

**ADVISORY NEIGHBORHOOD COMMISSION 2B (DUPONT CIRCLE)
9 Dupont Circle, NW Washington DC, 20036**

**PUBLIC MEETING MINUTES
Wednesday, October 10, 2001, 7:30 p.m.
St. Thomas Parish, 1772 Church Street, NW**

Chair Vince Micone called the October 10th meeting of the Dupont Circle ANC 2B to order at 7:30 p.m. and after welcoming all in attendance he asked the commissioners to introduce themselves. All commissioners, Norma Chaplin (2B01), Marilyn Newton (2B06), Irv Morgan (2B07) vice-chair, Doug Damron (2B05), Jeff Hopp (2B04), and David Jolliffe (2B03), were present.

LOCAL POLICE AND CRIME REPORTS

Lieutenant's Groomes (PSA 309) and Durand (PSA 307) were present. Lt. Hill of PSA 308 was not present. Lieutenant Groomes reported that there were 18 robberies in PSA 309 in one month as a result of the MPD being on guard for so many public buildings. Hardest hit were parking lot booths in garages and other parking facilities. Lieutenant Groomes reminded the Commissioners of the new Commander, Cheryl Peacock. She also reminded those in attendance of the High Heel Race that is on 17th Street NW, on Tuesday, October 23rd, 2001. Most of the street shut down will occur between 9:00 p.m. and 12:00 a.m., some portions of 17th Street may close from 7:30 p.m.. She also stated that there were no problems last year and none were anticipated this year. Lt. Durand (PSA 307) reported 3 robberies one of which was closed. He also noted that there was drug activity in the Dupont Circle area and he was seeking more police personnel to address this problem. Theft from automobiles fuels the drug activity. He handed out his cards and gave his phone and pager numbers to the audience and told all to call if needed.

OPEN FORUM AND ANNOUNCEMENTS

While the police were still present a resident of single member district 2B01, Monica Yen, talked of two robberies at her house on Riggs Place and how it was done so openly. A person who had been seen in the neighborhood for some time and actually seen committing another crime, threw a rock through her front door window and went in and stole her computer and her bike and went to a waiting taxi. This happen on a Tuesday morning at 10:00 a.m.. Two MPD officers were called and a female officer staid behind to make the report. Ms. Yen stated that the officer did not seem to take the event seriously in that she kept repeating questions and asking again for answers that Ms. Yen had given her. The officer appeared to be absent minded. The net result was that the victim felt that she had no support from those who are supposed to give it. Chair Micone expressed his sincere regrets and asked Ms. Yen to come to the Public Safety Meeting to be held on Wednesday, October 17th, 2001 at the Governor's House Hotel at Rhode Island, NW at 17th Street at 7:30 p.m. Commissioner Morgan stated that the Commission recognizes the seriousness of these crimes in our neighborhood. A question was brought up about crowd control at the High Heel race and the police said it was not a problem but that they would have enough police on hand to address any potential problems.

The Chair recognized Clark Ray, the Service Coordinator for Ward 2, who was in attendance. Micone also announced that the Dupont Circle Citizens Association (DCCA) was sponsoring a concert at the Carnegie Institute on October 14th for the benefit of those families of victims in the Washington Metropolitan area. October 21st was announced as the date of the DCCA House Tour from Noon until 5:00 p.m. The areas included are R and 16th Streets towards Massachusetts Avenue and 15th and 16th Streets up Massachusetts. Tickets are on sale at Java House.

Amy Pagluighi of the American Cancer Institute talked on bringing awareness of cancer to the forefront. Making people aware that insurance provides screening for colon and rectal cancer which, if caught early, has a 90% survival rate for five years. Adrian Fente Councilmember from Ward 4 has introduced a bill for the District of Columbia dealing with the fact that DC has the highest rate of colon/rectal cancer in the nation.

Zelda Zeldin who owns property at 1610 Connecticut Avenue reported that she went to the May 8th hearing before the Board of Zoning Adjustment concerning Michael Kane who owns 1621 Connecticut Avenue. At the hearing a Voluntary Agreement, entered into by the neighbors, ANC 2B and Kane's Properties, was presented to the Board of Zoning Adjustment. After hearing from Zelda Zeldin, the Board made specific further findings and ordered that certain things be done as a condition of the Board's granting of the requested variances as well as adherence to the terms of the Voluntary Agreement. Mrs. Zeldin stated that the BZA Order had been violated in several instances, not putting in the required trashcans, not hiring a licensed trash hauler, blocking the alley by the construction company, and other items. She requested that the ANC request the Board of Zoning Adjustment to find Mr. Kane in violation of its order and stop construction until the order had been complied with. The Chair assured Mrs. Feldman that at the appropriate time on the agenda, the ANC would act on her request.

ISSUES

1. Neighborhood Concerns about Starbucks Expansion on P Street No one was here to address the issue.

2. Tree Planting List for Submission to the District Department of Transportation.

The chair recessed the meeting to let audience members who had an interest in having trees planted could come up to their single member district commissioner and give them the places that they thought were appropriated for planting trees. After a ten minute recess, the meeting resumed and Commissioner Newton moved and Commissioner Morgan seconded that a letter be written on behalf of ANC 2B to the DDOT informing the agency of places where the ANC would like to have trees planted (tree boxes, et.). Without OBJECTION the motion was UNANIMOUSLY adopted.

