

ADVISORY NEIGHBORHOOD COMMISSION (DUPONT CIRCLE)
PUBLIC MEETING AGENDA
9 DUPONT CIRCLE, NW; WASHINGTON, DC 20036

Wednesday May 9th, 2001, 7:30 p.m.
St. Thomas Parish 1772 Church Street, NW

At 7:30 p.m., Chair Vince Micone called the meeting to order. After encouraging everyone to sign in and informing those attending of the 2nd quarter financial statements of ANC 2B and other documents of public interest that were available for the public to have, Chair Micone introduced the Commissioners who were in attendance: Norma Zane Chaplain (2B01), Iv Morgan (2B07), Doug Damron (2B05), Jeff Hopp (2B04), David Jolliffe (2B03), and Vince Micone (2B02). Marilyn Newton (2B06) was absent due to a death in the family.

The Chair then recognized and congratulated the new second vice president of the Dupont Circle Citizens Association, Mr. Jim Ostryenic, and congratulated the new president of the DCCA, Mr. Mike Fasano.

LOCAL POLICE AND CRIME REPORTS

- MPD Officer Reid of PSA 209 stated that there had been a decrease in crime in that district of 24.16%.
- MPD Officer Crandall of PSA 308 stated that the MPD would be registering bikes for only \$1.00 at the Safeway on 17th Street. The first day for registering bikes will be on Saturday, May 19th.
- In PSA 308 there has been an overall decrease in crime of 7%.
- Lt. Eyester reported a decrease in crime in PSA 307 and that there will be more uniformed and plain clothes officers at night in PSA 307.
- Lt. Groomes of PSA 309 reported a decrease in crime in her PSA.
- Public Safety Meetings were announced. These meetings will have workshops and other topics of public interest on how to make the PSA work more effectively for the neighborhoods.
- Commissioner Morgan asked Lt. Groomes to look into a situation about cars that were not ticketed for not being moved on street cleaning day and certain cars that were ticketed. It appeared to Commissioner Morgan that some older and dirtier cars with trash around the wheels and on the windshield were not ticketed and that newer cars that did not seem to have been there long but were not moved were ticketed.
- Commissioner Morgan raised another issue concerning construction going on in a building owned by John Hopkins behind the Commissioners apartment. Noisy construction work was occurring around midnight and neighbors got into a confrontation with the workers who appeared to have been drinking. An officer was summoned who

told Commissioner Morgan that the construction workers had a permit and that they were within the time period of the permit. As this was contrary to DC Law, Morgan asked to talk with the officer's supervisor. No supervisor would respond and the officer drove off. Lt. Parks was asked to look into this. Lt. Groomes stated that 311 is the number to call for a supervisor and should be staffed on a full time basis.

- Mr. Bias who lives in the neighborhood stated that there are very aggressive panhandlers, some are very intimidating males, blocking the entrance to the Seven Eleven in the 1700 block of 17th Street. He further stated that police cars double park in front of the Seven Eleven and other citizens follow suit. Mr. Tim Mahoney of 17th Street stated that more than a week ago at 15th and Corcoran five loud successive noise erupted that sounded like gunfire. The police were called and five cars responded in one and ½ minutes for which Mr. Bias congratulated and commended the Police department. He went on to say that he too had observed that there was a lot of trash up and down 17th Street on both sides of the Seven Eleven and that a lot of the trash had the Seven Eleven logo on it. There was also the problem of two very aggressive women one of whom is always drinking and often drunk and abusive to those trying to get into the Seven Eleven One of the women has also been seen naked. Mr. Bias and Mr. Mahoney were curious as to how to file a public nuisance complaint against the Seven Eleven as the manager has not been cooperative with the speakers concerning the panhandlers, noise, and trash outside the Seven Eleven.

- Mr. Clark Ray, the new Neighborhood Services coordinator for the ANC, stated that this is the kind of discussion that should go on at the Public Safety Meeting.

