

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION
REGULAR MEETING,
Wednesday, May 9, 2007 Jewish Community Center**

The May Regular Meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Ramon Estrada at 7:00 pm. The Commissioners identified their Single Member Districts (SMDs). Present were: Commissioners Curtis Farrar (2B01), Bob Meehan (2B03), Ryan Butler (2B04), Mark Bjorge (2B05), Mike Silverstein (2B06), Phil Carney (2B07) and Ramon Estrada (2B09). Commissioner Douglas Johnson (2B08) resigned from the Commission. The chair noted the presence of a quorum.

PUBLIC TESTIMONY AND ANNOUNCEMENTS

Commissioner Estrada announced ANC 2B02 Commissioner special election would take place during tonight's meeting from 7:15-9:30.

Commissioner Estrada announced that Douglass Johnson, Commissioner 2B08, resigned from the Commission.

Commissioner Silverstein announced that the Francis Junior High School received a \$1,000 grant from the Walk Disney Company, to be used for the Principal's discretionary fund.

Commissioner Carney announced the Spring Festival on May 12th at Ross Elementary School (1730 R Street NW).

Commissioner Bjorge recognized Sean Howard, Ward 2 Outreach Coordinator, Office of Community Outreach and Service, for Mayor Adrian Fenty. Mr. Howard requested residents to report graffiti incidents.

Wendy Meltzer, Friends of Stead Park, provided the Commission with an update. She expressed concern about not having received enough appropriated funds from the District to complete the project. She requested donations from residents and larger donors to raise \$350,000 to complete Stead Park. Residents can find more information and make a donation at www.friendsofstead.org.

Wayne Lurch, owner of the Bike Rack (1412 Q Street NW) introduced himself and his business to the neighborhood.

John Hammond announced the formation of a protest group against Marrakesh Palace Pasha Lounge (2147 P Street NW). He noted that 31 residents filed their objection against the ABC renewal with the ABC Board.

Mr. Halligan announced the Dupont Circle Citizens Association (DCCA) would hold a mayoral forum on June 5th at 7:30 at the Foundry Methodist Church (1500 16th Street NW).

PUBLIC SAFETY COMMITTEE

Rob Halligan, President, Dupont Circle Citizens Association, announced that the Dupont Circle Public Safety Committee meets every third Tuesday of the month at 7:00 PM at the Metropolitan Police Department (MPD) station at 1620 V Street NW. He announced that the June 4th meeting would take place at the Studio Theatre (1501 14th St NW).

GENERAL AGENDA

The Commission heard a presentation by Capital Pride Parade organizers. This matter was originally scheduled to be heard at the April 2007 meeting. Organizers are proposing changing the parade route due to a lack of funding for MPD overtime. Commissioner Silverstein made a motion to approve the request to change the parade route and urge the city to forgo the MPD overtime request. Commissioner Butler seconded the motion. The motion carried (7-0).

The Commission heard a presentation by the Marine Corps Marathon. Brett Schmidt, Operations Manager, stated that the marathon route would change due to construction on Rock Creek Parkway. The marathon will take place on October 28, 2007. Commissioner Estrada made a motion to approve the marathon route change. Commissioner Butler seconded the motion. The motion carried (7-0).

The Commission heard a proposal to open a MinuteClinic Walk-in Health Care Clinic inside the CVS Pharmacy at 6-7 Dupont Circle, NW. Karen Lovitch, Attorney, appeared on behalf of Dr. Eric Marshall to present plans regarding the clinic. She noted the clinic would provide flu shots, vaccinations and medical services. She requested the Commission's support for a Certificate of Need. Commissioner Silverstein expressed support for the request. Commissioner Silverstein made a motion to support the Certificate of Need for CVS. Commissioner Butler seconded the motion. The motion carried (7-0).

Commissioner Estrada moved one administrative matter up in the agenda. He requested a Commissioner to take on the role of Secretary. Commissioner Bjorge stated he would serve as Secretary. Commissioner Estrada made a motion to accept Commissioner Bjorge as the new Secretary. Commissioner Butler seconded the motion. The motion carried (7-0).

REGULATORY AGENDA

Commissioner Estrada stated the Commission would first consider the Jesuit Conference, Inc.'s application for \$9,700,000 in tax-exempt revenue bond financing of their new headquarters located at 1016 16th St., NW (2B05). Representatives stated that they expect to have all work done by the end of July. Commissioner Bjorge noted that the Jesuit headquarters has been located in ANC 2B for a number of years. Commissioner Bjorge made a motion to support the request. Commissioner Estrada seconded the motion. The motion carried (7-0).

