

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION
REGULAR MEETING MINUTES
Wednesday, December 11, 2013, Brookings Institute**

Call to Order/Introduction of Commissioners

The December Regular Meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chairman Stephens at 7:04 pm. The Commissioners identified their Single Member Districts (SMDs). Present were: Mike Feldstein (2B01), Stephanie Maltz (2B03), Abigail Nichols (2B05), Leo Dwyer (2B07), Will Stephens (2B08), Noah Smith (2B09).

Minutes/Calendar

Circulation of ANC 2B Monthly Calendar

Approval of November Minutes, moved by Commissioner Nichols, seconded by Commissioner Feldstein. Passed 5-0-1.

Public Announcements

Commissioner Stephens announced that ANC 2B has made its twitter feed more active so use the “#ANC2B”

Bill McLeod, Executive Director of Historic Dupont Circle Main Streets, announced a Christmas tree lighting at La Tomate this Saturday at 5:00pm; and that Main Streets will be creating new banners to hang in Dupont Circle. Commissioners suggested that the banners include Main Streets branding more prominently.

Commissioner Maltz announced that both Ross School and School without Walls Francis Stevens is selling Christmas trees this season

Commissioner Maltz announced that the Ward 2 Education Network will have its first meeting January 11th at 10am. Location TBD.

Commissioner Dwyer announced that a new pet/dog store will open up in 2B07

Aaron DeNu of Dupont Festival announced that permits have been applied for to have a World Cup viewing this summer on Dupont Circle, similar to the 2010 World Cup viewing

Patrick Kennedy of the Foggy Bottom Association (FBA) announced that there will be a Feb. 25th Mayor Forum held in Foggy Bottom, and he requested ANC 2B to join ANC 2A as a co-sponsor. Moved by Commissioner Stephens, seconded by Commissioner O’Connor. Passed 6-0.

Regulatory

Alcohol Applications

*Commissioner Silverstein recused himself and left the room due to his role on the ABC Board.

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License Renewal Applications

Sesto Senso (CT), 1214 18th St NW (#081092)(2B06) -NA
Camelot (CN), 1823 M St NW (#001449) – NA
Teddy (CT), 1200 19th Street NW (#089980) (2B06) – NA
DC Noodles (CR), 1410 U Street NW (#073188) (2B09) – NA

The Commission took no action on the above 4 renewal applications.

Application (#093454) for new Class “A” retail license by Experience Umbria Wines, 1629 K St NW, for online retail liquor store; Hours of sales/service/operation 9am-9pm daily; Petition due 12/23/13; Roll Call Hearing 1/6/14. Michael Fonseca presenting (2B05) Commissioner Nichols noted that this application was withdrawn. The Commission did not hear the application and took no action.

Application (#93501) for a stipulated DR license (restaurant, beer and wine only) by Mama I’s Pizza & Pasta, 1825 I (“Eye”) St NW, for a “new restaurant service pizza and pasta”; Hours of operation Mon-Fri 7am-7pm, Sat 12-5pm; Hours of sales/service/consumption Mond-Fri 11am-7pm, Sat 12-5pm; Petition due 12/23/13; Roll Call Hearing 1/6/14. Jennifer Pugh-Nolan presenting (2B06) Commissioner Maltz made a motion to support a stipulated license application because of the limited hours and the service of food. Seconded by Commissioner Nichols. Commissioner Stephens suggested a friendly amendment to also support the full license application, which was accepted by the movant and second. Passed 6-0.

Application (#93492) for new CR license (restaurant, full service) by Bub and Pop’s, 1815 M St NW, for “new restaurant serving American food, specializing in submarine sandwiches,” no entertainment, no dancing; Total Occupancy 45, Seating Capacity 30, sidewalk cafe 8; Hours of sales/service/consumption Sun-Thu 11am-2am, Fri-Sat 11am-3am; Sidewalk Cafe hours Sun-Thu 11am-3am, Fri-Sat 11am-4am; Sidewalk cafe sales/service/consumption Sun-Thu 11am-2am, Fri-Sat 11am-4am; Petition due 12/16/13; Roll Call Hearing 12/30/13. Andrew Kline presenting. (2B06) Motion by Commissioner Maltz to support the application on the understanding that the sidewalk cafe operations, sales, service, and consumption will cease at 2:00am Sun-Thurs and 3:00am Fri-Sat (instead of 2:00am and 4:00am), seconded by Commissioner Stephens. Passed 7-0.

