



**DUPONT CIRCLE
ADVISORY NEIGHBORHOOD COMMISSION 2B
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Letters

To: Chief Soulsby - Metro Police
Re: Policing Boundaries

To: ~~DPW/~~ Metro Police/ Park Police
Re: Illegal posting

To: American Farmland Trust
Re: Farmer's Market

To: BZA
Re: Saint Luke's Church - Parking lot application

Minutes of the June 11, 1997 Public Meeting of Advisory Neighborhood Commission 2B (ANC 2B).

Mr. Pitsor called the meeting to order at 7:30p.m. Commissioners Jackson, Cary, DeHart, and Newton were present.

Mr. Pitsor thanked Commissioner Cary for chairing the May 14 meeting while he was out of town.

The minutes of the May 11 meeting were unanimously approved, with Mr. Pitsor abstaining.

Police Crime Reports

Sgt. Coleman of the 2nd District gave the crime statistics. He said that since the enhanced enforcement efforts and "Zero Tolerance" policy have been implemented there has been a drop in crime. A resident asked about the status of a woman who had been shot over the Memorial Day weekend. Sgt. Coleman said he did not know about the victim's condition. A resident asked how arresting people for quality of life crimes was helping. Sgt. Coleman said that persons are prosecuted within 30 days. Mr. Pitsor directed the audiences attention to a hand-out from the 2nd District available on a table at the back of the meeting hall.

Captain Lauro of the Park Police said he had recently taken over the command of the Central District. He introduced Officer Keness

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
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who will be patrolling Dupont Circle for at least two months during the summer months, as he had done last year. Captain Lauro said there will also be another officer assigned to the area. A resident said there is still a woman feeding the birds huge amounts of food every day. Captain Lauro said he would look into the problem. Captain Lauro gave the crime statistics for his District, and said the biggest number of arrests had been for nuisance crimes - drinking in public and the like. A resident asked if sleeping on public land was a crime. Captain Lauro said not as such, but there are guidelines prohibiting camping. A resident asked about the status on the renovation of the Comfort Station in Dupont Circle. Captain Lauro said the plan was approved and fundraising was under way. Mr. Pitsor said there was information on the back table for members of the audience. He said final agreements were being worked out with the Park Service and the contract was being negotiated. Ms. Dehart said there is a problem in Scott Circle of people sleeping all day and the neighbors concern was the same people were awake all night and possibly committing crimes in the area. Captain Lauro said they would give the area more attention. A resident said a group has been nailing posters to trees in Dupont Circle. Captain Lauro said the Park Police have been trying to discourage this practice. He said there are laws that can be applied to this problem. He said that Officer Keness will be a deterrent for this problem. Mr. Pitsor said the ANC and residents were happy to hear that Officer Keness would be back.

ANNOUNCEMENTS

Mr. Pitsor said the ANC had received a report in January concerning the new Policing Initiative. He said the ANC wrote to Chief Soulsby and asked consideration be given to community oriented boundaries within the police districts and also to consider the police districts themselves in the Dupont Circle community. Mr. Pitsor said there was an announcement made by Chief Soulsby that the police would be creating 80 service areas to replace the current beat system and this would increase by 50% the patrol support staff to be deployed to field units. He said it was also proposed that there would be different boundaries to the police districts - including the 2nd and 3rd Districts. Mr. Pitsor, referring to a map, said that one plan is to put the commercial/downtown and residential areas of the Dupont Circle area under separate districts. He said the ANC had not taken a position on this plan, but had requested the area be under one commander. Mr. Pitsor said he would like to discuss the matter of boundaries so that the ANC could send an appropriate resolution about the ANC's view on the redistricting of the Dupont Circle area. Ms. Newton said there had been comment in her SMD that N Street would be divided by one proposed boundary change. Mr. Jackson said that although some affected communities felt there had not been enough consideration given to the police meeting with neighborhood organizations he thought the police had worked with various Dupont Circle civic associations and that there was sufficient input for the ANC to

