

ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION REGULAR MEETING MINUTES

Tuesday, April 7, 2009 Jewish Community Center

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

Approval of Minutes

Commissioner Silverstein made a motion to approve the March minutes, subject to technical corrections. Commissioner Feldstein seconded the motion. The motion carried unanimously (7-0).

Public Announcements

Commissioner Estrada: Policy on 14th and T Streets NW opened recently. www.policydc.com

Commissioner Stephens: Servathon will take place on May 2nd. The ANC team's goal is to have 100 volunteers: <http://servathon2009.kintera.org/dupontcircle>

Commissioner Stephens gave the public and the Commission the required 15 day notice that he will make a motion to make an amendment to the ANC's bylaws at the May 2009 meeting. The motion will read: "The Commission shall conduct business in accordance with the most recently approved version of the Dupont Circle Advisory Neighborhood Commission Policy & Procedures Manual."

Commissioner Jacobson: He announced ABRA will hold a meeting on the 17th Street Liquor Moratorium on April 15th at 2:00 PM.

Commissioner Silverstein: Commissioner Hewitt resigned from the Commission. He noted that three people have taken out petitions to run for the open seat.

He noted the court case outcome of the Third Church of Christ Scientist. The judge denied HPRB's request that the case be thrown out.

Public Safety

Commissioner Jacobson noted that a rooftop burglar had committed approximately 20 burglaries in Dupont Circle, Logan and U Street neighborhoods.

Crime Statistics for the last 30 days:

- 78 thefts
- 41 thefts from autos
- 13 robberies
- 18 burglaries
- 5 assaults with a deadly weapon
- 4 stolen autos

The Dupont Circle Public Safety Committee normally meets every third Tuesday of the month at 7:00 PM at the Metropolitan Police Department (MPD) station at 1620 V Street NW.

Remarks by Councilman Jack Evans

Council Member Evans spoke briefly about the District's budget. The Council is holding oversight hearings on the budget. The District's finances are relatively better than most states. However, the District has experienced a decline of approximately \$700 million - most notably in commercial property taxes, capital gains losses due to the decline in the stock market, and residential property taxes. He also spoke briefly about the 17th Street Liquor Moratorium, and his support of the ANC's position. He also addressed issues related to lack of parking experienced by residents.

Commissioner Silverstein announced that the Commission had two resolutions to present, while Council Member Evans was present.

Consideration of resolution expressing ANC 2B appreciation to the Department of Parks and Recreation (from General portion of agenda)

Commissioner Wexler made the following motion:

Whereas, the residents of ANC 2B have been in prolonged negotiations for a number of years with the Department of Parks and Recreation in hope of renovating the playground at Stead Park and the revival of S and T Street Parks, both as a dog park as well park for leisure activity, and

Whereas, this community has been frustrated by the failed promises of previous administrations to take these actions, despite many years of meetings between residents and the leadership of the Department, and

Whereas, these projects have this year become realities for all our constituents to use and enjoy

Therefore, be it resolved that the Dupont Circle Advisory Neighborhood Commission 2B takes this opportunity to express gratitude to all those in the Department, particularly the leadership, as well other employees assigned to these projects, who persisted and succeeded in finding the funds as well as the determination necessary to provide our children with a very popular state-of-

the art playground at Stead as well as the two Parks at S and T Streets where both people and dogs now have an opportunity for exercise and leisure. In addition, ANC 2B hereby records its gratitude for the years of ongoing support of the Office of the Council member for Ward 2 for these projects.

Commissioner Meehan made a friendly amendment. He also seconded the motion. The motion carried (7-0).

Consideration of resolution re: proposed regulations on establishment of historic districts (from Regulatory portion of agenda)

Commissioner Silverstein made the following motion:

WHEREAS, the Office of Historic Preservation issued proposed new guidelines on February 12, 2009 for public input into the establishment of new Historic Districts within the District of Columbia, and

WHEREAS these tentative new guidelines include several ideas that may be contrary to both the spirit and the letter of DC law and federal civil rights laws, and are clearly adverse to any community input that does not rubber stamp the objectives of the Office of Historic Preservation, be it therefore

RESOLVED that ANC 2B urges the guidelines be revised to encourage survey programs such as that implemented by ANCs 3/4G and 3E in Chevy Chase in 2008, with only those participating being counted – which is the essence of participatory democracy, and

RESOLVED that there not be imposed any special burden such as notarized forms on any citizen seeking to express support or opposition. The creation of two classes of voters – which such a burden would place on opponents – is a de facto poll tax, and the District of Columbia must never allow such impediments to voting or expression of opinion, and

BE IT FURTHER RESOLVED that any set of guidelines for public input into the establishment of new Historic Districts be clearly aimed at determining the wishes of those affected parties within the proposed District, and abiding by the wishes of those who have expressed an opinion.

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

The Commission thanked Council Member Evans for coming to the meeting.