OPEN FORUM AND ANNOUNCEMENTS

The Manager of the Dupont Circle CVS Pharmacy for 2 and ½ months stated that there was a problem with trash in front of the pharmacy was that a maintenance company had been hired to remove trash. He noted that CVS had not been doing a good enough job and that this situation would be rectified

The new planner for Ward 2 Mr. Chris Shehan was introduced. He stated that he is scheduling a series of workshops to identify resident issues.

ISSUES

1. Bicycle Lanes and Issues.

Michael Schade and Eric Gilliland of the Washington Area Bicyclist Association presented a resolution to the Commission concerning bike lanes through out the city and in particular the Dupont Circle ANC area. There was discussion and questions from the audience but no action was taken since the Commissioners want to consult with the Department of Public Works to determine what plans are already under consideration.

2. Healthcare Reform

Dr. Jonathan Arden , Medical Examiner for the District of Columbia, representing the Mayor's office made remarks about the Mayor's new health services plan. He stated that DC General is not closing, but that some of the services previously rendered by DC General are now being transferred to other clinics and hospitals in the District. The Emergency Room at DC General is not being closed. In fact, he noted that outpatient services remain open for the public. Care Centers, some hospital based and others free standing, are being set up throughout the city. There was no debate as this was a courtesy to the Mayors office to present information.

3. Capital Pride. Larry Stansberry and Cecile Ward representing Capital Pride informed the Commission of the June 10th three mile parade which will marshal at 8:30 am at 23rd and P and start at 11:00 am and proceed along P Street through Dupont Circle then using New Hampshire to R to 17th down to H and down 15th to Pennsylvania Avenue. Stansberry stated that appropriate permits had been obtained and that Commander Beech's officers would be contacted. The Festival will begin at 11:30 am. Chair Micone moved and Commissioner Morgan seconded a motion in support of the Capital Pride Festival and Parade. The motion passed UNANIMOUSLY there being no nays and no abstentions.
4. Proposed Neighborhood and Dog Park at the Scottish Rite Temple (2B04)
A Mr. Silverman speaking for the Logan Circle Citizens Association and ANC 2F requested that the Dupont Circle pass a resolution supporting the park even though negotiations are still going on between the neighbors and the Scottish Temple. After Hopp moved and Jolliffe seconded, support for the park was unanimously approved.
5. BZA Application #16728, A Special Exception Request to Allow a Percentage of Lot Occupancy in Excess of that Allowed a Single Family Dwelling, 2105 N Street NW (2B06). The owner/applicant Mr. Robert Cogswell was present. This application involves putting up a carport where a garage had been but had been torn down and he stated that neighbors were aware of the situation and that he had sent notices to 480 owners. Micone moved that the ANC pose no objection to the application and Morgan seconded the motion which passed with one abstention (Chaplain).
6. ABC license Renewals: (2B01) Levante's, Gallery Liquors, Grape Finds, State Liquors, The Phillips Collection, and Connecticut Avenue Wine & Liquors(2B02); Cairo Liquor (2B03); Downtown Spirits & Deli (2B05); and Bell Wine & Liquor, Pan Mar Liquors, Imperial Liquors, LaSalle Liquors, Lawsons Gourmet, and S & R Liquors (2B07).
Subject to an ongoing mediation involving the Phillips Gallery, the neighbors, and ANC 2B, Micone moved and Morgan seconded to protest the Phillips Gallery application for ABC renewal. Motion passed UNANIMOUSLY.

There being no objections to the renewal applications for Universal Liquors, Levante's, Gallery Liquors, Grape Finds, State Liquors, Connecticut Avenue Wine & Liquors, Cairo Liquor, Downtown Spirits & Deli, Bell Wine & Liquor, Pan mar Liquors, Imperial Liquors, La Salle Liquors, Lawsons Gourmet, and S & R Liquors, no objections were posed to any of the above.

6. New ABC License Applications: Spezie (CR – 1736 L St.) and Penang (Cr- 1837 M St.).

Since attorney Andrew Cline, who was present, represented applicant Spezie,

Commissioner Morgan publicly disclosed that the same attorney represented his present employer in an ABC application, but that attorney Cline had no supervisory role over Mr. Morgan nor any hiring or firing authority. Morgan moved that ANC2B support this application and request a stipulation to allow alcoholic beverage service immediately. Cline was asked to draft an appropriate letter. After a second by Damron, there being no nays or abstentions and the Ayes being UNANIMOUS, the motion passed UNANIMLOUSLY.

