

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION
REGULAR MEETING, Wednesday, September 8, 2004
DC Jewish Community Center**

The September Regular Meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Darren Bowie at 7:00 pm. The Commissioners identified their Single Member Districts (SMDs). Present were: Rob Halligan (2B-01), Karyn-Siobhan Robinson, (2B-02), Bob Meehan (2B-03), Darren Bowie (2B-04), Mark Bjorge (SB-05), Mike Silverstein (2B-06), Gerald Schwinn (2B-07), Major Giese (2B-08), and Ramon Estrada (2B-09). The Chair noted the presence of a quorum.

PUBLIC TESTIMONY AND ANNOUNCEMENTS

Commissioner Robinson announced that, at Councilman Jack Evans' request, P Street Streetscaping will include brick sidewalks.

Jim Mears, representing the Dupont Circle Citizens Association, called for volunteers for the house tour on October 17.

A representative of CircleDogs announced they are working to organize late night group dog walks to deter crime. More information is available at www.circledogsdc.org.

PUBLIC SAFETY COMMITTEE

Commissioner Halligan noted that neighbors may contact him if they would like to receive email crime updates (limited to a reasonable number of messages).

He noted that a suspect in the late August murder of Adrien Alstad in Dupont Circle was arrested and that there has been very good communications between the Metropolitan Police Department (MPD) and the U.S. Attorney's Office. He would like to see similarly good communications with judges. He emphasized that the District Department of Transportation (Ddot) needs to do a better job on repairing street lights.

Additionally, he announced that the next Public Safety Committee meeting will be the third Tuesday of September (the 21st) at 7:00 pm at 1620 V Street, N.W.

Commissioner Meehan noted that PEPCO is being urged to help in this regard since some street lights cannot be fixed by the District or its contractors alone. Commissioner Schwinn noted it would be helpful to public safety if people turned on their porch lights.

Brett Parson of MPD said the family of a recent murder victim appreciates support it received from the community. A suspect has been arrested for "felony murder." MPD continues its investigation, in particular seeking additional witnesses or accomplices. To reach Asst. U.S. Attorney Colleen Covell, call 202-514-7700, and to reach Christopher Coffman of MPD's Violent Crimes unit, call 202-645-9600. Also, MPD's Gay and Lesbian Liaison office is moving into new space at Dupont Circle.

Commissioner Bowie made a motion, seconded by Commissioner Estrada, to send a letter to the judge in the above-noted murder case requesting that she hold the suspect in custody pending trial in order to protect the residents of Dupont Circle. The motion was passed unanimously.

Commissioner Bowie made a motion, seconded by Commissioner Robinson, to send a letter to the judge hearing the case of Nathan Johnson (charged with a car-break in and violation of a stay-away order) requesting that he be held pending trial. The motion was passed unanimously.

GENERAL AGENDA

Drew Becher of the Department of Parks and Recreation provided updates on a Dupont Circle green space review. With input from a residents, a “top ten” list of wants and needs has been developed. A follow-up meeting set for 7:00 pm tomorrow night at Foundry Church.

Mr. Becher also mentioned that proposed legislation regarding “dog-friendly areas” is in a District Council committee. The legislation would allow the Parks and Recreation Department to create official areas for “dog-friendly areas” (known as “dog parks” to some). The proposed legislation itself does not designate specific areas for “dog-friendly areas.” Some people expressed concern regarding the lack of clarity as to what “dog-friendly” areas are.

Ramona Burns and Robert Irwin of (Ddot) spoke on various department issues. They said that the contractor repaving the 1400-1800 blocks of Q Street, N.W. did not operate smoothly. In the future, neighbors will be notified in advance of repaving. They said some conflicting signs had been posted, but that Ddot will demand better useage of signs in the future. People ticketed in the foregoing area should contact Ddot to work out the tickets. The person to contact is Karyn LaBlanc; she can be reached at the email address karyn.lablanc@dc.gov.