make an official comment. He said that officers will be redeployed to balance out the staff in the newly defined districts. Mr. Pitsor said that the law gives the Chief the authority to equalize the established boundaries. Mr. Pitsor said Councilmember Brazil introduced an amendment whereby the council would be given the authority to approve the police as well as the scout car boundaries within the various districts. He said this now needs to be reviewed by the mayor and then to the control authority. Mr. Pitsor asked Michelle Sedgewick of Jack Evans office if she would comment on this legislation. Ms. Sedgewick said that the Mayor would sign, but she didn't know the status at this time. She said the ANC was encouraged to submit a written statement and to call Mr. Evan's office if they wished to testify at the June 19 hearing on the redistricting issue.

MOTION

Mr. Jackson moved and Mr. Pitsor seconded that ANC 2B supports the proposed plan to place the northern part of Dupont Circle under the Third District and the southern part under the Second District and requests the additional consideration that the southwestern boundary be changed from N Street to M Street to more accurately reflect the natural boundary between the residential and commercial areas. The motion passed 4-0-1. Commissioner Cary abstained expressing concern about the deployment of officers to higher crime areas in the enlarged District, away from Dupont Circle.

REPORT JACK EVAN'S OFFICE

Ms. Michelle Sedgewick reported that there will be a hearing on the "Officer Protection Act" on June 25. She said the Council will be in recess from July 15 until September 15.

OPEN FORUM/ANNOUNCEMENTS

Mr. Carney, a resident, asked if the ANC would support the "Anti-Graffiti Bill" (Bill 12-20) which would come before the council committee hearing on July 2. Mr. Pitsor asked how long that record would be open for comment. Ms. Sedgewick said that was flexible as there would be no mark up on this bill before July 15. Mr. Pitsor said the ANC could review this issue at its July 9 meeting and send its recommendation to the council.

Mr. Herbert Daniel said that he was seeking to interview residents as he was doing a paper on the history of Dupont Circle. He said he left a sign up sheet on the table for any one who was interested in participating.

Mr. Heller, a resident, asked if the ANC was going to have to leave the office that had been donated by the Riggs bank for its use. Mr. Pitsor said that was most likely as Riggs was planning to redevelop the building that the ANC office was located in. Mr.

Pitsor said as yet Riggs has not filed for the proposed renovation of the buildings, so the community will be able to review and comment on this after the applications are filed. Mr. Carney commented on the dilapidated states of the entrances to the Dupont Down Under. Mr. Jackson said the ANC sent a letter concerning this issue to the Department of Administrative Services/ Property Division in June and we were awaiting their reply.

Mr. Carney asked if the ANC would send a letter to the appropriate parties concerning the posting of signs on trees in Dupont Circle.

MOTION

Mr. Pitsor moved and Mr. Jackson seconded a letter be sent to the Department of Public Works urging them have "zero tolerance" and to enforce violations of regulations and fining persons posting signs to trees and public furniture. The motion passed unanimously.

Mr. Jackson announced there would be an open meeting at Foundry Church on June 23 - Monday at 7:30p.m. He said this is an on going meeting to discuss the issue of the homeless in the Dupont Circle community. He said that at a Saturday Workshop two weeks ago people had volunteered to do community work in various areas. He said there will be a report on this at the meeting on the 23rd.

Mr. Pitsor reported there is a flyer on the back table announcing the DPW's re-initiation of the bulk trash pickup service which begins June 16. Mr. Pitsor said that the DPW has put in place an illegal dumping bounty program. He said there is a hot line for citizens wanting to report an incident.

Ms. Newton said Bell Atlantic is considering a location for their utility box which would be farther from residences on P Street. She said they will present the new location at a later date.

