

MINUTES OF MARCH 12th PUBLIC MEETING OF THE DUPONT CIRCLE ANC 2B

The March 12th Public Meeting of Advisory Neighborhood Commission 2B (Dupont Circle) was called to order at 7:30 p.m. by Chair Vince Micone. At his request the Commissioners identified themselves beginning with Norma Zane Chaplain (2B01), Marilyn Newton (2B06), Irv Morgan (2B07), Jeff Hopp (2B04), David Jolliffe (2B03), and Wayne Lerch (2B05). Chair Micone Thanked everyone for coming and made some announcements concerning the fact that some ABC renewal notices were not in the ANC's hands prior to the time for placarding the neighborhood. He further explained that the ANC does not have to take action on a renewal unless there is a specific reason to do so.

LOCAL CRIME CONTROL AND POLICE REPORTS

Pat Marshall of PSA 209 reported that crime was down 27% from last year at the same time. Theft from autos east of Connecticut Avenue is still a problem. Don't leave items visible in your car. Lt. Clawson of the U.S. Park Police stated that he many new recruits due to some of his personnel leaving to become air marshals. Lt. Hill of PSA 308 reported that crime in his PSA was down 45% compared to the same time period last year. The monthly Public Safety meeting was announced for the next Wednesday, March 20th, at the Dupont Circle Resource Center at 7:30 p.m. In response to a question from the audience concerning difficulties in reaching the police in a non-emergency situation, the officer stated that 911 calls automatically jump over 311 and 1010 calls. 311 calls are monitored by the desk clerk.

OPEN FORUM

The Chair announced that the DC Committee for the Arts and Humanities would be putting 100 Donkey and Elephant sculptures in Public Spaces over the next several months. He announced that the Ward 2 Democrats would be giving a free property tax clinic on how to challenge the new property tax assessments on Tuesday, March 19th at 7:00p.m. in the Wilson Building on 1350 Pennsylvania Avenue, room 104. April 1st 2002 is the last day you can protest the assessment.

It was also announced that the film "The Farm" would be shooting scenes in the Dupont Circle area from Noon to 8:00 p.m. on the 24th of March.

Jim McGlade of DCMAP (Dupont Circle Merchants and Professionals) talked about a wonderful opportunity for Dupont Circle. The City is participating in a grant from the Nation Trust for Historic Preservation for a Main Street Program that targets neighborhood business districts to receive grants of up to \$80,000 to refurbishing buildings and their surroundings in these neighborhoods. The project, Main Street, has been over a year in the planning. After more information about the grant, the Chair moved that the Commission authorize him to write a letter of support on behalf of Dupont Circle's application for the Main Street grant to Councilman Jack Evans and the Mayor and other appropriate officials. After a second by Commissioner Lerch, the motion carried without objection.

On March 30th "P" Street residents will meet with 'P' Street business owners at Mr. "P's" to discuss the plans for the "P" Street refurbishing. The Chair suggested brick sidewalks and period lights.

Cornell University Linda Johnson of Cornell University gave an information only presentation concerning the building in which the Cornell University's Semester in DC program is held. The building is located on the S..E. corner of 22nd Street and O Street. Some tenants are moving out of the basement and Cornell is considering expanding into the basement. The University has no intention of expanding the number of students. There are currently 57 students and 3 adults residing in the building. The new space would be used for new classroom space and video conferencing. The students are discouraged from the use of cars and not parking permits are issued for students. No action taken since this is for information only; also there were no objections raised.

PEPCO ISSUES

As a result of issues raised at the last Public Meeting of ANC 2B, David Moorehead of PEPCO's public relations department was back to answer questions about PEPCO's activities on the Dupont Circle area. Various member of the audience raised issues that they had concerning compensation for claims from manhole cover explosions; the repair of sidewalks and the nature thereof – putting asphalt back when the original was cement or brick leaving a very unsightly appearance; and repairing lamp posts. Moorehead took note of these issues and promised to reappear at future ANC meetings with answers. He did state that both PEPCO and the City own lamp posts and that could be the reason that some are too close together such as the one's mention on the south side of the 1800 block of Riggs.

