

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION
REGULAR MEETING,
Wednesday, October 11, 2006 Jewish Community Center**

The October 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 (2B-02), Bob Meehan (2B-03), Darren Bowie (2B-04), Mark Bjorge (2B-05), Mike Silverstein (2B-06), Peter Klempay (2B-08) and Ramon Estrada (2B-09). Commissioners Morra Aarons (2B-01) and Babak Movahedi (2B-07) were not present.

PUBLIC TESTIMONY AND ANNOUNCEMENTS

Sean Howard, Ward 2 Staff Coordinator of the Fenty Campaign, noted that he was available to hear resident concerns. Residents may contact him at sean@fenty06.com.

Phil Carney announced his intention of running as a write-in candidate for 2B07.

Moses Robins of the Clothing Recycling Company, located at 18th and California Streets NW, requested architectural advice on renovations.

Brian Branton announced his intention of running as a write-in candidate for 2B02.

Curtis Farrar announced his intention of running as a write-in candidate for 2B01.

Ryan Butler announced his intention of running as a write-in candidate for 2B04.

A representative of Historic Dupont Circle Main Streets announced the Taste of Dupont event would take place on October 24th, 6-9 PM, at the Carlyle Suites (1731 New Hampshire Avenue NW)

Rob Halligan, President, Dupont Circle Citizens Association, announced the Dupont Circle House Tour would take place on October 15th, 12-5 PM. He congratulated Commissioner Bjorge on the 1616 Rhode Island Avenue planned unit development (PUD) matter. He also thanked Commissioner Silverstein for his work on the 1000 Connecticut Avenue NW PUD matter, which resulted in a \$69,000 donation by the applicant for renovation of the park across from the Dupont Circle North metro exit.

PUBLIC SAFETY COMMITTEE

Rob 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.

Mr. Halligan presented recent crime statistics. He stated that despite the crime emergency, 142 crimes were committed in the past 30 days versus 73 crimes committed one year ago. Commissioner Silverstein also noted an increase in robberies of retail businesses in the neighborhood.

The Commission discussed traffic enforcement problems regarding a blocked intersection at 22nd and P Streets NW. Commissioner Robinson noted that a Metropolitan Police Department (MPD) representative was not present. She requested that MPD ticket any person blocking this intersection. Commissioner Bowie requested Mr. Halligan to address this issue with MPD at the next Dupont Circle Public Safety Committee meeting. Commissioner Robinson suggested any concerned residents call 727-1000.

The Commission discussed the recent dog shooting at Dupont Circle. Commissioner Meehan described the scene of the incident based on eyewitness accounts. He noted that National Park Service Police reports differed from eyewitness accounts. He noted that the National Park Service Police could not attend the meeting because the matter is under investigation by the Inspector General of the Department of the Interior. Resident Sally Montgomery appeared before the Commission and presented her account of the shooting.

GENERAL AGENDA

The Commission heard remarks by Dr. Ximena Hartsock, Principal, Ross Elementary School. Dr. Hartsock recently became the new principal of the Ross School. She noted that Ross Elementary School recently received the Pro Bono Publico Award for its redesigned playground. She stated that Ross Elementary School would not close. Under Dr. Hartsock's leadership, Ross Elementary School increased enrollment numbers, bringing in \$380,000. Dr. Hartsock announced an open house on October 20th to celebrate Spanish month. Other Ross events can be found at <http://www.rosselementary.org/calendar.php>.

Dr. Hartsock also announced the opening of a new position for a science teacher at Ross. Commissioner Bowie congratulated Dr. Hartsock on Ross' recent award for its playground.

The Commission did not hear a presentation by DC WASA and Fort Myer Construction Regarding Proposed Dupont Circle Construction. Commissioner Bowie noted this was the second time DC WASA and Fort Meyer Construction deferred. He asked the Executive Director to follow up with both parties.

REGULATORY AGENDA

The Commission did not reconsider the Historic Preservation Review Board (HPRB) application regarding the Blaine Mansion (2000 Massachusetts Avenue NW) because the HPRB acted on the application last month.

The Commission considered an ABC Application by The Meeting Place (1100 17th Street NW), for an entertainment endorsement and for permission to operate on Sundays.

Commissioner Bjorge did not object to the application. Mr. Halligan stated that he believed a shooting had occurred at The Meeting Place in the past year. Commissioner Bjorge noted he was not aware of this incident. Commissioner Bowie noted that the applicant is requesting permission to collect a cover charge and allow dancing. Commissioner Robinson inquired why a restaurant (CR) would collect a cover charge. Commissioner Bowie noted the deadline for protest of the application is November 13th. Commissioner Bowie recommended deferring consideration of the application until the November meeting. He requested Commissioner Bjorge to invite the applicant to the November meeting, at which time the Commission would bring the matter to a vote.

