



**DUPONT CIRCLE  
ADVISORY NEIGHBORHOOD COMMISSION 2B  
P.O. Box 33224  
Washington, D.C. 20033-0224  
Telephone: 202-822-6222      Fax: 202-822-6223**



Letters

To: ABC  
Re: Dupont Italian Kitchen  
Re: Cafe Japone

To: BZA  
Re: App.# 15613 - 1622 18th Street

To: Councilwoman Patterson  
Re: Changes ANC regulations - Bill 12-265

To: HPRB  
Re: Embassy Botswana - Chancery

Minutes of the July 9, 1997 Public Meeting of Advisory Neighborhood Commission 2B

The meeting was called to order by Mr. Pitsor at 7:30p.m. Commissioners Jackson, Newton, Cary, and Dehart were present. The minutes of the June 11, 1997 meeting were approved.  
**POLICE REPORTS**

Mr. Pitsor said the ANC was pleased that the redistricting of the police district boundaries is now in place. Mr. Pitsor said that basically the residential and small business areas have been unified and are under the Third District and the commercial downtown area is under the Second District.

Sgt. Kutniewski of the Third District gave the police crime report. He told the commission the boundaries of the beats of the individual sergeants. Mr. Pitsor said that Sgt. Kutniewski was responsible for the service area designated 08, that 09 is under Sgt. Vaccaro, and 07, which is west of 21st Street is under Sgt. Miller. Sgt. Kamniewski said the crime statistics reflect a decrease in crime. He said theft from autos, which is the most problematic area has also been reduced. He told the audience to not allow office couriers to wander around in buildings. Mr. Pitsor asked if the thefts from autos are from resident's cars or from visitors. Sgt. Kamniewski said that the thefts are being committed by the homeless people who need money for alcohol and drugs. Mr. Pitsor said that a year ago the ANC helped reproduce some flyers on "Theft from Autos", and said the ANC would be happy

**COMMISSIONERS**

SMD 01  
Laine McRaney  
Vice Chair-Communications

SMD 02  
Stephen Angle

SMD 03  
Francine Cary  
Vice Chair-Operations

SMD 04  
Donald Jackson  
Secretary

SMD 05  
Meredith De Hart  
Treasurer

SMD 06  
Marilyn Newton

SMD 07  
Kyle Pitsor  
Chair

to help again if necessary. Mr. Pitsor said one of the areas of the new police model was the augmentation of the number of officers that are going to be assigned to the PSAs. Sgt. Kamniewski said that he has thirteen officers. He said there are four people on midnight shift, and the rest work days or evenings. He said that the Third District now has more officers. Officer Zelinka said he was working with the Metro Police, and the Metro Police will be sending officers by the bus stop at 20th and P Street. A resident asked how people break into the cars. Sgt. Kamenski said screwdrivers, but that many just go ahead and smash the windows. Mr. Pitsor said that ANC 2B had expressed concern that a portion of N Street is residential on both sides, and the ANC had asked Chief Soulsby to keep both sides of N Street within the same patrol. Officer Zelinka said he automatically covers both sides of the street. Sgt. Kamniewski said he still goes around the borders of area 08. He said both Police Districts help out around the border. Mr. Pitsor said that even though boundary areas are not formally part of the 2nd or 3rd District, both Districts work with each other in covering the areas. Officer Zelinka said border areas are really double covered. Sgt. Kamniewski said that the four beat leader sergeants are accountable to one lieutenant.

#### OPEN FORUM/ANNOUNCEMENTS

A resident, Mr. Welt, complained about the loud air conditioning compressor at 1520 18th Street, the new Hong Kong Economic Office. Mr. Pitsor will follow up.

Mr. Pitsor announced the special election, July 22, to fill the vacancy for the office of Chairman of D.C. City Council. He said if any residents had questions about the election they could call the Office of Elections at 727-2525.

#### REPORT - JACK EVANS OFFICE

Ms. Michelle Sedgewick said the City Council offices are moving, and asked anyone who might have a reason to call to please be patient. She said the office is moving on the 18th of July, but the office will have the same phone number. She said the council judiciary committee had a meeting today and would have one more meeting before the summer recess. She said the committee has prepared a report on the Police Redistricting, and the report will be available to the public July 14. She said that Mr. Evans will be holding regular Round Table discussions in September or October on the issue of the Police Redistricting as the new system develops.

