

Minutes of Advisory Neighborhood Commission 2B (Dupont Circle) Public Meeting on April 14, 1999

Chairman Pitsor called the meeting to order at 7:35 pm. Commissioners King, Rosenthal, Jackson, DeHart and Newton were present.

ADMINISTRATIVE MATTERS

The minutes of the March meeting were approved with the correction of the hours of operation for Aki at Cafe Japone.

Commissioner DeHart presented the Second Quarter, 1999 Financial Report for approval. The significant items in this statement were the one time installation fees for phones at the Resource Center and the fact that the final employee costs were reported. Commissioner Newton moved and Commissioner King seconded approval. The motion passed unanimously. Commissioner DeHart then presented the proposed budget for the year. After discussion, it was decided that \$1,000 be added for periodic contract employee(s) to help with the ANC operations and that the \$3,000 line item for a new copier was sufficient to include a new computer, too. The budget was unanimously adopted.

Chairman Pitsor reported that notice had been received from the Board of Elections that Martha Shannon was the only person to be certified for the vacancy in SMD 2B03. Chairman Pitsor moved and Commissioner DeHart seconded that ANC2B approve the appointment of Ms. Shannon to fill the vacancy. The motion passed unanimously.

POLICE & CRIME REPORTS

Sgt. Kutniewski spoke for PSA 308. He reported an increase in robberies and that there were suspects in the cases. So far none of the robberies included violence, but the suspects are armed. Also, this increase was reported to residents over the Internet via the DCCA initiative.

Lt. Henry Berberich introduced himself as the new **Park Police** officer in charge of Dupont Circle. He sees many problems to work on immediately. He has as many as 22 plainclothes officers in the Circle on Fridays and has seen an increase in drug arrests. The dealing is unusual in that it is not one group, but many in one location. He also reported there has been an effort to clear Scott Circle of homeless people. Finally, he requested the community's input on maintenance of shrubbery in the park areas.

Officer Santiago spoke for PSA 209. The largest crime in his area is theft of office equipment, especially laptop computers, but the numbers overall are down 14% from last year.

OPEN FORUM:

Commissioner Pitsor announced several community events received by commissioners over the past few weeks: 1) hazardous material disposal day, 2) City-wide Rat Forum, and 3) Clean City Initiative.

A resident asked about the feasibility of **24 hour residential zone parking stickers**. Chairman Pitsor responded that there would be a parking review in Dupont Circle (among other neighborhoods) and asked for names of persons interested in assisting.

A resident complained about increased **prostitution activity at 16th and L Sts**. John Ralls of Jack Evans Office recommended the resident attend a meeting on 4/16 with the council member and others on that topic.

Anne Scanley asked the purpose of the yellow and black banners appearing in the business areas of the neighborhood. Chairman Pitsor responded they were put up by the Golden Triangle BID.

John Ralls reported that Council member Evans' office has most recently worked on noise issues with Donohoe Construction on P Street, trash collection problems, the Solar Building, and Stead Playground which should be resodded during May.

ISSUES

1. **United Mine Workers Building; 15th & Eye Sts. NW** Martinez and Johnson, Architects presented plans for restoring this 1912 building which was originally the University Club. Their plans call for converting the building to two floors of retail and the remaining five residential. They will also build a 130 foot addition in the parking lot that would also be retail on the first two floors with the remaining residential. There will be a total of 85-90 units and 20-50 parking spaces. Summit Properties/IBG will be managing the project. The owners and developers will be requesting historic designation for the original building in order to receive tax credits for the renovations. Several residents and commissioners praised the project for bringing another residential component to downtown.

Commissioner DeHart moved and Commissioner King seconded the following resolution which passed unanimously.

ANC 2B strongly endorses the renovation and expansion of the United Mine Workers Building and the request by the owners for historic designation.

2. **1750 Massachusetts Ave.** Andie Adams of Wilkes, Artis introduced a proposed new building for this site which is currently a parking lot. The previous plan for an office building did not materialize and the Institute for International Economics and is now planning a new design at the site for their headquarters. IIE is currently in a building on Dupont Circle. The new building will

be 65 feet tall and contain 32,800 sq. ft. The majority of the facade will be glass, with some stone work that will match neighboring buildings. Underground parking will be included and access arrangements have been made with the building next door at 1776 Mass. Ave. This will allow a garden in the back instead of the previous ramp structure. A circular front drive will be included that is only one lane wide to prevent long term parking.

