

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION
REGULAR MEETING, Thursday, October 13, 2005 Provisions Library**

The October Regular Meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Darren Bowie at 8:00 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 (2B-05), Mike Silverstein (2B-06), Babak Movahedi (2B-07), and Ramon Estrada (2B-09). Peter Klempay (2B-08) was not present.

PUBLIC TESTIMONY AND ANNOUNCEMENTS

Commissioner Bjorge announced that the Department of Consumer and Regulatory Affairs (DCRA) closed Chef's Express (1417 17th Street, NW) indefinitely. He also announced that sidewalk and streetlight construction at 17th and P Streets, NW is projected to last for three weeks.

Commissioner Bowie commended Commissioner Bjorge for his assistance in closing Chef's Express.

Commissioner Bowie announced the Dupont Circle House Tour would take place on Sunday, October 16th from 12:00-5:00.

Commissioner Movahedi announced that the construction at 17th and P Streets, NW is under new management and that the new management would resolve any issues regarding trash and maintenance.

The new owners of Peppers (1527 17th, St NW) notified the Commission of their plans to convert the restaurant into a French-style bistro.

PUBLIC SAFETY COMMITTEE

Commissioner Halligan 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 St., NW.

Commissioner Halligan announced that two street robberies and one store robbery had recently taken place on U and 14th Streets, NW. Three people are also suspected to have worked together to rob houses on Corcoran St., NW.

Commissioner Halligan announced that the Citizens Advisory Council would have a dinner to thank the Metro Police Department (MPD) and citizens on November 10th at the Thurgood Marshall Center, located at 1816 12th St., NW.

GENERAL AGENDA

At the request of Commissioner Bjorge, various representatives of environmental and civic groups (Sierra Club, Washington Canoe Club) gave a presentation to the Commission about the Georgetown University proposal to build a boathouse on public land. Representatives stated that public land should not be diverted for private recreational use. The High School Rowers and ANC 3D support the boathouse proposal.

Commissioners Bowie and Bjorge discussed the timing of action by ANC 2B on this issue. Commissioner Bowie suggested that ANC 2B defer consideration of a motion on this matter until representatives of Georgetown University and National Park Service are available to attend ANC 2B's next meeting to discuss this issue.

The Commission considered a request by Casey Trees for the removal of dead trees and stumps in Dupont Circle. Casey Trees submitted a list of dead trees and stumps to the Commission. Commissioner Bowie made a motion to send the list of dead trees to the Urban Forestry Administration, and request that they address this problem. Commissioner Movahedi seconded the motion. Commissioner Meehan made a motion to amend the list to include a dead tree stump at Corcoran and 18th Streets, NW. Commissioner Movahedi seconded the motion. The motion carried (8-0).

The Commission considered the District Department of Transportation's (DDOT) proposal for curbside parking spaces for car-sharing vehicles. No DDOT representatives were present at this meeting. Commissioner Robinson resubmitted a request for six spaces at 23rd St., NW, running alongside the Church of the Pilgrims (2201 P St., NW). Commissioner Meehan requested that DDOT designate two spaces (one public space for car-sharing and one residential space) at Florida Ave., NW between Decatur Place and S St., NW. Commissioner Movahedi noted his opposition to private companies using public spaces for car sharing. A constituent requested the Commission investigate car-sharing companies' state of incorporation.

Commissioner Bowie made a motion to send a letter to DDOT requesting that it designate on-street parking spaces on 23rd St., NW by the Church of the Pilgrims; on Florida Ave., NW between Decatur Place, NW and S St., NW; that DDOT consider creating new spaces on Corregidor St., NW; and that any cars utilizing such spaces must be registered in the District. Commissioner Bjorge offered a friendly amendment requesting DDOT designate one space for light trucks or SUVs. Commissioner Bowie accepted the friendly amendment. Commissioner Estrada seconded the motion. The motion carried (7-1) with Commissioner Movahedi opposing the motion.

Commissioner Bowie recommended the Commission defer any action on considering members for the ANC 2B 17th Street Committee.

The Commission considered a request by David Perruzza of JR's Bar & Grill for a letter to the Mayor's Task Force supporting the Dupont Circle High Heel Race. Mr. Perruzza

announced that the race would take place on October 25th from 6:00-11:00. Mr. Perruzza noted that the following roads would need to be closed to accommodate the race:

Church Street closed on 16th, 17th and 18th Streets, NW
Q Streets closed from 18th to 16th Streets, NW
Corcoran Street closed from 18th to 16th Streets, NW
R Street closed from 16th to 18th Streets, NW
Swann Street closed from 16th to 17th Streets, NW
17th Street blocked off at S Street, NW

Commissioner Bowie made a motion to send a letter to the Mayor, requesting the District waive its requirement for 90% of resident signatures in order to close streets in the vicinity of the High Heel Race. Commissioner Bjorge seconded the motion. The motion carried (8-0).

REGULATORY AGENDA

The Commission considered an ABC application by Legends Restaurant (2157 P St., NW) for a new DR license. Commissioner Robinson noted that the Commission negotiated a voluntary agreement with the applicant regarding outside hours. Due to ANC 2B's advance negotiation of a voluntary agreement with the applicant, the Commission must formerly protest the application in order to have the ABC Board accept the voluntary agreement. The Commission considered taking two actions:

1. Protest the application, but ask the ABC Board to accept the voluntary agreement; and
2. Upon acceptance of the voluntary agreement, request that the Alcoholic Beverage Regulation Administration (ABRA) issue a stipulated license to the applicant, thereby allowing the applicant to serve alcoholic beverages while its application is pending before the ABC Board.

