

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

**Wednesday, January 12, 2011 Brookings Institution**

The January 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), Kevin O'Connor (2B02), Bob Meehan (2B03), Jack Jacobson (2B04), Victor Wexler (2B05), Mike Silverstein (2B06), Will Stephens (2B08) and Ramon Estrada (2B09). Commissioner Phil Carney (2B07) was not present. The Chair noted the presence of a quorum.

### **Approval of December 2010 Minutes & Circulation of Monthly Work Calendar**

The Commission tabled approval of December 2010 minutes. Commissioner Stephens distributed the monthly work calendar.

### **Public Safety**

Lt. Scott Dignan addressed the Community. He introduced his team which conducted a sting to capture an individual stealing Fedex packages from various neighbors. The team noted that 46 burglaries had occurred in the the last 90 days. MPD requested impact statements from the affected members of the the community. Lt. Dignan also noted that he would provide contact details to the community. The Commission thanked MPD. Lt. Dignan announced that Michael Reese would serve as the new Commander of the 2nd District. Lt. Dignan noted he would distribute Commander Reese's contact info to the community.

### **Public Announcements**

Next PSA 208 Public Safety Meeting Tues. 7pm @ District 3 HQ (17th & V)  
Other Announcements

Commissioner O'Connor announced that the West Dupont Moratorium Committee would hold its first public meeting on January 18 at 7pm at Church of Pilgrims. Commissioner Jacobson requested notification of the meeting to be distributed to the ANC's list serve at least one week in advance.

Commissioner Feldstein noted that Paul Williams, Dupont Circle Main Streets, was unable to attend the meeting. He announced that Main Streets would hold its annual meeting on January 20th. The meeting will include Councilmember Jack Evans and an update on the Connecticut Avenue median project. The meeting will take place at 6pm at the Black Fox Lounge. The Dupont Cookbook is also available for purchase at local bookstores and at dupontcircle.biz.

Iris Molotsky, Dupont Circle Village, announced its first Silent Auction on February 4th at the National Trust for Historic Preservation. More info can be found at dupontcirclevillage.org.

### **Special Item – Election of 2011 ANC 2B Officers**

Commissioner Stephens noted that ANC members were sworn in on January 2nd. Commissioner Wexler made a motion to nominate a slate of officers: Chair – Will Stephens, Vice Chair – Mike Feldstein, Treasurer – Mike Silverstein and Secretary – Phil Carney.

Commissioner Silverstein seconded the motion. Commissioner Jacobson inquired if it would be possible to vote for individual nominees. Commissioner Wexler stated he had submitted a motion to vote as a slate. The motion carried (7-1) with Commissioner Jacobson voting in opposition. He requested the record to reflect that if the Commission had voted on separate nominees, he would have voted in support of Silverstein for Treasurer and Carney for Secretary.

ANC Security Fund – Commissioner Stephens made a motion to participate in the ANC security fund of \$25. Commissioner Estrada seconded the motion. The motion carried (8-0).

### **Regulatory**

#### **Public Space**

#### **Refiled application to Public Space Committee by Kabab-Ji Restaurant, 1351 Connecticut Avenue NW, for valet parking. Hearing January 27, 2011, (2B07)**

Commissioner Stephens noted that the applicant did not appear tonight for the third time. Commissioner Stephens made a motion on behalf of Commissioner Carney, to oppose the application. Commissioner O'Connor made a point of order and requested the Commission to note that the applicant has failed to appear before the Commission on multiple occasions. Commissioner Feldstein seconded the motion. Commissioner Silverstein requested that the letter reference the fact that there has been a pedestrian fatality in this area and that the proposed valet parking permit area is inappropriate for any valet parking. The motion carried (8-0).

#### **Request before Public Space Committee for sidewalk cafe for Nooshi Restaurant, 1120 19th Street NW. Seating 50 people. Jessica Tu. (2B06)**

Jessica Chu, owner of Nooshi appeared before the Commission. She requested approval for a sidewalk cafe. Commissioner Silverstein made a motion to support the application. Commissioner Feldstein seconded the motion. The motion carried (8-0).

### **HPRB & Zoning Applications**

#### **Application by 2025 Massachusetts Avenue NW on a proposed renovation to a historic building. On the January HPRB & BZA agendas (2B02)**

The Dupont Circle Conservancy had approved the concept. Commissioner O'Connor made the following motion with a friendly amendment from Commissioner Meehan regarding the rooftop

equipment and a friendly amendment from Commissioner Silverstein noting that the building would be used by non-profits:

ANC 2B supports both the Zoning and Historic preservation applications with serious consideration on minimizing the exposure of the air conditioning equipment to the street, and noting that the building will be used by non-profits.

Commissioner Feldstein seconded the motion. The motion carried (8-0).

**Application by 1720 16th St., NW to permit a chancery use of the property by the Republic of Congo. (2B04)**

The applicant appeared before the Commission requested the chancery use of the property at 1720 16th St., NW, by the Republic of Congo.