ISSUES

1. Mr. Pitsor said the first item on the agenda is consideration of the Comprehensive Plan Amendment. He said the Plan is periodically updated and reviewed by the Office of Planning (OP) who then recommends changes for Council action. Mr. Pitsor said the ANC would take up the ones that affect the Dupont Circle area. Mr. Pitsor said the ANC has previously reviewed drafts of some of the amendments and took action. He said the first series had to do with changes to Special Purpose zoning (SP). He said one proposal that had been reviewed would eliminate the limited office exemption for special purpose use city-wide. He said the ANC submitted opposition to this amendment. He said subsequent to this that the OP has proposed eliminating the limited office use requirement only for SP's within the central employment area (CEA). (Mr. Pitsor showed a map which defined the areas being discussed). Mr. Pitsor said the proposed amendment keeps the restrictions in place for areas outside the central employment area. Mr. Pitsor said the

proposed amendments are pro-resident and also pro-offices and that it maintains the buffer between office and residential areas.

MOTION

Mr. Pitsor moved and Ms. Dehart seconded ANC support the Office of Planning's general office use requirements; items 501.3 and 508.1 as these amendments are consistent with requests made by the ANC. The motion passed unanimously.

Mr. Pitsor said he would come back to the issue of the Comprehensive Plan Amendments as a scheduled speaker was available to make a presentation.

(Commissioner McRaney arrived at 8:30p.m.).

2. Mr. Pitsor introduced Mr. Peter Waldron, Chairman of the City Public Space Task Force. Mr. Pitsor said that a year ago the city established a citizen task force to review the current public space use regulations and to prepare recommendations for improvement in areas of administration, enforcement, policy and impact on community. Mr. Waldron said he is both a resident (of Capitol Hill) and owner of a restaurant. Mr. Waldron said a problem with outdoor cafes in D.C. is in many cases they don't have permits to operate. He said the task force was unable to agree on the wording of a final report actions, but votes were taken at each of their meetings on recommendations. He said the goal of the task force was to find balance between the business and residential community and make recommendations to the DPW. He said he believes that goal has been achieved. He said the task force was comprised of 6 residents and 6 business owners. he said the work was divided into four areas; 1)application and administrative procedures, 2)community impact issues, 3) enforcement and compliance, and 4) finance and revenue. He said some of the recommendations were: to create a simpler and easier form for business owners and make the process simpler, that no permit should be issued for cafes which are taverns or "CT" license holders, and that there be a bi-annual renewal process which would be enforced, it was recommended that a record of complaints by citizens trigger a full inspection and hearing before a renewal, the existing permits would not be affected by the proposed changes, but would be void upon the transfer of ownership or with a significant change in the operation and illegally operating cafes cannot be grandfathered. Mr. Waldron said that about 350 of the 400 out door cafes currently operating don't have permits. He said in the area of community impact issues it was agreed that all cafes operating proximate to residential areas should be subject to strict compliance to the limit of 60 decibels of noise limit, and that operations should end at 11p.m. on weekdays and midnight on weekends, and streets proximate to residential areas should have limits as to frontage devoted to sidewalk cafes. Mr. Waldron said that respective to enforcement and compliance the task force noted that there was no reliable means to force compliance and enforcement was non-existent. He said the recommendation here was to make revenues generated by the

operations available for enforcement. He said respective to finance and revenue the task force was not able to find out what that situation was; ie., what owed monies were ever even collected. Mr. Waldron said that many business owners don't bother to pay taxes and it is not clear where other monies, such as application fees went. Mr. Waldron said that it was determined that the roles of the ANCs is to insist on compliance with the laws surrounding the use of public space as the ANCs are aware of what businesses are operating within their respective districts. Ms. Shannon, a resident, thanked Mr. Waldron and asked if there would be a hearing on the findings. Mr. Waldron said the findings of the task force don't have to go before the City Council. Mr. Pitsor said his understanding was that the DPW will take the recommendations and draft the proposal that this will go through a public review process as a proposed rulemaking.