#### ISSUES

1. Mr. Pitsor introduced Mr. Collins, the attorney for the Embassy of Botswana, who have submitted an application to the Board of Zoning Adjustment (BZA). Mr. Collins said part of the process for

the Embassy of Botswana moving into the property that they have recently purchases is approval by the BZA. He said the Embassy currently employs 17 people and will possibly increase the staff by 4 in the future. Mr. Collins presented and explained the drawings of the plans for alterations on the exterior of the building, as well as the fence around the parking lot. He said this has been reviewed and endorsed by the Dupont Circle Conservancy. Mr. Pitsor asked if the plans represented the concept approved and delegated to the staff. Mr. Collins said yes. He said the fence would be of masonry and metal, and there would also be an addition of a masonry tower element with a turret top to house the elevator. Mr. Pitsor said the neighbors were concerned about embassies requiring street parking. Mr. Collins said the embassy has 9 spaces on its property for parking and was not asking for on street parking at this time. Mr. Pitsor asked what the height of the new fence would be. Mr. Palans said the fence would be of masonry about thirty inches high with metal set in that to a height of approximately a total of 42 inches, it would also have brick pilasters with cap stones, and would be set back 5 feet from the sidewalk. Mr. Pitsor said the set back would be an improvement on Q Street which has heavy foot traffic. Mr. Pitsor said that part of the application also pertains to the obtaining of a permit for the location of a chancery in an SP 1 Zone. Mr. Collins explained the criteria for application by an embassy in a SP 1 zone.

MOTION

Mr. Pitsor moved and Dr. Cary seconded ANC 2B support the concept of the proposed decorative masonry and fence as presented in the plans. The motion passed unanimously.

MOTION

Mr. Pitsor moved and Ms. Newton seconded support for the application by the Embassy of Botswana to have a permit for a chancery in an SP 1 zone on the condition that the Embassy not apply for diplomatic on street parking. The motion passed unanimously.

2. Mr. Pitsor said this item is a request for a zoning variance on for construction on the corner of 18th and R Streets. Mr. Pitsor gave the audience the background on this case. He said the area in question is a vacant lot that has been landscaped and maintained for many years by the 1800 R Street Condominium association, although it does not belong to them. He said the owners of the property made an application to the BZA to construct a four unit residential building in 1991, hearings were held on the case in 1992 and subsequent to that there were revised plans submitted. He said the BZA is just now issuing a proposed draft order. Mr. Pitsor said that ANC 2B protested the application in 1992 because of proposed variances. Mr. Pitsor introduced Mr. Richard Grossman of the 1800 R Street Condo Association to speak on the issue. Mr. Grossman said the proposed application is unacceptable because, according to the stipulations set forth in an SP 1 zoning area only 80% of the lot can be occupied and the plans proposed 100%. He

said that the owners of the property were not granted the variance in 1992. He cited other requirements that were also not met. He said that after the owners were denied the variance they resubmitted two more proposals; plan a and plan b. He said both of these proposals complied with the FAR requirements. He said that plan b was for 80% occupancy of the lot. He said this design was approved. He said the area that would be designated as the backyard would include a curb cut that would take away a parking space. He said the other variance is that SP 1 zoning requires a minimum recreational space. He said that instead of having this required space the owner is proposing that on the third floor about a one car garage that there would be a roof deck, which requires another variance because it would be under 125 square feet. He said the requests that the owners are making is based on that there is something exceptional about this block. He said however, they have not proved there is anything exceptional about this lot. Mr. Grossman said the residents of the block are asking that no variance be granted that would cause hardship to the block. He said the granting of variances will negatively affect the surrounding properties because there won't be a set back and it will cause problems with parking.

#### MOTION

Mr. Pitsor moved and Mr. Jackson seconded that ANC 2B believes that the smaller scaled down residential project should have been proposed which would have been permitted as a matter of right in this SP 1 District. The proposed Zoning Order provides excessive zoning relief and rewards over-development to the detriment of the community. The requested variances impair the intent, purpose, and integrity of the zone plan. The motion passed unanimously.

Mr. Pitsor said that as the more details of the application become known the ANC will address those specifically. He said he will provide a copy of the resolution to the 1800 R Street Condo Association.