Penang 1837 M Street. There were no objections noted to this new application.

7. Proposed Public Space Request of an Eenclosed Sidewalk Café at 2175 K St., NW(located in ANC 2A; immediately adjacent to 2B07).

Since this was an adjoining ANC it was for comment only. No action taken.

8. Proposed Public Space Request for an Enclosed Sidewalk Café at 2033 M St., NW (located in ANC 2A; immediately adjacent to 2B07). Since this was in an adjoining ANC it was for comment only. No action taken.

10. Proposed Expansion of the Governor's House Hotel at 17th and Rhode Island Ave., NW (2B05); for information only, BZA case not yet submitted.

Larry Lipnick of the Governors House Hotel presented plans by way of architectural drawings of the proposed 20,000 square foot addition to the hotel. Parking needs and plans were also addressed.

11. Commissioner Hopp presented the Quarterly Financial Statement, after which he moved and Chaplain seconded adoption. UNANIMOUSLY approved. Chair Micone moved and Commissioner Hopp seconded that five hundred dollars (\$500.00) be moved from line item Grant to line item Staff making staff \$4500.00 dollars and that the remaining \$500.00 dollars in the Grant line item be distributed as follows: \$250.00 towards the cost of the mediation involving the Phillips Gallery, the neighbors, and the Dupont Circle ANC and \$250.00 towards the mediation costs of the O Street Mansion , the Neighbors, and the Dupont Circle ANC.

12. Minutes from the Meetings of March 14th and April 11th were UNANIMOUSLY approved as presented.

13. ANC Amendment Act of 2001. The Chair moved and Commissioner Hopp seconded that the Dupont Circle Advisory Neighborhood Commission (ANC 2B) support the passage of this act. The motion carried with one abstention (Chaplain).

14. Notice of temporary alley closure in excess of one day. Chair Micone moved and Commissioner Chaplain seconded that the DCRA notify the Dupont Circle Advisory Neighborhood Commission of any alley closure within ANC 2B in excess of one day.
The motion carried UNANIMOUSLY there being no nays and no abstentions.

15. Commissioner Reports.

Commissioner Chaplain (2B01) reported that Voluntary Agreements had been reached in three cases, Larry's Lounge on the corner of 18th and T Streets, Caribbean Caravans on 18th Street and builders of a proposed new apartment building on the corner of 18th and R Streets.

Commissioner Damron reported that there were street lights out near the General Scott building and that after extensive investigation he learned that the adjacent lights and the lights on the overpass near by are the responsibility of the National Park Service. Damron moved and Hopp seconded that a letter be written to the National Park Service requesting that these lights be replaced or fixed. There being no nays and no abstentions, the motion carried UNANIMOUSLY.

Chairman Micone reported that a Voluntary Agreement in the matter of BZA application #16688 had been reached concerning the trash and noise complaints of the neighbors. Wrapworks, a tenant of the applicant, has agreed to move the offending air-conditioners to the basement of the building. The applicant further agreed to mitigate construction noise, provide enclosed trash receptacles, and provide better trash maintenance (receptacle and removal) during construction.

Commissioners Hopp and Jolliffe had no reports.

There being no Old Business or New Business the Dupont Circle Advisory Neighborhood Commission (2B) ADJOURNED without objection at 10:00 pm.

Frank M. Montgomery
Executive Director ANC 2B

**DUPONT CIRCLE ADVISORY NEIGHBORHOOD
COMMISSION (2B)**

**May 30 Special Meeting
Hotel Barcelo, 2121 P Street NW
7:30 PM Freer Room**

Chair Vince Micone called the Special Meeting of the ANC 2B to order at 7:30 PM. The Chair invited the Commissioners present to introduce themselves. Commissioners Doug Damron (2B05), Marilyn Newton ((2B06), David Jolliffe (2B03), and Irv Morgan (2B07) were present. The purpose of this special meeting was to consider two public space requests by two businesses in the area.

