

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION REGULAR
MEETING MINUTES**

Wednesday, September 9, 2009 Jewish Community Center

The September 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), Bhavna Patel (2B02), Bob Meehan (2B03), Jack Jacobson (2B04), Victor Wexler (2B05), Mike Silverstein (2B06), Phil Carney (2B07), Will Stephens (2B08) and Ramon Estrada (2B09). The Chairman noted the presence of a quorum.

Approval of Minutes

Commissioner Stephens made a motion to approve the August minutes, subject to technical corrections. He also suggested that the Executive Director should post draft minutes one or two days after each monthly meeting, and then make final revisions shortly thereafter. Commissioner Jacobson seconded the motion. The motion carried unanimously (9-0).

Public Announcements

A representative of the Golden Triangle spoke briefly regarding the Golden Triangle Business Improvement District Public Arts Grant Application. The grant would allow the opportunity to enhance the feel and appearance of one of the Metrorail system's busiest station by engaging a local artist. Commissioner Silverstein made the following motion:

ANC 2B enthusiastically supports the Golden Triangle Business Improvement District's grant application to the DC Commission on the Arts and Humanities' Public Art Building Communities program to fund the creation and installation of public art in the Farragut West Metro entrance at 17th and I Street, NW.

The motion carried unanimously.

Dan Gamber noted that approximately 40 statues had appeared near the Columbian embassy without ANC approval. Commissioner Silverstein noted that the ANC had not been contacted by the embassy.

Public Safety

Commissioner Jacobson noted that Lt. MacDonald would arrive later in the meeting to discuss public safety.

Later in the meeting, Commissioner Jacobson introduced Lt. John MacDonald, MPD, PSA 208.

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. This month the meeting will take place at the Palladium (1325 18th St NW)

Lt. MacDonald noted that the rooftop burglaries are still under investigation.

Committee Reports

None.

Commissioner Reports

None

Announcement regarding RFP for Square 37: Presentation before ANC 2A

Commissioner Silverstein announced that East Bank would present on September 16 before ANC 2A at 7:00 at St. Stephens Martyr Church. The Commission will not advise ANC 2A on this matter since it falls out of the Commission's jurisdiction.

Report of ANC 2F Arts Overlay Review Committee. Andrea Doughty

Andrea Doughty, representing the ANC 2F Arts Overlay Committee, briefly updated the Commission on the Arts Overlay Report. Commissioner Estrada expressed concern over the effect of arts and businesses leaving the Logan Circle area. He expressed concern over the Arts Committee Overlay document addressing these economic issues instead of zoning regulations. He stated that he does not support the Arts Overlay being split into two arts districts. He also noted that the plan would recommend residential property be redistricted to C3A commercial property, which he also does not support. He also noted that the Commission had not seen a document addressing this matter from the Office of Planning. Commissioner Estrada noted that he did not understand why the Commission must act on this report tonight. Commissioner Meehan stated that he disagreed with Commissioner Estrada because only three buildings in ANC 2B are directly affected by this project, and that the matter is marginal and unlikely that ANC 2B will revisit this issue in the future. He noted it was important to endorse the report to help the community effort and other organizations supporting this report.

David Alpert, Greater Greater Washington, urged the Commission to endorse the report.

Dan Gamber expressed concern that the report does not address parking. He noted that the area needs more parking.

Commissioner Estrada made a motion to support the report, but not support the splitting of the Arts Overlay into two overlays, and that Item number 4 (regarding Frontiers housing being reclassified from residential to commercial property) be taken out of the report. Commissioner Meehan made a friendly amendment that the Commission would support the report, subject to

the majority of the current homeowners endorsing the zoning change. Commissioner Estrada accepted the friendly amendment. Commissioner Feldstein made a friendly amendment to support the Arts Overlay Report, however express concern over some of the recommendations without naming the individual recommendations. Commissioner Estrada accepted the friendly amendment. Commissioner Patel made a friendly amendment stating that the Commission “has questions”. Commissioner Estrada accepted the friendly amendment. The full motion is:

ANC 2B supports and encourages the report of the Logan Circle ANC Committee on the Uptown Arts Overlay and hopes it moves forward, however we have questions and concerns about several specific recommendations.

The motion carried unanimously (9-0).

General

Resolution commending the faculty, staff, and students of Ross Elementary School for extraordinary progress in their annual test results.