They said that work on R Street has been slowed due to utility problems. They seek Pepco’s cooperation. They expect work on the east side of Connecticut Ave., N.W. to continue “over the next month.” Additionally, work is being planned for the M St./22nd St./Connecticut Ave. area.

Ms. Burns said that Ddot receives about 1,000 requests a month for street light repairs. The usual turn-around time is 3-5 days. In some instances, the work requires extensive work by Pepco and can take up to 60 days. Ddot is considering a new plan for better performance by contractors that includes motivational bonuses.

Commissioner Halligan challenged the description of 3-5 days being the normal time for a repair. Nonworking lights should be reported to the Mayor’s Call Center at 202-727-1000. Further, Bill Glew of the Dupont Circle Citizens’ Association (DCCA) is keeping a master list of neighborhood broken street lights. Citizens may pass on reports of such lights to the ANC which will share them with Mr. Glew.

Ms. Burns and Mr. Irwin took questions from Commissioners and constituents centering on how Ddot might offer better service. Further comments may be communicated to Ms. Burns at 202-671-2234.

Commissioner Bowie requested that Ms. Burns emphasize to Department Chief Dan Tangerlini the importance of fixing Dupont Circle's out-of-order street lights. He also invited Ms. Burns to return at the next ANC regular meeting to review the status of street lights.

Commissioner Meehan spoke about changes in "No Parking" restrictions for R Street to improve the traffic situation near Ross School and create parking spaces. Commissioner Bowie proposed a motion, seconded by Commissioner Silverstein, that the Commission adopt a resolution requesting Ddot remove the designation of R Street, between 15th Street and Florida Ave., N.W., as a rush-hour artery, that it restore school-day parking as specified by the ANC, and establish a drop off/loading zone from 7:00 am – 4:00 pm.

Commissioner Meehan proposed a motion, seconded by Commissioner Halligan, that the Commission adopt a resolution calling for the reversion of the 1800 block of Corcoran Street so as to restore old parking signs preventing 2-side parking on street cleaning days. Commissioner Silverstein proposed a motion, seconded by Commissioner Bjorge, to table that motion for a resolution. Commissioner Silverstein's motion passed 8-1-0 (Commissioner Meehan voted no).

Commissioner Bowie proposed a motion, seconded by Commissioner Estrada, to save time by tabling the issue of Gensler which appeared on public notices of the Commission's agenda. The motion passed unanimously.

The Commissioners listened to a presentation by Monarc representatives regarding a proposed bronze statue on a stone base, totaling 12'9" in height, to be placed on public space in front of the Embassy of the Republic of Kazakhstan (1401 16th Street, N.W.). Commissioner Silverstein proposed a motion, seconded by Commissioner Robinson, to approve the statue being placed on public space. The motion passed unanimously.

REGULATORY AGENDA

Commissioner Estrada provided an update on this date's ABC hearing regarding Cada Vez. He noted the ANC should review Cada Vez's substantial change requests since its stock transfer included language of "no substantial changes." Some Commissioners expressed concern that the restaurant is morphing into a nightclub, and opined that because at the time of the stock transfer, no substantial changes were planned. Bill Glew, President of DCCA, noted that the DCCA Board opposes substantial changes and urged the same of the ANC.

The Commissioners heard from representatives of Cada Vez, including Andrea Bagwell, attorney for Cada Vez. They explained their reasoning behind the request for substantial changes. Ms. Bagwell further explained that the Cada Vez application process is proper.

Commissioner Estrada proposed a motion, seconded by Commissioner Halligan, to oppose the Cada Vez request for a substantial change in music and hours from that originally approved by the ABC Board. Commissioner Halligan offered a friendly amendment, accepted by both him and Commissioner Estrada, that such a protest of substantial changes in music and hours be based upon disturbance of peace, order and quiet. Immediately upon a voice vote,

Commissioner Giese called for a roll call vote. The motion failed 4-5-0 (aye: Commissioners Estrada, Halligan, Schwinn and Silverstein; no: Commissioners Bjorge, Bowie, Giese, Meehan, and Robinson).