Mr. von Klemperer responded to a question about protecting trees, that any lost trees would be a result of placement of PEPCO electrical vaults, not their construction. When asked about street views, especially at night, it was reported that the lower half of the windows would be striated so only light would pass and the desks would have task lighting with up lights on the ceiling so no lights would be aimed straight down. Chairman Pitsor reported that the Dupont Conservancy has supported the design with the exception of the horizontal stone spandrels. Mr. Jackson indicated he felt they were insignificant and would help the modern building blend with the more historic designs of neighboring buildings. Chairman Pitsor moved and Commissioner Newton seconded the following motion.

ANC 2B supports the concept for the IIE building and its sensitivity to the surrounding neighborhood. While ANC 2B has no objection to the stone spandrels, we prefer to not emphasize the horizontal images in the building, but will defer that decision to the design community.

The motion passed unanimously.

3. **Office of the Public Advocate.** John Fanning introduced himself, provided handouts about the services provided by his office and answered questions. The Public Advocate primarily troubleshoots relationships between residents and city agencies and serves as support staff to the mayor.
4. **Levantes, 1320 19th Street.** Commissioner Rosenthal presented Anita Fuertes, owner and Ed Grandis, attorney for the restaurant who presented plans for a sidewalk cafe. The proposed rental season is April 1 through September 30. The patio would be enclosed by ropes and stanchions at the south end and existing concrete planters for the remainder. It would include 116 seats and have operating hours of 11 am until midnight Sunday through Thursday and until 2 am on Friday, Saturdays and holidays. There would be 7 staff assigned outside. The main discussion focused on the proximity of the proposed cafe space at the Sunderland Pl. corner since many cafes are angled at corners and not square as proposed here. The owner agreed to the suggested change which would eliminate approximately 8-10 seats.

Commissioner Rosenthal moved and Commissioner Jackson seconded the following motion.

ANC 2B supports the public space request by Levante's with the stipulation that the corner at Sunderland Place be angled and not square and that the hours be 11 am until midnight Sunday through Thursday and 11 am until 2 am on Friday, Saturday and Holidays.

The motion passed unanimously.

5. **Class A liquor license renewals.** Chairman Pitsor read the list of renewals and asked for commissioner and public comment. No comments were received.
6. **Mr. P's, 2147 P Street.** Commissioner Rosenthal reviewed the status of the request for ABC renewal and the attempt at a voluntary agreement. Most recently a meeting with Ms. Rosenthal and the community, did not result in a voluntary agreement. The neighbors were concerned with ability to enforce an agreement given past conduct by Mr. P's. Ms. Rosenthal reported there was not evidence of a past agreement to violate. The question before the commission is whether to continue the protest or continue working towards a voluntary agreement.

Mr. Eli Gottesdienst expressed frustration with Ms. Rosenthal because of a changed position on the operation of the patio and the hours of proposed security staff. He also requested she recuse herself because of her pending move out of the SMD. He indicated he had a petition from the neighboring condo requesting tha a voluntary agreement include closing the patio and have daily security guards at the front door. Chairman Pitsor responded by saying that the ANC had opposed the renewal based on peace, order, quiet issues and had delegated Ms. Rosenthal to negotiate an agreement on behalf of the ANC. Mr. Chab Dunn supplied a list of 133 police calls to the address. When asked for a reason for her change in positions Ms. Rosenthal did not give specific reasons.

Seeing that a resolution was not imminent during the meeting, Commissioner King moved and Commissioner Jackson seconded that the commission close debate. The motion passed.

7. **Cafe Japone, 2032 P Street.** Commissioner Rosenthal summarized the work on the agreement since the last meeting. An agreement was proposed by the owners that included closing one-half hour earlier than their current operations. Ms. Rosenthal did not accept this because the application and license indicated earlier closing hours. She also indicated that the owners have rehired their original attorney, Mr. Osmos, since the last meeting. Mr. Osmos felt the recent letter from ABC Board Chair that all license terms would be strictly enforced was not binding given the restaurant's past operating hours with only recent complaints and that with the closing of Aki, the atmosphere would be quieter. He also indicated that the opponents had refused to meet with him to negotiate. Chairman Pitsor requested that we defer any decision until we receive a substantial change notice from ABC regarding a proposed deli expansion in the lower level. There was no opposition and the discussion ended.