The Commission considered an Historic Preservation Review Board (HPRB) application regarding 2142 O Street NW. Commissioner Silverstein noted that the applicant was not present, although the applicant had been notified of the ANC meeting. He noted that the developer had forced out previous tenants, and was now seeking approval to raze the building. Commissioner Silverstein stated that the Dupont Circle Conservancy weighed in on this matter. The Conservancy determined that this building presented a case of demolition by neglect. Commissioner Silverstein stated that demolition by neglect is against the law in the District. Commissioner Silverstein read the following resolution passed by the Dupont Circle Conservancy:

The Dupont Circle Conservancy cannot support the razing of the building. We have previously supported a concept for maintaining the existing historic structure with an addition. We feel that any proposed project on the site needs to maintain and incorporate the existing structure. We strongly urge the HPRB to use all means available to abate current and future deterioration of the building.

Commissioner Silverstein stated that the Commission should not allow anyone to allow the neglect of buildings in an Historic District. Commissioner Meehan supported Commissioner Silverstein's statements. Commissioner Robinson noted her disapproval of this application because of the applicant's treatment of former tenants. Commissioner Estrada stated that the Commission must send a strong message to developers that they must maintain properties located in an Historic District. Commissioner Bowie noted his concerns about the application and stated that the Commission should support the application.

Commissioner Silverstein moved the following motion:

ANC 2B opposes the concept of razing the existing building. The ANC supported a project by the same architect and owner for a restoration and addition to this historic building and would like this approach to be maintained. We strongly urge the HPRB to use all means at their disposal to enforce the preservation of and the remediation of any further deterioration of this historic building as a result of clear and blatant neglect.

Commissioner Klempay seconded the motion. The motion carried (7-0).

The Commission heard a presentation by Laura Trieschmann, Senior Architectural Historian, Tracerics, Inc., on behalf of the applicant, DC Preservation League, regarding the proposed expansion of the Sixteenth Street Historic District. She noted that the original Historic District – the area from Scott Circle to Florida Avenue NW, would be affected by this proposal. She presented a historical background regarding the affected area.

Commissioner Bowie noted that a significant issue regarding the application is the period of significance, which would determine the historic status of buildings in the Historic District. He noted the area in question was not included in the Historic District when the Historic District was established in 1978. He noted there are a number of both proposed contributing and noncontributing buildings within the proposed area. Commissioner Bowie inquired about the importance of the 1500 Massachusetts Avenue NW building as a contributing structure within the proposed expansion of the Sixteenth Street Historic District. He questioned whether this building should be included within the expanded Historic District as a contributing structure.

Ms. Trieschmann stated that the building was constructed in 1950 and falls within the period of significance, which warrants the inclusion of the structure in the proposed expansion of the Historic District. She noted that the building represents the last of buildings of this type built south of Florida Avenue NW.

Commissioner Meehan stated the Commission had considered a similar issue with the Boston House (1711 Massachusetts Avenue NW). He noted that the Historic Preservation Office (HPO) designated the Boston House as a contributing structure, even though the relevant Historic District ended around 1940. The Boston House was built in 1960. He expressed concern that a number of contributing buildings in the proposed expanded area of the 16th Street Historic District are not architecturally significant and should not be included in the Historic District. Ms. Trieschmann stated the Boston House represents a particular period of architectural construction and should be included in the Historic District.

Commissioner Bjorge expressed concern about the public benefit provided by including 1500 Massachusetts Avenue in the Historic District. He expressed concern regarding the effect of the period of significance on other buildings.

Commissioner Silverstein stated that he approves of the idea to expand the Historic District and believes that:

1. Most buildings in the proposed area should given historic status
2. The grand vista down 16th Street NW must be protected.
3. The scale of any new construction of buildings must be regulated, so as not to dwarf existing historic buildings.

He stated that the Commission's concern over the inclusion of the building at 1500 Massachusetts Avenue NW is due to problematic experiences with HPRB regarding the

Boston House and additional buildings on Connecticut Avenue NW, which should not have been included in the expanded Dupont Circle Historic District.

Commissioner Robinson noted her displeasure with HPRB's handling of the Boston House matter.

David Mahoney, Deputy State Historic Preservation Officer, Historic Preservation Office, stated that the Boston House case was unfortunate, and that a lack of communication contributed to this problem. He stated that HPO would strive to foster better communication between itself and applicants.

Mr. Halligan commented that HPO and HPRB have expanded their purview, and that there is a fear by the community that these offices will misuse their power regarding the expansion of the Historic District.

Commissioner Bowie clarified with Mr. Maloney that any non-contributing building could be torn down as a matter of right, but any replacement structure would be subject to review. He also noted that any building not included in the Historic District could be torn down as a matter of right, and that any replacement could be built without any review. He stated that the Commission should focus on whether to designate the building at 1500 Massachusetts Avenue NW as non-contributing, as opposed to removing it from the Historic District.