*Commissioner Putta arrived at (7:37pm)

*With all alcohol applications heard, Commissioner Silverstein returned to the room at (7:43pm)

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Public Space Applications

Re-hearing: Application (Tracking #86302) by Sette Osteria (1666 Connecticut Avenue NW) for Planter Boxes behind sidewalk to 42" (2B02) Commissioner Stephens noted that the Commission had previously objected to this application. The applicants did not appear, and the Commission took no further action.

HPRB & Zoning Applications

Application to HPRB (#14-039) for proposed renovation to 1728 P St NW (2B07) Commissioner Dwyer reported that this application was delegated from the HPRB to HPO staff. The Commission did not hear the application and took no action.

Application to HPRB (14-095) for proposed renovation to 1442 T St NW (2B09) Motion by Commissioner Smith, seconded by Commissioner Feldstien. Passed 8-0. The proposed resolution reads as follows:

WHEREAS this project is located within the U Street Historic District and intends to extend the lot coverage and add a third story; and

WHEREAS this third story addition is not visible from anywhere on the 1400 block of S St. NW, nor the intersection of 15th and S St. NW; and

WHEREAS this project will revitalize a row house abandoned for over a generation and improve the neighborhood; and

WHEREAS the Dupont ANC 2B finds this project as presented to be in line with the historic character of the neighborhood; and

WHEREAS the abutting property owners have expressed their support for the project.

Therefore BE IT RESOLVED that ANC 2B supports this project as presented.

Application to HPRB (13-625) for addition to 1618 Q Street NW (2B05)
Motion by Commissioner Nichols reads as follows:

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Whereas project owners and the architectural firm Workshop t10 have conceived a project at 1618 Q Street that converts a single family dwelling to a seven dwelling units with two private parking places by replacing the existing back of the building with a three story addition with a roof deck that will be accessible from one unit,

Whereas this address is located within the Dupont Circle Historic District so that changes of this magnitude need to be approved by the District of Columbia's Historic Preservation Review Board (HPRB),

Whereas this project (HPO case number 13-625k) has been modified since previously reviewed by ANC 2B in November 2013 and, after being withdrawn from HPRB's November 21, 2013, will be reconsidered at HPRB's December 19 meeting,

Whereas ANC2B's Zoning, Preservation, and Development (ZPD) Committee as well as Advisory Neighborhood Commission 2B as a whole have reviewed the drawings of the project as submitted to the ANC on October 1, 2013, and have again reviewed the December 9, 2013, submission to HPRB,

Whereas ANC 2B accepts the owners' statements that the addition will not be visible from street level on Q Street including the corner of 17th St. and Q Street, NW, and that the footprint of the building obviates any need for review for zoning, i.e., that this is "by right" from a zoning perspective,

Whereas ANC 2B does not find compelling the guidance from HPRB staff that this project does not violate historic preservation,

Whereas for the reasons listed below, ANC 2B finds the project to violate the requirements of the DC historic preservation law in general and the Dupont Circle Overlay District in particular as promulgated in regulations in Title 11, Section 1501, specifically 1501.1 "Strong protections are needed to retain its low scale, predominately residential character..... given the high-density development pressures caused by the proximity off the Central Employment Area and Dupont Circle Metrorail Station,." 1501.4 © "enhance the residential character of the area by maintaining existing residential uses and controlling the scale, location, and density of commercial and residential development," and 1501.4 (e) "preserve areas planned as open gardens and backyards and "protect the light, air, and privacy:"

One: The proposed rear addition, while attractive in design, breaks the pattern and scale of buildings in the public space view of the rear of the building from Stead Park.