3: Ms. Bernice Prince and Ms. Anne Younkens, the representatives for American Farmland Trust (AFT) gave a presentation of their progress in establishing a farmer's market to operate on Sundays in Dupont Circle. They said the area that had been finalized as the site was 20th Street between Q Street and Massachusetts Avenue, as well as Riggs Bank parking lot. Ms. Younkens said AFT had asked the police to be available for assistance and that the AFT would also be hiring private security personnel. She said she is asking the ANC for support for the proposed location and also hours of operation which would be 9a.m. until 1p.m. on Sundays from July 6 until November 23. She said AFT would be responsible for the disposal of any trash generated through the operation of the market. She said they would be asking local restaurants to cooperate and allow patrons of the market to use restrooms so they could avoid the use of out door toilets. Ms. Bernice Prince of AFT said that Md. University will be doing a study to determine if and how farmer's markets are good ways of protecting farmland.

MOTION

Dr. Cary moved and Ms. Newton seconded that ANC 2B give its support to the operation of a Farmer's Market at the location and during the hours proposed by AFT with the understanding that AFT will meet all the requirements as presented. The motion passed unanimously.

Mr. Fanning of the Mayor's Office gave an update on various issues.

(Mr. Pitsor resumed the consideration of item 1. Comprehensive Plan Amendments).

Mr. Pitsor said the ANC had taken a position on the rezoning of the area along New Hampshire Ave. and 20th St. He said the proposal from the OP is consistent with the ANC's request, so no action is required. Mr. Pitsor said the ANC has already acted on the 16th St. Historic District, so this is just a matter of information. He said the last item is a proposal to conduct a study of the P St. corridor from Dupont Circle to 23rd St. respective to improvement

with consideration given to expanding sidewalks, improving streetscapes, developing vacant lots and providing off-street parking.

MOTION

Mr. Pitsor moved and Ms. McRaney seconded that ANC 2B support the amendment of the proposed study of the corridor along P St. from Dupont Circle to 23rd St. as stated. The motion passed unanimously.

Mr. Pitsor said the ANC would send the recommendations to the City Council and the Zoning Commission for the hearing to take place on Tuesday June 22.

4. Mr. Pitsor read a list of renewal of ABC CR and DR licenses and one new application. There were no comments or questions concerning the establishments mentioned, so no actions were taken.

COMMISSIONER REPORTS

Dr. Cary reported that she had sent a letter about the condition of the Safeway on 17th Street as the store is deteriorating. She said she had a very positive experience with the Water and Sewer Authority about repairing the catch basins on 17th Street. She said she wrote a letter thanking them for this service. Ms. Shannon, a resident, said that DCCA has a task force that is also looking at the condition of the Safeway.

Mr. Pitsor reported he is still working with a number of construction companies about starting work too early (prior to 7a.m.) and disturbing the neighbors. He said the work in question is taking place on P St. and 18th St.

OLD BUSINESS

Mr. Jackson said at the April meeting the ANC supported an application for a renewal of a zoning variance for St. Luke's Church at 15th and Church Sts. to operate a parking lot providing that by the date of the hearing before the BZA the church would have signed a contract and made a deposit for necessary repairs to the Church Street side of the lot. He said the contract would have been to construct a fence along Church Street which would increase the attractiveness of the area, revised a site plan as the one on the application was outdated, and also that the church would contract maintenance persons for upkeep of the area. He said this requirement was being made because the lot had never fulfilled the 5% minimum landscape requirements that are required. Mr. Jackson said the Church presented the ANC a letter at the April meeting which indicated their intent to proceed with the required collecting of bids. He said when he spoke to the church on May 8, they were having trouble getting bids. A neighbor provided some other names of contractors. At a meeting between the neighbors and the senior warden and rector, the representatives of the church restated that they agreed with the terms as set down by the ANC. Mr. Jackson said on the Monday before the hearing with the BZA the

