

## **Minutes of the October 13, 1999 Public Meeting of Advisory Neighborhood Commission 2B (Dupont Circle)**

Chairman Pitsor called the meeting to order at 7:35 p.m. Commissioners King, Micone, Shannon, Jackson, DeHart and Newton were present.

**ADMINISTRATIVE MATTERS** Chairman Pitsor presented the previously distributed minutes of the September, 1999 meeting for approval. Commissioner Shannon noted that the address of Delta Sigma Theta sorority had two digits transposed. The minutes were then unanimously approved as corrected.

### **POLICE AND CRIME REPORTS**

**Lt. Tagliaferro of PSA 308 spoke for the Third District.** He introduced Lt. Hoey who is replacing Lt. Sichon in PSA 309. Crime was down over 19% over the last year and 4% over last month. Commissioner DeHart asked if there was an increase in car break-ins. Lt. Hoey responded that he wanted to implement a [steering wheel] *Club* drive to saturate PSA 309 to help resolve the problems. Chairman Pitsor asked about the impact Chief Ramsey's shift changes would have on the Third District. The officers requested permanent shifts which means the senior officers have first choice at preferred shifts.

Lt. Tagliaferro reported that the annual High Heel Race on 17th Street would be on Tuesday, October 26. They would probably close the street around 7 p.m. and the race would begin at 9 p.m. They were already aware of the need to keep spectators off neighboring lawns and fences.

### **OPEN FORUM**

**John Maco**, owner of Mr. P's, 2147 P St. reported that he had implemented most of the terms of the voluntary agreement. He has permits and has started rebuilding the facade to improve the building's presence in the neighborhood.

**Pam Taylor** announced that the DCCA House Tour would be on Sunday, October 10 from noon to 5 p.m.

**Commissioner King** reported that the Townhouse store at 20th and S Sts. would close on October 23 for renovations. They plan to reopen approximately December 10.

**John Fanning**, of the Mayor's Constituent Services Office announced that the Scott Circle renovations should begin on October 18.

## ISSUES

1. **Office of People's Council** Phyllis Kimmel, a Dupont Circle resident, gave an overview of her office's work representing the public on utility issues with the exception of cable TV and water service. She gave an overview of the protest process for public pay phones. The Public Service Commission will soon be distributing new rules for complying with the Telecommunications act of 1996. Council member Catania asked about future phone installations on public space. Ms. Kimmel responded that they may not favor any one company and must evenly apply zoning laws.

OPC is also concerned that the current PEPCO proposal to divest its power plants in preparation for competition only provides minimum benefit for ratepayers. Larry Sprouls asked if phone rates based on income levels were discriminating. Ms. Kimmel responded that they were approved by the PSC.

2. **PEPCO** Ted Trabue, Manager of DC Government Relations, gave an update on current electricity issues. First, they expect no computer problems during the Y2K rollover and received a favorable rating from FERC. Second, they are meeting all goals on minority contracting in DC. Finally, he spoke on electric competition issues. Because of PEPCO's smaller size they do not expect to be a power producer, rather a regional distributor to consumers. Their divestiture proposal is consistent with plans in other states and would provide money to improve the infrastructure which would then improve reliability.
3. **Starbuck's, 1301 Connecticut Ave. NW**, Joe Spinelli, a Starbuck's consultant, introduced their plans for a sidewalk cafe at this location. They are proposing a moveable fence of interlocking panels with their logo inset on each. All furniture would be removable. There would be approximately 20 seats. One person will be assigned to clear tables. The usage period would be March to November with hours until 8 pm to 9 pm in warmer months and until 5 or 6 pm in cooler months. They will go before the Public Space Committee in November.

Commissioner Micone indicated that he was opposed to using the space at the front door on N Street because of obstructing pedestrian flow. He also suggested that the logo on all the fence stanchions was excessive. Commissioner Shannon agreed with Mr. Micone and added that the entrance to the shop was stunning and seating in front would detract from the appearance. She was also concerned about the trash storage on the 18th Street side of the building. Chairman Pitsor requested that the trash issue be dealt with separately.

Mr. Pitsor moved and Commissioner Shannon seconded that:

ANC 2B support the application by Starbuck's to use the 18th St side of the building with approximately 10 seats and that we oppose the seating in front of the building at 1301 Connecticut Ave. at N St. noting the impact on aesthetics and pedestrians.

