

ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION

REGULAR MEETING MINUTES

Wednesday, August 14, 2013, Brookings Institution

Call to Order/Introduction of Commissioners

The August 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), Stephanie Maltz (2B03), Abigail Nichols (2B05), Leo Dwyer (2B07), Will Stephens (2B08), and Noah Smith (2B09). Commissioner Kishan Putta (2B04) expected for late arrival. Commissioner Silverstein (2B06) was absent to his duties on the ABC Board. The Chair noted the presence of a quorum.

Special Item – Engagement of New Executive Director

Commissioner Stephens explained the application and interview process for engaging a new Executive Director, and thanked Commissioners Smith and Feldstein for their work on this matter. Commissioner Stephens moved to approve engaging James Conway as new Executive Director, as a W2 employee, at the gross salary rate of \$500 per month, for an expected 20-25 hour commitment, and to begin immediately, with half of the month of August remaining. The motion was seconded by Commissioner Feldstein. Commissioner Stephens noted that if Commissioners wished to have any discussion about specific candidate qualifications and interviews, this could be done in executive session. There was no such request. Commissioner Maltz noted that the Executive Director would be paid a pro-rated amount (one half of the month) for the month of August. The motion passed 7-0.

Minutes/Calendar

Prior interim Executive Director Patrick Kennedy noted that the draft July 2013 minutes were incomplete. This matter was postponed to next month.

Administrative/ Financial Matters

Approve Quarterly Report April/June

Commissioner Maltz moved to approve the FY 2013 quarterly report for the 3rd Quarter. Passed 7-0.

Commissioner Putta joined the meeting.

Public Announcements

1. Commissioner Putta announced Friends of Stead Park has a new website, the next local movie night sponsored by the Friends of Stead Park will be The Goonies on August 22nd.
2. Commissioner Putta announced that the 15th street bike lane has been delayed in construction
3. Commissioner Feldstein announced that Dupont Festival will show the movie Casablanca in

Dupont Circle park on September 7th.

4. Commissioner Maltz announced the DC Beatification Day at Ross elementary school.
5. Commissioner Nichols announced about possible new concerns with a new DC charter school.
6. The Urban Neighborhood Alliance, in partnership with Historic Dupont Circle Main Streets will hold 4th annual 17th Street Festival on 9/14/13.
- 7 Ward 2 Board of Education Member Jack Jacobson described the Board's work on curriculum development and announced that At-Large Board of Education Member Mary Lord was elected to be the head of the National Board of Education.

Regulatory

Alcohol Applications

Request to amend Voluntary Agreement / Settlement Agreement for Chi Cha Lounge, U Street NW, to allow for holiday hours extension.

Commissioner Stephens moved to support. Seconded by Commissioner Feldstein. Passed 7-0

Application for new CR (restaurant, full service) license Shoreditch Cooperative LLC, 1513 17th St NW, for New East London-style café, restaurant and market serving coffee, sandwiches, salads, local produce, and seasonal dinner plates. Hours of sales/service/ consumption Sunday through Thursday 8 am – 2 am; Friday and Saturday 8 am – 3am. Sidewalk Cafe Hours Sunday through Thursday 10 am – 11 pm; Friday and Saturday 10 am – 12 am. Occupancy load 95. (2B05)

Commissioner Nichols moves to support a stipulated license. Seconded by Commissioner Stephens. Passed 8-0. Commissioner Nichols moves to protest the full license on the grounds of Peace Order and Quiet, subject to negotiations of a new Settlement agreement. Failed 1-7. Commissioner Nichols moves to support application. Seconded by Commissioner Smith. Passed 5-0-1.

Proposed resolution on 17th Street Moratorium

Resolution proposing a temporary extension of the moratorium and a delay in ANC vote. Commissioner Nichols moved the following resolution requesting an emergency extension of 90 days:

Commission Seconded by Commissioner O'Connor. Commissioner O'Connor supported to allow for discussion. Motion failed 1-7.

Proposed resolution to Support the Extension of a modified East Dupont Moratorium Commissioner Maltz proposed the following resolution.

Whereas, the East Dupont Circle Moratorium (the Moratorium) has been recognized as a tool to reduce liquor license overconcentration and protect the peace, order and quiet of the East Dupont Circle neighborhood;

Whereas, a goal of the ANC is to promote the future of its neighborhoods, advocating for smart growth and sustainable, responsible economic development; there are several tools that can effectively help promote the welfare of the neighborhood;

Whereas, the ANC has weighed the opinions of the impacted community, businesses, community organizations and the Dupont Circle neighborhood at-large; which were diverse and often strong;

Whereas, the East Dupont Circle Moratorium limits the number of Retailer's liquor licenses issued in the area that extends approximately six hundred (600) feet in all directions from the intersection of 17 and Q Streets, N.W., Washington, D.C.; and

Whereas, the East Dupont Circle Moratorium is set to expire on September 23, 2013.

