

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION
REGULAR MEETING,
Wednesday, November 8, 2006 Jewish Community Center**

The November 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: Commissioners Karyn-Siobhan Robinson (2B02), Darren Bowie (2B04), Mark Bjorge (2B05), Mike Silverstein (2B06), Babak Movahedi (2B07), and Peter Klempay (2B08). Commissioners Morra Aarons (2B01), Bob Meehan (2B03) and Ramon Estrada (2B09) were not present.

PUBLIC TESTIMONY AND ANNOUNCEMENTS

Commissioner Bowie congratulated the newly elected ANC Commissioners taking office in January 2007.

Commissioner Robinson recognized the new Commissioner for ANC 2B02 – Brian Branton. She noted she would work closely with him to make the transition as smooth as possible.

Commissioner Bowie recognized the new Commissioner for ANC 2B01 - Curtis Farrar.

Zach Dobelbower, Ward 2 Planner, DC Office of Planning (OP), announced OP would lead a strategic planning process to develop a new action agenda for Washington's City Center. The planning process will establish a new set of five-year goals and develop a list of key strategic initiatives to implement over the next 18 months. Interested residents may contact Mr. Dobelbower at 202-442-7631 or at zach.dobelbower@dc.gov.

PUBLIC SAFETY COMMITTEE

Rob Halligan, Dupont Circle Public Safety Chair, and President, Dupont Circle Citizens Association (DCCA), noted an increase in car and store break-ins.

Mr. Halligan announced that the Dupont Circle Public Safety Committee meets every third Tuesday of the month at 7:00 PM at the Metropolitan Police Department station at 1620 V Street NW.

Commissioner Bjorge noted that Pasha Bistro had its windows broken into. Commissioner Silverstein noted that a number of people were involved in the robberies.

GENERAL AGENDA

Michelle May, Office of Homeless Services, DC Department of Mental Health (DMH), appeared before the Commission to explain services provided to the community. She

noted that DMH recently created larger outreach teams to provide crisis services to the homeless. DMH offers the following services to the community:

- Crisis response and assessment of homeless individuals and families
- Case consultations
- Regular outreach visits to shelters, homeless services programs, and streets
- Training on working with homeless and mentally ill individuals
- Travelers assistance
- Winter sobering station
- Mobile crisis services

Ms. May noted her agency would coordinate with the DC Metropolitan Police Department (MPD) on homeless concerns.

Commissioner Bjorge noted that residents have problems with the homeless at public parks. He noted that it seems that the homeless are being pushed from neighborhood to neighborhood. He inquired about the long-term strategy of DMH. Ms. May noted that housing is challenging to find for the homeless and that this is a difficult issue.

A resident expressed concern over a homeless individual on Connecticut Avenue NW. He requested DMH to help out with this individual, who has been in the Dupont Circle area for nine months. Ms. May noted that she could not legally or publicly disclose any information about this individual.

Concerned residents can contact the Office of Homeless Services to report any homeless individuals in need of assistance at:

202-698-5555 (9:00 AM – 5:00 PM)
202-494-6269 (5:00 PM – 9:00 PM)

For more information on services provided by DMH, contact the DMH Access Helpline:
1-888-7WE--HELP

Latrena Owens, Office of the Deputy Mayor for Planning and Economic Development did not appear before the Commission to discuss the Neighborhood Investment Fund Program.

REGULATORY AGENDA

The Commission considered the proposed modification to a Planned Unit Development (PUD) at 1616 Rhode Island Avenue NW. Representatives of Rhode Island Associates appeared before the Commission to present their proposed modification. The proposed office building would be approximately 129,000 square feet and 105 feet tall. Representatives noted that Rhode Island Associates had provided community benefits and amenities to comply with PUD regulations. Rhode Island Associates had previously donated \$150,000 to the Ross Elementary School and \$10,000 to the Dupont Circle

Resource Center. They propose contributing \$100,000 to the Affordable Housing Trust Fund and a nonprofit housing provider, \$25,000 to Dupont Circle Main Streets, \$25,000 to Stead Park, \$25,000 to Scott Circle improvements, and an environmental package of \$400,000-\$500,000, totaling \$735,000.