1. BZA Application: National Association of Colored Women's Clubs, 1601 R Street, NW, Special Exception to Allow a Non-Profit Organization at Premises, # 16853 (2B04)

An attorney from Shaw Pitman represented the applicants. The applicants want to turn a private club back into their nation headquarters. The building is 10,000 square feet and would be staffed by only two staff persons, one full time and one part time. Once a year there is Board of Directors meeting of 17 people from across the country, usually arriving by charter bus or other public transportation. The attorney then gave a short history of the organization in the District. In answer to a Commissioner's question, the attorney stated that the building renovations were complete but that there was still some work to be done on the drive way and landscaping. Some community groups do use the building and volunteers at times come to assist the paid staff. There is a program called the Grand Parents Academy that involves intergenerational groups of 10 young and some older people.

Commissioner Hopp moved that ANC 2B support BZA application #16583 for a special exception to allow a non-profit organization at the premises (1601 R Street). After a second by Commissioner Morgan, there was a vote that was UNANIMOUS there being NO NAYS and NO ABSTENTIONS and ALL AYES.

2. Public Space Application Tan, Inc. 1840 18th Street, NW Unenclosed Sidewalk Café.

ANC 2B had no notice of the Public Space Committee's having Approved the application for Larry's Lounge. The owner of Larry's Lounge spoke and told of his difficulty in getting a public space permit and the various agencies that he had to go to get one. He related how the process could be made so much easier than the way it now is. Chair Micone stated that he had sent, with the authorization of the Commission, a letter to the current administration and had gotten no response. Date stamping the application had been recommended. Chair Micone moved that the record reflect that Tan, T /A Larry's Lounge did appear at the ANC 2B Public Meeting of March, 12th, 2002 in the person of its owner and it was noted for the record that the permit had been granted. Commissioner Hopp seconded the motion reiterating that it was for the purpose of the record only. After some discussion about noise on T Street and the determination that the public did not use the door on T Street, the vote was UNANIMOUS there being NO NAYS and NO ABSTENTIONS and the AYES being UNANIMOUS.

3. Public Space Application: George Donas, 2157 "P" Street NW, for Unenclosed Sidewalk Café.(2B02)

Mr. Donas appeared on his own behalf and stated that wished to put 4 tables with 12 chairs in front of his establishment, that he served no alcohol and that there were 10 feet of clearance beyond the place where he desired to place his tables and that he was within the guidelines. That he will continue to keep the front of his establishment clean as he has done in the past and that he is the only one, on his block, who sweeps the street as the regulations require. Commissioner Morgan who met with Mr. Donas 4 times moved that ANC 2B support Mr. Donas's Public Space Application for 2157 "P" Street. After a second by Commissioner Lerch, a vote was taken in which the AYES were UNANIMOUS, there being NO NAYS and NO ABSTENTIONS.

4. Public Space Committee Management Chair Micone moved that Commission authorize him to send a certified letter to the Mayor to describe the Commissions concern and the fact that the Commission has written several previous letters that have not been answered and further reiterate the fact that the Public Space Committee is not following the law/regulations and that if there is no response within 30 days ANC 2B will ask the City Council to investigate the matter. After a second by Commissioner Hopp, The AYES were UNANIMOUS, there being No NAYS and NO ABSTENTIONS.

5. ABC Substantial Change: Jury's Application # 7198, CH License, 1500 New Hampshire Avenue, NW, Request for expansion in ABC Services t a sidewalk café with a seating capacity of 124 (2B07)

When Jury's went before the Public Space Committee the plan they presented to the Committee was not the plan that they had shown the ANC 2B and that the ANC protested.

The Chair moved that he be authorized to craft a letter to the ABC Board asking them not to hear this substantial change until Jury's has come to ANC 2B to tell how they will use the space in question under their new public space plan. Will there be a substantial change in their plans. After a second by Commissioner Morgan, a votes was taken that was UNANIMOUS; there being No NAYS and NO ABSTENTIONS and the AYES being UNANIMOUS.