Commissioner Silverstein stated his disapproval of contributing buildings requiring approval from the Government to make any modifications. Commissioner Estrada expressed his preference to have some review over non-contributing structures.

Commissioner Silverstein made a motion to accept the entire proposal of the expansion of the Historic District with the exception of 1500-1520 Massachusetts Avenue NW. Commissioner Bjorge seconded the motion. The motion failed (2-5). Commissioner Silverstein moved that the Commission support the application but that 1500 Massachusetts Avenue NW be designated as a noncontributing building because the quality of the architecture of this particular building does not warrant designation as a contributing building. Commissioner Bjorge seconded the motion. The motion carried (7-0). Commissioner Bowie commended HPO and HPRB for their hard work; however he noted the Commission and the community's frustration regarding the Boston House.

The Commission considered a public space application to occupy public space to replace an existing sidewalk at 1717 Rhode Island Avenue NW. Commissioner Bjorge recommended taking no action.

The Commission considered proposed regulations by the District Department of Transportation (DDOT) regarding valet parking in public space. DDOT recently issued proposed rules to establish procedures for valet parking and public space, generally restricting the use of public space. Valet parking operators would be required to obtain a license for parking in public space. No DDOT representative was present. Commissioner

Silverstein noted that the Commission, through a voluntary agreement, required the property on 2142 O Street NW to provide valet parking as a condition of remaining open. He noted that proposed regulations also stipulate that restaurants and other establishments must have valet parking for 30 percent of their occupancy. He noted that small businesses in residential neighborhoods and historic districts would be most affected by the proposed regulations.

Mr. Halligan stated that he supports an exception to this regulation for the Mansion on O Street NW. He noted that the Restaurant Association supports the proposed regulations. Morgan Zehner, Executive Director, Historic Dupont Circle Mainstreets (HDCM), stated that HDCM supports the proposed regulations.

Commissioner Estrada noted that the proposed regulations do not address possible effects on small businesses located in Historic Districts and residential neighborhoods. Commissioner Silverstein made the following motion:

ANC 2B supports the goals of DDOT's proposal. We encourage DDOT to consider the special needs and arrangements of small businesses; especially those located in Historic Districts and residential neighborhoods, and to consider exceptions for any business required by the DC Government to provide valet parking under other arrangements. Commissioner Bjorge seconded the motion. The motion carried (7-0).

UNFINISHED/NEW BUSINESS

Commissioner Bowie noted that the Commission originally opposed the 1616 Rhode Island Avenue NW Planned Unit Development (PUD) matter. Among other things, the Commission felt that the applicant did not propose a commensurate neighborhood amenity. The Zoning Commission expressed concern and requested a revised plan from the applicant. He noted that the Commission must consider the matter at the November meeting, before the plan is formally considered by the Zoning Commission in December.

Commissioner Bowie stated that the Commission must determine whether to designate funds for counsel and/or an expert. Commissioner Bjorge noted that the Commission's previous expert, Thorne Consultants, submitted a proposal in the amount of \$5,500 to update its previous work performed.

Commissioner Bjorge made a motion to request the allocation of \$5,500 for Thorne Consultants. Commissioner Silverstein seconded the motion. Commissioner Meehan noted that no legal fees are included in the ANC 2B proposed FY07 budget. He expressed concern if the Commission would not allocate funds needed for additional matters. Commissioner Silverstein inquired if DCCA would contribute funds to assist ANC 2B with this matter. Mr. Halligan stated he would investigate DCCA's budget. Commissioner Bowie stated that the Commission had already spent \$18,000 on this matter and that it would not be prudent to allocate significant additional funds. Commissioner Silverstein noted the Commission secured \$69,000 from another PUD matter for the renovation of the park across from the Dupont Circle North exit. He noted

he would support a motion for allocation of \$2,500 for counsel. Commissioner Bjorge recommended approving \$3,500 for counsel. Commissioner Bowie made a motion to approve up to \$3,500 for expert appraisal fees by Thorne Consultants, in connection with the 1616 Rhode Island PUD matter. Commissioner Bjorge seconded the motion. The motion carried (7-0).

Commissioner Bowie made a motion to approve the September regular meeting minutes as amended. Alfred E. Blicher, Jr. is empowered to make technical changes to the September meeting minutes. Commissioner Estrada seconded the motion. The motion carried (7-0).

Commissioner Silverstein noted that Congress has not approved a budget for the District of Columbia. He noted that the Commission must approve a tentative budget. He stated that the ANC would amend the FY 2007 budget when the District's budget is approved. Commissioner Bowie noted that the budget would be amended to include \$3,500 for legal and appraisal fees. Commissioner Silverstein made a motion approve the tentative budget for FY 2007 as amended with an additional \$3,500 in appraisal fees under Auditor ID Number 23B for the month of October. Commissioner Estrada seconded the motion. The motion carried (7-0).

The next regular meeting of ANC 2B will be held on Wednesday, November 8, 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: November 8, 2006