

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION
REGULAR MEETING MINUTES
Wednesday, August 13, 2008 Jewish Community Center**

The August Regular Meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chairman Estrada at 7:00 pm. The Commissioners identified their Single Member Districts (SMDs). Present were: Curtis Farrar (2B01), Bob Meehan (2B03), Jack Jacobson (2B04), Victor Wexler (2B05), Mike Silverstein (2B06), Phil Carney (2B07), Will Stephens (2B08) and Ramon Estrada (2B09). Commissioner William Hewitt (2B02) was not present. The Chairman noted the presence of a quorum.

PUBLIC TESTIMONY AND ANNOUNCEMENTS

Commissioner Estrada:

- ANC 2B elections will take place on November 4th. Petitions to the Board of Elections and Ethics are due by September 6th. The deadline to register to vote is October 6th.
- ANC 2B received a thank you letter from DCC for the Commission's support of the down-zoning of the Northeast corner of ANC 2B

Commissioner Carney: The projected completion date for Stead Park is the end of September 2008.

Residents expressed concern over illegal ticketing of resident's cars in alleys by the Department of Public Works Parking Enforcement. An MPD Officer noted that parking in alleys is illegal. Commissioner Estrada requested Michelle Molotsky of Councilmember Jack Evans' office, to report back to the Commission on this matter. Commissioner Silverstein noted that he would serve as the liaison on this matter.

PUBLIC SAFETY

Commissioner Jacobson:

- Sgt. McDonald (PSA 208) attended the meeting
- DCRA is in process of dismantling 1516 Q Street
- 2 armed robberies occurred on Connecticut Avenue on July 6th at Ben and Jerry's and Cosi.
- Thefts from autos were up, with 91 thefts from autos having occurred in the past 30 days.
- Robberies and burglaries were down in the past 30 days
- 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.

GENERAL AGENDA

Discussion with Mr. Fred Moosally, General Counsel, Alcoholic Beverage Regulatory Administration, regarding occupancy and seating limitations for licensed establishments

Commissioner Stephens noted that Madam's Organ won a case against the ABC Board, in which the court determined a distinction between seating occupancy and total occupancy in voluntary agreements. The court determined that an establishment's Certificate of Occupancy only deals with the number of seats inside an establishment, not the total occupancy of patrons. The Commission requested Mr. Moosally's advice on crafting future voluntary agreements to address this distinction. He noted that ABRA would not continue to enforce total occupancy as a result of the Madam's Organ ruling. Mr. Moosally suggested changing the wording of voluntary agreements to clearly stipulate the maximum capacity of patrons inside an establishment.

Discussion regarding participation in the Ward 2 singles sales restriction for beer, ale, and spirits

Jack Evans, Ward 2 Councilmember, requested the Commission to support legislation banning the selling of single sales of alcohol, coming before the Council in September. Mr. Evans noted that a number of ANCs support the legislation. The Council needs to hear from the Commission by September 16th.

Commissioner Stephens made the following motion:

WHEREAS the D.C. Council has proposed legislation providing a moratorium on the sale of single containers of beer, ale, malt liquor, and small spirits; and

WHEREAS the proposed moratorium would include certain neighborhoods in Ward 2;

WHEREAS the Council seeks the input of ANC 2B on whether the Dupont Circle neighborhood should be included in the moratorium legislation;

WHEREAS the sale of single containers of beer, ale, malt liquor, and small spirits can have a significant impact on the safety, peace, order, and quiet of our neighborhoods;

WHEREAS ANC 2B believes that the impact of the moratorium on shopkeepers will be minimal compared to the benefits to safety, peace, order, quiet, and neighborhood litter;

THEREFORE, BE IT RESOLVED that ANC 2B corrects its July 9 resolution to note that the Council did seek input from the Dupont Circle ANC 2B.

THEREFORE, BE IT FURTHER RESOLVED that ANC 2B requests the Council to include the Dupont Circle neighborhood in the proposed moratorium legislation.

THEREFORE, BE IT FURTHER RESOLVED that ANC 2B requests the Council to include small wine containers (under 250 mL) in the moratorium legislation.

THEREFORE, BE IT FURTHER RESOLVED that ANC 2B remains open to allowing singles sales in certain non-residential areas and may wish to revisit this issue in the future.

Commissioner Carney seconded the motion. Commissioners Meehan, Silverstein and Jacobson made friendly amendments, which passed by acclamation. The motion carried (7-1-1) with Commissioner Farrar voting in opposition.

Discussion of visual pollution in ANC and throughout the ward by political campaigns in violation of DC regulations

Commissioners Stephens made the following motion:

WHEREAS ANC 2B respects and supports the rights of our neighbors, candidates, and elected officials to engage in free speech and robust political debate -- during the election season and at all other times; and

WHEREAS ANC 2B appreciates the service of our elected officials, candidates for public office, and their respective staffs and volunteers for their dedication to improving our city; and

WHEREAS Title 24, section 108.10 of the District of Columbia Municipal Regulations (DCMR) provide that "No more than three versions or copies of each sign, advertisement, or poster shall be affixed on one side of a street within one block" in public space; and

WHEREAS The DCMR also prohibits any campaign advertisements in sidewalk tree boxes; and

WHEREAS candidates are required by the Board of Elections and Ethics to sign a form acknowledging these regulations, among others, when filing for candidacy; and

WHEREAS ANC 2B has noted several instances of campaign signage by particular candidates -- including candidates for Ward 2 Council and D.C. Senator -- which violate this limitation on campaign signage in public space; and

THEREFORE BE IT RESOLVED that ANC 2B requests that the candidates to judiciously remove any signage which exceeds the regulatory maximum on public space; and

THEREFORE BE IT FURTHER RESOLVED that ANC 2B shall contact the Department of Public Works to begin issuing tickets, if violations of the above-cited regulation are not corrected by the candidates within a reasonable time period.

