

**ADVISORY NEIGHBORHOOD COMMISSION 2B (DUPONT CIRCLE)**  
**PUBLIC MEETING MINUTES**  
**Wednesday, September 19<sup>th</sup>, 2001 7:30 PM**  
**Barcelo Hotel**  
**2121 P Street NW**

Chair Vince Micone called the September 19<sup>th</sup> rescheduled public meeting of Dupont Circle ANC 2B to order at 7:35 PM. The Chair thanked everyone present for their patience in canceling last weeks regularly scheduled meeting due to the national tragedy. He then asked all who were American citizens to stand and join in the Pledge of Allegiance to the Flag and stand in a moments silence for friends or relatives who had died.

After the Pledge to the Flag and a moments' silence, the commissioners were asked to identify themselves and give their districts. Present were Jeff Hopp 2B04, Irv Morgan 2B07, Doug Damron 2B05, David Jolliffe 2B03, Marilyn Newton 2B06, Norma Zane Chaplain 2B02, and Chair Vince Micone 2B02.

#### LOCAL POLICE AND CRIME REPORTS

Vince announced that a new commander had been appointed for PSA 307 & 308, Commander Peacock who would be at next months ANC public meeting. At a later point in the meeting Lt. Diane Groomes of PSA 309 came in to give her report. She announced that Cheryl Peacock was the new Commander taking Commander Beech's place. There are also two new lieutenants, Lt. Frank Hill, 17 to 21<sup>st</sup> streets and Lt. Gary Duran, PSA 307. She stated that during the trying and tragic times of the last two weeks, the MPD had been busy protecting buildings and criminal elements took advantage of the absence of the police to go on a crime spree. There were 40 robberies by gunpoint within a 4day period, several occurring in parking lots and three being attributed to a 15 year old male.

There were 16 restaurants on Connecticut Avenue and 2 on 17<sup>th</sup> street that were hit by a smash and grab operation involving a female driver and male companion. These suspects have been apprehended. Reporting a sexual assault in the 1700 block of P Street Lt. Groomes ended her report.

#### OPEN FORUM AND ANNOUCEMENTS

The Chair announced that there would a meeting scheduled for Monday September 24<sup>th</sup>, at St. Luke's Episcopal Parish on the corner of 15<sup>th</sup> and P jointly sponsored by the Capital Area Crisis Response Team (CACRT) and ANC 2B to deal with and process the events of September 11<sup>th</sup> with individuals or groups. Flyers were handed out for distribution.

The Chair publicly commended the hard work of Roger Hirschland, of the Lauren Condominiums, who got stop signs put up at the corner of 20th and N streets.

There being no further announcements from the Commissioners, the floor was open to the public. George Britton of 1415 21<sup>st</sup> Street, a representative of the Dupont Square Condo Association, requested to meet with the new commander, Cheryl Peacock. He was particularly interested in a 3 hour response time to a person who had apparently overdosed on heroin. The Chair stated that he would let Mr. Britton and Mr. Baum know of an appropriate time to meet with the new Commander. Helen Blume, owner and operator of the Soho Tea, was donating 10 % of sales, for a period of time, to the American Red Cross for relief efforts connected with the events of September 11<sup>th</sup>. She stated that she and a small group of independent store- owners in a three block area were concerned about Starbucks opening a 7<sup>th</sup> store on 20<sup>th</sup> Street. She was inquiring concerning support from the ANC in this effort. She also stated that the Dupont Circle Citizens Association supports the effort to keep a

7<sup>th</sup> Starbucks from opening in the area. The chair opined that he was not sure that the ANC could take a stand in such a matter but he would look into the matter and put it back on the October agenda after discussing the matter with the commissioners.

## ISSUES

1. The presentation on the Historic review process was postponed because the speaker was not available.

2. Flood Damage Assessment and Response by DC Agencies, PEPCO, and WASA

The floor was open for public comment on the flooding that occurred in early August in the District of Columbia. Regular attendee Judy Werdell wanted to know if Councilmember Jack Evan's office knew of all the clogged storm sewer drains. She thought that business owners should see to it that gutters are kept clean in front of their businesses. She gave storm and sewer damage reports on basements up and down Corcoran Street. Ms Werdell wanted to know if the public could get maps of identified areas that are potentially at risk for flooding and if something could be done to minimize further flooding other than the 2 billion dollar master plan.