3. Mr. Pitsor introduced the discussion of Bill 12-20 - "Anti Graffiti Amendment act of 1997" which was introduced by Jack Evans. Mr. Pitsor summarized the Bill. Mr. Pitsor said there was a joint hearing on the Bill July 2 before the Judiciary/Public Works Committees of the City Council. He said the bill would require perpetrators, if arrested, to clear graffiti within 24 hours after their arrest, be subject to a fine and possible restitution. And additionally, if a property owner does not clean graffiti on their property there is a provision for the DPW to notify the owner and the owner has 14 days to clean the graffiti, or DPW will clean the graffiti and bill the owner. He said the bill holds parents libel for the cost of clean-up for graffiti done by minors. Dr. Cary asked if the ANC was being asked to comment on the bill. Mr. Pitsor said there had already been comment submitted at the hearing on July 2 by various groups, and a result of those hearings the bill is being revised. Dr. Cary said she would like to know more

about the revisions. She said she is very opposed to graffiti, but is not sure if this bill is the answer. Ms. Dehart said she has concerns about requiring an owner to be responsible under all circumstances for cleaning graffiti. Mr. Pitsor said Councilman Evans would be meeting with people who had testified at the hearing for the bill to help clarify the revisions. Mr. Jackson asked if the ANC should express their concerns about the part of the bill which addresses the responsibility of property owners. Mr. Pitsor said the considerations that have been raised should be taken to Lyle Blanchard of Jack Evan's office.

4. Mr. Pitsor said there is a long list of ABC liquor license renewal applications that are due. He read the list and asked for comments from the audience. Martha Shannon, a resident, said that Dupont Italian Kitchen on 17th Street has not complied with agreements it has made to the ANC in the past. Mr. Pitsor said that two years ago Dupont Italian Kitchen agreed as part of their expansion of seating to the upstairs not to post signage at the entrance, and that the door that they are in fact using as an entrance was to be solely as an emergency exit. Ms. Shannon said that her impression is that the door is used as an entrance and exit for the upstairs part of the restaurant. Mr. Pitsor said he does not know what diagrams were filed with the ABC board respective to the use of the door in question. Mr. Jackson said respective to the issue the ANC sent a letter to the ABC Board and asked if the changes that were presented by Dupont Italian Kitchen constituted a substantial change, and the ABC Board said the changes were not substantial. Mr. Pitsor said as he interprets the codes which signify substantial change there seem to be number of them that had applied to Dupont Italian Kitchen. Mr. Pitsor said that the issue was not going to be resolved at this meeting, but that the ANC needed to renew the Voluntary Agreement with Dupont Italian Kitchen, review the response of the ABC Board as to what constitutes a substantial change, and ask the SMD Commissioner Dr. Cary to discuss the issue with the applicant. Dr. Cary said more information was needed about this establishment's and Cafe Japone's compliance with regulations and agreements. Mr. Pitsor said that the ANC had to move on the issues in order to accommodate the filing date for any petition.

MOTION

Mr. Pitsor moved and Dr. Cary seconded that ANC 2B send a letter to the ABC Board opposing the renewal of a liquor license for Cafe Japone, 2032 P Street because of problems with trash, the impact on peace, order and quiet of the neighborhood, and because substantial changes may have been made to the interior of the building without the proper review process or the obtaining of the necessary permits. The motion passed unanimously.

MOTION

Dr. Cary moved and Mr. Jackson seconded a motion to oppose the renewal of a liquor license for Dupont Italian

Kitchen because of violations of the Voluntary Agreement they have with ANC 2B. The motion passed unanimously.

#### COMMISSIONER REPORTS

Ms. Dehart reported that she has the Quarterly Financial Report and has given copies to the commissioners. She asked for the commission to approve the Report.

#### MOTION

Ms. DeHart moved and Mr. Jackson seconded that the ANC Quarterly Financial Report be approved. The motion passed unanimously.

#### MOTION

Ms. Newton moved and Mr. Pitsor seconded a motion to reimburse Karen Ruffin \$155 which she had paid for office expenses. The motion passed unanimously.

Mr. Pitsor commended ms. Dehart on all of her efforts to get the financial situation of the ANC current.

Ms. Newton reported that Bell Atlantic will be putting in a service pedestal in a location which is not so close to residential buildings. She said if there was no objection to the new location (indicated on a map) she would inform them of that fact. She said there was some objection in her SMD that Soho Cafe was moving their outdoor cafe barriers farther onto the sidewalk. She said that she spoke with them and they are going to move the barriers back to the original position.