Committee Reports

Commissioner Estrada noted that the ANC is scheduled to testify on the Dupont East Liquor Moratorium before the ABC Board on April 15th at 2:00 PM. He inquired whether the committee

was ready for testimony. Commissioner Jacobson noted that he had circulated an amended copy of testimony. He noted that he, Commissioner Silverstein and Commissioner Meehan will attend. Commissioner Estrada urged other Commissioners to also attend.

General

Remarks by DDOT Director Gabe Klein

Director Klein did not attend the meeting. He plans to attend the May meeting.

Presentation by Eric Reader of Capital Pride and request for letter of support for this year's Pride Festival

Mr. Reader requested the ANC's support of the annual Capital Pride Parade on Saturday, June 13, 2009 from 6:30 - 8:30 PM. The parade route has not changed in the last two years, and will begin from 23rd and P Streets NW. The organizers have applied for all necessary permits. Mr. Reader requested a letter of support be sent to the Mayor's Special Events Task Group.

Commissioner Estrada seconded the motion. The motion carried (6-0), with Commissioner Stephens having briefly stepped out of the meeting.

Consideration of resolution on final DDOT design proposal for 18th Street Reconstruction Project

Commissioner Stephens made the following motion:

Whereas The D.C. Water and Sewer Authority (WASA) is committed to eliminating the recurring problems of burst water mains on 18th Street NW between Massachusetts Ave NW and Florida Ave NW by replacing the existing, aging water main for this section of 18th St;

Whereas the District Department of Transportation (DDOT) is committed to reconstruct this section of 18th Street NW as a result of the need to replace the water main, including improved storm water catchment basins; new pedestrian safety features such as bulbouts and concrete surfacing for the pedestrian right-of-way on 18th Street sidewalks; full ADA access for pedestrians on the sidewalks along 18th Street and into businesses where the existing building threshold is only one to two steps above the current sidewalk grade; improved street lighting; more efficient placement of traffic signals and street signage; bicycle racks; and standardized Victorian-type tree-box fencing;

Whereas DDOT has proposed to move the scheduling for this capital project up to 2009 in order to include it as one of the District's "shovel-ready" projects eligible for Federal economic stimulus funds under the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5;

Whereas Dupont Circle ANC 2B has observed that the need to accelerate the approval of the project has left unresolved a number of specific items raised during the ANC and community meetings;

Now therefore Dupont Circle ANC 2B, on behalf of a grateful community, expresses its deep appreciation to WASA and DDOT for proposing the 18th St NW reconstruction project and for accelerating its construction schedule to a possible 2009 start;

Moreover, ANC 2B sincerely thanks DDOT and the design team for its multiple efforts to present the project at three public ANC meetings and at two separate community meetings in order to solicit community feedback on the improvements being proposed;

Be it further resolved that Dupont Circle ANC 2B wholeheartedly approves the proposed 18th St NW reconstruction project, as provided by DDOT on April 7, 2009 and attached to this resolution, subject to the following clarifications, modifications, or additions:

1. **Bulbouts:** ANC 2B considers the existing no-parking space at the corners of 18th St NW and the sidestreets as providing extremely important space in the mixed residential, special purpose and neighborhood commercial zones along 18th St for the ubiquitous UPS, FEDEX, and other delivery trucks to stand for their quick in-and-out deliveries through the workday and for fire trucks to park near fire hydrants at the corner without blocking 18th Street. On the other hand, ANC 2B recognizes that bulbouts can provide additional space to comply with ADA access regulations for sidewalks and can provide additional safety to pedestrians crossing busy streets when stepping out from parked cars, especially where there are no lights or stop signs. In order to achieve a balance among these competing interests and concerns, ANC 2B approves bulbouts for the following corners only:

a. For the non-commercial, 32-foot wide stretch of 18th Street between Massachusetts Ave NW and S Street NW, two bulbouts are supported, extending into 18th Street at the northwest and southwest corners of 18th Street NW and Riggs Place NW.

b. For the commercial, 44-foot wide stretch of 18th between S St NW and Florida Av NW, bulbouts are approved as set forth in the attached DDOT design documents, except that a bulbout at the southeast corner of Willard and 18th Streets should be added to the design.

2. **Implementation:** Dupont Circle ANC 2B approves the project (as amended by this resolution) with the understanding that, at some later date in 2009, DDOT will return to a public meeting of ANC 2B to discuss and secure approval of the scheduling of the construction phases. ANC 2B also reserves final judgment on the design accessories—including trash cans, signage, and treebox fencing—for a future date.

3. **S Street intersection:** Considering the amount of pedestrian traffic leading to and from the row of restaurants and businesses at the corner of S Street, the design of the southeast corner of S Street NW & 18th Street NW should be amended to lessen the width of the crosswalk as much as practicable while still maintaining a sufficient turning radius for vehicles turning from 18th Street northbound to S Street westbound.

