" incident has been completed. Only one allegation of improper police action was sustained; disciplinary measures have been imposed. The officers who now walk the P Street and Connecticut Avenue beats were introduced.
3. During the Open Forum, Mr. Jim Bell expressed concern about the Cosmos Club PUD.
4. The minutes of the March 28 meeting were approved unanimously, with a correction to the 4th paragraph, upon the motion of Mr. Bass, seconded by Mr. Maggi.
5. Under Commissioners' Reports, Mr. Bass presented a draft of a letter to Safeway commending them for improvements to the store at 17th and Corcoran. Mrs. Rieffel asked that the transmittal of the letter be delayed to provide her an opportunity to look into allegations that prices at the Safeway are disproportionately high compared to other markets downtown. The commissioners agreed to delay sending the letter pending research.

Mr Maggi briefed commissioners on plans for a town meeting, tentatively scheduled for June 5, on the topic of aggressive panhandling.

Mr. Evans noted that a voluntary agreement has been reached between the protestants and the owners of "Mr. P's" restaurant. He also noted a May 21 open meeting concerning zoning, and commented on concerns about the tremendous development in the

Mr Bass noted developments concerning the ABC licenses of Mr. P's and the Royal Palace.

6. Ms. Melville noted that candidates Clarke, Turner and Wilson have agreed to appear at upcoming ANC meetings.

7. and 8. There was not "Old Business" or "New Business."

9. Issues:

I. Mr. Harry Singleton, a Republican candidate for the non-voting representative to Congress, presented comments.

II. Mr. Pete Farina of the Pro-Housing Coalition presented a proposal concerning Property Tax Reform, to provide differing tax rates for land and buildings. This proposal is pending as Council Bill 8-255.

III. Mr. Grandis provided an update on the voluntary agreement regarding the renewal of the liquor license for Le Tam Tam restaurant. While no opposition was expressed at the ANC meeting, residents filed a protest to the license renewal. However, since neither the protestants nor representatives of Le Tam Tam were present, no further ANC action was taken.

IV. The ANC considered Zoning Application #89-20C for a Planned Unit Development in the 2200 Block of N Street, N.W. Mr. Bromley Smith spoke on behalf of the developer. The developer proposes a reduction to a maximum height of 88' from the earlier proposal. Other changes include the removal of the "hats" and other architectural embellishment, and dropping to cornice line to 79'. Mr. Smith said that the amenities include: mature trees, a new sidewalk on the east side of 23rd, and "adoption" of the triangular park. The zoning is currently R5B, with a 60' matter of right height. Mr. Smith said that if the building were set back 90' from 23rd Street, the developer could build to 90' as a matter of right. (Mr. George Wheeler, a resident of the area, disputed this point.) There will be 217 parking spaces, although the building code only requires 54. Extra parking (60-70 spaces) has been provided for residents. None of the units will be efficiencies or studios. Most will be 1 bedroom plus den (the dens will have exterior windows.) The property has been platted for condos, but will initially be offered for rental due to the marketing conditions.

In response to questions from area residents, Mr. Smith stated the following. The only issue is one of density; the

height of the building is matter of right. Rents will range from \$1,000 to \$4,000, approximately. Stores will be located on one level only. Commercial space has been included because it is believed that the occupants don't want to walk to P Street stores. The stores will be for the convenience of the people in the building.

Mr. Gunter Rigler of 2137 voiced his opposition. He noted that the building is "only 2 feet" below the maximum. He is opposed to the building because it will be a total change in the neighborhood character, a "monstrosity." Mr. David Young expressed concern about crowded streets, especially at rush hour.

Mr. Brown, who lives in the small building adjacent to the property, disputed the setback and matter of right statements. He stated that this would create an "N Street Canyon," that none of the amenities would benefit him or similarly situated residents, but that the building will block his view, light and air. He stated that as a transitional block the development should make a transition rather than reflecting the extremes of the blocks on either side.

Mr. Tom Ward, President of DCCA, informed the ANC that the DCCA Zoning Committee and the DCCA had passed resolutions in opposition to this development due to its: inappropriate size, location next to a historic district, overshadowing of smaller buildings, overwhelming of the adjacent historic district, congestion, and other reasons.

Mr. Eric Rudd commented that this development was less offensive than the "Embassy Suites" building.

Mr. Maggi moved, and Mrs. Rieffel seconded, the following motion, which was passed unanimously.

**That the Dupont Circle Advisory Neighborhood Commission (ANC 2B) oppose the application for a Planned Unit Development for the 2200 Block of N Street, N.W. by IBG for a project called Westbrooke Place (Zoning Application # 89-20C).**

The proposal as presented is a modification of the previous proposal, which the ANC opposed. The current proposal makes the adjacent park on 23th Street more accessible to the residents of the area and less an integral part of the planned new building. The building itself has been redesigned to deemphasize aspects of its size by set-backs (or steps) on the upper floors.

The developer has also taken steps to minimize any adverse effects on the severe shortage on parking spaces in the area. The ANC would also look favorably on a limitation on availability of parking to favor residents over commercial use, including use by the nearby hotels. However, the structure remains totally inconsistent with the character of the neighborhood and the needs and wishes of residents of the area.

1. The building will totally change the character of the area, which is low and moderate density residential. The massive size of the building is an extension of the large structures of the West End area south of N Street and contrasts markedly with the townhouses and smaller residential buildings which have existed on that site previously and which characterize the remaining portion of the block and the area east of 22nd Street. In particular, the ANC is concerned about the structure at 1312 N Street, which will be deprived of air and light.
2. Although characterized by the developer as a "transition" building, it is as high and imposing as the buildings south of N Street and does not serve as a gradual transition to a lower-density area. The transition should be in favor of the zoning of the block on which the property is located rather than the zoning south of P Street.
3. The building may bring a significant increase in traffic in an area which already suffers considerable congestion and traffic problems.
4. The "residential" building will retain commercial elements that are not needed and are inconsistent with the strong desire of residents to prevent commercial encroachments into this residential area.
5. The amenities offered are wholly inadequate to offset the considerable losses to residents of the area. Although residential housing is a recognized amenity, this is not the case of a developer taking an area in which there was no housing and bringing housing. The developer is essentially bringing a high density residential property to a moderate density area to the detriment of the character of the area and in opposition to the current residents.

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The ANC further notes that this project underlines the overall problems with the PUD system as it has developed in our area. Rather than encourage developers to build in areas where there have not been economic incentives, PUD's are being used to over-develop successful and economically viable areas of the city to the detriment of both Dupont Circle and other areas that would welcome such projects.

For these reasons, the ANC opposes the application for a PUD and authorizes a letter to the Zoning Commission stating that opposition, as noted above, and consistent with the discussion of this proposal at the ANC's public meeting. The ANC further authorizes the Chairman and such other Commissioners as he designates to represent the views of the ANC before the Zoning Commission at the public hearing on this matter.

V. Mr. Marc Weiner of Berose Liquors discussed issues concerning liquor license voluntary agreements.

VI. Due to the late hour, the absence of citizens wishing to addressing the issue, and its coverage in the preceding motion, the final agenda item, a discussion of a possible moratorium on planned unit developments within the ANC 2B area, was dropped.

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

Respectfully submitted,

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Alaire Bretz Rieffel  
Recording Secretary