- 1. Public Space Request for Mimi's Bistro located at 2120 P Street. NW for use as an Unenclosed Sidewalk Café.** Andy Shalal, owner of the restaurant, was present. After discussion which included comments made from the public present, including Mike Fasano, President of the Dupont Circle Citizens Association, neighbors and other interested citizens that the proposed sidewalk café was for 24 seats; that there was a 10 foot clearance between the flower boxes and the café; that some of the chairs might sit atop PEPCO grates (possible violation of DC Code/Regs. 206.4), that residents of a nearby apartment building had been notified by the placement of notice of meeting for the Public Space Request in the apartment building by Commissioner Newton; that the tables (30 inches in circumference) and chairs would be of wood grain plastic construction; Commissioner Newton moved and Commissioner Jolliffe seconded that ANC 2B support and approve the Public Space Request of Mimi's Bistro, 2120 P Street NW for an unenclosed sidewalk café at that address with the understanding that the sidewalk café would have to close earlier on weekdays and weekends per an ANC 2B requirement and that trash collection would increase from 5 days to 7 days a week and that some seats might be lost if PEPCO or the DC Code disallowed chairs on PEPCO grates. Upon a vote the motion passed UNANIMOUSLY, there being no Nays and no Abstentions. There was discussion after the vote as to the effect of this on being able to serve alcoholic beverages in the sidewalk café. The owner, Mr. Shalal had been give incorrect information as to this and was told he need to file a substantial change request with the ABC Board to be able to serve alcoholic beverages on public space.
- 2. Public Space Request for McCormick & Schmick's Seafood Restaurant, 1652 K Street, NW for use as an unenclosed sidewalk café.** Present at the meeting were Pat Collin manager of the Restaurant and Mr. Michael Fonseca, attorney for McCormick & Schmick's. It was discovered at the outset that this was not a request for use of a public space but was a request for approval of a substantial change request

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to an ABC Permit to allow the serving of alcoholic beverages in the sidewalk café that had been approved in 1997. When McCormick & Schmick's got approval for use of a Public Space as an unenclosed sidewalk café, they failed to apply for a substantial change request to their ABC License to allow the sale of alcoholic beverages on a public space. When time came to renew their ABC License, the error was discovered and an attorney was hired – Mr. Fonseca. The Restaurant had not been represented by an attorney when the public space request was made without also applying for a substantial change in the ABC license. Chair Micone noted that the Notice of Public Meeting erroneously stated that McCormick & Schmick's request was for use of public space as an unenclosed sidewalk café. The Commissioners all agreed that they could proceed even though the notice was inaccurate as to the request. Commissioner Damron, in whose district this Restaurant resides, stated that the area (1600 block K Street) is almost entirely business and that no one would be disadvantaged if the Commission proceeded; it was noted that the Restaurant had been serving alcoholic beverages in the sidewalk café for the past several years under the mistaken apprehension that they were within the law. Mr. Fonseca said the Restaurant had immediately stopped serving alcoholic beverages in the sidewalk café until proper licensure had been procured. Commissioner Damron moved and Commissioner Morgan seconded that ANC 2B support and approve the substantial change request in an existing public space (an unenclosed sidewalk café) with the stipulation that the change become effective immediately so that alcoholic beverage service could resume at McCormick & Schmick's. Upon a vote the motion passed UNANIMOUSLY, there being no Nays and no Abstentions and there being five commissioners present

At this point in the Special Meeting concerns were raised by certain audience members that the Dupont Circle Moratorium on ABC Permits or creating more seats from which to serve alcohol was not being adhered to. Concerns were raised about trash and it was mentioned that the Starbuck's at Connecticut and R street had entered into a Voluntary Agreement to keep trash down. Commissioners and audience members were asked to ask businesses in the Dupont Circle Area to help curb trash.

There being nothing further to come before the special meeting, the meeting was Adjourned at 8:45 PM.

Respectfully submitted,



Frank M. Montgomery
Executive Director ANC 2B