

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION
REGULAR MEETING, Wednesday, February 9, 2005
DC Jewish Community Center**

The February 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), Babak Movahedi (2B-07), Peter Klempay (2B-08) and Ramon Estrada (2B-09). The Chair noted the presence of a quorum.

PUBLIC TESTIMONY AND ANNOUNCEMENTS

Commissioner Meehan noted that DDOT plans to place new parking signs along R Street, which will significantly increase the number of on-street parking spaces available for residents. This task should be completed within two weeks.

Commissioner Silverstein announced the availability of summer jobs for young people at the annual job fair on February 19th at the National Guard and Armory.

ANC 2B will solicit constituents' input regarding Stead Park and the DPR/Greenspaces design. The design is available online at greenspacesfordc.org. Constituents can contact Commissioner Bjorge regarding this matter.

Ed Grimm, Executive Director of Historic Dupont Circle Main Streets, announced the Main Streets Gala and Silent Auction networking event on February 10. Main Streets will have a networking event from 6-8:00 next Tuesday, February 15th.

Representatives of Division One architects introduced their proposal for a zoning variance request for 2142 O St., NW, which the BZA will consider shortly. Their request includes restoring the front elevation, a condo conversion, and taking the basement FAR and adding to the top of the building. ANC 2B will formally consider this request when it is filed with BZA.

PUBLIC SAFETY COMMITTEE

Commissioner Halligan announced that the police have yet to find the perpetrator of two attempted rapes. In the past 60 days, 26 robberies have occurred.

Commissioner Halligan noted that the Public Safety Committee meets every third Tuesday of the month at 7:00 at the Police station at 1620 V Street.

Suspects from the shooting outside of Club U will be sentenced in the coming weeks. Three people were convicted of multiple robberies in the area.

GENERAL AGENDA

Carlson Klapthor, Ward 2 Service Coordinator and Core Team Leader, noted that his team holds a meeting every week at the Kennedy Recreation Center from 1-3 on Wednesdays. Constituents can contact him at carlson.klapthor@dc.gov.

Commissioners questioned Mr. Klapthor about various Ward 2 issues. He stated that commercial signs cannot be posted on sidewalks. If signs are found, Mr. Klapthor will provide notice and then issue a ticket. Constituents can call 727-1000 if they find graffiti or experience problems with rat infestation.

Commissioner Meehan stated that he would propose a motion to help negotiations on the uses of S & T Street parks move forward. The Department of Parks and Recreation working group formed in December to establish objectives for the design of the parks. The working group met three times, but still lacks a consensus on these objectives. ANC 2B had requested the working group to come to a consensus by February 2. If not, the ANC would intervene to help move the process forward. Commissioner Meehan recognized Iris Molotsky, President of Friends of S & T Street parks and Berk Osler, Co-chair of Circle Dogs. Ms. Molotsky and Mr. Osler stated that they believe both organizations can come to an agreement.

Commissioner Meehan made a motion regarding S Street Park to help facilitate moving this matter forward.

Commissioner Meehan proposed the following:

1. Inclusion of dog exercise space, provided that the size of such space is consistent with Department of Parks and Recreation regulations.
2. Preservation of the seven existing cherry trees along 17th Street side of the park.
3. Preservation of at least 25 feet of green space along the S Street side of the park, which shall not be used as a dog exercise area.
4. Location of the entrance to the dog exercise space at the north end of the park.

Bert Osler, Co-chair of Circle Dogs, stated that he had never seen the four points put forth in this motion. He asked that ANC 2B deny this motion.

Commissioner Movahedi made a motion to table this matter. Commissioner Klempay seconded this motion.

Commissioner Meehan noted that if this process continues until June, there would be no resources for this park in this fiscal year. The ANC is attempting to help facilitate the process so that the parties can meet the budgetary deadline in this fiscal year.

Commissioner Bowie stated that he did not believe the Commissioner Meehan's motion to establish guidelines to help facilitate the process would be controversial.

