

Letters:

To: Maria Griffith
Re: Chicago Bar and Grill

To: Mayor Dixon
Re: Funding for the HPRB

To: ABC
Re: ABC license No. 22458, International Market and Deli, 2010 P St., N.W.

To: Howard Davenport
Re: The Georgetown cogenerator plant

To: Mayor Dixon
Re: DC Preservation letter

To: Eleanor Holmes Norton
Re: "The Assault Weapon Strict Manufacturing Liability Act of 1991".

To: BZA
Re: The Chastleton Bldg.

To: Richard Luchs
Re: Use of building where Chicagos is now located

To: D.C. Council
Re: Bill 9-80, for Aggressive Panhandling

To: Mr. Howard Davenport
Re: Gross receipts tax

To: Councilmember James Nathanson
Re: Bill 9-274, "ANC Office Space Amendment Act".

To: Council Chairman John Wilson
Re: Bill 9-334, "Sidewalk Cafe Public Space Rental Rates Amendment Act of 1991".

MINUTES OF THE NOVEMBER 20, 1991 MEETING OF THE DUPONT CIRCLE ANC 2B

The Dupont Circle ANC 2B held a regularly scheduled meeting on Wednesday, November 20, 1991, at 7:30 p.m. at St. Thomas' Parish. Commissioners Bass, Grandis, Schwager, Shannon and Taylor were present.

Chairman Bass called the meeting to order at 7:35 p.m. and introduced Captain Swope from the second district police department who gave a police report. Sergeant Trainer of the third district police department also gave a police report.

During the Open Forum a resident at 1519 P Street, N.W. asked the ANC if they

could help him in saving his house which the owner is trying to demolish. Since this resident lives within Commissioner Dennis Bass' SMD, Mr. Bass said that he would find out more about the situation and see what he could do to help.

Mr. Steve Raiche from the Historic Preservation Review Board was present at the meeting on behalf of David Caney, of the Bureau of Land Regulation Administration. Mr. Raiche answered questions from the Commission. Commissioner Ed Grandis asked about the notice requirement of the Historic Preservation Review Board. Mr. Raiche informed the Commission that it is important to read the D.C. register every week because notices are posted in the register. Mr. Raiche went on to say that if there are any issues the ANC wants the HPRB to wait on before going to a hearing, to please let him know and they will schedule a hearing for a later date. Mr. Raiche reported that there will be a hearing on the property at 1312 21st Street some time in December, and 2000 S Street is scheduled to go before the Mayor's Agent on December 4th. Mr. Raiche also informed the ANC that he has lost all but three of his staff. Commissioner Grandis then suggested that the ANC write a letter to the Mayor suggesting that new ways of funding the HPRB be researched, such as soliciting grants from corporate and private foundations that fund activities related to the preservation and development of historic districts.

Mr. Grandis moved, and Ms. Schwager seconded, a motion to adopt the minutes of the October 23, 1991 meeting with the following amendment: that the total budget for ANC 2B FY '92 should read, \$25,140 which includes the \$1 raise per hour in consulting fee for staff coordinator Hollie Saiz. This motion was passed unanimously.

A plaque was presented to former ANC 2B Chairperson, Alaire Bretz Rieffel in appreciation of her leadership of the ANC.

ISSUES:

I Mr. Tom Swift of GLOV (Gaymen and Lesbians Opposing Violence) did not attend the meeting as scheduled to discuss the March Without Fear.

II.

Captain Carl Turner from the third district police department was present at the meeting and answered questions concerning the incident that occurred on 17th Street the night of October 31, 1991. Four people were arrested when a large group of people gathered on 17th Street in hopes of seeing the annual high heel race. However, the owners of the two restaurants who sponsored the high heel race last year decided not to have the race again this year for various reasons, but apparently not everyone was aware of this. Capt. Turner said that there were four officers from the third district who were assigned to that area and they reported that there were no problems. When the officers left the area, they notified the Watch Commander that there was a large group gathered and requested monitoring of the area. Subsequently, the Civil Disturbance Unit (CDU) was called from Georgetown, and has been accused of using excessive force. Captain Turner was at home at the time and was not aware that the CDU had been called in. He assured

the ANC that third district officers were not involved in any incident involving excessive force. An investigation is now being conducted by Chief Issac Fulwood. Chairman Bass appointed Commissioners Shannon and Grandis to the Neighborhood Committee which will work to ensure that there is no repeat of this year's incident. These appointments were accepted by both Commissioners.

III.