3. Proposal by Riggs Bank for a Public ATM Near the Dupont North Metro Entrance
John Blato, an architect representing the Bank, stated that the ATM would be on the North end of the parking lot facing onto the Metro Plaza. The ATM would be 12 feet high and in brick compatible with the bank's main structure; there would be an open façade. Mr. Blato further stated that the Public has expressed a desire for the ATM and that the Metro has been positive in their response. The Dupont Conservancy has approved of the idea and HPRB approval is pending. The audience was asked what they thought and there was more positive than negative response. Some audience members wondered if the proposal would affect the ATM on Massachusetts Avenue: the answer was no. Another wondered why there were no shops along the front of the building where there had been before the bank renovations. Commissioner Morgan questioned the fact that Metro would approve this because of the need to move bike

racks and the closeness of the elevator to the proposed ATM building. Morgan also questioned the fact that no one from the bank nor their attorney had shown up at the meeting Morgan moved to table the consideration of the proposal which was duly seconded and passed with only one objection. Before considering the proposal, the Commission indicated that the ANC would like to know exactly what Metro's position was and concern was expressed about the public safety issues concerning the closeness of the elevator to the proposed ATM and interference of the use of the elevator by the handicapped.

4. BZA Application # 16776 by Thomas Hansson at 11607 16th Street, NW, for Variances to Allow an Additional to a Nonconforming Structure and to Extend a Nonconforming Open Court

James Smith was representing the owner and Mr. Taylor, the architect, stated that the house front was designed by T.F. Snider in 1892 to front an existing structure. The owner wants to rehabilitate the building and convert the existing 8 apartments into 4 larger units. The owner has been to the Historic Preservation Review Board and rear addition height and width, roof top and mezzanine are matters of right. The owner needs an RB5 variance; an historic building cannot be extended because of the Code's open court requirement. Hansson is not extending the building, just refurbishing and bricking in an existing structure. Commissioner Hopp moved and Commissioner Damron seconded that ANC 2B support application # 16776 by Thomas Hansson at 1607 16th Street, NW, for variances to allow an addition to a nonconforming structure and to extend a nonconforming open court. Upon a vote there were 6 AYES, one ABSTENTION and no NAYS. The motion passed.

5. BZA Application #16782 by N Street Co., LLC for a Special Exception for Additional Office Space in an SP District and for a Variance from the Floor Area Ratio

This involves a structure at 1742 N Street that desires to build an exterior fire stair that is slightly over the FAR. The fire stair is not visible from the street. The Dupont Conservancy has approved. Being in Commissioner Morgan's single member district, he moved and Hopp seconded the motion that ANC 2B support Application #16782 for the special exception contained in their application. Upon a vote the AYES were UNANIMOUS there being no NAYS and no ABSTENTIONS.

6. BZA Applications #16792 and #16793 by Alan and Anexora Skvirsky at 1604 – 06 19th Street, NW, for a Variance from Requirements for an Addition to a Nonconforming Structure and a Special Exception to allow an Increase of Bed and Breakfast Rooms from Two to Six rooms The Skvirsky's were represented by their attorney Stephen Gell and their architect Mr. Bidleler. A Variance permit is required to add to the back of the structure. The proposed glass structure would resemble a green house, but the purpose is two fold; (a) to deal with the noise issue and (b) to deal with the rat problem. The Skvirsky's bought the building in 1990 and Wrapworks Restaurant on the corner has elevated, and some say illegal, air conditioners on the back of the property. Despite having entered into an agreement with ANC 2B and the Board of Zoning Adjustment to alleviate the air conditioning noise Wrapworks has done nothing to alleviate the problem. The rat problem is extraordinary and the City has been ineffective in getting the Wrapworks or the owner of the Wrapworks building and of several adjacent buildings to deal with the rat problem. The proposed structure would be brick at the bottom; at four feet above alley the glass structure would begin. It would be a free standing and attached to the existing dwellings at the top of the back of the buildings (1604 – 06). The glass will be non- reflective and there will doors in the addition for cars. No floor space is being added this is just a glass envelope to protect from noise and rats. The Skvirsky' s are also asking for a Special Exception to increase the number of bedrooms in 1604 19th Street from two to six.

The Chair moved and Commissioner Hopp seconded that ANC 2B support the Applicants in BZA Cases numbers 16792 and 16793 for the variances and special exceptions contained therein and further directed the Applicants to return to ANC 2B before going to the H.P.R.B.. After a vote the AYES were UNANIMOUS, there being no NAYS and no ABSTENTIONS.

