

## **Minutes of the August 9, 2000 Public Meeting of Advisory Neighborhood Commission 2B (Dupont Circle)**

Chairman Pitsor called the meeting to order at 7:38 p.m. Commissioners King, Micone, Shannon, Jackson, DeHart and Newton were present.

**ADMINISTRATIVE MATTERS** The minutes of the July, 2000 meeting were approved as distributed.

### **POLICE AND CRIME REPORTS**

There was no representation from MPD. Chairman Pitsor reported that he had contacted the Third District to remind them of the meeting.

### **OPEN FORUM**

**Chairman Pitsor** reported that petitions were available for upcoming ANC elections and that the last filing date was September 8.

**Mr. Richards of the Palladium Condominium** renewed his complaints about trash control problems at Luna Cafe on Connecticut Ave. He recommended that the ABC license renewal be protested until the problems are resolved.

**Commissioner King** pointed out that our ANC was having a full business meeting in August unlike City Council or Congress

**Commissioner Micone** announced that the Parking Task Force would have its public review of the report on September 20; 7:30 pm at the Jewish Community Center.

### **ISSUES**

- 1. Q Street Bus/Truck Restrictions** Commissioner Micone reviewed the history of the ANC work to restrict bus and truck traffic on Q Street from Massachusetts Ave to 11th Street. At METRO's objections, DPW wrote the legislation from Connecticut Ave. to 11th Street. Residents of the 2000 block of Q requested the ANC to continue efforts to restrict large vehicle traffic in that block. Commissioner Micone moved and Commissioner Jackson seconded that:

ANC 2B requests that DPW extend the Q Street bus and truck restrictions as originally requested and include signage at Massachusetts Ave exempting METRO busses.

The motion passed unanimously.

2. **Public Space request by Firehook Bakery, 1909 Q Street** Commissioner Micone reported that ANC 2B previously supported Firehook's request for a sidewalk cafe. The Public Space Committee denied the request because only restaurants can have sidewalk cafes. Firehook is classified as a deli/bakery and can only have a tables and chairs permit for set up for a maximum of 8 hours per day. Firehook is proposing to use 6 tables and 12 chairs. There will be no planters surrounding the area as previously proposed. They tables and chairs will be moved to the basement each day. Commissioner Micone, recognized the support of the building tenants. There being no objections at the meeting Commissioner Micone moved and Commissioner Shannon seconded that:

ANC 2B support a table and chairs sidewalk permit for Firehook Bakery with a seating capacity of 12 seats.

The motion passed unanimously.

3. **St. Luke's Church BZA Applications** Commissioner Jackson gave a review of the history of the two parking lots owned by the church and which are the subjects of the two applications. Because of neighborhood complaints in 1997 the BZA prohibited all use of the Church St lot and limited the P St lot to be used only during church use. The order had a two year duration and the church is now asking for renewal of P St usage exception and reapplying for use of the Church St lot.

Ms. Ruby Van Croft, Sr. Warden of St. Luke's reviewed the details of the church's applications which include: congregational use of both lots; no commercial operation; ability to allow occasional use of the P St lot by local non-profits who regularly request use; the church will remove the asphalt on the public space on P Street, organizing an on-going community relations committee; and contract cleaning of the lots 3 days per week and by church members at other times.

A resident inquired why work had stopped on the handicapped ramp on Church St. The church received a stop work order because inspectors felt the ramp was several inches over public space. George Nichol, Jr. Warden, responded that subsequent surveys showed that the ramp is not in public space and that the church hopes to have the situation resolved before the BZA hearing on September 5. So far this has been a one year project.

A neighbor on P Street requested that the parking attendant's shed and pay phone be removed. The shed has become an eyesore and the phone is not necessary and attracts too many people many of whom park on public space.

Jeff Hopp, a Church St neighbor, provided the commission with a copy of a report he compiled that included pictures of the lot prior to and since the last BZA hearing. He is still opposed to the use of the lots. He does not feel the properties have been properly maintained, he is not convinced the new leadership will follow through on promises to improve the property given the

low priority of the handicap ramp project, and he feared that use of the lots by organizations would increase trash and lead to a commercial operation again. He is not opposed to periodic church festival use of the Church Street lot.

Mario Mariarchi of the Institute of World Politics (16th & Church Sts) reported he supports the use of the lots by other groups because his graduate students need parking when attending classes. A resident of the Stonesdale Condominium indicated that the organizations who are requesting use of the lots have helped renovate buildings and improve the character of the neighborhood and we needed to find a way to help them.

