

ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION REGULAR MEETING MINUTES

Wednesday, February 17, 2010 Brookings Institution

The February 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), Mike Silverstein (2B06), Will Stephens (2B08) and Ramon Estrada (2B09). Commissioners Victor Wexler (2B05) and Phil Carney (2B07) were not present. The Chair noted the presence of a quorum.

Approval of Minutes

Commissioner Stephens made a motion to approve the minutes. Commissioner Patel seconded the motion. The motion carried 7-0.

Public Announcements

Commissioner Silverstein thanked Johnny Gaither, Department of Public Works, for handling a health emergency at the T Street dog park, due to the snow storm. Commissioner Meehan thanked Historic Dupont Circle Main Streets for their help shoveling snow after the snow storms. Mark Medley invited ANC 2B and other neighborhood organizations to a dinner at James Hobans on February 23 at 6:00 PM.

Paul Williams, HDCMS, thanked their Clean Team for shoveling snow and cleaning up after the snow storm. He noted that HDCMS recently compiled a list of over 500 Dupont Circle businesses, available at dupontcircle.biz.

Introduction of new officers of Dupont Circle Conservancy

Rick Busch, President, DCC, announced the new DCC officers:

Rauzia Ruhanna Ally, *President*
rally@scomoco.com

Tom Bower, *Vice President*
tom1545@verizon.net

Lance Salonia, *Secretary*
salonial@aol.com

Donald Jones, Treasurer
Donald.Jones136@verizon.net

Charles Ellis, Director
Chasellis3@gmail.com

Commissioner Feldstein expressed his gratitude and thanks for working with ANC 2B and with the many neighbors and community activists in Dupont Circle. He presented Rick Busch, on behalf of ANC 2B, with a plaque for his service and contribution to the community. Mr. Busch thanked members of the DCC and community, and thanked the ANC for its help, especially with 1841 16th Street NW and helping Gil Hill and his wife with the addition of an elevator to their house.

Request for letter of recommendation for L'Enfant Trust for Historic Preservation, which is competing for the National Trust for Historic Preservation's 2010 Trustees' Award for Organizational Excellence. (All SMD's)

Commissioner Silverstein made the following motion:

Resolution in support of L'enfant Trust for the National Trust for Historic Preservation 2010 Trustees' Award for Organizational Excellence:

Whereas, the L'enfant Trust helped pioneer the use of conservation easements, and currently maintains a portfolio of more than 1,100 such easements in our community, preserving the beauty of our historic neighborhoods, and

Whereas, the L'enfant Trust has worked assiduously, educating the community to the value of historic preservation. They have published various documents, including self-directed walking guides of our Historic Dupont Circle neighborhood. L'enfant Trust president Carol B. Goldman has worked with community groups and academics, and has spoken before the Dupont Circle ANC about the conservation easement process, and

Whereas, in 2006, when Preservation Trust announced plans to cease operations, L'enfant Trust showed leadership and community spirit. Working with DC officials and the National Trust, L'enfant Trust agreed to accept Preservation Trust's portfolio of easements on about 100 buildings, assuming administration and enforcement of those easements at considerable time and expense, and

Whereas, when tax abuse by others threatened to end the tax subsidy that helps fund conservation easement programs, the trust worked closely with local and federal officials and preservation groups to preserve the tax deduction, and

Whereas, the L'enfant Trust is working with the "green movement," learning more about solar panels, green roofs, and eco-friendly building materials,

Therefore, be it resolved that Dupont Circle ANC enthusiastically supports the nomination of the L'enfant Trust for the trustee's award for 2010 of the National Trust for Historic Preservation for Organizational Excellence.

Commissioner Stephens seconded the motion. Commissioner Meehan stated he would abstain from the vote. The motion carried 6-0-1 with Commissioner Meehan abstaining.

Presentation by Diane Thomas regarding 5th Annual SunTrust National Marathon scheduled to run Saturday, March 20, 2010

Ms. Thomas presented information on the marathon and stated that it would come up 18th Street under Dupont Circle and up into Adams Morgan. These streets would experience a one hour closing time on March 20th from approximately 7:30-8:30. They expect approximately 12,000 runners. They requested support from the Commission.

Commissioner Silverstein made a motion to extend the Commission's support for the marathon. Commissioner Feldstein seconded the motion. The motion carried (7-0).

Presentation by Mayor's Conservation Corps.

A representative of the Mayor spoke briefly about the Summer Youth Program from June 21 - August 20. The program will teach kids to be environmentally friendly.

Public Safety

Commissioner Jacobson introduced Lt. Scott Dignan. Lt. Dignan noted that crime overall was down 5% in the previous month, but with a slight increase in assault with deadly weapons. Commissioner Jacobson expressed concern over multiple iPhone robberies on 17th Street. Lt. Dignan noted that MPD are increasing presence on 17th Street.

