

Letters:

To: Grant Applicants
Re: Awarding of grants

To: BZA
Re: BZA Application No. 15626, 1767 P Street, N.W.

To: Zoning Commission
Re: P.U.D. at 22nd and N Street, N.W.

To: Councilmember Wilhelmina Rolark
Re: Safe Streets Forfeiture Act of 1992, Bill 9-260

To: Councilmember Wilhelmina Rolark
Re: Parole Reform Act of 1991

To: Zoning Commission c/o Mr. Depuy
Re: 1333 New Hampshire N.W. (formerly Chicagos)

To: Mayor Kelly
Re: Sodomy Law

MINUTES OF THE FEBRUARY 12, 1992 MEETING OF THE DUPONT CIRCLE
ANC 2B

The Dupont Circle ANC 2B held a regularly scheduled meeting on Wednesday, February 12, 1992, at 7:30 p.m. at St. Thomas Parish. Commissioners Bass, Grandis, Meier, Schwager, and Shannon were present.

Chairman Bass called the meeting to order at 7:30 p.m. He announced that SMD 02 is newly vacant. A crime report was given by Captain Swope of the second district police and John P. Malhojt, of the U.S. Park Police.

Open Forum

The property owner of 1712 17th Street brought to the attention of the Commission a problem he is having with trash from the neighboring 7 - Eleven store being thrown into his yard. Commissioner Meier said he will look into the problem and get back in touch with the building owner.

A gentlemen in the audience announced that there will be a charity "Belmont Ball" held on March 28, at the International Eastern Star Temple to benefit the Hospital for Sick Children, the Pediatric AIDS Foundation, and the Sunshine Foundation.

A resident asked the ANC to help her concerning illegal dumping at her apartment building located at 1916 R Street, N.W. She said that the neighboring apartment building at 1912 R Street, N.W. is illegally dumping their garbage in the back yard of her building. Commissioner Schwager will look into the problem.

Adoption of the Minutes

Mr. Bass moved and Ms. Taylor seconded, a motion to adopt the minutes of the January 22, 1992 meeting with the following amendments: that Issue I. should read; Those applicants for the ANC grants to non-profits who were present at the meeting, gave short presentations, and responded to questions. Applicants included: School for Friends, whose representative Jim Clay, was unable to attend the meeting, Green Door, Foundry Housing Corp., Emmaus Services for the Aging and the 18th Street Park Assoc. whose representative was also absent from the meeting; Under Issue II., there is a typographical error in the spelling of "their" it should be spelled "there" in the sentence, " Mr. Yi stated that there will be no change in the operation of the business", and the word "and" should be added to the end of reason number 4. This motion passed unanimously.

Issues

I. Awarding of community grants

The Green Door's request was declined because they could not assure the ANC that the funds would be used exclusively in the Dupont Circle area.

Ms. Schwager moved and Ms. Shannon seconded, a motion to divide the \$950 grant money equally among applicants; Emmaus Services for the Aging, School for Friends, Foundry Housing Corp., and the 18th Street Park Assoc. This motion passed unanimously.

II. Ernie Evans, Special Assistant to the Mayor for Policy, was present at the meeting and gave a short presentation. He informed the ANC and those present at the meeting that his office is working on some major issues including personnel system policies, and procurement procedures. Chairman Bass informed Mr. Evans of ANC 2B's concern over problems with the BLRA, e.g., illegal construction, and improper permits. Mr. Bass also said that the Mayor needs to realize that historic preservation is very important, especially to ANC 2B and its constituents.

IV. ABC Application No. 2301, t/a Berose Liquors, 1711 17th St., N.W.

Ms. Shannon moved and Mr. Bass seconded, a motion that ANC 2B approve the voluntary agreement with Applicant, Mr. Han Tok Yi, owner, Berose Liquors, and in so doing that the ANC agrees to withdraw its protest to the Applicant's case No. 2301 and shall notify the ABC Board of this action. This motion passed unanimously.

III. BZA Application No. 15626, 1767 P Street Associates, 1767 P Street, N.W.

Mr. Dennis Cotto, attorney for the Applicant Mr. Remly, was present at the meeting, gave a short presentation and answered questions. Mr. Cotto informed the ANC of Mr.

Remly's intent to use the property at 1767 P St., N.W. as his own private practice law office employing two staff persons. He went on to say that the prior use of the property was a four unit apartment house. Mr. Cotto has filed with the BZA for an extension of the hearing in this case until May 13.

Ms. Schwager moved, and Ms. Taylor seconded, a motion that ANC 2B opposes BZA Application No. 15626, for a special exception to establish law offices in an SP-1 District at 1767 P Street, N.W., because such change is not compatible with the zoning in the area and not compatible with the comprehensive plan. Additionally, granting this special exception would create undesirable effects in the neighborhood and would set a precedent for commercial use on a residential block. Further, this property had previously been residential for many years and would have remained so, if the current owner had so desired. This block is the only one immediately adjacent to Dupont Circle remaining residential. We strongly request that the Board not contribute to the further loss of residential housing in the Dupont Circle area by approving this special exception. This motion passed unanimously.

