

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION REGULAR
MEETING MINUTES
Wednesday, June 9, 2010 Brookings Institution**

The June Regular Meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chairman Stephens 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 Chair noted the presence of a quorum.

Election to Fill Vacancy in Office of Vice-Chair

Commissioner Silverstein made a motion nominating Commissioner Feldstein for the Vice-Chair position. Commissioner Patel seconded the motion. Commissioner Jacobson made a motion nominating Commissioner Estrada. Commissioner Carney seconded the motion. Commissioner Estrada thanked Commissioner Jacobson for the nomination, but respectfully withdrew the motion. The motion nominating Commissioner Feldstein to Vice-Chair carried (9-0).

Approval of Minutes (tabled)

Commissioner Stephens tabled the approval of May minutes until the June meeting. He also noted that the Chair and Executive Director agreed that the Executive Director would draft barebones minutes and distribute the weekend after each meeting. Commissioner Stephens requested Commissioners who did not contribute electronic versions of their resolutions to update the draft May minutes with their motions.

Public Announcements

Commissioner Estrada announced that the construction of Room and Board (furniture store) has been completed after seven months of construction. They will host an open house on Saturday.

Commissioner Silverstein announced the street naming of Frank Kameny Way at 9:30 am on June 10.

Commissioner Jacobson announced the Pride Parade would take place on Saturday, June 12.

Public Safety

Commissioner Jacobson introduced Sgt. Jenner, who briefly reviewed crime statistics:

For the period of May 8 - June 8:

- 26 robberies

- 8 assaults with deadly weapons

- 11 burglaries

- 67 thefts from autos

Committee Reports

Zoning, Preservation & Development Committee - ARTS Overlay

Commissioner Feldstein apologized for the short discussion on this matter at the May meeting, and for not making resolutions available before the meeting.

Commissioner Stephens stated that the Roberts Rules of Order require the Commission to entertain a motion to amend or rescind the previous motion from the May meeting, in order to reopen the matter.

Commissioner Feldstein made a motion to rescind. Commissioner Patel seconded the motion. Commissioner Meehan left the room. Commissioner Jacobson requested a roll-call vote on this matter. Commissioners Mike Feldstein, Bhavna Patel, Jack Jacobson, Victor Wexler, Mike Silverstein, Phil Carney, Will Stephens and Ramon Estrada voted in support of the motion. Commissioner Bob Meehan was not present for this vote. The motion carried (8-0).

Commissioner Jacobson submitted a revised motion replacing the rescinded motion:

ANC 2B supports the work of the Logan Circle ANC Committee on the Uptown Arts Overlay and requests that the Zoning Commission modify the text change proposed by the Office of Planning to include the elimination of bars and restaurants within the definition of contributing arts activities, as originally recommended by Logan Circle ANC. Without such a modification, the text change just to increase ABC establishments could work to the detriment of preserving space for the arts. If the Zoning Commission cannot include this modification during its current hearing on these issues, ANC 2B recommends that any action taken by the Zoning Commission to

increase the limit on eating and drinking establishments should extend for only another 120 days to allow time for the Office of Planning to submit a new proposal that addresses this issue.

Commissioner Carney seconded the motion. Commissioner Estrada made a friendly amendment to include language the Commission supported from its September 2009 meeting. Commissioner Jacobson did not accept the friendly amendment. Commissioner Estrada submitted the language as an amendment. There was no second in support of the amendment. The motion carried (8-0) with Commissioner Meehan out of the room.

17th Street Working Group

Commissioner Jacobson announced that DDOT would remove equipment from 17th Street before the Pride Parade. DDOT gave a brief update on 17th Street. A DDOT representative stated that equipment would be removed before the Pride Parade. He also noted that the 17th Street Streetscape project would be completed in July 2010. Commissioner Jacobson proposed a 17th Street Festival in September to celebrate the completion of the 17th Street Streetscape project. Commissioner Jacobson introduced Lee Granados, who will lead the Festival. She requested volunteers for the Festival. Commissioner Jacobson requested the ANC to authorize \$3,000 to support the Festival. Commissioners Stephens and Jacobson noted that the Commission would consider an authorization of \$3,000 at the Commission's July meeting.

ABRA Policy Committee

Commissioner Stephens formally stepped down as Co-Chair of the ABRA Policy Committee, due to his role as the Chair of the Commission. Commissioner Estrada announced ABRA training on June 17 at ABRA's office on U Street.

Community Involvement Committee - Soccer in the Circle event report

Commissioner Stephens formally stepped down as Co-Chair of the Community Involvement Committee, due to his role as the Chair of the Commission. Commissioner Feldstein announced Soccer in the Park on Saturday, June 12. He noted that the events generated more than \$20,000 of donations.