Commissioner Silverstein expressed concern over an emergency vehicle being stuck in Dupont Circle traffic. He asked when MPD would take a serious look at the traffic gridlock situation in Dupont Circle. Lt. Dignan did not have an answer, and suggested that Chief Lanier would need to answer this question. Commissioner Jacobson thanked Lt. Dignan on behalf of himself and Commissioners Silverstein and Patel, for his attendance at the Commission's night life summit. He requested follow up from MPD at the next summit on how MPD has attacked crime on Connecticut Avenue and P Street.

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.

Commissioners Silverstein and Patel thanked Rob Halligan for his work with Commissioner Jacobson on the recent crime summit meeting.

Committee Reports

17th Street Working Group

Commissioner Jacobson noted that he had invited DDOT to attend tonight's meeting, but they were not able to attend due to the snow emergency. DDOT noted that they are several weeks behind in clearing snow from 17th and 18th Street. PEPCO's subcontractor began clearing snow from 18th Street, in preparation for laying a 12 inch water main pipe on Florida Avenue. Paul Williams, HDCMS, spoke briefly about the business owners meeting with DDOT. He noted that 20 businesses attended the meeting with DDOT. DDOT committed to keeping all businesses open throughout the installation of new sidewalks. HDCMS noted that it would work with businesses to display banners notifying the public that businesses are open.

ABRA Policy Committee

– Nomination of committee members Ryan Dorman, Phyllis Klein, Abigail Nichols, Kevin O'Connor, the Chair of DCMAP (or a designee), and the President of Historic Dupont Circle Main Streets (or a designee)

Commissioner Stephens made the following motion:

ANC 2B names the following members to the ABRA Policy Committee:

Ryan Dorman

Phyllis Klein

Abigail Nichols

Kevin O'Connor

Chair of DCMAP or designee

President of Historic Dupont Circle Main Streets or designee

Commissioner Estrada seconded the motion. The motion carried (6-0-1) with Commissioner Silverstein abstaining.

Zoning, Preservation & Development Committee

- Report on Recommendations for Dupont Trolley Station RFP
- Nomination of committee members David Alpert, Anne Sellin, John Jedzinak

Commissioner Feldstein made the following motion regarding the Dupont Trolley Station:

1. Fundamental must be the recognition that whatever is done must meet the needs of the present without compromising the capacity of the future generations to answer theirs. While the future use of the Dupont Trolley Stop for mass transit is the most obvious consideration, others might arise and must be anticipated.

2. The space must be welcoming to all citizens, be safe and accessible to all, including people with disabilities.

3. Dupont Circle ANC is on record supporting and still supports an arts venue, so long as it is properly funded so as to insure high standards and is well maintained.

4. There is no overriding necessity to find an immediate short-term use for the trolley stop. A poorly conceived use is far worse than no use at all.

5. Premium should go to a use of the space that draws people to the neighborhood so as to benefit the local economy.

Commissioner Jacobson inquired whether the Commission would have a seat on the RFP Committee. Neil Goradia stated that the Commission would not have a seat on the Committee. Commissioner Stephens seconded the motion. The motion carried (7-0).

Commissioner Feldstein made a motion to add the following people to the Zoning Committee:

David Alpert

Anne Sellin

John Jedzinak

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

Community Development Committee

– Deschaine Internship Process

Commissioner Stephens noted that the Committee put together a short description to go out to local universities.

Commissioner Feldstein made a motion to add Paul Williams to the Community Development Committee. Commissioner Stephens seconded the motion. The motion carried (7-0).

Commissioner Reports

Neighboring Jurisdiction Reports (West End/Foggy Bottom, Adams Morgan, Kalorama, Shaw/Mt. Vernon, Logan Circle, Georgetown)

None.

General

None.

Regulatory

Request for letter of support for American Society of Nephrology (study of kidneys) for their application for tax exempt bonds to purchase a headquarters at 1510 H Street NW. (2B05)

The applicant requested support for tax exempt bonds to purchase its headquarters at 1510 H Street NW. ASN is a 501(c)(3) organization dedicated to the study of the kidneys. If the organization defaults on the tax exempt bonds, the DC Government would not be required to bail out the organization.

Commissioner Jacobson made a motion to approve the request. Commissioner Feldstein seconded the motion. The motion carried (7-0).

Concept design application to HPRB for contemporary two-story rear addition on the end unit house, 1778 T Street NW. Architect Willie Rueda (Siru Architects) (2B08)

Commissioner Stephens made the following motion, incorporating the Dupont Circle Conservancy's concerns:

Dupont Circle ANC 2B shares the concerns of the Dupont Circle Conservancy and encourages the owner to continue to work with the Conservancy on the design elements.

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

Request for one day waiver from voluntary agreement for James Hoban's, 1 Dupont Circle NW, to allow a one hour extension of sidewalk cafe hours on March 17, St Patrick's Day. Mark Medley. (2B02)

Mark Medley and the owner of James Hoban's withdrew the request.

Application for substantial change for Virginia Market (1776 U Street NW) from Class "B" liquor license to Class "A" – petition date March 1, 2010 (2B08)

Commissioner Stephens recommended taking no action on the request. The Commission took no action.