Commissioner Meehan made the following motion:

ANC 2B is overjoyed to congratulate Principal Amanda Alexander, the teaching and library staff, volunteers, tutors, parents, and students of John Ross Elementary School for the marvelous improvement in the students' proficiency in reading and math. Test scores for reading averaged 77.05 % proficient; for math, 70.49 %; and both are expected to exceed 80% next year. Given the extraordinary diversity among the students, these improvements demonstrated that there are no inherent ethnic, economic, or class barriers to children doing well in school in DC. These test scores demonstrated that a student's desire to learn, coupled with effective teaching and a supportive school environment, will lead to academic success in an urban DC school. To underscore this point, the economically disadvantaged, which account for half the student body, exceeded the average school reading proficiency score by nearly two percentage points. We are indeed proud of the achievements of the Ross School students during 2009.

Commissioner Jacobson seconded the motion. The motion carried (9-0).

Regulatory

Presentation by Kryststella House, which plans to set up a home health care agency at 1776 I Street NW. Nina Ahouste will present. (2B06)

Ms. Ahouste requested a letter of support from the Commission. Commissioner Stephens made a motion to send a letter of support. Commissioner Jacobson seconded the motion. The motion carried unanimously (9-0).

Presentation by Susan G. Komen for the Cure, announcing this year's walk, which will be held on October 9th and October 11th, and pass through Dupont Circle neighborhood. Sidewalks only, no street closures. Jason Williams will present.

Mr. Williams spoke briefly before the Commission regarding the upcoming event on October 9th and October 11th. Commissioner Silverstein made a motion to send a letter of support. Commissioner Feldstein seconded the motion. The motion carried unanimously (9-0).

DDOT public space application # 48927. Unenclosed sidewalk cafe for Barcode, 1101 17th Street NW at L Street. Approximately 48 seats. Architect: Ali Hornarkar.

Commissioner Wexler made a motion to support the application:

ANC 2B supports the application for an unenclosed sidewalk café as shown on the plans labeled 1101 17th St. N.W., dated August 18, 2009. The proposed unenclosed sidewalk café with 48 seats is appropriate for a commercially zoned area. It will have no adverse impact on the public use of the public space along 17th Street. The Commission finds that this is an appropriate use of the public space.

Commissioner Jacobson seconded the motion. The motion carried unanimously (9-0).

DDOT public space application # 49629. Awning for Pasha, 1523 17th Street NW.

Commissioner Wexler made a motion to support the application:

ANC 2B supports the application for the installation of an awning above an unenclosed sidewalk café known as Pasha Café. The proposed awning will allow the owners of Pasha to install an awning similar to the awnings now in place over the outside cafes of all the other restaurants on the 1500 block of 17th N.W. The awning is consistent in design with similar café canopies on this block. The awning will enhance the appearance of Pasha Bistro as well as the entire block. This proposal has also met with the approval of the Dupont Conservancy. The awning will also allow Pasha to compete with neighboring restaurants on a more equal basis.

Commissioner Stephens seconded the motion. The motion carried unanimously (9-0).

BZA Application # 17337 – N Street Follies LP. Seeking special exception for five buildings at 1743-55 N Street NW for “boutique hotel” with 98 rooms.

Commissioner Wexler made the following motion, with friendly amendments by Commissioners Meehan and Stephens (final motion reflected below):

Whereas, “N Street Follies” has submitted a revised version of its 2005 application for a special exception to convert five buildings at 1743-1755 N Street, N.W. into a boutique hotel of more than 90 guest rooms, and

Whereas, the current design represents a great improvement and a significant reduction in massing from the previously submitted design and maintains the historical appearance of the N Street façade, and

Whereas, the current design fails to appreciate the articulation requirements for the historical district of the rear alley façade as suggested by the Dupont Circle Conservancy, and far exceeds the DDOT recommendation for 31 parking spaces in a bottle necked alley,

Whereas, a revised design may result in a plan that meets the requirements of the historical district in the rear of the proposed hotel consistent with the requirements of the Dupont Circle Overlay in Chapter 1501.4(e)and,

Whereas, DDOT recommended in its report dated February 28, 2006 that no more than 31 parking spaces be approved for this property, ANC 2B requests that the BZA instruct the applicant to revise its parking garage plan to more closely reflect the recommendation of DDOT,

Be it resolved that ANC 2B OBJECTS TO THIS APPLICATION (BZA Application No. 17337) and requests that the BZA instruct the applicant to revise its design, as provided in Section 512.4, to ensure that the height, bulk and design of the hotel is in harmony with existing uses and structures on neighboring property, giving great weight to the provisions of Chapter 1501.4 (e).