Commissioner Jacobson made the following motion:

Whereas, ANC 2B received BZA Application No. 18162, providing notice that the Embassy of the Republic of Congo has applied to allow the location of a chancery at 1720 16th St., NW (Square 178, Lot 800); and

Whereas, the proposed architectural site plan includes a driveway that would require two (2) curb cuts and which could endanger at least two (2) mature trees and a Metrobus stop on public space and two (2) mature trees on the property lot.

Therefore, be it resolved, that ANC 2B opposes designating the property as a chancery; in light of the past upkeep of the Embassy's Chancery at 16th and Colorado.

Be it further resolved, that ANC 2B opposes the proposed driveway due to the two (2) required curb cuts, one (1) each on 16th Street and on Riggs Place, due to their negative impact on pedestrian and bicycle safety, as well as the curb cuts' potential harm to existing tree canopy both in public space and on the property lot. We share DCC's concerns regarding the integrity of the rear garden wall.

A copy of this resolution shall be submitted to the Embassy of the Republic of Congo, the DC Board of Zoning and Adjustment, District Department of Transportation, FMBZA and State Department.

Commissioner Estrada seconded the motion. The motion carried (8-0).

**ABC Applications**

**Application by Shake Shack, 1216 18th Street NW for new CR license for American style restaurant specializing in burgers and shakes. No entertainment or dancing provided. Sidewalk Café with 12 seats; Seating capacity 102; Total occupancy load 108. Hours of**

**operations/sales/service for interior and sidewalk cafe: Sunday through Thursday 10 am – 1 am and Friday & Saturday 10 am – 2am. Petition due 1/17/2011; Hearing 1/31/2011. (2B06)**

Commissioner O'Connor recommended taking no action on the CR license. Commissioner Feldstein seconded, but no second was required.

Non-attorney representative Andrew Kline noted that he and the applicant would return before the ANC to request a sidewalk cafe.

**Application by The Cajun Experience, 1825 18th St NW, for new CR (Restaurant) license and stipulated license. Hours of operation Sun-Th 8am-11pm, Fri-Sat 8am-12am; Hours of alcohol sales/service (interior and summer garden) Sun-Th 11am-11pm, Fri-Sat 11am-12am; Entertainment endorsement for live music (jazz combo) Sun-Th 6pm-11pm, Fri-Sat 6pm-12am. Petition due 2/7/2011; Hearing 2/22/2011 (2B08)**

Michael Fonseca noted that the applicant had requested a new license rather than a transfer of the CR license from Inti Restaurant, and is also requesting a stipulated license. The applicant noted that it has two other locations open in Leesburg and Purcellville, VA.

Commissioner Stephens made the following motion:

ANC 2B supports the stipulated license and the new CR (Restaurant) license.

Commissioner Meehan expressed concern over entertainment in the summer garden and the effect of noise on residents. The applicant stated there would be no entertainment outside, with the exception of micro-speakers during daylight hours. He noted that the micro-speakers would be shut off at dark. Commissioner Estrada seconded the motion. The motion carried (6-0) with Commissioner Silverstein not participating due to his position on the ABC Board, and Commissioner Jacobson outside of the meeting room.

**Request by Soho Tea and Coffee, 2150 P Street, NW, to change current Voluntary Agreement to permit serving alcohol until 2:00am. Current Voluntary Agreement calls for sales to end at 12:00am. Patio hours to remain the same. (2B02)**

The applicant requested permission to extend hours until 2am for serving alcohol inside. The applicant noted that she was not requesting an overturn of the VA.

Commissioner O'Connor made a motion to support the request and move forward with amending the voluntary agreement to the hours of 2am for serving of alcohol inside 2150 P St., NW.

Commissioner Wexler seconded the motion. The motion carried (6-0-1) with Commissioner Meehan abstaining and Commissioner Silverstein not participating due to his position on the ABC Board.

## **Committee Reports**

### **Dupont West Moratorium Ad Hoc Cmte**

#### Public Meetings

Commissioner O'Connor noted that he would serve as Chair of the Committee and Commissioner Feldstein would serve on the Committee. The following people will also serve on the Committee:

Aaron McGovern – DCMAP (Russia House)

Robin Diener – DCCA

Donald Benedick – ANC 2B06 designee

The first public meeting will take place on January 18th, 7pm at Church of Pilgrim.

### **ABRA Policy Committee**

#### Public Space Sidewalk Cafe guidelines

Commissioner Estrada noted that the proposed guidelines have been in circulation for 30 days. He suggested postponing until Commissioners and the community could review. Commissioner Stephens noted that he posted the guidelines on the the ANC's blog. Commissioner Estrada noted that the Committee intends separate guidelines for summer gardens. The Committee will look at concentration of sidewalk cafes and Historic Districts and enclosed cafes. Commissioner Stephens suggested the Committee receive additional comments from the community and Commissioners to the proposed guidelines, and then review the guidelines at the February meeting.