General

Announcement by Lindsay Reishman of Lindsay Reishman Real Estate of dates for three movies (June 29th, July 27th and August 24th), to be shown at Stead Park as the summer movie festival for Stead in 2010. (2B05)

Mr. Reishman requested support for a movie festival at Stead Park. Commissioner Wexler made the following motion, with a friendly amendment from Commissioner Jacobson:

Whereas, Lindsay Reishman of Lindsay Reishman Real Estate has proposed to sponsor the showing of three feature films free of charge on evenings of June 29, July 27th and August 24th, 2010, and a 4th date to be determined in conjunction with a 17th Street Festival, at Stead Park, and

Whereas, this festival represents an excellent opportunity for adults and children to enjoy Stead Park on summer evenings,

Be it therefore resolved that ANC support and promote this summer movie festival in Ward 2 in the summer of 2010

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

Resolution in support of asking DDOT to do a study of greening the Dupont Circle Underpass, north of the Circle to Q Street.

Commissioner Feldstein made the following motion:

Whereas, the Connecticut Avenue underpass below Dupont Circle includes a segment from Dupont Circle to Q Streets, NW that creates a large void for pedestrians at street level and harms businesses along both sides of the 1500 block of Connecticut Avenue, NW.

Whereas, residents and urban planners have at various times in the past suggested covering this space to create a park which would stimulate business along the east and west sides of Connecticut Ave and beautiful the area.

Whereas, such a park could be an excellent home for the Dupont Circle Farmers' Market, which has long outgrown its current limited space.

Whereas, such a park would be an outstanding way to both beautify the area and at the same time stimulate business in the area.

Resolved, that ANC 2B requests that DDOT and the Office of Planning conduct an analysis of the feasibility and cost of covering the portion of the Connecticut Avenue underpass between Dupont Circle and Q Streets, NW to create a park.

Commissioner Carney seconded the motion. Commissioner Meehan made a friendly amendment, reflected above. The motion carried (9-0).

Regulatory

ABC License Renewal Requests:

<p>2B01 1. Tupp, Inc. T/A Thai Phoon, 2011 S St. NW</p> <p>2B02 1. Maharjan and Lama, Inc. T/A Polo Indian Club, 1736 Connecticut Ave. NW 2. Fantazia Corporation T/A Legends Restaurant & Carry Out, 2157 P Street NW 3. 2120 P St Associates/BK&F LLC T/A Marriott Residence Inn/Stars Bistro and Bar, 2120 P St. NW 4. The Bards of Washington, LLC T/A James Hoban's, 1 Dupont Circle NW 5. KHP Washington Hotel, LLC T/A Hotel Palomar, 2121 P St. NW</p> <p>2B03 None</p> <p>2B04 None</p> <p>2B05 1 Leeds the Way, LLC t/a Hank's Oyster Bar 1624 Q St. 2. 1733 N Street, D.C. One Lessee, LLC t/a Topaz Hotel, 1733 N St. 3. The Army and Navy Club t/a The Army and Navy Club, 901 17th St N.W. 901 17th St. 4. Pizzetti 824, Inc. t/a Komi 1509 17th St 5. R I Associates t/a Holiday Inn Central 1501 Rhode Island AVE</p>	<p>2B06 1. Grill Concepts DC t/a Daily Grill, 1200 18th St NW 2. El Chalan Inc t/a El Chalan, 1922 I St NW 3. VAP 1800 M St LLC t/a Vapiano, 1800 M St NW 4. Berk of Washington Inc t/a The Melting Pot, 1220 19th St NW 5. Jha Corp t/a Recessions II, 1823 L Street NW 6. Restaurant Associates of NY, LLC t/a No Trade Name, 1850 I St NW 7. The Alibi Club of Washington Inc t/a The Alibi Club, 1806 I St NW 8. S & W DC LLC t/a Smith & Wollensky, 1112 19th St NW 9. Cafe Chopsticks 19th St Inc t/a Cafe Chopsticks, 1020 19th St NW 10. TGR inc t/a Teatro Goldoni, 1909 K St NW 11. Box 20, Inc. T/A Darlington House: Cantina/Kitchen/Library, 1610 20th St. NW</p> <p>2B07 1. Taj Mahal Enterprises, Ltd T/A Taj Mahal Restaurant, 1327 Connecticut Ave. NW 2. TNL Corporation T/A Luna Grill, 1301 Connecticut Ave. NW 3. Shamiana, LLC T/A Heritage India Brassiere & Lounge, 1337 Connecticut Ave. NW 4. Jurys Washington, LLC T/A Doyle DuPont, 1500 New Hampshire Ave. NW</p> <p>2B08 1. Inti, LLC t/a Inti Peruvian Restaurant, 1825 18th St NW</p> <p>2B09 1. Coppi's Pizza, 1414 U Street NW</p>
---	--

Commissioner Silverstein did not participate in any ABC related matters before the Commission at the June meeting, due to his position on the ABC Board. Commissioner Meehan made a point of order to table consideration of Hank's Oyster Bar. Commissioner Stephens suggested the Commission take no action on the remaining above ABC license renewals. The remaining renewals were considered by SMD. The Commission took no action.