Ms. Enid Simmons, Acting Director of Programs and Policy Evaluation, Office of the Mayor, was present at the meeting. Ms. Simmons told the ANC and those present at the meeting that her office is in charge of shaping the policy guiding city agencies and monitoring its impact. Currently, Ms. Simmons said, her office is working with the Mayor on public safety and youth policies together because they have established that the issues cannot be separated. Their next big project, Ms. Simmons said, will be economic development in D.C. ANC 2B informed Ms. Simmons of concerns that are of importance to them such as, the enforcement of laws governing Historic Preservation, ABC, and Zoning. The Commission also expressed concern that agencies, such as HPRB and the Building and Land Regulation Administration, are understaffed.

IV.

Mr. Ghayour, a representative from the International Market and Deli, 2010 P Street, N.W. was present at the meeting and answered questions from the Commission concerning the operation of his business. Mr. Ghayour was asked whether or not the report that he was selling liquor to minors was true. Mr. Ghayour denied this allegation. Commissioner Taylor reported that Capt. Swope of the second district police department told her that although there were no complaints coming through his office directly connected to the International Market and Deli, there had been incidents of disorderly conduct in front of the store. Ms. Taylor went on to say that the Hopkins Street Coalition, feels that the International Market and Deli is a magnet for people who are intoxicated and for minors purchasing liquor. Mr. Ghayour stated that there are other liquor stores in the area who could be supplying the intoxicated persons with liquor and that he too, has complained about the congestion of panhandlers and intoxicated people outside his store, saying that they are bad for his business. Mr. Ghayour maintained his position that the International Market and Deli has never done anything illegal in the operation of its business. Mr. Bass urged Mr. Ghayour to become involved in the local citizen and merchants association to defuse the concerns about his operations.

Ms. Taylor moved, and Ms. Shannon seconded, a motion to take no position on ABC license No. 22458, for a license transfer for International Market and Deli, 2010 P Street, N.W. This motion was passed unanimously.

V.

Ms. Westy McDermid, a Commissioner of ANC 2E was present at the meeting and made a presentation concerning the proposed Georgetown University cogeneration plant.

Ms. McDermid reported that the Zoning Commission has already granted a special exception to locate the plant on the Georgetown campus. Ms. McDermid went on to say that there will be an increase in pollution if a plant is not adequately sized to its host site as well as an increase in electromagnetic fields. Ms. McDermid said that this cogenerator plant will be a 56 megawatt plant which is indeed not sized to the host area. Ms. McDermid then asked ANC 2B to join with ANC 2E and adopt a resolution opposing this cogenerator plant.

Mr. Bass moved, and Ms. Schwager seconded, a motion to adopt a resolution opposing this cogenerator plant. The resolution states that Dupont Circle ANC 2B recognizes that the health and welfare of the citizens of the District of Columbia are in jeopardy if cogeneration facilities planned for the District are excessively sized to meeting objectives other than the needs of the host site, and that ANC 2B joins Georgetown ANC 2E in opposing the construction of a 56 megawatt cogenerator plant on the campus of Georgetown University. This motion was passed unanimously.

VI. Public Space Rental Rates Amendment Act of 1991

Mr. Bass moved, and Ms. Schwager seconded, a motion to send a letter to Council Chairman John Wilson concerning Bill 9-334, the "Public Space Rental Rates Amendment Act of 1991" stating that ANC 2B believes that public space used for commercial purposes should be priced at the fair market value of the space. This motion was passed unanimously.

Under Commissioner Reports:

Mr. Grandis reported that the 4th quarterly report is ready to submit to the auditors office and that all totals balanced to the penny.

Mr. Grandis moved, and Ms. Shannon seconded, a motion to approve and submit the 4th quarterly report to the auditor's office. This motion passed unanimously.

Mr. Grandis reported on a copy of a letter he received from the Historic Preservation League to the Mayor concerning a hearing that was canceled by Mr. Aubrey Edwards, the Director of the Department of Consumer and Regulatory Affairs Office without prior consultation with the D.C. Preservation League or the other parties involved in the hearing.

Mr. Grandis moved, and Ms. Schwager seconded, a motion to send a letter to the Mayor to support the letter sent to the Mayor from the D.C. Preservation League, the Committee of 100, and the Art Deco Society concerning the cancellation of this hearing. This motion was passed unanimously.

Mr. Grandis reported on a letter he received from the office of Eleanor Holmes Norton concerning a hearing on the repeal of Referendum 006, the Assault Weapon Manufacturing Strict Liability Act of 1991.