Wade Guillory expressed appreciation for the church's recent neighborhood communications. He feels that providing parking for commercial and other organizations is the city's responsibility and should not be realized by neighborhood church parking lots. He questioned the appropriateness of the curb cut on Church Street since it is narrow and all residential. Finally, if contracts are entered into with organizations, it will create the appearance of a commercial operation even if no money is transferred.

Charles Lewis, a member of St. Luke's and a 15th Street resident supports the church's use of their lots over double parking on 15th Street on Sunday mornings.

Commissioner Newton reported that she visited the property and felt it was well maintained at this time. Commissioner Micone reported that he saw favorable improvements, but that the attendant's shed should be removed and the Church Street entrance closed. He expressed appreciation for the improvements and hoped that St. Luke's would continue their efforts. Commissioner Pitsor expressed appreciation for the recent communications efforts. He considered the Parking Task Force report along with St. Luke's request and therefore supported the P Street usage and felt that neighborhood usage was more consistent with the regulations than organizational use. However, he requested that the asphalt on the P Street public space be removed.

Ms. Harris, of Rhode Island Avenue and St. Luke's Church requested that the neighbors let go of the past. There have been numerous improvements in the neighborhood and having the parking lots there would not impact the overall area. Additionally, the church has made improvements and has new leadership so they should be trusted to act responsibly.

Commissioner Jackson, commissioner of jurisdiction, reported that he had given this case great consideration. He appreciated the improvements in the property and the recent community meetings. He had also seen the P Street lot overflow on several Sunday mornings indicating that there is a need for the church's use of the Church St. lot. The shed and pay phone on the P Street lot were problematic as is the entrance on Church St and the maintenance of a fence on that property. The problems with ticketing and towing of resident parkers in the past were probably a result of inadequate signage which would need to be improved with continued use. At the previous hearing, BZA was clear that accessory uses had to be within the street boundaries where

the lot was located and the law in DCMR 11 was also clear about this. With this the following motion was made by Commissioner Jackson and seconded by Commissioner Shannon:

ANC 2B supports the approval of special exception request #16593, St. Luke's Episcopal Church, Church St property, for an accessory parking lot for a period of two years only on the following conditions: 1) the lot would be used for church activities only, 2) all access would be from the alley and the entrance on Church Street be closed and the sidewalk and curbs restored, 3) additional trees be planted in the Church St. entrance to complete the screening, and 4) the fence on the east side of the property be removed.

The motion was passed unanimously. Commissioner Jackson then introduced the following motion for the P Street property that was seconded by Commissioner Micone:

ANC 2B supports the renewal of the special exception request #16594, St. Luke's Episcopal Church, P Street property, for an accessory parking lot for a period of two years only on the following conditions: 1) the primary use would be for church activities, 2) the church will remove the asphalt on the P Street public space and restore it to green space, 3) remove the attendant's shed, 4) relocate the existing pay phone to the corner of 15th & P Sts rather than by the P Street entrance, 5) the P Street entrances would be roped off when not in use by the church, 6) there be no organizational contracts for use of the lot, and 7) the church may leave the alley entrance open for individual neighbor use outside of church use provided explicit signs are posted stating the standard times of church usage.

The motion was passed unanimously.

- 4. Discussion of pending Rent Control Legislation.** Chairman Pitsor introduced Jim McGrath, Chair of TENAC (a tenants' association) to discuss the issue. Mr. McGrath reported that the Control Board has attempted to gut the existing legislation. In the current market, many classes of people are priced out of the rental market and DC is becoming a bi-polar city--only for the very rich and very poor. He requested the ANC support the efforts of TENAC and other groups to renew the legislation and maintain a variety of housing stock. Chairman Pitsor then moved and Commissioner Shannon seconded that:

ANC 2B send letters to the Council, the Mayor, and Congress woman Norton requesting the renewal and enforcement of rental housing price protections in the law and that the legislation be renewed for a period of 5 years.

The motions passed on a vote of 6-0-1 with Commissioner King abstaining because of the relation of his employer, the Office of Planning, to the legislation discussions.

## **5. ABC Renewals**

XANDO, 1647 20th St. Commissioner Micone reported that there have been ongoing problems

controlling trash and with parking on public space. Commissioner Micone moved and Commissioner Shannon seconded that:

ANC 2B opposes the renewal of XANDO, 1647 20th St, ABC license, because of trash and parking problems.

The motion passed unanimously.