Commissioner King expressed concern that we were supporting one public space use for a business that was potentially violating other public space usage. Commissioner DeHart felt that passing the motion would set a precedent for future trash storage on similar streets. Commissioner Micone repeated his concerns regarding the approximately 28 feet of advertising on public space. He felt that 2 or 3 logos would be sufficient.

Chairman Pitsor moved and Commissioner Micone seconded that ANC 2B table a vote on this topic until the November meeting. The motion passed unanimously.

4. **Parking Task Force Report** Commissioner Micone, chair of the task force, reported that more time was needed to insure the accuracy of the walk around survey report before implementing changes. The next meeting will be on October 26 at the Women's National Democratic Club.
5. **Phillips Collection 1600 21st Street.** Peter Mazack of Arnold & Porter, attorneys for the gallery and David Cox of Kress-Cox Architects presented plans for expansion of the gallery into the adjacent building at 1618 21st St. They plan to develop a Center for the Study of Contemporary Art as a memorial to Duncan Phillips, founder of the gallery. They will be going for HPRB review in November.

The conceptual plan calls for the back of 1618 to be squared off. The cafe will move the main house to the rear of 1618 where there will be a new garden space. They will also excavate two levels below grade for one level of parking for 34 spaces and a 250 seat auditorium. The current main entrance to the gallery will also be modified and the lawn would be removed to create a staging area for visitors. The existing carriage house, currently used for storage, will be converted to seminar rooms and possibly housing for visiting scholars. The latter renovations would include restoring the original arched doors which were squared off in recent years.

Commissioner Shannon asked for changes in attendance levels since the last expansion and the projected increases with the new space. Robert Morris of the gallery agreed to bring the report to the November meeting. He did not anticipate a large increase since the purpose is to redistribute existing administrators and create a small amount of new gallery space. Chairman Pitsor asked if zoning variances were needed. Mr. Cox responded they may need a FAR and subdivision variances.

Commissioner DeHart asked about the number of employees and their transportation methods. There are 73 and they primarily use Metro. Commissioner King asked about public benefit given the removal of the apartment building from the tax rolls. The gallery expects that the increased shop sales and food taxes would offset the tax losses. Chairman Pitsor asked about the lack of symmetry in the stone and glass entrance enclosure. Mr. Cox responded with his interpretation of how the combination of materials especially the glass would be create symmetry. Mr. Pitsor also expressed his preference for landscape design rather than the proposed hardscape.

Pam Taylor, a resident, expressed concern about the massive size of the combined buildings given they were all of the same materials. She recommended they consider the townhouse style recently developed in the 2200 block of N Street. Commissioner Micone expressed concerns about the displacement of residents and the need for detailed construction plans to lessen the impact on the neighborhood. However, the additional parking was greatly appreciated. Since HPRB will not meet until after our November meeting no action was taken.

6. **Delta Sigma Theta Sorority, 1703-1709 New Hampshire Ave.** Madelyn Dobbin, attorney for the sorority, presented their request for a special exception. The sorority plans to combine the lots which will be non-conforming use in a Historic District. The proposed building changes will also exceed lot and FAR restrictions at 1703 NH and FAR at 1707 NH. They will maintain the 13 parking spaces. there will be no change in the number of staff as the expansion will allow them to spread out and provide more archive space.

Commissioner Shannon moved and Commissioner Micone seconded:

ANC 2B send a letter to BZA supporting the proposed new construction to the property at 1705 New Hampshire Ave. NW by adding 3 floors and the addition of one floor at 1703 New Hampshire Ave. NW. ANC 2B also supports the variance required for non-conforming use.

The motion passed unanimously.

## COMMISSIONER REPORTS

**Commissioner Micone** reported on a meeting regarding the on-going ABC renewal efforts by Cafe Japone. The meeting was helpful, but they have still not come to a voluntary agreement. There will be a protest hearing in late November.

**Commissioner Newton** reported that she had received word from DPW that two alleys in her SMD would be repaved with brick instead of concrete.