4. **Catchment Basins:** ANC 2B is concerned that the currently-designed location of the two catchment basins on the west side of the intersection of 18th and R Streets NW means that there are no catchment basins trapping the storm water which may run east on R Street NW. ANC 2B requests that WASA and DDOT work together to redesign the plans for catching R Street storm water so as to best avoid flooding at the intersection of 18th and R Streets NW.

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

Commissioner Meehan made a separate motion urging DDOT to finalize the study of the proposal to eliminate rush hour traffic in the morning and evening on the section of 18th Street between Massachusetts Avenue NW and New Hampshire Avenue NW. Commissioner Estrada seconded the motion. Commissioner Jacobson made a friendly amendment to add language: “finalize the study”. Commissioner Meehan accepted the friendly amendment. The motion carried (7-0).

Christopher Ziemann, Transportation Planner, Ward 2, DDOT, provided an update on the 15th Street traffic and safety (between Massachusetts and New Hampshire Avenues NW). DDOT plans to keep 15th Street one-way with bike lanes. No action is required by the ANC.

Consideration of resolution requesting D.C. Council committee hearings to provide priority to testimony by ANC Commissioners

Commissioner Stephens made the following motion:

Whereas many D.C. Council committees provide for priority to testimony by ANC Commissioners who may be present;

Whereas on occasion, ANC Commissioners have been thwarted in their attempts to testify at certain D.C. Council committee hearings due to delays and long hearings;

Therefore be it resolved that ANC 2B respectfully requests the D.C. Council Chair to request that all D.C. Council committees incorporate into their regular rules and procedures to provide priority to testimony by ANC Commissioners.

Commissioner Silverstein seconded the motion. Commissioner Meehan made a friendly amendment to send copies of the letter to each Council Member. Commissioner Stephens accepted the friendly amendment. The motion carried (7-0).

Regulatory

Single Sales Ban Exemptions

Request for exemption from Single Sales Ban, Dupont Fine Wine, 1325 Conn. Ave, N.W. Meenu Sabhorwal, Owner and Operator (2B05)

Request for exemption from Single Sales Ban, VT&B Inc t/a State Liquors, 2159 P Street NW, Bob Nguyen, Owner and Operator (2B02)

Commissioner Stephens made a motion to approve both requests, subject to the successful negotiation of a voluntary agreement. Commissioner Wexler seconded the motion. The motion carried (7-0).

Consideration of application for substantial change to ABC license – CR (restaurant) to CT (tavern), 1624 U Street, Inc. t/a Chi Cha Lounge (2B08)

Commissioner Stephens made a motion to protest the substantial change request, subject to the negotiation of a voluntary agreement.

The motion carried (6-1) with Commissioner Jacobson opposing.

Consideration of application for substantial change to ABC license – CR to CT Cafe Saint Ex and Bar Pilar (2B09)

Commissioner Estrada made the following motion regarding both Cafe Saint Ex and Bar Pilar:

ANC 2B protests the request for a Substantial Change from CR to CT based on issues related to peace, order and quiet subject to the negotiation of a Voluntary Agreement by ANC 1B.

Commissioner Jacobson seconded the motion. The motion carried (6-1) with Commissioner Jacobson opposing.

Consideration of application for CR license by Masa 14 (2B09)

Commissioner Silverstein made the following motion:

ANC 2B protests the request for a CR License by Masa 14 based on issues related to peace, order and quiet subject to the negotiation of a Voluntary Agreement by ANC 1B.

Commissioner Estrada seconded the motion. The motion carried (6-0-1) with Commissioner Meehan abstaining due to his concern over the 25% overlay requirement.

Consideration of request by E&C Eye Street LLC t/a Elephant and Castle Pub Restaurant, 900 19th St NW, seeking support to an amendment to already granted stipulated license for entertainment endorsement.(2B06)

The applicant already received a stipulated license from the Commission, but is now requesting an entertainment endorsement amendment to the original license.

Commissioner Silverstein made a motion to grant the request and to amend the ANC request to ABRA, stating that the Commission agreed to an entertainment endorsement as part of its stipulated license. ANC does not deem this to be a substantial change, due the absence of any nearby residents who might be affected.

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

Consideration of a letter to request relief of tax penalties for businesses impacted by P Street Streetscape: Oasis Market (2B06)

Please contact Commissioner Mike Silverstein at 202-833-4440 for motion language.

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

Administrative/Financial Matters

Policy & Procedures Manual – Version 1.0

Commissioner Stephens briefly went over the manual with the Commission. Commissioner Jacobson suggested letter deadlines be 14 days after each meeting. Commissioner Stephens agreed. Commissioner Stephens made a motion to approve the first version of the manual.

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

Commissioner Jacobson presented his financial report. He noted that the Commission currently has \$22,000 in its checking account.

Commissioner Silverstein announced that the Commission was adding additional duties to the Executive Director. He made a motion to increase the Executive Director's monthly salary by \$150.

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

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

The next regular meeting of ANC 2B will be held on Wednesday, May 13, 2009, 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: May 13, 2009