Chair Micone stated that he had flood insurance but did not know until the recent flooding that there was a limit on the amount of coverage one could get for sewer back up. According to his source, there are limits on the amount of liability insurance that you can purchase for damage done because of sewer back ups and that this is due to District of Columbia's insurance regulations. The Chair moved that the Commission allow the chair to develop a letter to send to the Mayor, Councilmember Jack Evans and the District of Columbia Insurance Commissioner to determine what limits of liability there are and why for sewer and sewer backup damage. After a second by Commissioner Hopp and the acceptance of an amendment to the motion authorizing the Chair to also get a list of companies that sold flood, sewer, and sewer back up insurance in the District of Columbia from the Insurance Commissioner, there was UNANIMOUS approval of the motion by the Commission.

3. Proposed Alley Paving-Alley Systems Between S. Riggs, 18<sup>th</sup>, and 19<sup>th</sup> Streets

Chair Micone stated that he had been informed by Clark Ray that the locations of sidewalks and alleys that needed repairing and or repaving had to be in by Friday the 21<sup>st</sup> of September. Individuals could request that repairing and repaving be done later, but that ANC backing was very important in making certain that the work got done. The Commissioners came up with a list of sidewalks and alleys in their various districts that needed repairing or repaving. Commissioner Chaplain moved that the following alleys and sidewalks be listed for work: S and Riggs, and 18<sup>th</sup> and 19<sup>th</sup> Streets asphalt alleys; alleys between N and O and 20<sup>th</sup> and 22<sup>nd</sup> repaved with brick; 17<sup>th</sup> and 18<sup>th</sup> Streets and Corcoran and O Streets, replace with whatever is there now; sidewalks on East side of 17<sup>th</sup> Street and Corcoran and R, repair or repave with brick; between Church Street and Q Street on East side of 17<sup>th</sup>- brick sidewalk; between 15<sup>th</sup>, 16<sup>th</sup>, and O Streets, North and South sides, brick; P Street both sides replace with brick from Dupont Circle to the P Street Bridge; and the West side of 17th Street. After a second by Commissioner Newton, there was UNANIMOUS approval without OBJECTION.

4. Lack of Proper Notice by the Public Space Committee for Approved Actions in ANC 2B.

There is a problem of public space permits being issued with out the applicant coming before the ANC. The DC Public Space Committee is either not notifying the ANC or ignoring the ANC's recommendations. An establishment at 1710 L Street had been given permission for use of an unenclosed public space as an outdoor café with ever having come before the ANC.

The Chair moved that the commission empower him to compose and send a letter to Department of Public Works, the District Division of Transportation and other DC Departments that have to do with the issuance of public space permits and the councilmembers that have over site of

District agencies, to Councilmember Jack Evans and the Mayor. After a second by Commissioner Morgan, a vote was taken in which the AYES were UNANIMOUS there being no NAYS and no ABSTENTIONS.

5. Proposed Public Space Request for Tables and Chairs at 1710 L St., NW (2B07)  
Commissioner Morgan moved to oppose the Public Space Request for 1710 L Street, NW for Tables and Chairs because no notice had been give to ANC 2B which includes 1710 L Street and therefore the permit was issued in error. After a second by Commissioner Chaplain, a votes was taken in which the AYES were UNANIMOUS, there being no NAYS and no ABSTENTIONS.

6. Proposed Public Space Request for Tables and Chairs at 1200 19<sup>th</sup> Street, NW (2B07)  
It was noted for the record that the owners of this establishment had been notified of this ANC meeting and were not here. Commissioner Morgan moved that ANC 2B oppose the issuance of a public space request for tables and chairs at 1200 19<sup>th</sup> Street, NW. Motion seconded by Commissioner Hopp, and after discussion where is was pointed out that a senior member of the Mayor's administration had said it was OK for the restaurant to go ahead and make use of the public space without approval, a clear violation of the law; a vote was taken that was UNANIMOUS, there being no NAYS, no ABSTENTIONS and the AYES being UNANIMOUS.