Therefore, be it resolved, that ANC2B petition the Alcoholic Beverage Control Board for the renewal of a modified East Dupont Circle Moratorium for a three-year period from the date of Board action;

Be it further resolved, that ANC2B recommends continuing the current number of licenses allowable be listed as the following: Class CT/DT – Two (2); and Class CN/DN – Zero (0);

Be it further resolved, that the restriction on the number of Class A, Class B and CR/DR licenses be lifted;

Be it further resolved, that ANC2B recommends that the current exemption for hotels continue;

Be it further resolved, that ANC2B recommends the existing language pertaining to transfer of ownership be maintained;

Be it further resolved, that ANC2B recommends that the prohibition on the transfer of a CT/DT, or CN/DN license from outside the Moratorium zone to inside the Moratorium zone be continued;

Be it further resolved, that the Moratorium shall prohibit the change of all CR/DR licenses to CT/DT or CN/DN licenses;

Be it further resolved that ANC 2B will track measures to determine the effectiveness of these changes. These will include: violations registered with ABRA, complaints registered with the

Commissioners of the Single-Member Districts within the Moratorium boundaries, and the number and type of new businesses in the Moratorium boundaries; and

Be it further resolved that ANC 2B recommends that the Alcoholic Beverage Control Board take any actions necessary to ensure that the current moratorium does not expire before it can act on these recommendations.

Seconded by Commissioner O'Connor. Commissioner Nichols proposed friendly amendment to extend by 5 years. Commissioner Maltz did not accept this as a friendly amendment. The resolution passed 4-4, with the Chair voting in favor. Commissioners Stephens and Maltz noted that, based on the Commission's By-Laws, the vote of the Chair is controlling in the case of a tie vote.

General Items

Resolution thanking Urban Forestry for Tree Removal (2B03)

Commissioner Maltz moved the following resolution:

Whereas a major elm tree in a tree box in front of 1716 New Hampshire Avenue NW that leaned at a 60 degree angle and stretched across the street appeared on July 3, 2013 to neighbors to be at risk of falling due to splits in the surface root system;

Whereas in response to calls from neighbors, staff from theDDOT Urban Forestry Administration did inspect the tree on July 10, 2013 and marked it for removal at some future time;

Whereas by July 17, 2013, splits in the surface roots had more than doubled in width since July 3, 2013;

Whereas this elm tree is located across the street from the national headquarters of the Delta Sigma Theta Sorority, which was sponsoring during this time a major reunion with hundreds of members milling about within the fall zone of the tree;

Whereas upon receiving photos of change in the root structure in the late morning on July 18, 2013, the Director of Urban Forestry Administration immediately ordered that the removal of

this elm tree be completed before the end of the day, fearing that a predicted major rain within two days might cause the tree to fall; and

Whereas within four hours the tree was “topped” by the removal of the major limbs with the remainder of the tree removed the next morning.

Therefore, be it resolved that ANC 2B recognize the Urban Forestry Administration for its outstanding response to Dupont Circle neighborhood safety concerns about a major elm tree at 1716 New Hampshire Avenue NW during July 2013.

This response included working closely with the community, taking seriously the concerns of neighbors about risk of life and property from the tree, and immediately moving up its removal plans to same day removal when updated pictures of root damage indicated that the tree would fall at the next major rainstorm which was predicted within two days. ANC 2B and the community at large are very grateful for the swift, professional action taken by the Urban Forestry Administration to avert a potential major catastrophe to life and property.

Seconded by Commissioner Stephens. Passed 8-0.

Resolution marking the passing of Annie Kaylor.

Commissioner Putta moved the following resolution:

Whereas, Annie Kaylor worked for over 60 years on 17th Street and was a beloved presence in the Dupont Circle neighborhood; and

Whereas, Annie Kaylor lovingly and without hesitation promoted tolerance and support for our gay community at a time when the community had very few straight allies, and

Whereas, Annie Kaylor presided over her family’s restaurant, Annie’s Paramount Steakhouse, as it became a welcoming place, attracting everyone – straight and gay – to enjoy good food, drink, and camaraderie in a safe and supportive space; and

Whereas, our city and our neighborhood have been enriched by Annie Kaylor’s life and work;

Be it resolved that Dupont Circle ANC 2B hereby commemorates the life of Annie Kaylor and will work to establish an appropriate memorial to her life and in her memory.