The Commissioner considered BZA Application #17618 by Sylvia Kotz Realty Revocable Trust (McDonald's) for special exception to permit a surface parking lot at 1629 Corcoran Street NW (2B04). A representative requested use of the public parking lot behind McDonald's. He stated that the current use of the parking lot is noncompliant with zoning regulations. McDonalds requested special exception to continue to use the parking lot. Commissioner Butler presented a usage agreement between the ANC and McDonalds for the parking lot.

Commissioner Meehan expressed concern over delivery trucks illegally parking in front of McDonalds. Commissioner Butler stated he would incorporate this concern into the usage agreement.

A number of residents expressed concern that the parking lot is on residential property. They expressed concern over McDonald's trash.

Commissioner Silverstein noted that the Commission can take away the use of the parking lot from McDonalds.

Commissioner Butler made the following motion:

WHEREAS, McDonald's is the lessee of certain property in Square 179, known as Lot 819, with premises address of 1619 17th Street, NW (the "McDonald's Building"), which is commercially-zoned property that is operated as a restaurant by a McDonald's franchise operator; and

WHEREAS, the McDonald's Building occupies the entirety of the footprint of Lot 819 and has no land area available for accessory parking or trash receptacle; and

WHEREAS, McDonald's is also the lessee of certain other real property in Square 179, known as Lot 71, with premises address of 1629 Corcoran Street, NW (the "1629 Corcoran Property"), which is residentially-zoned property; and

WHEREAS, the McDonald's Building and the 1629 Corcoran Property are separated by a 10-foot wide public alley running north-south from Corcoran Street, NW, into Square 179;

WHEREAS, accessory parking lot use of residentially-zoned property is permitted only

by special exception approval of the District of Columbia Board of Zoning Adjustment ("BZA") pursuant to §213 of the District of Columbia Zoning Regulations (11 DCMR);

WHEREAS, no certificate of occupancy currently exists to permit accessory parking lot use of the 1629 Corcoran Property, and McDonald's has filed an application with the BZA (Application No. 17618) on behalf of the owner of the 1629 Corcoran Property to permit use of said property for accessory parking for the McDonald's Building and to locate enclosed trash and recycling receptacles; and

WHEREAS, Square 179 is located within the boundaries of ANC 2B.

WHEREAS, Over the course of the past several weeks, representatives of ANC 2B have worked with the Applicant and interested members of the surrounding community to address issues of concern with the proposed accessory parking lot use.

BE IT RESOLVED THAT Advisory Neighborhood Commission 2B hereby ratifies the proposed Usage Agreement, attached to this resolution, and authorizes the chair to sign that Usage Agreement;

BE IT FURTHER REOLVED THAT Advisory Neighborhood Commission 2B supports the above-referenced special request application to permit use of the 1629 Corcoran Street, NW, property (Square 179, Lot 71) for parking use by the McDonald's restaurant located at 1619 17th Street, NW, subject to the terms of the Usage Agreement.

BE IT REOLVED THAT Advisory Neighborhood Commission 2B asks that, to the extent applicable and appropriate, the Board of Zoning Adjustment incorporate the terms of the usage agreement into any order of approval the Board might issue for this Application.

BE IT REOLVED THAT Advisory Neighborhood Commission 2B requests that the Board of Zoning Adjustment give its recommendation in this matter the great weight to which it is entitled.

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

The Commission considered an ABC License Application No. 76804, The Griffin Group, LLC T/A Policy, 1902-1906 14th Street NW, CR application, for a summer garden and Entertainment Endorsement (2B09). Representatives presented floor plans for the restaurant and summer garden. They noted there is no dance floor and requested an entertainment endorsement to play music. The representatives requested maximum hours. Commissioner Estrada noted that other restaurants in the neighborhood do not operate using maximum hours, and that it would not be fair to other businesses in the same area. Commissioner Meehan and a number of residents expressed concern over trash. Commissioner Estrada suggested hosting a community meeting with residents and the applicants to work on any concerns. Commissioner Estrada made a motion to protest the application on the basis of peace, order and quiet, pending the negotiation of a voluntary agreement. Commissioner Silverstein seconded the motion. The motion carried (7-0).

The Commission did not consider BZA Application #17655 for a Special Exception Application to increase the number of sleeping rooms from two to six at 1824 R Street NW (2B03). He noted that the hearing is in September, and that the Commission should move this item to the August agenda.