Other ABC Requests:

Application for substantial change for L'Enfant Cafe & Bar, 2000 18th St NW, for inside operation hours 8am-2am (Sun-Thurs) & 8am-3am (Fri-Sat); inside sales/service consumption hours 10am-2am (Sun), 8am-2am (Mon-Thur) & 8am-3am (Fri-Sat); sidewalk cafe hours 10am-1am (Sun-Thur) & 10am-2am (Fri-Sat); entertainment endorsement 6pm-12:30am (Sun-Sat). (1C01, within statutory distance from 2B08)

The Commission took no action.

Consideration of request for substantial change by Clemenzah LLC t/a Food Corner Kabob, 2029 P Street NW for proposed hours of operations & sales/service/consumption Sun-Thurs 11am-2am and Fri-Sat 11am-3am (2B02)

Commissioner Patel made the following motion, with a friendly amendment from Commissioner Meehan to remove language regarding P Street residents, which was accepted by Commissioner Patel and seconded by Commissioner Stephens:

Whereas

Clemenzah LLC t/a Food Corner Kabob, 2029 P Street NW has requested consideration of request for substantial change for proposed hours of operations & sales/service/consumption Sun-Thurs 11am-2am and Fri-Sat 11am-3am (2B02)

Whereas

The Clemenzah License was provided under the stipulation not to have alcohol service hours beyond 12 am as part of the exception to the Moratorium and that any discussion of extension of hours is premature given the moratorium still stands

Whereas

Clemenzah LLC t/a Food Corner Kabob is a new establishment that has yet to show its business principals and community members have not yet had an opportunity to comment on the addition of another late night alcoholic service establishment in the neighborhood or negotiate a voluntary agreement

Be it resolved that

The ANC opposes the request for a substantial change by Clemenzah LLC t/a Food Corner Kabob on the basis of peace, order and quiet.

Commissioner Meehan seconded the motion. The motion carried (7-0-1) with Commissioner Feldstein abstaining and Commissioner Silverstein not participating.

Consideration of ABC license application No. ABRA-084466 by Le Reve of USA, LLC t/a Chidogo for a new Class “D” Restaurant, serving Italian beef/hot dogs with a seating capacity of 30 and a total occupancy load of 75, at 1934C 14th St. NW (2B09)

Commissioner Estrada made a motion to protest the application on the basis of peace, order and quiet pending a successful resolution of a Voluntary Agreement. Commissioner Meehan seconded the motion. The motion carried (8-0) with Commissioner Silverstein not participating.

Consideration of request by Levante’s, 1320 19th St NW, for extension of interior and exterior hours from 11pm until 1am (Mon-Sat) and from 11pm to 12am (Sun) (2B02)

Commissioner Patel made the following motion:

Whereas,

Levante’s, 1320 19th St N, is requesting consideration for extension of interior and exterior hours from 11pm until 1am (Mon-Sat) and from 11pm to 12am (Sun) (2B02)W for proposed hours of operations & sales/service/consumption Sun-Thurs 11am-2am and Fri-Sat 11am-3am (2B02)

Whereas,

Levante’s request to ABRA for indoor and outdoor alcohol service are not the same as the hours that were published on the placard for public comment

Whereas

ANC 2B generally opposes outdoor alcohol service beyond 12:00am on the basis of peace order and quiet,

Be it resolved that:

ANC 2B opposes the current request for extension of indoor and outdoor hours and also requests that ABRA require Levante’s to re-placard their renewal notice with the correct hours of operation.

Commissioner Estrada seconded the motion. Commissioner Stephens made a friendly amendment to protest based on improper placard placement, which is reflected above. Commissioner Patel accepted the friendly amendment. The motion carried (8-0) with Commissioner Silverstein not participating due to his position on the ABC Board.