Commissioner Bowie requested Ms. Molotsky's opinion on this matter. Ms. Molotsky requested that the ANC indicate support for the direction of the negotiations between the Friends of S and T Street Parks and Circledogs. She stated that she would support the motion. Mr. Osler stated that the parties had never discussed three of the four points in their working group.

Commissioner Klempay made a motion to table the motion. Commissioner Movahedi seconded the motion. The motion carried (6-3). Commissioner Meehan opposed the motion. Commissioners Halligan and Bowie abstained. Commissioner Bowie recommended considering this proposal at the March ANC meeting.

Commissioner Bowie noted that Commissioner Halligan requested that the proposed resolution concerning affordable housing/partial transfer legislation be placed on the agenda. Commissioner Halligan noted that in 2003, ANC 2B voted to recommend that the DC Council close a loophole allowing "95/5 transactions", where a seller effectively denies the first right refusal to tenants. Commissioner Halligan made a motion to resubmit a letter because the "95/5 transactions" bill was reintroduced.

A constituent requested that the ANC specifically refer to these transactions as "partial transfers" in the letter. Commissioner Bowie made a friendly amendment to the motion to include this request. Commissioner Halligan accepted his friendly amendment. Commissioner Estrada seconded the motion. The motion carried unanimously (9-0).

Commissioner Robinson gave an update on the status of the P Street Streetscape Plan. She will have a meeting on February 17th from 7-9:00 at the Barcello Hotel. DDOT has not completed plans for the P Street Streetscape. The community had a disagreement with DDOT about sidewalks. DDOT will present their proposal for brick sidewalks at this meeting.

REGULATORY AGENDA

Commissioner Bjorge explained that Olives' (1600 K Street, NW) Public Space application for a sidewalk café was not approved because DDOT did not properly notify ANC 2B. Commissioner Bjorge introduced Matthew Marcou, Surface Permitting Manager of DDOT. Mr. Marcou stated that DDOT failed to notify the correct ANC 2B Commissioner of Olives' application. Mr. Marcou stated that he assigned one person to update all ANC addresses and contact information. He will personally facilitate dialogue between Olives and ANC 2B. This public space application involves removal of grass and additional landscaping for a sidewalk café. Commissioner Bjorge made a motion to have Olives make a presentation of its proposal. Commissioner Bowie noted that ANC 2B voted against the Olives public space application at the last ANC 2B meeting. Constituents can contact Matthew Marcou at matthew.marcou@dc.gov.

Commissioner Robinson introduced Mark Bailen and Jessica Rosenworcel's BZA application 17291 for a variance to permit the expansion of the applicants' attic. The applicants noted that the addition to their house would not be visible from the street. The

purpose of the addition is to create a children's bedroom. An architect presented drawings and plans to the Commissioners.

Commissioner Halligan stated that he supports this application. Commissioner Robinson made a motion to support the applicants' proposal. Commissioner Movahedi seconded the motion. The motion carried unanimously (9-0).

Hank's Oyster Bar (1624 Q Street, NW), applied for an ABC Substantial Change Application for an increase in the number of seats from 30 to 65. Commissioner Bjorge introduced a representative of Hank's Oyster Bar who spoke about the menu and operating hours. Commissioner Bjorge made a motion to support the substantial change application. Commissioner Movahedi seconded the motion. The motion carried unanimously (9-0).

Commissioner Klempay introduced an Historic Preservation Application (05-158) for the proposed demolition of a two-story apartment building located at 1817 Swann Street, NW. A representative from an architectural firm gave an informational presentation and stated that he does not wish to demolish the whole building. He plans on maintaining the façade, but will not exceed the FAR with additional structures. No action was taken.

Commissioner Bowie noted that Kim Williams and Steve Calcott of the DC Historic Preservation Office, were present to answer questions regarding the proposed expansion of the Dupont Circle Historic District boundaries. Residents and business owners spoke for and against this proposal.

The following is a transcript of the discussion between Commissioner Movahedi and Steve Calcott regarding the Boston House.