The Commission considered a Public Space Application for request by Johns Hopkins University to hang banners in the 1600 and 1700 Blocks of Massachusetts Avenue NW (2B05). Commissioner Bjorge noted the applicant requested permission to hang banners on ten lampposts. Commissioner Bjorge recommended making a motion to send a general letter of support. Commissioner Carney inquired how long banners are allowed to remain posted. Commissioner Bjorge stated he believed banners are allowed to hang for two years. Commissioner Bjorge made a motion to support JHU's request to hang no more than five banners on the 1600 and 1700 Blocks of Massachusetts Avenue NW at locations to be agreed upon by designated ANC and JHU representatives. Commissioner Butler seconded the motion. The motion carried (7-0).

The Commission considered an ABC License Application by Primi Piatti Café, LLC, T/A Cloud, 1 Dupont Circle NW, CR (Restaurant) License, for transfer of a CR License to The Bards of Washington, LLC, t/a James Hoban's (2B02). Michael Fonseca and the applicant appeared before the Commission. They noted that James Hoban's has operated a number of successful Irish Pubs in Virginia and Pennsylvania. They noted their establishment would play traditional Irish music. Commissioner Estrada stated that he would prefer the new 2B02 Commissioner to work with the applicant before the Commission considers the application again. Commissioner Silverstein made a motion to table the application. Commissioner Estrada seconded the motion. The motion carried (7-0).

The Commission considered BZA Application #17621 for Construction of a New Office Building at 1925 K Street NW (2B06). Commissioner Silverstein recommended taking no action.

The Commission considered BZA Application #17616 for Continued Use as Parking Lot 1522-26 Church Street NW (2B05). Commissioner Bjorge noted there is an existing agreement allowing residential use of the parking lot during non-business hours. He stated that the hours have been modified in the new proposal to BZA. Commissioner Bjorge made a motion to support the application, contingent upon the morning hours of commercial use, which we understand to be 7:30 AM. Commissioner Butler seconded the motion. The motion carried (7-0).

The Commission did not consider Public Space Application #26004 for a sidewalk cafe at 1245-47 20th Street NW (2B06).

The Commission considered ABC License Application No. 17441, by United Asia, Inc., License No. 17741, T/A Singapore Bistro, 1134 19th Street NW, CR (Restaurant) License, for an Entertainment Endorsement and Change in Hours of Operation (2B06).

Commissioner Silverstein made a motion to support a stipulated license to open for food service and an entertainment endorsement. Commissioner Estrada seconded the motion. The motion carried (7-0).

Commissioner Silverstein noted that the polls for the 2B02 special election had officially closed.

The Commission considered ABC License Application No. 76620, Good Fortunes, Inc., T/A Cherry Blossom, 1915 18th Street NW, CT (Tavern) application for a sidewalk café and operating hours of 11:30 AM to 2:00 AM Sunday through Thursday; and 11:30 AM to 3:00 AM Saturday and Sunday (2B08). Commissioner Silverstein made a motion to oppose the conversion of a CR to CT license, and protest the application based on peace, order and quiet, pending the negotiation of a voluntary agreement. Commissioner Butler seconded the motion. The motion carried (7-0).

The Commission considered the following ABC Retailer Class “CR” Renewals:

Pace, Inc., T/A Anna Maria's Restaurant, 1737 CONNECTICUT AVENUE NW (2B01)
Best Hunan, Inc. T/A Best Hunan Restaurant, 2020 FLORIDA AVENUE NW (2B01)
Louyans, Inc. T/A City Lights of China, 1729 - 1731 CONNECTICUT AVENUE NW (2B01)
Combined Food Services Of Virginia Inc T/A Mandu, 1805 18TH STREET NW (2B01)
2014 P St., Inc. T/A Al Tiramisu, 2014 P STREET NW (2B02)
El Tropical, Inc. T/A La Frontera Cantina, 1633 17TH STREET NW (2B04)
Lamaree, Inc. T/A Aroma Indian Restaurant, 1919 I STREET NW (2B06)
Cafe Japone Limited Partnership T/A Cafe Japone, 2032 P STREET NW (2B06)
Chipotle Mexican Grill, Inc T/A Chipotle Mexican, 1837 M STREET NW (2B06)
Cosi, Inc. T/A Cosi Breakfast, Lunch, Dinner, Dessert & Catering, 1919 M STREET NW (2B06)
El Chalan, Inc. T/A El Chalan, 1922 I STREET NW (2B06)
Karma Java Inc. T/A Karma Java & Bar, 1919 PENNSYLVANIA AVENUE NW (2B06)
Candis, LLC T/A Mark and Orlando's, 2020 P STREET NW (2B06)
Hurowitz Lin, LLC T/A Overtime Café, 1247 20TH STREET NW (2B06)
Jha Corporation T/A Recessions II, 1823 L STREET NW (2B06)
TRC Inc. T/A Sakana Japanese Restaurant, 2026 P STREET NW (2B06)
1414 U Street Restaurant, Inc. T/A Coppi's Pizza, 1414 U STREET NW (2B09)
Buruca Brothers, Inc. T/A El Paraiso Restaurant, 1916 - 1918 14TH STREET NW (2B09)
Jojo Development Inc. T/A Jo Jo Restaurant & Bar, 1518 U STREET NW (2B09)
Haile G. Binosai T/A Selam Restaurant, 1524 U STREET NW (2B09)
Simply Home Cuisine, LLC T/A Simply Home Cuisine, 1410-1412 U STREET NW (2B09)
Tupp, Inc. T/A Thai Phoon, 2011 S STREET NW (2B01)
Cinnabar Venture Developments Ltd T/A Sala Thai Restaurant, 2016 P STREET NW (2B02)