COMMISSIONER REPORTS

Commissioner DeHart

The Solar Building, 1000 16th Street. Commissioner DeHart reported that the negotiations were continuing in hopes that the community would support the proposed zoning variances and

redesign of the Solar Building. In her summary of events over the past month some concessions to the community were made but the opponents felt the offers were not substantial enough. The remaining points focus on the building height and the entrance to the parking garage and their impact on the character of 16th Street. The neighborhood opponents agreed to concede on the amount of C-4 zoning provided the garage entrance was not on 16th Street.

Allison Prince of Wilkes, Artis noted the areas of agreement between the parties were that a "better" restaurant would be on the first floor, with no sign on 16th Street and smaller retail establishments would be on the K Street side of the building. Jeff Newcomb of 16th Street agreed with concerns over the garage entrance and felt that proposed profitability was driving the resistance to the neighborhood proposals.

Ben Jacobs, the owner, reviewed his position for the community. The proposed height is matter of right and the garage entrance was made smaller (more consistent with residential scales) and its use would be limited to building residents. There would be valet parking for the first floor retailers only and the sign limitations on 16th Street are more strict than DC law. Finally, DPW did not endorse the alley garage entrance because of the narrow width of the alley. Desmond Foynes a 16th St. resident concurred with Commissioner DeHart's concerns about the proposed building.

Based on concern that a K Street styled building would recast the character of 16th Street Commissioner DeHart made the following motion that was seconded by Commissioner King.

ANC 2B endorses the proposed plan for the Solar Building by the neighborhood opponents that placed the garage entrance in the alley and conceded some SP-2 zoned space to C-4 zoning.

Chairman Pitsor requested that the ANC also support the points of agreement between the parties. Commissioners DeHart and King agreed, thus adding the following to the motion:

ANC 2B also endorses the agreement by the parties to include a better restaurant on the 16th St side, there would be no restaurant signage on 16th St and that the K St. side would contain a mix of small retail.

The amended motion passed unanimously.

Commissioner DeHart requested approval to pay a **bill of \$45 to evaluate our old computer** that had shorted. It was determined that it could not be repaired. The commission approved.

Commissioner DeHart attended the **ground breaking for The Regent Condominium, 16th & R Sts.** on April 13. She also reported that **First Baptist Church has sold its parking lot at 15th & O Sts.** for a new residential development. The developer is talking with the neighbors about the feasibility of an additional underground level of parking for sale to the public.

Commissioner Newton

Donohoe Construction recently asked to be able to begin work at 7 am on Saturdays, but had a stop work order placed at the site. The neighborhood was not in favor of this request. Commissioner Newton moved and Commissioner Rosenthal seconded that:

ANC 2B send a letter to Lloyd Jordan of DCRA recommending the continued inspection of the site and enforcement of construction regulations.

The motion passed unanimously.

Commissioner Rosenthal

Notice was received from the Public Service Commission of an application for a **pay phone at 1514 21st Street**, near the Phillips Collection. Commissioner Rosenthal reported there are other phones in the area and it is not well lighted. Commissioner Rosenthal moved and Commissioner King seconded the following motion.

ANC 2B is opposed to the addition of a pay phone at 1514 21st St because of proximity to other pay phones and insufficient lighting in the area.

The motion passed unanimously.

Commissioner Rosenthal announced that she and her husband had purchased a house outside her SMD and that **she would be resigning her commission at midnight on May 12, 1999**. She thanked the commission for its support during the time she served. Chairman Pitsor thanked Ms. Rosenthal for her work. Commissioner King echoed the thanks and expressed his appreciation for meeting the challenge of serving such a diverse constituency.

There being no further business for the meeting, Chairman Pitsor announced the next meeting on May 12 and adjourned this meeting at 11:30 pm.

Donald J. Jack