BM: I have a few questions that I'd like to get answered, so bear with me please. Steve, I think in the meeting we had, you said that there are regulations being worked on and would be available at some point. (inaudible)

SC: I don't have any update for you

BM: So the regulations are still pending, that would basically govern your decision making process. Correct?

SC: We have standards in place for the review of window replacement; only we don't have standards, regulatory standards for any other type of alteration.

BM: And let me ask you quite frankly on the issue of Legend's property. If that came before you, how many stories could he go up?

SC: I do not have an answer because I do not have a proposal.

BM: Well I'd like take it one step further. If he wanted to build seven stories on that property, can he do that?

SC: I cannot tell the answer to that.

BM: Well the building next door is seven stories.

SC: Ok

BM: He can't do that?

SC: I cannot tell you the answer. He would have to put forward a proposal.

BM: In the meeting that you and I had, you mentioned that the Boston house was a contributing building because it was built in 1941. Is that correct?

SC: 1940

BM: But in fact it was built in 1941 and completed in 1952.

MS: 1949

BM: It was completed in 1949 and completed in 1952. So why is that building a contributing building and why your decision requires them to spend another \$800,000 on their windows?

SC: The building was listed as a contributing building in our database, and that was the basis on which the decisions were made. If the applicant had any concerns about whether it was a contributing building, the case could have gone to the Historic Preservation Review Board for clarification. I worked with the applicants to try and expedite the case at the staff level.

BM: Well the applicant said that you never said it was a contributing building, for the record. Let me also say—First, I want to respond to some of my constituents who have emailed me and said that whether I own any buildings in the affected area. I certainly do not. I want to be on record to say that's the case. I appreciate my constituents' emails to me relating to this matter. At the present time, the way that this proposal came before us, I cannot see how I can possibly support this matter on the basis of the guarantees that I can't get from your department. The proposal does not guarantee someone like (inaudible) to be protected, and as such, there is no possible way that I am going to be voting in favor of this matter today.

Commissioner Bowie made a motion to support the proposed expansion. Commissioner Klempay seconded the motion. Commissioner Movahedi asked Mr. Calcott if any regulations related to the historic preservation review process were still pending. Mr. Calcott stated the regulations that would govern the decision process are still pending.

Commissioner Movahedi stated for the record that he does not own any buildings in the area. He stated that he does not support the proposal. Commissioner Bjorge stated that he could support the proposal, but has not seen any compromise by HPRB. Commissioner Silverstein made a motion to amend Commissioner Bowie's original motion, in order to exempt three properties from the proposed expanded area of the Historic District and designate them as noncontributing. Commissioner Bowie accepted this amendment. Commissioner Klempay seconded the motion. Commissioner Bjorge proposed an amendment to Commissioner Silverstein's amendment, but the motion failed for lack of a second. Commissioner Movahedi stated that he strongly disagrees with Commissioner Silverstein's amendment. Commissioner Bowie moved to a vote on Commissioner Silverstein's amendment. The amendment failed. Commissioner Bowie moved to a vote on his original motion. The motion carried (8-1) with Commissioner Movahedi voting against it.

UNFINISHED/NEW BUSINESS

Commissioner Movahedi made a motion to authorize payment for a Verizon bill in the amount of \$101.11, payment of \$152.76 to PayChex, and staff payroll of \$577.19 to Alfred Blicher. Commissioner Bowie seconded the motion. The motion passed unanimously (9-0).

A special meeting of ANC 2B will be held on Tuesday, March 1, 2005 at 7:00 p.m. at the D.C. Jewish Community Center, 16th & Q Streets, N.W.

The next regular meeting of ANC 2B on whether the 17th Street ABC Moratorium should be continued, modified, or terminated will be held on Wednesday, March 9, 2005 at 7:00 p.m. at the D.C. Jewish Community Center, 16th & Q Streets, N.W.

At 9:45 PM, Commissioner Bowie moved to adjourn the meeting, which passed by acclamation.

Respectfully submitted,

Alfred E. Blicher, Jr.
Executive Director
Dupont Circle Advisory Neighborhood Commission

ADOPTED: March 9, 2005