Glad, LLC T/A Jack's, 1527 17TH STREET NW (2B05)
Pizzetti 824 Inc. T/A Komi, 1509 17TH STREET NW (2B05)
New Japan Inc. T/A Sushi Taro, 1503 17TH STREET NW (2B05)
TNL Corporation T/A Luna Grill, 1301 CONNECTICUT AVENUE NW (2B07)
Taj Mahal Enterprises Ltd T/A Taj Mahal Restaurant, 1327 CONNECTICUT AVENUE NW (2B07)

Commissioner Farrar made a motion to protest the application of Louyans, Inc. T/A City Lights of China, 1729 - 1731 Connecticut Avenue NW, for a "CR" License Renewal, based on concerns about adverse effects on peace, order, and quiet, and noncompliance with the applicant's voluntary agreement. Commissioner Butler seconded the motion. The motion carried (7-0).

Commissioner Farrar made a motion to protest the application of Tupp, Inc. T/A Thai Phoon, 2011 S Street NW, for a "CR" License Renewal, based on concerns about adverse effects on peace, order, and quiet, and noncompliance with the applicant's voluntary agreement. Commissioner Butler seconded the motion. The motion carried (7-0).

Commissioner Carney requested the Commission table the ABC license renewals of Luna Grill and Taj Mahal Restaurant.

Commissioner Estrada made a motion to protest the application of Buruca Brothers, Inc. T/A El Paraiso Restaurant, 1916 - 1918 14th Street NW, for a "CR" License Renewal, based on concerns about adverse effects on peace, order, and quiet, and noncompliance with the applicant's voluntary agreement. Commissioner Butler seconded the motion. The motion carried (7-0).

Commissioner Estrada announced that William Hewitt won the special election for ANC 2B02 with a vote of 17-13. Commissioner Estrada presented the following resolution for the Commission to accept:

The Board of Elections and Ethics informed ANC 2B that the only candidates who qualify to fill the vacancy in Single Member District 2B02 were William Hewitt and Josh Sharlin. The Commission conducted an election on May 9th at the Jewish Community Center. The winner of the election is Bill Hewitt.

RESOLVED, therefore that ANC 2B request the Board of Elections and Ethics declare the vacancy filled by Mr. Hewitt by publication in the District of Columbia Register; and

RESOLVED, further that copies of those resolutions also be sent to the Council, Mayor, and Mr. Hewitt.

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

The Commission took no action on the remaining ABC license renewals.

UNFINISHED/NEW BUSINESS

Commissioner Silverstein presented ANC 2B's quarterly report. The Commission has \$15,212 in checking and \$19,000 in savings. Commissioner Silverstein made a motion to approve a budget of \$34,500. Commissioner Bjorge seconded the motion. The motion carried (7-0).

Commissioner Silverstein made the following motion:

WHEREAS Adrian Fenty ran for Mayor pledging to make city agencies responsive and accountable; and

WHEREAS Mayor Fenty was elected carrying every precinct in every ward; and

WHEREAS the Dupont Circle ANC and Dupont Circle residents have had numerous experiences with the city's Historic Preservation Review Board's lack of responsiveness and accountability;

BE IT RESOLVED that ANC 2B urges Mayor Fenty to appoint to the Historic Preservation Review Board nominees he feels will fulfill his vision for city agencies.

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

The next regular meeting of ANC 2B will be held on Wednesday, June 13, 2007, 7:00 PM at the D.C. Jewish Community Center at 16th and Q Streets, NW.

Commissioner Estrada tabled approval of April meeting minutes until the June meeting.

At 9:30 PM, Commissioner Estrada moved to adjourn the meeting, which passed by acclamation.

Respectfully submitted,

Alfred E. Blicher, Jr.
Executive Director
Dupont Circle Advisory Neighborhood Commission 2B

ADOPTED: July 11, 2007