Luna Grill, 1301 Connecticut Ave., Chairman Pitsor moved and Commissioner King seconded that

ANC 2B opposes the renewal of the ABC license for Luna Grill, 1301 Conn. Ave because of ongoing sanitation problems despite their being recently fined.

The motion passed unanimously.

Club Chaos, 1633 Q St. Commissioner Shannon reported that she had met with the owner regarding the renewal because of concerns about noise from the establishment and from patrons. The matter seemed to be resolved by voluntary agreement. Commissioner Shannon moved and Commissioner Newton seconded

ANC 2B supports the renewal of the ABC license for Club Chaos with the inclusion of the voluntary agreement and provided that the establishment install several permanent and prominent signs reminding patrons of the residential location and they assign a door monitor to specifically remind patrons of the location to restrict noise and not linger on nearby streets.

The motion passed unanimously. Commissioner Shannon then moved the following which was seconded by Commissioner Newton:

ANC 2B request the ABC Board review the description of the entertainment offered and compare it for consistency with the license. Additionally, ANC 2B would request that DCRA investigate Club Chaos' signage and use of sandwich board advertising for compliance with regulations.

The motion passed unanimously after minor discussion.

## **COMMISSIONER REPORTS**

**Commissioner King** reported that he had entered into a voluntary agreement with Mediterranean Blue covering neighborhood concerns about sanitation and noise.

**Commissioner DeHart** reported that the work on the Scott Circle renovations was stopped because there was improper removal of lead paint. Also, the 1500-1700 blocks of O Street would be totally replaced in 2001. Chairman Pitsor added the Head of Transportation at DPW would be at our next meeting to discuss street repair plans for Dupont Circle. In response to a question about resolving sanitation issues with the restaurants backing up to Stead Playground, Commissioner DeHart reported that the Mayor's Clean City Program representative was taking the lead and that things were looking optimistic.

**Commissioner Jackson** reported that he had worked out an agreement with the JCC concerning trash collection and the letter opposing their renewal was not submitted.

**Commissioner Newton** reported that the ABC renewal for the Mansion on O Street was postponed until after the pending court case.

**Commissioner Shannon** reported she had met with the S & T Sts park volunteers recently and that several issues still need to be resolved before renovations may begin.

**Commissioner Pitsor** recognized the presence of Lyle Blanchard of Council member Evans' Office and reported the Mr. Blanchard would be leaving that position for private law practice. Chairman Pitsor thanked him for his work in Ward Two. Mr. Blanchard reported the June Hirsch would be returning to Dupont Circle as a representative of the council members office.

## **OLD BUSINESS**

**METRO Station Entrance Canopies** Chairman Pitsor reminded everyone that all comments are due by September. Commissioner Micone reported that the comments he received were that Dupont Circle should either be exempted from the new requirement or it should receive a totally unique solution. Chairman Pitsor agreed with these comments and added that the standard structure proposed for the 19th Street entrance was too large next to a landmark building. Chairman Pitsor then moved and Commissioner Micone seconded that:

ANC 2B send a letter to METRO indicating that the 19th Street entrance to the Dupont Circle subway station is unique. The standard canopy design is not appropriate because it is too massive and that a simpler design would be preferred and METRO should return to ANC 2B with alternative designs. Additionally, ANC 2B recommends that the Q Street entrance not be covered by a canopy and that METRO seek an exemption to the new regulations. If an exemption is not possible, this station warrants a totally unique canopy design as the standard design would not be appropriate.

The motion passed unanimously.

## **NEW BUSINESS**

A resident complained about DC Government trash and recycling pick-ups prior to 7 am. Chairman Pitsor agreed to contact DPW on this issue.

A resident complained that the gas line replacement on Connecticut Ave was upsetting the treebox frames and that a police call box at 18th & Corcoran was removed despite plans to have them renovated. Commissioner Micone agreed with the gas line problems and expressed disappointment with the time it has taken and the disruption it has caused especially with handicapped ramps.

A resident inquired about the status of the former Harlow Hair Design property. He heard rumors it was going to be converted to a mini-mall and asked if there was some way the neighborhood can control some of these conversions and maintain the neighborhood character. Several commissioners offered reasons based on past experiences why we cannot control commercial use of commercially zoned property. Commissioner King reported that the Office of Planning has hired a new Ward Two Planner who will begin visiting ANC's to better understand issues like this one.

Chairman Pitsor announced the next public meeting on September 13. This meeting was adjourned at 10:30 p.m.

Respectfully submitted,



Donald Jackson,  
Secretary