neighbors had still not heard from the church, so they started a petition to oppose the application. On the hearing date none of the documents in the ANC motion were ready. Mr. Jackson said he tried to talk to the church wardens before the BZA meeting started, but the representatives of the church avoided any discussion. He said although St. Luke's was not prepared, at least in terms of any of the requests of the ANC and neighbors, they did not take the offer of a postponement. Mr. Jackson said he has since asked St. Luke's why, in that they were not prepared, did they not accept the offer of a postponement. And the church's response was they wanted to ask the BZA to take them on faith that they would fulfill the expressed requirements. Mr. Jackson said he stated before the BZA that if documents were not in place the ANC did not support the application for a variance, and the neighbors submitted their petition against the variance. Mr. Jackson said there has been very little discussion since that time. He said that both parties feel there has been little effort to work out the disagreement. Mr. Jackson said he was very disappointed in the church because at the meeting they made comments that were not truthful. He said the first statement by the church was when they were asked to explain the tall grass, which is related to requirements of upkeep by BZA regulations, and they said the picture was taken during the 10% of the time we were not in compliance. Mr. Jackson said he knows personally, through his observation that the area is rarely maintained. The senior warden of the church indicated at the March ANC meeting there was only compliance. Mr. Jackson said when asked why the wall was not repaired they said they did repair it but people keep tearing it down. The church maintained that the wall had been reappointed at one point, but Mr. Jackson said there is no evidence of it ever being reappointed over the past five year. Mr. Jackson said for these reasons he thinks the ANC was very well justified in putting the conditions on the support for the variance for the parking lot at St. Luke's Church. Mr. Jackson said the ANC is now required to respond with a report to the BZA by June 18. Mr. Jackson said that he and Mr. Pitsor will need to file an updated report when the church makes their additional filings. Mr. Pitsor asked when the next hearing of the BZA will take place. Mr. Jackson said that St. Luke's is scheduled for July 2. Mr. Pitsor said there will need to be an administrative action to delegate Mr. Jackson as the ANC representative. Mr. Pitsor asked the representative of the church if they had their documentation ready. Mr. Epps, a member of St. Luke's, said they church had hired counsel to represent them. The counsel for the church said that the church will repair and maintain the property. Mr. Jackson said the discussion is about the parking lot and that St. Luke's has never been in compliance. He said that the drawing that had been proposed to St. Luke's would move the wall back and have other features that would lend a softer view of the parking lot. He said this was part of the requirements of the support given to the application for the variance in April. He said that leaving the wall where it is does not solve the landscaping problems. Dr. Cary said she was not clear on what the ANC was being asked to do. Mr.

Pitsor said that what is being presented is a status report on the hearing and the hearing has been held over giving the church until June 18 to prepare documentation as to their intentions requested by the BZA, and that this documentation includes issues of landscaping that was in the ANC motion, based on the request of the community. A resident said the church has failed repeatedly to work with the neighbors on the issues, and has also failed consistently to maintain the property as required by law.

Mr. Pitsor asked a resident of Church Street if it was acceptable to them that the church use the lot for church related purposes, but not as a commercial lot. The neighbor indicated they had yet to find evidence that commercial parking lots are legal in residential districts. Mr. Jackson said the church is required to provide the BZA with a formally detailed site plan approved by the vestry of the church. Mr. Jackson said that it is not acceptable to the neighbors or the ANC to just add a wooden piece to the top of the existing brick wall.

MOTION

Dr. Cary moved and Mr. Jackson seconded that ANC oppose the application for a continued variance by St. Luke's Church, 15th and Church Streets, for a accessory parking lot use for the Church Street lot. The motion passed unanimously.

MOTION

ANC 2B designated Mr. Don Jackson as representative at the hearing July 2 on the special exception variance for St. Luke's Church.

NEW BUSINESS/OPEN FORUM

A resident suggested the ANC use its powers to address some of the larger issues in the city when city funds are involved.

Mr. Pitsor reproted that the ANC had been contacted by the General Services Administration regarding an overall security review of federal buildings. The review includes street parking restrictions, barriers, and other means to ensure buildings are safe. A draft impact statement and recommendations will be prepared and provided to the ANC for comment, scheduled in December 1997.

Respectfully submitted,

Don Jackson, Secretary
ANC 2B, Dupont Circle Letters

To: HPRB
Re: Wrap Works
1520 16th Street

To: D.C. Property Office