Request to amend the voluntary agreement for the Palm Restaurant, 1225 19th Street NW, to allow up to six private parties per year (strictly private affairs such as birthday parties, or post-theater parties) that would allow them to serve up to legal closing hours for those private events. (2B02)

Jeff Bosworth, Manager, Palm Restaurant, attended the meeting with the Palm's attorney, Andrew Klein. Commissioner Silverstein noted that ABRA asked the Commission to consider this type of request. He also requested the Palm to notify the Commission's Chair or the Commission via email, before any private party events. Commissioner Meehan expressed support for limiting the number of private parties to six per year. Commissioner Feldstein made a motion to approve the request to amend the voluntary agreement to allow six private parties per year. Commissioner Patel seconded the motion. The motion carried (7-0).

Request for Class "D" liquor license of BGR Dupont LLC, t/a BGR, 1528 Connecticut Av NW, an existing restaurant to serve beer and wine from 11am to 1130pm Sun-Thurs, and 11am to 2am Fri-Sat, and for a stipulated license to apply during the permit process. (2B02)

Commissioner Patel made a motion to support the request. Commissioner Feldstein seconded the motion. The motion carried (7-0).

Request for CR license for Burger 1300 Conn. Ave LLC t/a Rogue States, a restaurant serving hamburgers and sandwiches with an occupancy of less than 100. Hours of operation: 9am thru 9am (correct), with sales/service/ consumption of alcoholic beverages 9am-1am. Joyce Njoroge (2B02)

The applicant requested Burger's full license. Commissioners Jacobson and Meehan recommended protesting the application pending the negotiation of a voluntary agreement. Commissioner Patel noted that there is community concern about this application. Commissioner Patel made a motion to protest the application on the basis of peace, order and quiet, pending the successful negotiation of a voluntary agreement. Commissioner Jacobson seconded the motion. The motion carried (7-0).

Public space request for approximately two inches of public space for facade improvements as part of renovation project for 1615 L Street. DDOT tracking number 53597. Hagen Scutt, architect. (2B05)

Commissioner Stephens made a motion to support the request. Commissioner Feldstein seconded the motion. The motion carried (7-0).

Request for substantial modification to 1737 Conn. Ave — the old Anna Maries (2B01)

Dupont Circle Conservancy supported the request with the exception of the extended canopy. Commissioner Feldstein made a motion to support the request with the exception of the extended canopy. Commissioner Stephens seconded the motion. The motion carried (7-0).

Request for a substantial change to liquor license for Masa 14 (1825 14th Street, NW). The request is for approval of a rooftop summer garden (not in ANC 2B, but across the street from 2B09)

The applicant noted that 100 years ago, rooftop seating existed at the building at 1825 14th Street. The applicant stated that the substantial change request calls for a summer rooftop garden including 50 seats in an enclosed second floor area, with 68 seats in an outdoor rooftop area. No music will be played in the rooftop garden. Maximum operating hours are 2am Sunday-Thursday

and 3am Friday-Saturday. Andrew Klein, attorney for the applicant, noted that five Commissioners filed individual protests against the request, due to the Commission's meeting cancellation on February 10, as a result of the snow storm. Mr. Klein stated that the Commission had missed the deadline for protest.

Commissioner Silverstein made a motion to endorse the actions of five individual Commissioners to protest the application based on peace, order and quiet, due to the circumstances of our previously scheduled meeting having been rescheduled a week later; and the Commission will be willing to negotiate on behalf of those Commissioners if asked. Commissioner Estrada seconded the motion. The motion carried (7-0).

The Commission submitted the following language on official letterhead:

ANC 2B intended to take up the matter of a substantial change application by Masa 14 (1825 14th Street, NW) at its regularly scheduled meeting. Because of a state of emergency created by the blizzard, the ANC could not meet until the following Wednesday. During that time the protest period ended but five Commissioners signed a timely protest. Now the Commissioners have asked that the ANC represent their interests and at the February 17 meeting, the ANC agreed unanimously to represent the interests of those five protesting Commissioners.

Administrative/Financial Matters

Finances/Treasurer's Report

Commissioner Jacobson submitted the quarterly report for approval, due for Q1 on January 31, 2010. Commissioner Jacobson made a motion to approve the report.

- The quarter started with the checking account balance of \$16,699.05
- District allotments received totaled 13,272.80
- Expenses totaled \$4,045.22
- Ending checking balance at the end of Q1 of 25,926.63
- The quarter started with a savings account balance of 19878.74
- Received \$15,000 in legal expenses reimbursements and \$9 in interest

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

The full report can be accessed here:

http://www.dupontcircleanc.net/public_documents/2010-Q1-Quarterly-Report.pdf

Policy & Procedures Manual — Committee Rules

Commissioner Stephens made a motion to accept the proposed changes to the policy & procedures manual. 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, March 10, 2010, 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: April 14, 2010