

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION
REGULAR MEETING, Wednesday, July 13, 2005
DC Jewish Community Center**

The July 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: Karyn-Siobhan Robinson, (2B-02), Bob Meehan (2B-03), Darren Bowie (2B-04), Mark Bjorge (2B-05), Mike Silverstein (2B-06), Babak Movahedi (2B-07), Peter Klempay (2B-08) and Ramon Estrada (2B-09). Rob Halligan (2B-01) was not present. The chair noted the presence of a quorum.

PUBLIC TESTIMONY AND ANNOUNCEMENTS

Commissioner Estrada announced that the ABC Board revoked the ABC license of Club U. He thanked the Commission and the Dupont Circle Citizens Association (DCCA) for protesting this application. Commissioner Bowie thanked Commissioner Estrada for his hard work on this matter.

Commissioner Bjorge announced that on July 16 from 9:00-12:00, volunteers will meet to clean up Stead Park (1625 P St. NW). Residents are welcome to volunteer. Commissioner Silverstein congratulated Commissioner Bjorge and the community for their work on Stead Park.

Commissioner Movahedi announced that the neighborhood has made good progress on fighting the rat problem on Q, P and Church Streets.

Commissioner Bowie announced the ABC Board hearing for the West Dupont Circle ABC Moratorium will take place on Wednesday, July 27th at 1:00 PM.

Ed Grimm, Executive Director of Historic Dupont Circle Main Streets, announced a networking event on Tuesday, July 19th at Mark and Orlando's from 6:00-8:00 PM.

A constituent inquired how one would file a public art project with the ANC. Commissioner Bowie recommended the resident speak with Commissioner Robinson, because the project would be located in ANC 2B02, to file a public space application.

PUBLIC SAFETY COMMITTEE

Commissioner Bowie noted that Commissioner Halligan, Public Safety Chair, was not present. Commissioner Bowie commended residents of the 1500 block of Corcoran Street NW for accosting a man who attacked a woman after unsuccessfully attempting to steal her purse.

Commissioner Bowie announced that the Dupont Circle Public Safety Committee meets every third Tuesday of the month at 7:00 at the Metro Police Department station at 1620 V Street NW.

Commissioner Silverstein announced that the Metro Police Department apprehended the “BORF” graffiti artist.

GENERAL AGENDA

Councilmember Jack Evans gave a presentation on the proposed demolition of the Whitehurst Freeway. He stated that the District currently has a \$400,000 study underway to investigate the ramifications on DC and Virginia traffic from destroying the freeway. The District Department of Transportation (DDOT) will present the study’s findings in the Fall. Commissioner Bowie thanked Councilmember Evans for his presentation. Ramona Burns of the District Department of Transportation (DDOT) noted that residents can view materials regarding this study at www.ddot.dc.gov.

Commissioner Silverstein stated that the Commission should support a resolution opposing the demolition of Whitehurst Freeway until such time that a sufficient solution to traffic congestion concerns is submitted to the Commission. He asked Councilmember Evans to address how the destruction of Whitehurst Freeway would affect the District’s evacuation routes and the affect on Police and Fire departments.

Commissioner Robinson stated her support for the demolition of the freeway. She suggested tabling this matter until Councilmember Evans’ study is available for review.

Commissioner Meehan stated that he supports Commissioner Silverstein’s resolution because it identifies the magnitude of concern the Commission has with regard to evacuation routes, which was the original purpose of the freeway. He recommended the Commission go on record to emphasize the importance of this issue. Commissioner Movahedi stated his support for Commissioner Meehan’s recommendation. Councilmember Evans noted that he is not requesting ANC 2B to remain neutral, but to wait until a study addressing this issue is available.

Commissioner Silverstein made a motion to pass the resolution. Commissioner Bjorge made a friendly amendment to include language with regards to exploring mass transportation options. Commissioner Silverstein accepted the friendly amendment. Commissioner Movahedi seconded the motion. The motion carried (7-1) with Commissioner Robinson opposed.

Resolution Regarding Proposed Demolition of Whitehurst Freeway As Amended

WHEREAS , more than 40,000 vehicles use the Whitehurst Freeway on a daily basis, providing a convenient route from Upper Northwest and Palisades, Maryland, and Virginia to Downtown and Capitol Hill; and

WHEREAS, many of those vehicle originate in Northwest Washington and the Maryland suburbs, and the drivers of these vehicles would find it impractical to cross the river to Virginia to make their commute; and

WHEREAS, three major thoroughfares across Rock Creek Park are located within the boundaries of ANC 2B – P Street Bridge, Q Street Bridge, and Massachusetts Avenue; and

WHEREAS, these thoroughfares are already heavily used, especially during rush hour, and are unable to support the thousands of additional vehicles that likely would attempt to use them if the District demolished the Whitehurst Freeway; and

WHEREAS, it is vital for the safety and security of our citizens to have a number of evacuation routes out of the District; therefore

BE IT RESOLVED that ANC 2B opposes the destruction of the Whitehurst Freeway until an alternative means of handling all current traffic, including consideration of mass transit, is completed and approved.