**Commissioner Jackson** reported that he had received word from Council member Evans' Office that a bill was pending to formalize restrictions on Q Street restricting heavy vehicles and allowing parking on the north side at all time, but the bill did not include the bus restrictions as currently posted on the warning signs. Commissioner Jackson moved and Chairman Pitsor seconded that:

ANC 2B send a letter to Karen Benefield and to Council Member Evans' office supporting the Docket 99-06-TS and Docket 99-10-TS but with the inclusion of a prohibition on busses.

The motion passed unanimously.

**Commissioner DeHart** reported that on October 18 the University of California would be holding a ground breaking at their site in the 1600 block of Rhode Island Ave. The completed building will house approximately 300 students and include administrative offices and classes.

**Commissioner King** reported that Mediterranean Blue, 1910 18th St. has a new owner who is applying for the existing ABC And other permits. Because there are ~~new~~ changes being requested they will not be making a presentation as previously reported. ns

**Commissioner Pitsor** reported that the US Park Service has received a \$200,000 appropriation for renovating Dupont Circle. They will be coming to a later meeting with design plans. The Park Service also received \$25,000 from the University of California. Commissioner King recommended that good news such as this should be made during Open Forum when the audience is usually larger.

### **OLD BUSINESS**

Commissioner Pitsor then moved and Commissioner Micone seconded that:

ANC 2B adopt the petition jointly filed in July with DCCA to renew the West Dupont ABC Moratorium .

The motion passed unanimously.

Commissioner Pitsor then added that after our July meeting he received correspondence form the American Council on Education at #1 Dupont Circle. There was a previous rulemaking exempting that address from the moratorium zone. This building is under renovation and they are planning an upscale restaurant in the space and will include parking in the buildings underground garage..

Commissioner Pitsor then moved and Commissioner Newton seconded that:

ANC 2B support at the November 3 ABC hearing the exception to the West Dupont ABC Moratorium for #1 Dupont Circle.

Mr. Micone added that the support should be contingent upon use of the buildings underground garage for the new restaurant. The additional language was accepted and the following motion was unanimously approved:

ANC 2B support at the November 3 ABC hearing the exception to the West Dupont ABC Moratorium for #1 Dupont Circle provided that the underground parking garage in the building is available to the proposed new restaurant.

Chairman Pitsor then recommended that we send a letter to the University Club thanking them for their support of Stead Playground and a letter to Ruppert Landscaping thanking them for donations of materials and labor to renovate the playground. There was no opposition to the letter.

Finally, Mr. Pitsor reported that Metro was considering a subterranean space, south of the circle, for their emergency generator for the Dupont Circle station.

## NEW BUSINESS

1. **Ann Seminara, 1727 Massachusetts Ave, NW**, accompanied by several other Massachusetts Avenue residents, expressed her opposition to the decision by ANC 2B to support the Planned Parenthood Headquarters relocation to the former Yater Clinic Building at 18th Street and Massachusetts Ave. Ms. Seminara indicated that the list of property owners from BZA used to provide notice of the hearings contained errors and was incomplete based on her polling of residents of the Winthrop and Palladium condominiums. Also, they were uncomfortable with the presence of an organization that felt the need to install a security fence around the property. In addition to the zoning issues, her contingent was opposed to the work of Planned Parenthood.

Chairman Pitsor asked that discussion be limited to whether due process was followed in the BZA hearings and that we not evaluate the merits of Planned Parenthood as an organization. Chairman Pitsor then offered to send a letter to BZA notifying them of the irregularities in their property list and requesting a report to the ANC on the overall notice procedure for hearings. Commissioner Jackson suggested that a copy of the letter also be sent to Council member Patterson as chair of the Government Operations Committee. Chairman Pitsor also offered to send a letter to HPRB asking for information on the proposed fence to insure that the current Planned Parenthood proposal was consistent with their presentation to the ANC. The commissioners supported both letters.

2. **Commissioner King** recommended that the ANC purchase a folding easel for use at meeting since we regularly have need for one. Chairman Pitsor added that we needed to approve \$200 for expenses by the Parking Task Force for copying and mailing of notices. The commission unanimously approved \$200 expenditure for the Parking Task Force and up to \$50 for the folding easel.

Chairman Pitsor announced the next public meeting of ANC 2B would be on November 10 and adjourned this meeting at 10:47 p.m.

Respectfully submitted,