Commissioner Estrada proposed a motion, seconded by Commissioner Meehan, to oppose the Cada Vez request for a substantial change in hours based on peace, order and quiet. The motion passed unanimously.

Commissioner Estrada proposed a motion, seconded by Commissioner Silverstein, to oppose the Cada Vez request for a substantial change in music from that originally approved by the ABC Board. Immediately upon a voice vote, Commissioner Giese called for a roll call vote. The motion failed 3-6 (aye: Commissioners Estrada, Giese, and Halligan; no: Commissioners Bjorge, Bowie, Meehan, Robinson, Schwinn and Silverstein).

Commissioner Halligan proposed a motion, seconded by Commissioner Giese, to protest Ruth's Chris Steakhouse on the basis of sanitation and valet parking problems. The motion was passed unanimously.

Following discussion regarding an ABC renewal application by RCSH Operations, LLC, T/A Ruth's Chris Steak House, 2017 S Street NW(CR03), Commissioner Halligan proposed a motion, seconded by Commissioner Giese, to protest the ABC renewal on the basis of peace, order, quiet, sanitation and valet parking problems. The motion passed unanimously.

Commissioner Silverstein noted that a voluntary agreement has been signed for Pan Asian Noodles.

Following discussion regarding an ABC renewal application by Café Toka, Inc., T/A Café Toka, 1140 19th Street NW (CR01), Commissioner Silverstein proposed a motion, seconded by Commissioner Estrada, to protest the ABC renewal on the basis of the applicant's defiance and disregard of ABRA regulations. Commissioner Bowie offered a friendly amendment, accepted by Commissioners Silverstein and Estrada, to add to the protest "on the basis of peace, order and quiet." Commissioner Halligan opined the failure of ABRA enforcement. The motion passed unanimously.

By unanimous consent, the Commission took no action on the following:

Louyans, Inc., T/A City Lights of China, 1729-1731 Connecticut Ave. NW CR01

Bivalve LLC, T/A Johnny's Half Shell, 2002 P Street NW CR01

Skenco Inc., T/A Zorba Café, 1612 20th Street NW DR01

Csbt, Inc., T/A Town House Tavern Restaurant, 1637 R Street NW CR02

Millbank Partners-Mass Ave. L.P., T/A Courtyard by Marriott Embassy Row,
1600 Rhode Island Ave. NW

Olives D.C. LLC, T/A Olives, 918 16th Street NW CR01

D.C. Hotel-Vefii Operator, Inc., T/A The Jefferson Hotel, 1200 16th Street NW CH02

Café Europa, T/A Panache, 1725 DeSales Street NW, CR02

Rainbow Restaurant Group, Inc., T/A Fran O'Brien's Steak House, 1001 16th St., NW CR03

Lamaree, Inc., T/A Aroma Indian Restaurant, 1919 I Street NW, CR01

Furst Bli Corporation, T/A The Bread Line, 1751 Pennsylvania Ave. NW CR01
Xando Coffee and Bar/Cosi Sandwich, 1919 M Street NW, CR02
United Asia, Inc., T/A Singapore Bistro, 1134 19th Street NW, CR01
American Orient Express Railway Company LLC, T/A American Orient Express,
830 19th St. NW
Retailer CX Marine Vessel
Malacca Corporation, T/A Penang, 1837 M Street NW CR02
Sulgrave Club, Inc., T/A Sulgrave Club, 1801 Massachusetts Ave. NW CX Club 01
Café Dupont LLC, T/A Café Citron, 1343 Connecticut Ave. NW CR02
Caravan Grill, Inc., T/A Caravan Grill, 1825 18th Street NW CR01
Good Fortunes, Inc., T/A Blue Diamond, 1915 18th Street NW CR01

Commissioner Bjorge provided an update on the Public Space application for an unenclosed café at the Starbucks at 1600 K Street, N.W. He is currently working on developing green space guidelines for the area and expects to hear more from Starbucks this fall.