Representatives of the DC Water and Sewer Authority (WASA) gave a presentation regarding the replacement of lead water lines in the District. They explained the notification, construction, flushing/sampling, and restoration processes. They distributed handouts and information regarding water conservation. They also requested comments from constituents.

Commissioner Estrada noted that this presentation does not apply to Dupont Circle with regard to fences and brick sidewalks. He asked the WASA representatives about independent contractors illegally offering his constituents to replace inside piping for an additional fee. WASA representatives stated that they did not authorize contractors to procure independent work in addition to the District's lead pipe service work.

Constituents may contact Aleizha Batson, Community Relations Coordinator, at aleizha.batson@dcwasa.com or at 202-787-2200.

Ramona Burns of the District Department of Transportation (DDOT) gave a presentation on proposed curbside public parking spaces for car-sharing vehicles. Two public spaces are located at 20th St. (between Q St. and Connecticut Ave., NW) and two spaces at 1501 K St. NW. She provided the Commission information regarding proposed spaces.

Commissioner Robinson stated that DDOT should use rush hour parking spaces instead of public spaces. She stated for the record her opposition to this project. She also noted her opposition to allocating prime parking spaces now used by residents to car-sharing companies. Commissioner Movahedi stated that public spaces should not be used for private benefit.

Ms. Burns noted that she is open to Commissioner suggestions regarding this matter. Commissioner Bowie made a motion to table this matter until the August meeting, by which time Commissioners should provide any alternative parking spaces suggestions to Ms. Burns. Commissioner Silverstein seconded the motion. The motion passed unanimously (8-0).

Commissioner Bowie stated that the Office of Planning has given the Commission additional time to consider the Comprehensive Plan. Commissioner Bowie moved to consider the Commission's initial comments on the Comprehensive Plan at the August meeting. Commissioner Movahedi seconded the motion. The motion carried unanimously (8-0).

REGULATORY AGENDA

Representatives of the purchaser of the Mobil service station at 15th and U Streets NW were not prepared to give a presentation on the purchase of and proposed renovations to that station.

The Commission considered the public space application by Couscous Café (1195 20th St., NW) for an unenclosed sidewalk café. Commissioner Silverstein made a motion to approve the application. Commissioner Robinson seconded the motion. The motion carried unanimously (8-0).

Commissioner Silverstein requested the Commission consider the ABC application by Karma Café (1990 I St. NW). Commissioner Bowie stated that the Commission should review the application before the Commission addresses the matter at the August meeting.

The Commission considered the ABC license application for a Class D (beer and wine) license by Java House (1645 Q St., NW). Commissioner Bowie stated that the Commission was prepared to vote on this matter, but the opening hours for sale of alcohol were an issue. A representative of Java House stated that they would be willing to sign a voluntary agreement regarding this concern. Commissioner Bowie recommended supporting the application, but would prefer bringing this matter to a vote at the August meeting, after the applicant addresses the Commission's concerns. Commissioner Bowie made a motion to table this matter until the August meeting. Commissioner Klempay seconded the motion. The motion passed unanimously (8-0).

The Commission considered the ABC license application for a Class D (Beer and Wine) license by Pasha Bistro (1523 17th St., NW). Commissioner Bjorge noted that ANC 2B had adopted sidewalk café guidelines in 1997 with regard to hours of operation. The guidelines state that closing hours for sidewalk cafes and restaurants across the street from or approximate to residentially zoned blocks should be 11:00 PM on weekdays and midnight on weekends. Pasha Bistro applied for operating hours outside of ANC 2B's adopted guidelines. The issue before the Commission is whether to apply the guidelines

to new applicants, even though their operating hours would be inconsistent with preexisting establishments.

Bill Glew, President of the Dupont Circle Citizens Association (DCCA), requested that ANC 2B retain the established guidelines.

Commissioner Bowie noted that it is not unreasonable to request establishments to stop serving alcohol at a specific time, if the public space is located near residents.

Commissioner Robinson noted that an ABC License is a privilege and that the Commission can use the adopted guidelines in determining this matter. Commissioner Estrada noted his support for Commissioner Robinson's statement. Commissioner Estrada believes a voluntary agreement is appropriate for this matter.

Commissioner Bjorge made a motion to protest the application on grounds of peace, order and quiet pending the negotiation of a voluntary agreement. Commissioner Silverstein seconded the motion. The motion carried unanimously (9-0) with Commissioner Halligan voting by proxy.

Commissioner Estrada updated the Commission and residents on ABC matters regarding Cada Vez (1438 U St., NW). Representatives of Cada Vez were present to answer questions from the Commission. The applicant seeks to increase its hours of operation and provide more dance music. Commissioner Estrada stated that the applicant is attempting to remain classified as a restaurant, when it is actually a club. He witnessed approximately 250 people on the dance floor and the use of smoke machines and lasers in the establishment. He also noted that DCCA does not support the applicant's request to increase its hours of operation.