Commissioner Estrada seconded the motion. The motion carried unanimously (9-0).

DDOT public space application from Freshfarm Markets to set up a farmer’s market on the 800 block of Vermont Ave N.W. Thursdays, September 17 thru October 29th, from 1pm thru 8pm.

Commissioner Wexler made the following motion:

Whereas, Fresh farm Market has established eight Farmers’ Markets in the D.C. area, and

Whereas, these Farmer’s Markets serve the community in providing fresh produce to the community, and

Whereas, the proposed location of the Farmer’s Market (Application 5045) does not represent a restraint for commerce nor compromise the safety of pedestrian traffic, and

Whereas, ANC 2F who shares jurisdiction of the proposed location, has approved this application at their September, 2009 meeting,

Be it therefore resolved, ANC 2B approve the request of Fresh Farm that it be allowed to establish such a market on the 800 block of Vermont Ave, N.W. on the days and dates requested.

Commissioner Estrada made a friendly amendment to add conditions regarding regarding traffic support. Commissioner Wexler rejected the friendly amendment. Commissioner Stephens seconded the motion. The motion carried unanimously (9-0).

Request from The Mad Hatter for a license (ABRA-082646) to install a Retail Class C Tavern at 1321 Connecticut Ave. with outside seating facing 1325 18th N.W. Requested capacity of 260 seats for inside Tavern and a summer garden of 40 seats (2B07 and 2B05)

Commissioner Wexler made the following motion:

Whereas, The Mad Hatter has applied (ABRA-082646) for a retail Class "C" Tavern at 1321 and 1319 Connecticut Avenue NW with an occupancy load of 260 seats with outdoor seating of 40 seats, and

Whereas, the official status of the outdoor seating has yet to be determined by DDOT, and

Whereas, many residents on the 1300 block of 18th Street NW who would face the proposed outdoor seating, have expressed concerns about the impact that any outdoor seating would have on the peace, order and quiet of the immediate surroundings, and

Be It Resolved, that ANC2B protest such an application in order to assess the impact of this application on the basis of peace, order and quiet for the surrounding residential area, pending the successful negotiation of a voluntary agreement.

Commissioner Carney seconded the motion. The motion carried unanimously (9-0).

Presentation by Dupont Hotel, 1500 New Hampshire Av, for renovations. Scott Dawson, area General Manager. (2B07)

The applicant requested support for their planned renovations to the hotel's rooftop.

Commissioner Carney made a motion to support the proposal. Commissioner Stephens seconded the motion. The motion carried unanimously (9-0).

1612 U Street project

Commissioner Stephens made the following motion:

Whereas, ANC 2B at its September 9, 2009 public meeting considered the changes from the design concept presented for 1612 U Street at the Commission's August 12, 2009 public meeting;

Therefore be it resolved that ANC 2B renews its approval of the design concept, as presented at the Commission's September 9, 2009 public meeting.

Commissioner Estrada seconded the motion. The motion carried unanimously (9-0).

Administrative/Financial Matters

Proposal to place ad in DCCA House Tour program.

Commissioner Silverstein made a motion to place an ad in the DCCA House Tour Program. Commissioner Estrada seconded the motion. The motion carried unanimously (8-0-1) with Commissioner Jacobson abstaining.

Financial Report

Commissioner Jacobson reported a checking account balance of \$16,708.05. Commissioner Jacobson noted that at the October meeting, a budget would need to be approved for FY2010.

Committees

Commissioner Stephens made the following motion:

Resolved that ANC 2B wishes to collaboratively plan and establish a committee structure to assist in its work on important community issues; and

Further resolved that at its October 2009 public meeting, ANC 2B shall consider formal, written proposals to establish specific committees—including selecting committee membership, selecting committee chairs, and adopting a description of the purpose and vision for each committee; and

Further resolved that, as described in the Appendix below, Commissioners are hereby designated to consider specific issues and questions related to the establishment of committees; and

Further resolved that the below-designated Commissioners are encouraged to engage with each other and with others in the community to craft proposals for the Commission's consideration in October; and

Further resolved that between now and the regularly-scheduled October public meeting, ANC 2B shall hold an informal meeting to discuss these and other administrative issues – at which meeting no “official action” will be taken; and

Further resolved that unless the Commission chooses otherwise, each formal proposal to be considered at the October meeting shall...