6. ABC Renewals AL Tiramisu, 2014 P Street NW,; Restaurant Nora 2130 Florida Avenue NW; Cosmos Club, 2121 Massachusetts Avenue NW; Hay Adams Hotel, 800 16th Street NW; University Club, 1135 16th Street NW; The Meeting Place, 1100 17th Street, NW; The Alibi

Club, 1806 I Street, NW; Woman's National Democratic Club, 1526 New Hampshire Avenue, NW; Metropolitan Club, 1700 H Street, NW.

There being no objections heard to these renewals, ANC 2B[posed no objections to any of them, therefore no action was taken

7. Commission Administrative Matters. The Minutes of the January 16th 2002 and February 13th 2002 Meeting were approved without objection except as to a question of wording concerning an inference that Jury's was entitled to use public space. It was determined that the clear meaning was that Jury's has no right to use any public space except as the law and regulations governing the matter have been adhered to and the Public Space Committee has lawfully approved the use.

The Quarterly Financial Statement

At the beginning of the Public Meeting Treasurer Jeff Hopp (2B04) has made available to the public and to the Commission copies of the October, November, and December Quarterly Statement. Hopp moved that the Quarterly Statement be accepted as presented. After a second by Commissioner Morgan, a vote was taken in which the AYES were UNANIMOUS, there being NO NAYS and NO ABSTENTIONS.

COMMISSIONERS REPORTS

Norma Zane Chaplain asked that the ANC put the question before the Corporate Counsel as to whether or not taverns (CT licenses) are permitted to have sidewalk cafes. The Chair is to include this in his omnibus letter to the Mayor. Commissioner Chaplain also talked of the tax relief that the City Council had passed allowing you to pay 25% of your increase in one year – spread it over 4 years to pay the increase. The Chair gave a Peppers update. At 10:00 a.m..this morning of March 12th, 2002 there had been a Fact Finding Hearing before the ABC Board. Question was did Peppers violate the East Dupont Moratorium. This boils down to which permit is correct. The original has been lost by the ABC Board and Peppers "Can't find" theirs. A subsequent renewal says 1st & 2nd floors which the ANC and the DCCA say is a clerical error. Nevertheless an occupancy permit has never been issued for more than 74 persons which is the downstairs seating capacity. Was the clerical error a substantial change yet no ABC hearing was held? The likely result according to the Chair was that the ABC Board will probably order Peppers to apply for a substantial change in their permit.

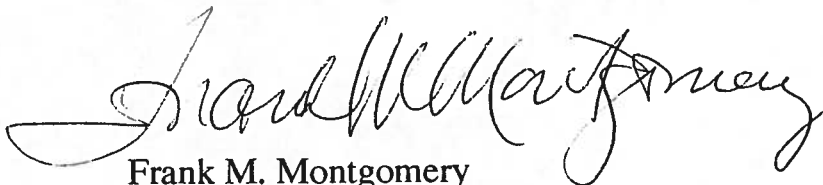
TUTORSKY MANSION

The Chair reported that since the January 16th Meeting in which the ANC protested the application of Mr. Gonzales subject to various parties entering into a voluntary agreement, there had been substantial progress and that the parties (ANC 2B, DCCA, neighbors and Mr. Gonzales) were very, very close to an agreement. The Chair reported that he had chaired the negotiations and that there were just a few items to be resolved.

He then introduced Mr. Stephen Gell, Attorney for Mr. Gonzales to tell the Commission and the audience what they had agreed upon. Two of the neighbors involved in the negotiation also had a chance to speak. When all were finished, everyone thanked the Chair for his efforts. The Chair thanked everyone for their hard work and cooperation and said he was optimistic that an agreement could be reached.

The chair moved that the Commission empower him to enter into an agreement with the parties on behalf of ANC 2B when negotiations are completed so as not to delay the next BZA deadline. Upon a second by Commissioner Hopp, a votes was taken in which the motion PASSED, there being 5 AYES, NO NAYS and 1 ABSTENTION.

There being no further new or old business to come before the Commission, the Public Meeting for March 12th, 2002 was adjourned.



Frank M. Montgomery
Executive Director ANC 2B