Commissioner Silverstein seconded the motion. Commissioner Carney made a friendly amendment prohibiting placing campaign posters in tree boxes in public space. The motion carried (8-0).

Discussion with DDOT regarding the announced delay until 2010 of the 17th Streetscape Project; Status report by DDOT on all projects: 14th Streetscape, U Streetscape, and the 15th Street Reconfiguration Study.

Karyn LeBlanc, Director of Communications, DDOT, informed the Commission on the status of projects in the neighborhood. Ms. LeBlanc noted that a recent article incorrectly stated that the 17th Street project would be delayed until 2010. The 17th Street Project design is 65% complete and DDOT will present the design plans to the community in Fall 2008. Actual construction will likely start in Spring 2009. Ms. LeBlanc stated she was not prepared to discuss the remaining projects in the neighborhood. She stated she would follow up with Chris Ziemann.

Presentation by WASA on an upcoming water main replacement project in Dupont Circle. WASA was recently awarded the permit for the project and is scheduled to begin work on AUGUST 18. WASA will provide information about the work, anticipated disruptions and timing for the project.

Michele Quander-Collins and Deidre Saunders, DCWASA, presented information on its replacement of 12 inch water mains at Dupont Circle. Current water main pipes are over 60 years old and need to be replaced. The work will take place from mid August 2008 – Fall 2009, 7:00 PM – 5:00 AM, Monday – Friday. Lane closures during these designated times will be required.

Discussion on DC public libraries regarding a citizen task force on the future of the Martin Luther King, Jr. Memorial Library

Robin Diener spoke briefly before the Commission.

Commissioner Jacobson made the following motion:

WHEREAS, District of Columbia Public Libraries (DCPL) are a valued and important part of the quality of life for District residents;

WHEREAS, Public libraries should be designed to meet the needs of residents, to ensure they contain the resources to meet the needs of the community at large; and

WHEREAS, ANC's are the elected bodies closest to local communities; and

WHEREAS, A Citizen Task Force that provides a transparent public process would help ensure that decisions about the future of the Martin Luther King, Jr. Memorial Library adequately reflect the needs of residents and library users.

THEREFORE, BE IT RESOLVED, that the Dupont Circle Advisory Neighborhood Commission 2B urges Mayor Fenty and the City Council to convene a "Citizen Task Force on the Future of the Martin Luther King, Jr. Memorial Library" as soon as feasible and before undertaking any decisions with regard to the projected "transformation" of the central library; and

BE IT FURTHER RESOLVED, that ANC's shall be duly represented on the Task Force.

Commissioner Carney seconded the motion. The motion carried (6-0-2) with two Commissioners not present in the room at the time of voting.

REGULATORY AGENDA

Presentation of streetscape for 1801 K Street project by Jones Lang LaSalle and SOM architects. Deals primarily with new tree planting plan.

The applicant requested approval for its tree planting plan on 18th and K Streets NW. Commissioner Silverstein made a motion to support the proposal. Commissioner Estrada seconded the motion. Commissioner Stephens made a friendly amendment to use “support” instead of “accept”. The motion carried (8-0).

Concept plans for renovation at 2142 O Street (2B06)

The applicant did not attend the meeting.

Hay-Adams Hotel, 800 16th St.N.W., Zoning Map Amendment in ZC Case No.08-02, and Special Exception for Roof Structure Setbacks, BZA Case No.17843, to allow construction of a new one-story roof top addition. (2B05)

The applicant requested:

1. Rezone property from SP2 to C4, to ensure zoning for property is consistent with the Comprehensive Plan designation, to allow for an addition to the property.
2. Special Exception for a roof structure setback

Commissioner Wexler made a motion to support the project. Commissioner Jacobson seconded the motion. The motion carried (8-0)

UNFINISHED/NEW BUSINESS

Hilton Landmark Status

Commissioner Stephens noted that HPRB approved the landmark status, over ANC 2B’s protest. Next steps will be a review of the concept proposal. The Hilton wants to schedule a smaller community meeting with the ANC.

Utopia

Commissioner Estrada noted that the Utopia project hearing date is Election Day, November 4th. He contacted Jack Evans’ office to request them to move the hearing date from November 4th. Commissioner Estrada made a motion requesting the Commission to support his request for changing the hearing date. The motion carried (8-0).

Commissioner Silverstein made a motion to request an explanation on how the Utopia matter was added to the Consent Calendar, in clear violation of District law, which states that community groups and individuals should have input, with clear knowledge this matter is a contentious issue. The motion carried (8-0).

MINUTES

Commissioner Estrada made a motion to approve the July regular meeting minutes as

amended. Alfred E. Blicher, Jr. is empowered to make technical changes to the July regular meeting minutes. The motion carried (8-0).

At 10:00 PM, Commissioner Estrada moved to adjourn the meeting, which passed by acclimation.

The next regular meeting of ANC 2B will be held on Wednesday, September 10, 2008, 7:00 PM at the D.C. Jewish Community Center at 16th and Q Streets, NW.

Respectfully submitted,

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

ADOPTED: November 12, 2008