7. Substantial Change: ABC Application #34250 by YAMFA, Inc. TA Reds, Retailers "CT", 1216 18th Street, NW, for a Substantial Change of License from "CT" (tavern) to "CN" (nightclub)

Commissioner Morgan in whose single member district this establishment exists stated that the ABC Board did not give the ANC notice of this pending change. He also stated that Reds main door is on Jefferson Street even though the address of the building is on 18th Street. Eric Hilton and his co-owners were present at the meeting. Mr. Hilton stated that Reds is a Mom and Pop place with only about 2000 square feet and a dance floor that is 12 feet by 12 feet. They want a dance floor that will be 16 feet by 16 feet that will encompass about 1/3 of their space. Mr. Hilton stated that the change in License would not affect hours since they are already allowed to stay open until 3:00 a.m. on weekends and 2:00 a.m. on weeknights. It was Mr. Hilton's opinion that the change in licensure would not increase noise or parking problems. The need for crowd control and traffic control were concerns expressed by commissioners Newton, Morgan and Micone. Mike Fasano of the DCCA also expressed concerns about club development in a neighborhood, noise, parking, and traffic problems. Hilton responded that there would be no new bar and that they would move a couple of tables to allow for the increase in dance floor size. He said that historically a dance place is a place to go to sober up, drink water and dance. The applicant had also met with Captain Jacobs of the MPD and Jacobs's had suggested that Hilton hire off duty officers; to which suggestion Hilton was amenable.

Morgan moved that ANC 2B approve the Applicants proposed change from "CT" to "CN" ABC License with the provision that there be no new bar server space. After a second by Commissioner Hopp and further discussion centering on the concerns not with the present owner but what would happen if the establishment were sold and what new owners could do with this kind of new license, a vote was taken which resulted in 3 AYES, 2 NAYS, and 1 ABSTENTION. The motion carried.

8. ABC Substantial Change: ABC Application #35509 by JAH, Inc., TA Dragonfly, Retailers "CT", 1215 Connecticut Ave., for a Substantial Change to Expand to the Second Floor.

Eric Hilton and co-owners of the Dragonfly were present. This is a restaurant at 1215 Connecticut Avenue, NW. It has been featured in "Travel and Leisure" Magazine and has a sushi bar with 20 bar chairs and 20 dining chairs. To maintain one's "CT" license, 50% of sales have to be food. The restaurant is open from 5 :00 p.m. until 1:00 a.m. on weeknights; from 5:00 pm. until 2:00 a.m. on the weekends. The owners desire to have the second floor in order to expand dining capacity to the second floor. Also the restaurant would like to start a lunch business. The legal capacity of the restaurant is now 150 people with expansion to the second floor this would increase to 200 or 220. Concerns were raised among the commissioners and the audience members that this could turn into a nightclub with crowd problems, traffic problems, parking, and noise problems. Commissioner Morgan in whose single member district this establishment exists, stated that he didn't want to penalize the owners for being good businesspersons, but because of the issues raised, a voluntary agreement was needed on this. Morgan moved that the applicant, ANC 2B, and the DCCA enter into a Voluntary Agreement to meet neighbor hood concerns. After a second, a vote was taken and there were 3 AYES, 2 NAYS, and 2 ABSTENTIONS. The motion carried.

9. Public Space Application for a Memorial Plaque in Honor of Henry Martyn Robert, Creator of "Roberts Rules of Order", at 1818 N Street NW
Commissioner Morgan moved and Commissioner Damron seconded the motion to support the public space request for a memorial plaque in honor of Henry Martyn Roberts, creator of "Robert's Rules of Order", at 1818 N Street NW, without OBJECTION the motion PASSED.

Commissioner's Concerns

Commissioner Morgan will work with Delta Lambda Phi on safety and security issues concerning the high heel race. Motion was made that Commissioner Morgan write a letter to the Office of Emergency Preparedness concerning the street closures for the race. After a second by Commissioner Newton, the motion was APPROVED without OBJECTION.

Minutes.

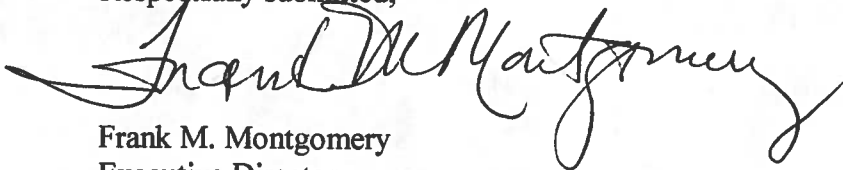
The minutes of the September 19th Public Meeting were APPROVED without OBJECTION.

The Chair asked permission of the Commission to write a letter on behalf of the Commission to the Department of Consumer and Regulatory Affairs requesting enforcement of the BZA Order on the Kane properties in the 1600 block of Connecticut Avenue. Without OBJECTION, the motion was APPROVED.

David King, a former ANC Commissioner for ANC 2B, requested that ANC 2B send to the DDOT a list that he had prepared of additional alleys and sidewalks that needed repaving or repairing. Vince moved that this be done since it was not inconsistent with the prior action of the Commission in these matters. After a second by Hopp, a vote was taken in which the AYES were UNANIMOUS, there being no NAYS, and no ABSTENTIONS. The motion to authorize the Chair to write the letter carried.

Meeting adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Frank M. Montgomery". The signature is written in black ink and is positioned above the printed name and title.

Frank M. Montgomery
Executive Director