V. P.U.D. at 22nd and N Street, N.W.

Bobby Smith of IBG/Citistate and Mr. Milton Schinberg, architect for WEDAC were present at the meeting and brought with them a model of their plan to develop a park on newly acquired property adjacent to the P.U.D. at 22nd and N. St., N.W.

Ms. Taylor moved and Mr. Bass seconded, a motion that ANC 2B send a letter to the Zoning Commission stating that ANC 2B has no objection to the creation of a park/public space according to the drawing modifications dated February 12, 1992 with the understanding that the developers will enter into a covenant with the neighboring condominium property, the Georgetown Overlook, as to the maintenance of the park property. This motion passed unanimously.

VI. Safe Streets Forfeiture Act

Mr. Bass discussed the Safe Streets Forfeiture Act of 1992 which provides for the impoundment of the vehicles of patrons of prostitutes with the possible eventual forfeiture of the vehicles. Mr. Grandis voiced his opinion about due process and other constitutional concerns. Mr. Bass took his opinion into consideration and the following motion was made:

Mr. Bass moved and Ms. Schwager seconded, a motion that Dupont Circle ANC 2B supports the intent of Bill 9-260, "The Safe Streets Forfeiture Act of 1992", as a fair and reasonable method to curb public prostitution, and urges the Judiciary Committee and Council to move expeditiously to enact it once due process and other constitutional concerns are resolved. This motion passed unanimously.

Commissioner Reports

Mr. Grandis reported that the balance of the ANC treasury is \$11,000 as of 2/12/92. He also reported that the ANC quarterly report is due and must be signed by the Chairman, Secretary, and Treasurer before it can be submitted. Also, a Security Bonding Agreement form must be filled out and a check for \$30 sent in with the report.

Mr. Grandis moved and Ms. Taylor seconded, a motion to sign and submit the Security Bonding Agreement along with a check for \$30 dollars to go towards the "ANC Security Fund". This motion passed unanimously.

Mr. Meier reported that the Church St. area neighborhood watch is in its 9th night and has been enormously successful. He reported that there have been no more problems in the area since the watch started.

Mr. Meier moved and Ms. Taylor seconded, a motion that ANC 2B make a donation of \$25 toward the purchase of walkie-talkies which will be overseen by the ANC and will be made available for use by other ANC 2B neighborhood groups with the understanding that said property will be the responsibility of, and overseen by, an ANC Commissioner. The \$25 is to come from the ANC misc. funds. This motion passed unanimously.

Mr. Bass reported that he is continuing to talk with Mr. Mlotek of the Office of Foreign Missions regarding the notification to ANCs of countries wishing to purchase or lease property in an ANC area. Once all ANCs with embassies agree to the letter Mr. Bass sent out stating our position on notification by the OFM, the next step will be to go to the Zoning Administrator to get his approval to this proposition. Mr. Bass also reported that the meeting he attended on February 6 with Constituent Services, ANC Chairs and the heads of the BLRA and DCRA went well. He was told that the HPRB will not lose its certification and that the Mayor will soon announce the nominees to the HPRB. Mr. Bass brought up zoning violations and Mr. Aubrey Edwards assured him that once a list of all violations is composed he will address them all.

Ms. Taylor reported that Linda Wheeler of the Washington Post is going to do an article on BLRA issues. Also, at the last meeting of the Dupont Circle Conservancy they too expressed their outrage at Mr. Reneau and the illegal construction that took place at 1312 21st Street.

Old Business

Mr. Bass reported that there is an appeal filed with the Mayor's agent in the case of 2000 S Street, regarding HPRB's decision on exterior stairs and elevator shaft.

Mr. Bass moved and Ms. Schwager seconded a motion to support the modification to Condition No. 7 of the Zoning Commission Order No. 101, 1333 New Hampshire Avenue, N.W. (lot 85, square 115): "The building shall be devoted to any uses permitted in the C-3-C district, subject to the following restrictions. The ground floor shall be devoted to commercial retail and service uses. The following uses shall be

specifically prohibited in the first cellar of the building; bars and cocktail lounges (as principal uses), sexually oriented businesses and any use which requires a Class CT, Class CN, Class CX, Class DT, Class DN or Class DX retailer's alcoholic beverage license (or any successor license classifications)." ANC 2B likewise supports this modification without a formal hearing action by the Zoning Commission. This motion passed unanimously.

Mr. Grandis requested that Mr. Bass write a letter to the Mayor restating ANC 2B's position on the repeal of the Sodomy law. He reported that the Blade is also going to run an article concerning the incident that occurred at a local establishment where police arrested patrons in violation of the Sodomy law.

Mr. Bass moved and Ms. Shannon seconded, a motion to send a letter to Wilhelmina Rolark in support of the "Parole Reform Act of 1991." This motion passed unanimously.

The meeting adjourned at 10:40 p.m.

Respectfully submitted,

Martha Shannon
(H.S.)

Martha Shannon
Secretary
ANC 2B