Consideration of request by Leeds the Way, LLC to Petition and Amend or Terminate Voluntary Agreement incorporated into an order by the Board for ABRA license no. 071913 signed by DCCA on April 25, 2005 and by Group of Five Protestants on May 4, 2005. (2B05)

Commissioner Wexler suggested the Commission (1) take no action on the request to renew Hank's Oyster Bar's ABC license and (2) take no action on the request to amend or terminate the voluntary agreement. Commissioner Meehan made a motion that the ANC be at the hearing and oppose the vacating of the voluntary agreement on the basis that parties involved were not given accurate notice. Commissioner Carney seconded the motion. Commissioner Jacobson suggested that, if necessary, the Commission should hold a special meeting on this matter. Commissioner Meehan noted that he supports a special meeting. Commissioner Wexler pointed out that there are two separate requests on the table: to renew and to amend/terminate the voluntary agreement. Commissioner Jacobson requested a roll call vote on Commissioner Meehan's motion with regard to the voluntary agreement. Commissioners Carney, Estrada and Meehan voted in support of Commissioner Meehan's motion to oppose the request to amend/terminate the voluntary agreement. Commissioners Wexler, Feldstein, Stephens and Jacobson voted to oppose Commissioner Meehan's motion. Commissioner Patel abstained. Commissioner Silverstein did not participate due to his position on the ABC Board. The motion did not pass, failing by a vote of (3-4-1).

The Commission took no action on both the ABC license renewal and the termination of the voluntary agreement.

Application for CR license for Mayur 1, Inc t/a Tandoori Time for family Indian restaurant. No live entertainment. Occupancy 99. Seating 99. Sidewalk cafe with 9 seats. Hours of operation, hours sales/consumption of alcoholic beverages, hours of operation/sale/consumption for sidewalk cafe all identical" Sun-Thurs 11am-10pm. Fri-Sat: 11am-3am. (2B06)

Commissioner Stephens made a motion to protest the application on the basis of peace, order, and quiet, subject to the successful negotiation of a voluntary agreement.

Commissioner Jacobson seconded the motion. The motion carried (8-0) with Commissioner Silverstein not participating due to his position on the ABC Board.

Consideration of ABRA application 08499 for a CR license for BLT Steak at 1317 Connecticut Avenue NW (2B07)

Commissioner Carney made a motion to protest the application, pending the negotiation of a voluntary agreement. Commissioner Wexler seconded the motion. The motion carried (8-0) with Commissioner Silverstein not participating due to his position on the ABC Board.

Consideration of Substantial Change application by Local 16 at 1602 U St. NW to add DJ and dancing to entertainment endorsement. (2B08)

The Commission took no action.

HPRB & Zoning Requests:

Application from the Clark's Group to HPRB for review on June 24, 2010. Application (HPA# 10-309) includes new signage, awnings and lighting on 16th St. facade of the building at 1600 K Street N.W.. Application for unenclosed sidewalk cafe to follow at later date. Restaurant will occupy space formally occupied by Olives Restaurant. (2B05)

Commissioner Wexler made a motion to support the installation of new signage, lighting, canopies and revolving door at 1600 K St., NW. Commissioner Feldstein seconded the motion. The motion carried (9-0).

Other Regulatory Items:

DDOT public space request for extension of sidewalk cafe hours for Penang, 1837 M Street NW, from 11:30pm (Sun-Sat) to 3:00am (Sun-Sat) (2B06).

Kevin O'Connor briefed the Commission on issues regarding Penang. He noted that Penang's request for sidewalk cafe hours would be inconsistent with the Commission's Club Central resolution. Commissioner Silverstein made the following motion:

ANC 2B opposes the request based on past public space problems including recurrent blocking of public space handicap access to an adjoining law firm, placing of trash in public space, Police complaints regarding the behavior of customers in public space and the fact that the proposed hours are inappropriate for the immediate area.

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

DDOT Public space request for standard valet parking permit for Kabab-Ji Restaurant, 1351 Connecticut Av NW for 3 spaces along the Connecticut Av NW service road, northbound, just south of Dupont Circle. (2B07)

Commissioner Carney made the following motion:

ANC 2B opposes the application of Kabab-Ji based on already limited street parking in the neighborhood and specifically because of existing traffic problems at this location caused by single-lane, heavy traffic feeding from multi-lane Connecticut Avenue NW into Dupont Circle. This location is already a traffic choke point.

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

Administrative/Financial Matters

Commissioner Jacobson proposed the Commission hold forums for candidates for Mayor, Council Chair and the Ward at Large. Commissioner Stephens volunteered to help Commissioner Jacobson.

Financial Reports

Commissioner Jacobson noted that the Commission received two quarterly distributions from the DC Government in the amount of \$12,249.36. The ending balance as of May was \$28,980.14.

Commissioner Silverstein made a motion to approve \$100 for signage for the Commission's Pride Parade car. Commissioner Feldstein seconded the motion. The motion carried (9-0).

Policy & Procedures Manual – new version

Commissioner Stephens passed out a revised manual for consideration at the July meeting.

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

The next regular meeting of ANC 2B will be held on Wednesday, July 14, 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: July 14, 2010