Commissioner Robinson also voiced her concern over establishments with restaurant licenses morphing into dance clubs. A Cada Vez representative noted that 45% of sales from Cada Vez come from food. Commissioner Bowie asked the representatives when the last food audit was performed. Commissioner Estrada noted that the audit was a few years old, and that he had requested a new audit to be performed. The Commission did not take action on this matter and the Commission's earlier protest will continue to a protest hearing before the ABC Board in October.

Eric Colbert and Associates presented their plan for proposed construction on the property across the alley from Rapture Lofts (1406 T St., NW). The representatives requested medium FAR in condominiums on the south side of the building. Commissioner Estrada made a motion to oppose the project based on the mass, density and inappropriateness of the development given the historic nature of this block and its inclusion in the U Street Historic District. Commissioner Bjorge seconded the motion. The motion passed (6-1-1) with Commissioner Meehan opposed and Commissioner Movahedi abstaining.

Commissioner Bjorge stated that N Street Follies Ltd. tabled its Historic Preservation Application for Approval for Alteration and New Construction at 1743-1755 N St., NW.

Commissioner Bowie stated that the Zoning Commission Application by Rhode Island Associates Limited Partnership for a modification to an approved Planned Unit Development at 1616 Rhode Island Ave., NW would be heard at the August meeting.

UNFINISHED/NEW BUSINESS

Commissioner Movahedi made a motion to pass the following resolution in support of the Whitman-Walker Clinic:

ADVISORY NIEGHBORHOOD COMMISSION 2B RESOLUTION SUPPORT OF DISTRICT OF COLUMBIA CITYCOUNCIL MEMBERS ACTIONS ON BEHALF WHITMAN-WALKER CLINIC

WHEREAS HIV/AIDS has had, and continues to have, a major impact on Washington, DC, and the Dupont Circle area in particular; and if bold efforts are not made in the proliferation of accessible disease detection and prevention education, the impact on our community can only grow to be more severe;

WHEREAS the Whitman-Walker Clinic provides an unparalleled public health service to more than 7,000 residents of the DC Metropolitan Area; providing addiction rehabilitation programs, LGBT social wellness outreach, disease prevention education and early detection services, and resources to increase the living standards of those with HIV/AIDS; and the Clinic has done so for the past 32 years.

WHEREAS the Whitman-Walker Clinic is a not-for-profit organization, and requires the financial support of the community for which it serves;

WHEREAS numerous DC residents are dependent on the high-quality, comprehensive, and accessible health care and community services provided by the Whitman-Walker Clinic;

WHEREAS the Whitman-Walker Clinic is in the midst of a financial crisis that threatens the quality, quantity and depth of its services;

RECOGNIZING business outreach efforts by Councilmember Jim Graham, resulting in the procurement of a \$500,000.00 grant from CareFirst Blue Cross-Blue Shield, a local health insurance company;

RECOGNIZING business outreach efforts by DC City Council Chairwoman Linda W. Cropp to secure \$300,000.00 over the next two years from D.C. Chartered Health Plan, Inc.;

RECOGNIZING the efforts of Councilmember David Catania to swiftly appropriate and pass an emergency transfer of \$2.5 million to the Clinic from funds slated to go unspent by the District of Columbia in the current fiscal year.

BE IT RESOLVED: That Advisory Neighborhood Commission 2B consummately supports and enthusiastically applauds the heroic steps taken by the aforementioned Council members and the Government of the District of Columbia in their endeavors to support the Whitman-Walker Clinic in its time of difficulty.

BE IT FURTHER RESOLVED: That Advisory Neighborhood Commission 2B wholeheartedly requests that the District of Columbia Government and City Council take immediate action to secure the Whitman-Walker Clinic against future difficulties of this magnitude

Commissioner Bowie seconded the motion. The motion carried unanimously (8-0).

Commissioner Movahedi made a motion to increase the Executive Director's salary by \$100 per month. Commissioner Estrada seconded the motion. The motion carried unanimously (8-0).

Commissioner Movahedi circulated a new budget reflecting changes in the 2005-2006 fiscal year. He also recognized Commissioner Meehan and Ben Murphy for their hard work on this matter. He made a motion to approve the new budget. Commissioner Meehan seconded the motion. The motion carried unanimously (8-0).

Commissioner Bowie made a motion to rescind the previous motion to close ANC 2B's Riggs bank account. Commissioner Estrada seconded the motion. The motion carried unanimously (8-0).

Commissioner Bowie made a motion that calls for any ANC 2B Zoning Committee members to be removed from the Committee after missing three meetings. Commissioner Estrada seconded the motion. The motion carried unanimously (8-0).

Commissioner Bowie made a motion to approve the May Special, May Regular and June meeting minutes. Alfred E. Blicher, Jr. is empowered to make technical changes to the May Special, May Regular and June meeting minutes. Commissioner Movahedi seconded the motion. The motion was passed unanimously (8-0).

The next regular meeting of ANC 2B will be held on Wednesday, August 10, 2005 at 7:00 p.m. at the D.C. Jewish Community Center, 16th & Q Streets, N.W.

At 9:55 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: August 10, 2005