7. Unapproved Use of Public Space for an Unenclosed Sidewalk Café at 1333 New Hampshire, NW – located on 19<sup>th</sup> Street (2B02 ) This is the Baha Fresh Restaurant. Commissioner Micone moved to be allowed to send a letter to the restaurant asking them to properly apply for a public space permit. Commissioner Hopp seconded and the motion was unanimously APPROVED without objection.

8. BZA Application #16760 by NH Hotel (Jury's) at 1500 New Hampshire Ave. NW, for a variance from Court Width Requirements (2B07)

The manager of Jury's Hotel, Peter Hillary and the architect for the project, Eric Morrison, presented the Hotel's position. After explaining what side yard and open/closed court requirements were, it was explained that the hotel was putting additional rest rooms for the first floor area. The hotel was originally built as a condominium and therefore the need for more rest rooms. There would be seven feet between the Hotel addition and the Jamaican Embassy. The new addition will be set back from face of the Hotel 20 feet. The Jamaican Embassy does not object to the project and the Office of Planning has reviewed the plans and a Memorandum of Opinion was passed among the Commissioners for review. Commissioner Morgan moved that ANC 2B support BZA Application #16760 by Jury's Hotel at 1500 New Hampshire Ave. NW for a variance from court width requirements. After a second by Commissioner Jolliffe the vote was 6 AYES and one NAY. The motion PASSED by a 6 to 1 vote. Commissioner Chaplain requested that her nay vote and the reasons be spread on the record which was allowed by the chair. She opposed the motion for the variance because of restrictions on air and space of the new construction. The Board of Zoning Adjustment Hearing set for September 26<sup>th</sup>, 20001

9. BZA Application #16763 by Summit Properties at 900 15<sup>th</sup> Street, NW for a Variance to Allow Renovation from Office to Mixed Use (2B05)

The applicant was represented by Paul Tomlins and Tony Lynch. The building in question is an Historic Property and was originally the University Club in 1912. The variance is for an interior closed court requirement from which the plans fall 159 square feet short of the 1100 square foot requirement. The building is being made into apartments and has the Downtown Housing Now Committee's approval. Commissioner Damron moved to support BZA Application #16763 by Summit Properties for a variance from interior closed court requirements to allow renovation for

housing. After a second by Commissioner Jolliffe, the vote was UNANIMOUS there being no NAYS and no ABSTENTIONS and the AYES being UNANIMOUS.

10. BZA Application #16765 by the American Chemical Society at 1155 16<sup>th</sup> Street for Special Exceptions and Variances for Office Use.

Representing the American Chemical Society were Attorney Dennis Hughes of Holland and Knight, David Frances of the American Chemical Society and Ed Core, architect for the project. Currently the space is being used as a patio and the applicant is asking support for an exception and variances to put a room here for employees to rest and eat, an employees room. The added space will not increase the use of the building. The room will be 30 by 40 feet and will be set back from 16<sup>th</sup> Street and will not be able to be seen from the street because the trees that are now there will not be removed. The addition will have a small vending area and a sink; there will be no toilet or water closet. The current building was built prior to the current zoning law and the applicant is asking the ANC to support an increase of a nonconforming use by an FAR of .07. Commissioner Damron moved to support BZA Application # 16765 by the American Chemical Society at 1155 16<sup>th</sup> Street NW, for special exceptions and variances for office use. After a second by Commissioner Hopp, a vote was taken which was UNANIMOUS, there being no NAYS and no ABSTENTIONS and the AYES being UNANIMOUS.