Mr. Grandis moved, and Mr. Bass seconded, a motion to send a letter to Eleanor Holmes Norton, restating ANC 2B's support of Referendum 006, the Assault Weapon Manufacturing Strict Liability Act of 1991. This motion was passed unanimously.

Mr. Grandis reported on a letter he received from the third district police department requesting donations for their annual Christmas party.

Mr. Grandis moved, and Ms. Taylor seconded, a motion to send the third district police department \$50 for their annual Christmas party. This motion was passed unanimously.

The ANC briefly discussed a new housing plan for downtown, introduced by Councilmember Bill Lightfoot. Mr. Grandis raised concerns that this bill would diminish housing stock downtown contrary to the recent zoning decision. Mr. Grandis asked that the Commission refer the bill to the zoning committee headed by Commissioner Pam Taylor, for review and asked that she report to the ANC on her findings.

Mr. Bass reported on BZA application No. 15593, the Chastleton building, for a special exception to continue to operate an accessory parking lot for an apartment house.

Mr. Bass moved, and Ms. Shannon seconded, a motion to support application No. 15593 for a special exception to continue to operate an accessory parking lot for an apartment house (1701 16th Street, N.W.) provided the applicant agrees to include in the application the terms of the agreement that the applicant concluded with ANC 2B on November 12, 1987 regarding this parking lot; specifically, the applicant agrees:

- 1) not permit non-residents of the apartment bldg. to lease spaces in the lot;**
- 2) to build and maintain a fence around the lot;**
- 3) to monitor parking in the alley behind the 1700 block of 15th Street, N.W, to ensure that Chastleton residents do not block the alley with illegally parked vehicles;**
- 4) to regularly patrol the lot to ensure that illegal activities are not occurring on the property; and**
- 5) to plant and maintain plantings along the R Street fence to screen the parking lot from residences on the south side of R Street. This motion was**

passed unanimously.

Ms. Taylor reported that the final plans and mock up for the IBG/Westbrooke PUD are still not ready and hopefully will be discussed on the December 11, 1991 agenda. Ms. Taylor also reported that after a meeting with the Gay Pride Day coordinators, it was decided that the Gay Pride celebration would be held in the same site, Francis Jr. High

School, for one more year. With the help of the city, a new site will be found for future Gay Pride celebrations.

Ms. Schwager reported that Sabina's located at 1813 M Street, N.W. was indeed providing nude entertainment even though the owners had previously denied that such was their intention, and though their "CT" license prohibits such activity.

Under Old Business:

Mr. Bass brought up a concern over the use of the space where Chicago's Bar is now located, (but will vacate on December 2, when Chicago's shuts its doors for business). Mr. Bass asked the ANC what their thoughts were on using the space for office use although the zoning is for retail purposes. Members of the Commission said they would have no objections to using the building as office space so long as it is compatible with other office space in the area.

Mr. Bass requested sending a letter to the D.C. Council asking them to move on Bill 9-80 for Aggressive Panhandling, which ANC 2B has previously endorsed.

Under New Business:

Mr. Bass moved and Mr. Grandis seconded, a motion to send a letter to Howard Davenport, Chairman of the Public Service Commission, supporting the Office of the People's Counsel request of an expedited hearing by the PSC to determine whether there has been an incorrect application of the gross receipts tax by public utilities in the District of Columbia. If so, individuals and businesses may have over-paid millions of dollars to utility companies which should be refunded immediately by those companies. This motion passed unanimously.

Mr. Grandis moved, and Ms. Shannon seconded, a motion to send a letter to Councilmember James Nathanson in support of Bills 9-274, the "ANC Office Space Amendment Act" and 9-83, "Advisory Neighborhood Commission Clarification Act" with the following recommendations on changes: 1) adoption of Bill 9-274 with the change that if office space cannot be found within an ANC's boundaries, the ANC should be subsidized a fair market value amount for the rental of office space. ANC 2B is very opposed to an ANC having to locate its office outside its boundaries. 2) Adoption of comprehensive legislation conforming the notice requirements of all agencies governed by the ANC notice provisions of D.C. Code 1-261 with the 30-day notice period required by that Section. Bill 9-83 "Advisory Neighborhood Commissions Notice Clarification Act" requires this for the D.C. Alcoholic Beverage Control Board's notice requirements. But there are other agencies, such as the Historic Preservation Review Board, whose public notice requirements do not comply with 1-261. This motion passed unanimously.

The meeting was adjourned at 10:45 p.m.

Respectfully submitted,

Martha Shannon
(H.S.)

Martha Shannon
Secretary, ANC 2B