Commissioner Bowie clarified that the new contributions to the neighborhood totaled \$75,000. Commissioner Silverstein noted that another recent PUD applicant offered to pay more than they had originally intended for the improvement of the park across from the Dupont Circle North metro exit. He inquired if Rhode Island Associates would be flexible with their community amenities. The applicant replied that there are economic constraints determining their contribution to the neighborhood.

Mr. Halligan noted that the current proposal before the Commission is very similar to the proposal rejected by DCCA and the ANC last year. He noted the PUD zoning relief would allow Rhode Island Associates to increase the value of the property by tens of millions of dollars. He stated DCCA is hoping to increase the community amenities. He noted the applicant had not changed their community amenity figure over the past year.

Commissioner Movahedi asked the representatives why they would appear before the Commission without offering an increase in community amenities. They replied that the Zoning Commission had not yet considered their current proposed community amenity figure.

Commissioner Bowie noted that the Commission did not understand why the applicant would submit a proposal that is very similar to the most recent proposal rejected by the Zoning Commission. He noted that the applicant cites economic concerns for not increasing its community amenities, but has likely incurred significant costs while continuing to oppose the Commission's requests. Commissioner Bowie noted the Commission's disappointment with the applicant's apparent unwillingness to negotiate in good faith regarding community amenities.

Commissioner Bjorge made a motion to oppose the application.

Commissioner Klempay seconded the motion. Commissioner Movahedi noted he was displeased that he had not seen the motion beforehand. He inquired whether Commissioner Bjorge was suggesting the developer contribute \$250,000 per year forever. Commissioner Bjorge responded in the affirmative. Commissioner Movahedi stated that he could not support the motion. Stephen Gell, Esq. noted that the developer would pay \$250,000 per year until \$5 million will have been contributed as a community amenity. Commissioner Movahedi inquired what the basis was for calculating the community amenity figures. Commissioner Bowie noted that the Commission retained an appraisal expert who prepared a report regarding the economic benefits to the applicant if its proposal is approved, which serves as the basis of Commissioner Bjorge's request. Commissioner Robinson noted that the value of the land in question should be considered when determining the developer's community amenity. Commissioner Bowie noted that the Commission had received a report from Thorne Consultants, which serves as the basis

of Commissioner Bjorge's request regarding the community benefit. The motion carried (5-1).

Commissioner Silverstein inquired about the procedure if the Commission and the applicant reach an agreement before the Zoning Commission's hearing in December. Commissioner Bowie stated that the Commission could vote again on this matter at the December meeting, or the Commission could notify the Zoning Commission and request a continuance of this matter.

Commissioner Movahedi stated that the applicant should come up with a reasonable figure for settlement for the community amenity. He noted that as much as he was displeased with the applicant not increasing its community amenity figure, he was also displeased with the proposed figures by the Commission. Commissioner Bowie noted that there is some median ground between \$75,000 and \$5 million for both the applicant and the Commission to reach an agreement.

Commissioner Bowie recognized Sean Howard, Ward 2 Staff Coordinator of the Fenty Transition Team.

The Commission considered BZA Application No. 17563 by Richard F. Little for a Special Exception to Allow a Rear Addition to an Existing Flat (Two-Family Dwelling) at 1618 Riggs Place NW (2B04). Ed Grandis, Esq. represented the applicant. The applicant is requesting to alter the kitchen and add a roof terrace. Commissioner Bowie stated that the requested addition is a special exception under the zoning rules because it represents an increase in lot occupancy. He noted that generally special exceptions are permitted if there are no adverse effects on the neighborhood. Commissioner Bowie stated that this project will not adversely affect the neighbors. He noted that the neighbors are aware and supportive of this application.

Commissioner Bowie made a motion that ANC 2B support this application. Commissioner Silverstein seconded the motion. The motion carried (5-0).

The Commission considered BZA Application No. 17536 by Thomas J. Synhorst and Ben J. Kozlowski for Variances to Allow the Construction of a Rear Deck to a Single-Family Row Dwelling at 1405 21st Street NW (2B06). The applicant appeared before the Commission to explain why he proceeded to have the deck constructed before receiving the proper permit. He noted he has the support of his neighbors. He stated that the Office of Zoning requested he seek a variance because the proposal would exceed allowed occupancy. Commissioner Silverstein stated that the applicant started work on this project without a permit. He noted that it would not be wise for the Commission to demand the applicant start over, but that the Commission should not endorse the request. He stated the Commission should send a letter stating that ANC 2B has reviewed the application, but that the Commission cannot take a position on this application. Commissioner Silverstein made a motion that ANC 2B advise the Board of Zoning Adjustment (BZA) that the Commission has reviewed the application, and because of the fact that the construction began prior to regulatory approval, the