Seconded by Commissioner Stephens. Passed 8-0.

Resolution to join Ward 2 education coalition

Commissioner Maltz moved the following resolution:

Whereas, Advisory Neighborhood Commission (ANC) 2B values high quality traditional community schools and will work to ensure that all residents of ANC 2B have them;

Whereas, ANCs were created to "advise the Council of the District of Columbia, the Mayor and each executive agency with respect to all proposed matters of District government policy," including education;

Whereas, the DCPS traditional schools to which most ANC 2B residents have a right to send their children are divided between several Elementary, Middle and High Schools;

Whereas, Elementary school options for ANC 2B residents include Garrison Elementary School, Ross Elementary School, School Without Walls at Francis Stevens and Thomson Elementary School;

Whereas, Middle school options for ANC 2B residents include Cardozo Education Campus, Jefferson Middle School Academy and School Without Walls at Francis Stevens;

Whereas, High school options for ANC 2B residents include Eastern High School, Cardozo Education Campus, Wilson High School;

Whereas, anticipated school boundary and feeder pattern changes will greatly impact our neighborhoods and communities and present an opportunity to highlight and address issues impacting parent satisfaction;

Whereas, an increased focus at the neighborhood level, better coordination and more fully bringing community talent and other resources to bear, educational achievement and community school quality may improve a number of critical factors affecting our schools and our neighborhoods, including family support services, truancy, and public safety.

Whereas, ANC 2B, recognizing the importance of quality public education to the health and vitality of all communities, wishes to establish a joint effort among neighboring ANCs to study and improve our neighborhood schools.

Therefore, be it resolved, that ANC 2B hereby enters into a special joint committee of ANCs to identify improvements to its neighborhood schools and feeder systems.

Be it further resolved that, each neighboring ANC, which will be defined as that having a student body, some portion of which is designated to attend the same DCPS schools as those attended by the other ANCs in the joint committee, may be invited to participate in the joint committee;

Be it further resolved that, each neighboring ANC is authorize to designated one (1) voting representative to serve as the ANCVoting representative on the joint committee. It is up to eachANC to determine the standards for selecting its designee; In the event that an ANC's voting representative is unavailable at a meeting, the representative may designate a proxy in writing;

Be it further resolved, that ANC 2B designates Advisory Neighborhood Commissioner Stephanie Maltz to serve as its voting representative;

Be it further resolved, that the joint committee shall adhere to the joint meeting requirements specified in ANC 2B's Bylaws, and such other rules as the joint committee may adopt;

Be it further resolved, that the chair shall be elected by a majority of the voting representatives present and voting at the first meeting of the joint committee; and

Be it further resolved that, the joint committee shall investigate causes of concern within the neighborhood school system, including Cardozo High School feeder pattern, solicit community feedback, and prepare a report proposing reforms. The report shall be presented to the Mayor, the Chancellor of the DC Public Schools System, the Education Committee of the DC City Council, and any other interested stakeholders.

Seconded by Commissioner O'Conner. Commissioner Smith offered a friendly amendment, which was accepted by Commissioners Maltz and O'Connor and is reflected in the motion as set forth above. The motion passed 8-0.

Public Space Application

Proposed Sidewalk Cafe at 1333 New Hampshire Ave NW (2B06).

Commissioner Stephens moved to support the application. Seconded by Commissioner Dwyer. Passed 7-0.

Whereas ANC2B has previously approved the T Street sidewalk cafe plans for Policy Restaurant at 1904 14th St NW; and

Whereas the restaurant has approached the ANC and indicated that a decorative fence was installed four feet west of the previously approved public space application; and

Whereas the new plan conforms to ANC2B's Public Space Guidelines, does not further encroach on pedestrian space and the additional space is within the leased land of the restaurant; and

Whereas the restaurant is not requesting additional seating, umbrellas or tables.

Be it resolved that ANC2B does not object to the addition of 56 square feet of public space usage on T St by Policy Restaurant.

Proposed installation of bollards at 1050 Connecticut Ave NW.

Commissioner Stephens moved to support the application. Seconded by Commissioner Nichols. Passed 7-0.

Committee & Liaison Reports

Due to the length of the discussion on the moratorium, the committee and liaison reports were tabled by unanimous consent.

Commissioner Reports

Due to the length of the discussion on the moratorium, the commissioner reports were tabled by unanimous consent.

Adjournment (10:07)