VA description for website – Commissioner Estrada drafted a description for the website, and expects to revisit the description with additional language.

Other Business – None

Next Meeting – To be determined.

Commissioner Stephens made a suggestion for Committee to consider. He suggested the Committee explore creating a model VA with explanatory brackets.

### **Zoning, Preservation & Development Committee**

Zoning Re-write – The Committee will be hosting a training seminar on this issue later in January.

Dupont underground trolley station – The District signed an agreement with Julian Hunt. The project is planned to be completed in 2012.

Conn Ave underpass greening – DDOT noted that budget considerations made the project infeasible.

Conn Ave (South/North) median & landscaping – No update.

Farragut virtual Metro tunnel – No update.

Mobile roadway vending regulations – No update.

Speed hump study – No update.

Other Business – None.

Next Meeting – Meetings will begin next month on the First Tuesday.

#### Community Involvement Committee

Community Grants – Commissioner Feldstein noted the Committee had a meeting last week. The Committee reviewed how other ANCs approve community grants. Community members would like to use the ANC website to publicize community events.

Community Awards – No update

Other Business – None.

Next Meeting - TBA.

#### Commissioner Reports

**Neighboring Jurisdiction Reports: West End/Foggy Bottom (2B06), Adams Morgan (2B01, 2B08), Kalorama (2B01, 2B02), Logan Circle (2B04, 2B05, 2B09), Georgetown (2B06), Columbia Heights/Shaw (2B09)**

Commissioner Silverstein noted the Diego D’Ambrosio would like to organize an Italian Festival at Dupont Circle on June 2nd.

#### Reports on Old Business

1. Concerns about Reeves Ctr voting procedures – The BOEE communicated that they will resolve the issue.

2. Freshfarm Market: public space – The applicant has not yet received its public space approval.
3. Mid-City Arts District: public space – The banners are now posted in ANC 2B and are approved to be up for one year.
4. Marrakesh: renewal (2B02) – The mediation hearing took place today. Commissioner O’Connor attended and strongly expressed the ANC’s concern over public safety matters. Nothing was resolved at the mediation hearing.
5. Rest. Assocs. of NY: World Bank cafe (2B05) – The applicant received approval by the ABC Board.
6. Wash. Post: CX license for events (2B05) – The applicant received approval by the ABC Board.
7. Cities Rest./Lounge: valet parking (2B06) – No update.
8. Mezza Luna: sub. change CR to CT (2B06) – The ANC and the applicant agreed to a voluntary agreement.
9. Kabab-ji: sub. change entertainment, cvr charge (2B07) – No update.
10. Steve’s Bar Room: CN renewal w/o placard (2B07) – The applicant did not understand the Commission’s protest. Commissioner Stephens communicated that the applicant needed to re-placard their establishment.
11. Mad Hatter: sub. change sidewalk cafe (2B07) – Status hearing took place today and the applicant promised to submit a draft VA to the Commission.

Commissioner Feldstein requested the Royal Palace to be added to this list for follow up. He noted that the Commission did not receive notice of its renewal.

### **Administrative/Financial Matters**

**Resolution to participate in ANC Security Fund – already considered above.**

### **Finances/Treasurer’s Report**

Commissioner Jacobson noted that the ANC budget is still in draft. He noted this would be his last report as Treasurer. Commissioner Jacobson reported that no receipts have been lost and everything has been turned in on time. He reported that the checking account balance is \$32,071.36. He noted that he helped the Commission increase savings while decreasing expenses. Commissioner Jacobson formally gave up his title and will support the new Treasurer moving forward. The Commission thanked Commissioner Jacobson for his service.

Commissioner Silverstein requested financial support to fix the gutter on the Resource Center. He noted the Commission would review again at next month’s meeting.

Commissioner Stephens noted that the Commission received a billing invoice for the DCCA house tour ad, for which an expenditure wasn’t originally authorized. Commissioner Stephens

suggested passing a resolution to pay the non-profit rate invoice. Commissioner Jacobson stated he would not support payment of the invoice. Commissioner Silverstein expressed concern that this may trigger an issue with the Auditor. No action was taken.

**ANC 2B FY 2010 Annual Report: Draft – Commissioner Feldstein has worked hard on sections of the report, and the Chair anticipates submitting to the Commission shortly.**

Policy & Procedures Manual: Draft – Commissioner Stephens was not able to print a new update to the draft for distribution this evening.

Other Admin Items

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, March 10, 2011, 7:00 PM at the Brookings Institution, 1775 Massachusetts Avenue, NW – 1st Floor, Falk Auditorium .

Respectfully submitted,

Freddie Blicher  
Executive Director  
Dupont Circle Advisory Neighborhood Commission 2B  
ADOPTED: February 9, 2011