The Commission discussed a resolution on zero tolerance for illegal signs. Commissioner Bowie proposed a motion, seconded by Commissioner Giese, that the resolution be tabled. The motion passed 8-1-0 (Commissioner Silverstein voted no). The resolution draft was referred to Commissioner Schwinn for further research.

Commissioner Bjorge provided an update on his Freedom of Information Act (FOIA) request of the Department of Parks and Recreation (DPR) concerning Stead Park. When he originally requested information on Stead Park, DPR informed him that no lease files were available. He emailed a FOIA request but did not receive a response within the expected 10-day timeframe. He has since received some documents from DPR. He would like to see information on plans for a new lease at Stead.

Commissioner Meehan proposed a motion, seconded by Commissioner Silverstein, that the Commission reimburse Commissioner Bjorge for the costs he paid in the course of conducting research and making copies related to Stead Park, and that the reimbursement shall take place upon Commissioner Bjorge's submission of receipts for said work. Commissioner Robinson offered a friendly amendment, accepted by Commissioners Meehan and Silverstein, that the authorized amount not exceed \$300.00. The motion was passed 8-0-1 (Commissioner Bjorge abstained).

Commissioner Bowie announced that the Zoning Advisory Committee is seeking community input. The matter was referred to Commissioner Bjorge for development of a recommendation.

Commissioner Bowie announced that Ddot has funds for nontraditional "transportation-enhancement projects." He will provide copies of the letter he received to the Commissioners.

Additionally, Commissioner Bowie noted that the District Department of Health responded to a letter from ANC 2B. The response indicated that the ANC Act is responsive to 2B's request; therefore, ANC 2B must use Freedom of Information Act requests to obtain some information.

Commissioner Halligan noted that the Commission's website is progressing.

Commissioner Bjorge provided an update on the proposed condemnation of buildings at 1745-1755 N Street, N.W. The Condemnation Board held a show cause hearing, but the meeting lacked productive order. Repairs on the site continue, and there is no recent news from the Condemnation Board. Commissioner Bjorge is working on a dialogue with the owner.

Commissioner Bowie proposed a resolution, seconded by Commissioner Robinson, that the Commission supports a RPS (Renewable Portfolio Standard) and encourages the Council of the District of Columbia to approve a DC RPS bill. The resolution passed 7-0-2 (Commissioners Giese and Meehan abstained).

Commissioner Giese proposed a motion, seconded by Commissioner Estrada, that the minutes of the August regular meeting be approved and that Commissioner Giese be allowed to make minor technical corrections. The motion was passed unanimously.

Commissioner Meehan noted he continues to work on the Commission's financial account, including investigation of a recent deposit. He proposed a motion, seconded by Commissioner Estrada, that the Commission send a letter to the Mayor, with copies to Councilmen Catania and Evans, requesting they arrange for appropriate District officials to meet with ANC 2B in a timely manner regarding outstanding audit recommendations concerning an ongoing \$12,000 dispute. The motion was passed unanimously.

Commissioner Meehan presented the 3rd Quarter Financial Report. He proposed a motion, seconded by Commissioner Giese, that the report be approved. The motion passed unanimously.

Commissioner Giese proposed a motion, seconded by Commissioner Bjorge, that the Commission's Treasurer be authorized to reimburse Commissioner Giese \$46.20 he paid to the City Paper for an advertisement for the Commission's executive director position. The motion was passed unanimously.

Commissioner Giese proposed a motion, seconded by Commissioner Estrada, that the minutes of the July meeting be approved and that he be allowed to make technical corrections.

NEXT MEETING

The next regular meeting of ANC 2B will be held on Wednesday, October 13, 2004 at 7:00 p.m. at the D.C. Jewish Community Center, 16th & Q Streets, N.W.

At 11:15 p.m., Commissioner Schwinn proposed a motion, seconded by Commissioner Giese, that the Commission adjourn. The motion was passed by unanimous consent.

Respectfully submitted,

Scott Major Giese
Commissioner and Secretary of the Commission

Dupont Circle Advisory Neighborhood Commission

ADOPTED: November 10, 2004.