Commissioners Bowie and Silverstein commended Commissioner Robinson for her hard work on this matter.

Commissioner Robinson made a motion 1) to protest the application, 2) to request that the ABC Board accept the voluntary agreement negotiated by ANC 2B and the applicant, and 3) conditioned upon entry of the voluntary agreement, issue a stipulated license to the applicant. Commissioner Estrada seconded the motion. The motion carried (8-0).

The Commission considered an ABC application by Wasabi (910 17th St., NW) for a new CR license. Commissioner Silverstein noted that the applicant did not contact the Commission. Commissioner Bowie deferred consideration of the application until the November meeting.

The Commission considered BZA Application No. 17392 by Babak Movahedi for a variance from the use provisions to allow the conversion of a single-family dwelling to general office use in an R-5-B District at 1700 Q St., NW. Commissioner Movahedi recused himself from the Commission's deliberations on this matter. The applicant's attorney, Stephen Gell, made a presentation regarding the possibility of amending Commissioner Movahedi's application.

Commissioner Bowie explained that the applicant is considering seeking another form of relief under the Home Occupancy provisions of the Zoning Regulations, which allow residents to engage in some form of business in their homes, subject to certain restrictions.

The Commission debated how it should handle this matter, given that there is no newly amended application before the Commission. Commissioner Estrada inquired about the filing deadline for this application. Commissioner Bowie stated that the Commission must file within seven days of the BZA hearing on November 22nd. He noted that the Commission could defer taking action on this application until the November meeting.

Constituents raised concerns regarding the effect of a variance on future tenants, residents and businesses.

Bill Glew, President of the Dupont Circle Citizens Association, (DCCA) emphasized the necessity of preserving the rights of the community to analyze what may come forward should the Commission delay action on this application. He also noted that the most effective way of dealing with the application in question would be to vote up or down, in order for the applicant to seek another type of variance under the Home Occupancy provisions of the Zoning Regulations.

The Commission debated the merits of Commissioner Movahedi formally withdrawing the application to submit an amended application as opposed to filing an amendment and notifying neighbors.

Commissioner Silverstein noted the importance of community input when considering this application.

Commissioner Bowie recommended the Commission direct the applicant to submit an amendment to ANC 2B and to serve it on all affected neighbors, as determined by the Zoning Regulations, by October 24th. Commissioner Estrada formally moved the motion by stating, "so moved". Commissioner Bowie proposed a friendly amendment to also table ANC 2B's considering of the application until the November meeting.

Commissioner Estrada accepted the friendly amendment. Commissioner Robinson recommended amending the motion so that the Commission would not consider this matter if the applicant did not serve the new application on ANC 2B and neighbors by October 24th. Commissioner Estrada accepted the friendly amendment. Commissioner Bowie seconded the amended motion. The motion carried (6-0) with Commissioner Movahedi recusing from the vote.

The Commission heard an update on Zoning Commission Application 02-51A by Rhode Island Associates Limited Partnership for a modification to an approved Planned Unit Development (PUD) at 1616 Rhode Island Ave., NW.

Commissioner Bowie noted that at the September meeting, the Commission voted to oppose the PUD modification and to retain counsel to represent ANC 2B. Commissioner Bjorge noted that the University of California joined ANC 2B in opposition of the PUD modification.

The Commission considered the hiring of a land use consultant, Thorne Consultants, Inc., to advise on this matter. The consultant presented ANC 2B with a proposed budget of \$12,000, assuming a hearing before the Board of Zoning and Adjustments (BZA). Commissioner Bowie noted that the Dupont Circle Citizens Association agreed to pay up to \$5,000 to the consultant.

Commissioner Movahedi left the meeting.

Commissioner Bowie made a motion to retain Thorne Consultants, Inc. and authorize the expenditure of up to \$7,000 for payment to Thorne Consultants, Inc. Commissioner Bjorge seconded the motion. Commissioner Estrada inquired whether the Commission could add additional parties to its coalition. Commissioner Bowie stated that the additional party deadline had already passed. Commissioner Bowie amended his original motion to authorize the expenditure of up to \$7,500 and Commissioner Bjorge accepted the amendment. The motion carried (5-0-1), with Commissioner Robinson abstaining and Commissioner Movahedi having left the meeting.

The Commission considered the Public Space Application regarding a proposed sign adjacent to 748 Jackson Place, NW. Commissioner Bjorge noted that the sign is generally located across from the White House. Commissioner Bjorge made a motion to support the application. Commissioner Robinson seconded the motion. The motion carried (6-0).

UNFINISHED/NEW BUSINESS

Commissioner Bowie made a motion to pay \$285 to Provisions Library:

1. \$250 for renting of room for October 2005 meeting
2. \$35 for overtime for Provisions Library staff

Commissioner Estrada seconded the motion. The motion carried (6-0).

Commissioner Silverstein recommended the Commission allocate funds to buy cakes for consumption at the Dupont Circle House Tour on October 16th. Commissioner Bowie made a motion to authorize up to \$70 for cakes for the Dupont Circle House Tour. Commissioner Robinson seconded the motion. The motion carried (6-0).

Commissioner Bowie made a motion to approve the September meeting minutes. Alfred E. Blicher, Jr. is empowered to make technical changes to the September meeting minutes. Commissioner Estrada seconded the motion. The motion carried (6-0).

The next regular meeting of ANC 2B will be held on Wednesday, November 9, 2005, 7:00 PM at Jury's Hotel located at 1500 New Hampshire Ave., NW

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: November 9, 2005