Commission takes no position on this matter. Commissioner Bjorge seconded the motion. The motion carried (5-0)

The Commission considered an application by the Jewish Community Center (JCC) (16th and Q Streets NW) regarding the placement of banners on lampposts in the surrounding area. Commissioner Bjorge noted that he would recommend seeking a delay to allow Dupont Circle Main Streets to develop a proposal regarding banners. The applicant noted there are 21 banners currently placed on lampposts. The banner permit authorizes the JCC to keep banners up through January 9th. The JCC is requesting the ANC to assist them in extending authorization for six months. He noted that the banners mark the JCC's 10-year anniversary.

Morgan Zehner, Executive Director, Dupont Circle Main Streets noted that his organization is working on policy regarding banners in commercial and residential areas.

Commissioner Robinson inquired whether there will be a community notification system to notify residents of banners. She noted that neighbors in residential areas had complained about the banners. She also expressed concern that businesses will place banners in residential areas.

Commissioner Bjorge moved that ANC 2B ask the Office of Public Space for one month to consider additional banner requests during which time necessary neighborhood stakeholders to include members of ANC 2B, interested members of the public, and Historic Dupont Circle Main Streets, could craft a series of policy guidelines for placing banners in the Dupont Circle neighborhood, and request the Office of Public Space to defer any expirations or extend timelines for applicants with renewal permits for banners. Commissioner Movahedi seconded the motion. The motion carried (5-0).

The Commission considered an ABC application by Guerra, LLC, T/A The Meeting Place, 1100 17 Street NW, CR (Restaurant) License, for an entertainment endorsement and for permission to operate on Sundays (2B05). The applicant appeared before the Commission and requested an endorsement for karaoke on Fridays, DJ on Saturdays, and live music on Wednesdays and Thursdays. The applicant also requested to charge cover for live music on Wednesdays from 7:00-10:00 PM. The applicant noted that security is present on nights with live music. Commissioner Bjorge recommended taking no action.

The Commission considered an ABC Application by Ku-Washington Corp., T/A Sichuan Pavilion, 1814 K Street NW, for a new CR (Restaurant) License (2B06). Commissioner Silverstein recommending taking no action.

The Commission heard an introductory presentation regarding a potential new ABC establishment at 1147 20th Street NW (2B06). Mark and Anne Barns appeared before the Commission to discuss their plans before purchasing a building (20th and L Streets NW) to convert into a restaurant lounge, similar to Park Place (14th and N Streets NW). Mr. Barns stated he was considering requesting a CN nightclub license for this location. The

applicant noted that the building is 14,000 square feet. The anticipated occupancy is 400-600 people. Commissioners Robinson and Bowie expressed concern over the close proximity of the proposed nightclub to Dupont Circle residential areas. Commissioner Bowie noted that he speculates that there would not be opposition to requesting a CT tavern license as opposed to a CN nightclub license.

UNFINISHED/NEW BUSINESS

The Commission considered a proposed amendment to ANC 2B Bylaws Article V, Section 4, to establish 7:00 p.m. as ANC 2B's regular meeting time. The current bylaws state that ANC 2B's meeting time starts at 7:30 p.m. The Commission will vote on this matter at the December meeting.

Commissioner Silverstein presented the quarterly report. He noted the following:

- ANC 2B began the quarter with \$15,468.
- Total disbursements were \$4,908
- \$10,557 remains in ANC 2B's checking account
- \$12,000 remains in ANC 2B's saving account.
- Total net worth is \$23,000

Commissioner Silverstein made a motion to approve the quarterly report. Commissioner Movahedi seconded the motion. The motion carried unanimously (5-0).

Commissioner Bowie made a motion to approve the October regular meeting minutes as amended. Alfred E. Blicher, Jr. is empowered to make technical changes to the October meeting minutes. Commissioner Silverstein seconded the motion. The motion carried (5-0).

The next regular meeting of ANC 2B will be held on Wednesday, December 13, 2006, 7:00 PM at the D.C. Jewish Community Center at 16th and Q Streets, NW.

At 10:00 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 2B

ADOPTED: December 13, 2006