1. Be in writing;
2. Name the two (or more) Commissioners proposed to be members of the committee;
3. Name the proposed chair (or co-chairs) of the committee;
4. Name, if any, the other proposed members of the committee (either specific persons or representatives of specific groups or constituencies); and
5. Include a proposed committee description which will serve as the committee’s guiding principles and can be, for example, posted to the Commission’s website.

APPENDIX

Issue(s): ABRA Policy

Designated Commissioner(s):

Potential Purpose/Tasks:

- Liaise with ABRA and ABC Board, other stakeholders;
- Maintain up-to-date, user-friendly VA models for liquor establishments;
- Track ABRA policy and developments;
- Propose ABRA-related policy positions for the Commission’s Policy & Procedures Manual
- Assist with ANC trainings on ABRA issues;
- Maintain public web page of VA’s and Moratoria;
- Maintain committee web page;
- Other tasks and purposes?

Questions:

- Should the committee meet separately to consider proposals for ABC applications, or should these remain primarily the responsibility of individual SMD Commissioners?

- Should there be non-Commissioner committee members, and if so, who?
- Other questions?

The motion was withdrawn, and the Commissioners informally agreed by consensus to consider these issues at a special follow-up meeting.

Issue(s): Zoning, Historic Preservation, and Development

Designated Commissioner(s):

Potential Purpose/Tasks:

- Liaise with HPRB, BZA, Office of Planning, other stakeholders;
- Track zoning & historic preservation policy and developments;
- Hold special meetings to consider applications on major projects;
- Propose BZA- and HPRB-related policy positions for the Commission's Policy & Procedures Manual;
- Assist with ANC trainings on zoning, historic preservation;
- Maintain committee web page.
- Other tasks and purposes?

Questions:

- Should the committee hear applications at separate meetings?
- Do these issues make sense, in combination, for one committee?
- Should there be non-Commissioner committee members, and if so, who?
- Other questions?

Issue(s): Transportation, Infrastructure, and Environment

Designated Commissioner(s):

Potential Purpose/Tasks:

- Liaise with DDOT, DPR, WMATA, DDoE, utilities, other stakeholders;
- Track policy and developments related to transportation, infrastructure, environment;

- Hold special meetings on major projects, e.g., streetscape projects;
- Propose issue-related policy positions for the Commission's Policy & Procedures Manual;
- Assist with ANC trainings on these issues;
- Maintain committee web page;
- Keep track of status of street projects (e.g., 17th, 18th, K, U, 15th, 14th);
- Tree box planting and care initiatives.
- Other tasks and purposes?

Questions:

- Do these issues make sense, in combination, for one committee?
- Should there be non-Commissioner committee members, and if so, who?
- Other questions?

Issue(s): Public Safety

Designated Commissioner(s):

Potential Purpose/Tasks:

- Liaise with MPD, other stakeholders;
- Track policy and developments related to public safety;
- Hold special meetings, events on key public safety issues;
- Propose public safety related policy positions for the Commission's Policy & Procedures Manual;
- Assist with ANC trainings on public safety issues;
- Maintain committee web page;
- Other tasks and purposes?

Questions:

- Should there be non-Commissioner committee members, and if so, who?
- Other questions?

Issue(s): Community Service

Designated Commissioner(s):

Potential Purpose/Tasks:

- Liaise with fellow community service organizations, other stakeholders;
- Establish & operate a community grant system for the Commission;
- Plan community service events, fundraisers for community groups, and community activities;
- Maintain committee web page, including links to community service organizations & opportunities;
- Other tasks and purposes?

Questions:

- Should there be non-Commissioner committee members, and if so, who?
- Other questions?

Issue(s): Committee Structure Rules

Designated Commissioner(s):

Questions:

- Do our newly-established rules on committee structure make sense?
- Should there be differences in rules for establishing and operating standing committees, ad hoc committees, and working groups?
- How do our current working groups mesh with new standing committee structure?
- Other questions?

The motion was not passed, as Commissioners requested more time to determine their potential roles on each committee.

Commissioner Stephens announced the Commission would hold a meeting regarding the committee structure and Backpack training on Sunday, September 20th at 2:15 at the Dupont Hotel.

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, October 14, 2009, 7:00 PM at the Brookings Institution, 1775 Massachusetts Avenue, NW - 1st Floor, Falk Auditorium .

Respectfully submitted,

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

ADOPTED: October 14, 2009