11. Application for a Planned Unit Development and Air Rights at the Commerce and Riddell Buildings, 1700 and 1730 K Street, NW (17<sup>th</sup> and K)

Mike Tyler of Charles E Smith represented the builders who were present and explained that their plans were to demolish the two buildings that were there and replace with one new building. When the current buildings were built the FAR was 11.55 and it is now 10. The applicant is asking for a zoning variance of 1.14 or a FAR of 11.14. The applicant has cleared this with the local small businesses, has made a significant contribution to Farragut Square Park and has agreed to provide 12,600 square feet of affordable housing and 16,673 square feet of improved housing. The architect Mr. Roy Barris described to the Commission the type and color of stone screening, the type of windows and the area in front of the entrance, with the aid of architectural renderings. The entrance area will have 70 linear feet of granite bench with wooden slat tops as part of the building. There will be 4 new trees with three being on K Street. The signboard will be illuminated and 2 feet tall. Zoning requires 155 parking spaces but a parking vendor is providing 225 spaces. The applicant is not able to inform the commission whether or not the parking vendor will stay open at night for public use. Commissioner Morgan strongly urged the applicant to ask his vendor to stay open at night for the public. Commissioner Morgan moved to support the applicants Planned Unit Development and Air Rights at the Commerce and Riddell Buildings, 1700 and 1730 K Street at the corner of 17<sup>th</sup> and K Streets with the understanding that the applicant will work with the ANC during the construction phase of the project to address the safety, pedestrian, and traffic issues that concern the neighborhood. After a second by Commissioner Newton a vote was taken in which the motion PASSED by a 6 to 1 vote, there being 6 AYES and one NAY. With the permission of the Chair Commissioner Chaplain was allowed to go on record as the NAY vote and allowed to spread her reasons on the record. Commissioner Chaplain stated that, "This was too massive a property (building) for the site", "...no special architectural merit to compensate for its size."

12. ABC Renewal: California Pizza Kitchen, CR #33479, at Connecticut Avenue, NW

No one was present from California Pizza Kitchen. No action was taken and there was no comment.

## COMMISSION ADMINISTRATIVE MATTERS

### Minutes

Commissioner Morgan moved and Commissioner Hopp seconded the approval of the minutes as presented, the ANC 2B Minutes for the July 11th and the August 8th public meetings. Without objection they were approved.

### ANC Redistricting.

The Chair announced a Community Meeting for readdressing current ANC boundaries. ANC 2B needs to have a district that fits within the criteria and not redistricting a Commissioner out of a job. Chair Micone moved and Damron seconded that the ANC 2B recommend the Map approved at ANC2B's last (August) meeting at the Community Meeting on the 20th. On the colored maps that were handed out that means that Blue 129 becomes Green. The motions passed UNANIMOUSLY, there being no NAYS and no ABSTENTIONS and the AYES being UNANIMOUS.

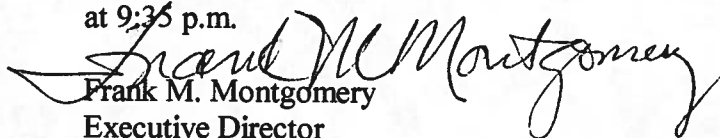
### Commissioner Reports

The Chair moved that he be empowered to write a letter on behalf of ANC2B to DPW and DDOT reminding them that since 21st Street has just been repaved, not to give permits for tearing up or digging into of this newly paved street, as the law requires, for 2 years. After a second by Commissioner Chaplain, UNANIMOUS consent was given to this motion.

Commissioner Morgan moved that the ANC empower him to write a letter to the United States Park Police requesting that they vigorously enforce laws against aggressive panhandling, littering and violent acts in the Dupont Circle Park. After a second by Commissioner Hopp, this motion was approved UNANIMLOUSLY.

Commissioner Newton brought to the attention of the ANC that a 6 foot 10 inch fence had been put up at 1714 Massachusetts Avenue. This will be placed on the October Calendar.

There being no further business to come before ANC 2Bm the Public Meeting was adjourned at 9:35 p.m.

  
Frank M. Montgomery  
Executive Director  
ANC 2B

*Minutes approved as submitted  
on October 10<sup>th</sup> 2001  
JMM  
& Div.*