Mr. Jackson reported the group that has been involved in discussions on issues of the homeless has expanded. He said one of the committees is planning to operating a day-drop-in-center and will provide job counselling. Mr. Jackson reported that the parking lot at St. Luke's Church has not yet been resolved. He said the BZA rejected the church's most recent site plans because they did not meet even the minimum requirements for a parking lot. He said the church has 30 days to redraw the diagram and refile, and the ANC will have 30 days to comment on the revisions, and a final decision will be made on this issue at the September 3rd meeting of the BZA. He said no additional testimony will be accepted at that hearing but that the committee may ask questions of attendees and also ask if they have any additional information.

Ms. Dehart said that the construction in the 1500 block of O Street is underway and the construction is going well.

Dr. Cary reported that she is working on various public space issues and with the task force of DCCA on the deterioration of services at the Safeway.

#### MOTION

Dr. Cary moved and Ms. Newton seconded that the ANC send comments to the Department of Public Works (DPW) on points presented by Mr. Peter Waldron, Chair of the D.C. Public Space Task Force at the last ANC meeting. She said she wished these comments to address and indicate that specific points of concern were brought before the ANC. Specifically that the vast majority of establishments are operating without permits, paying taxes, or paying rent for the public space they use.

#### OLD/NEW BUSINESS

Mr. Pitsor read from a letter which stated a one-day liquor license is required when the person having the one-day effect has secured facilities other than that persons own home or business, such as a hall, auditorium, private club, fraternity house, etc., which are not otherwise licensed to sell or arrange for the sale of alcoholic beverages. This applies whether there is a charge for admission or not. Mr. Pitsor said this is relevant to the establishment at 2020 O Street - H.H. Leonards. He said that initially the establishment obtained these one-day licenses, but has not done so for possibly as far back as a year, even though it is holding events and reportedly serving liquor as part of those events.

#### MOTION

Mr. Pitsor moved and Ms. Newton seconded ANC 2B send a letter to the ABC Board requesting it adopt the Corporation Counsel's opinion and it, or the proper authorities, investigate the requirement of applications for one-day licenses in the Corporation Counsel's opinion respective to 2020 O Street. The motion passed unanimously.

Mr. Pitsor said there a two new bills concerning ANC operations. One is on the financial reporting allotment requirements which would require ANCs to submit their reports within 180 days of the end of the quarter (Bill 12-262). Mr. Jackson said it would be more reasonable if the reporting period were 90 days. Ms. Dehart said she agreed with 90 days as sufficient. Mr. Pitsor said the other bill (Bill 12-263) redefines the definition of what constitutes a quorum for ANCs.

#### MOTION

Mr. Pitsor moved and Ms. Newton seconded to support time limits on submission of ANC Quarterly Financial Reports, (Bill 12-262 but recommended the limit be changed to 90 days. The motion passed unanimously.

#### MOTION

Mr. Pitsor moved and Mr. Jackson seconded a letter be sent supporting the quorum changes as stated in Bill 12-263. The motion passed unanimously.

Mr. Pitsor said the D.C. Initiative Bill, which is on Capitol Hill has to do with the President's initiative on reorganizing the

finances of the District and tax processing, economic development corporation and regulatory form. He specifically commented is to on the formation of an Economic Development Corporation (EDC). The bill would create a ten year economic development corporation with the majority of the board appointed by the President and it would be funded by 50 million dollars, have eminent domain, expedited regulatory review, and is allocated half of the Districts over-all revenue authority. Its job would be to promote job creation and employment of D.C. residents in assisting the development of business and retention, specifically in targeted areas which need economic development. Mr. Pitsor said his concern is that it would have "expedited regulatory review" and would be able to over rule zoning and historic preservation laws of the District. He said that because the Dupont Circle community is uniquely situated, being close to the central employment district, that there is a need to retain historic buildings and to insure good planning. He said his concern with this is that the EDC would be able to by pass the rules and regulations that have been established over many years, through legislation and regulation. Mr. Pitsor said he wished to send a letter to the Hill expressing concerns over this portion of the bill.

MOTION

Mr. Pitsor moved and Dr. Cary seconded a letter be sent to the appropriate parties expressing ANC 2B's concern with this bill empowering the EDC's right to exercise eminent domain and thereby bypass zoning and historic preservation regulations of the District. The motion passed unanimously.

Mr. Pitsor said the next public meeting of ANC 2B will be September 10, as the ANC does not meet in August.  
The meeting adjourned at 10:30p.m.

Respectfully submitted,

Donald Jackson, Secretary  
ANC 2B, Dupont Circle