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Two: Creating six new units for a total of seven residential units in a single family does not meet the purpose of 1501.4 © to “Enhance the residential character of the area by maintaining existing residential uses and controlling the scale, location, and density of commercial and residential development,”

Whereas general concerns are exacerbated by the direct and specific losses to light, air, and privacy and quiet that individual neighbors will experience – losses that historic preservation law aims to prevent, namely that one neighbor will lose both light and privacy and several other neighbors will lose privacy and be subject to the misuse of their private property for trash disposal for parking by nonresidents and contractor, the project countervenes the Overlay’s purpose of protecting light, air, and privacy as described in 151.4 ©.

Whereas neighbors to a similar project at 1321 21st St., NW, have reported problems in the execution of that project.

Therefore, ANC 2B opposes this project.

Motion by Commissioner Stephens to amend in the form of a replacement resolution to delay and continue opposition as reflected in November letter and vote, seconded by Commissioner Dwyer. The amendment passed 7-1. The amended motion passed 7-1.

Other Regulatory Applications

MedStar Health: request for support of application for consolidated medical services location (2B06)
Motion by Commissioner Silverstein to support the certificate of need, seconded by Commissioner Stephens. Commissioner Patrick Kennedy of ANC 2A provided information to the ANC 2B Commissioners about the location of Medstar Health from the perspective of ANC 2A. Commissioner Stephens made a friendly amendment to instead defer this matter to the ANC’s colleagues at ANC 2A, which was accepted. Passed 8-0.

General

Consideration of use of Resource Center by DC2NY Bus
Commissioner Stephens noted that DC2NY requested to be on the agenda to ask for use of the Resource Center space for restrooms. No representatives of DC2NY appeared, so the Commission did not hear this item and took no action.

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Committee & Liaison Reports

ABRA Policy Committee

Reports on old business (if any):

#U Street Moratorium – Commissioner Smith reported that the Alcoholic Beverage Control(ABC) Board rejected the U Street moratorium application, consistent with ANC 2B’s recommendation.

#17th Street Moratorium – Commissioner Maltz reported that the ABC Board approved a renewal of the moratorium for 3 years, but only for nightclubs and taverns (CT and CN licenses), consistent with ANC 2B’s recommendation

#Club Central, Rooftop Bars – No report

Next Meeting: 12/18/13 7pm @ Resource Center (Third Wednesdays)

Zoning, Preservation & Development Committee

Reports on old business (if any): Zoning re-write, Conn Ave Underpass project, P&P Manual

No old business reports

Next Meeting: 1/7/13 7pm @ Resource Center (First Tuesdays)

Community Involvement Committee

Reports on old business (if any): Draft Grants Policy, Resource Center project, Community Needs & Resources Survey

No old business reports

Next Meeting: No meeting in December

Public Safety Liaisons

Reports on old business (if any): Community Impact Statements, 15th Street Bike Lane, Pedestrian Crossings

Noah stated Community Impact Statements, 15th Street Bike Lane, Pedestrian Crossings all have been going well. Looking forward specific meeting on pedestrian safety TBD. Commissioner Putta announced that a protest demonstration will be at 21 and Q, the India Embassy, on LGBT rights in India. Criminal who had been readily breaking into peoples cars was caught and now will be placed in jail for and extended time.

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Ward 2 Education Coalition

Reports on old business (if any): Garrison school project, MLK Library
Commissioner Maltz reported a productive meeting on November 26 with DCPS, and the upcoming lottery for DC schools has been announced. Coalition is meeting with Jack Evans office on education in DC. The MLK Library project is ongoing.

Commissioner & Staff Reports (9:20pm)

Staff Reports

Coudriet Intern – Daniel Warwick spoke on the research on zoning update that ANC considered at its special meeting on November 25, 2013. The next project is a parking survey to represent the streets in the ANC 2B neighborhood. In addition, Daniel will be surveying the bylaws of ANC 2B and other ANCs.

Deschaine Intern – Nicole Baillis spoke on her social media outreach. Twitter outreach grew by 50 people. Working on a survey on ANC 2B meetings to pass out beginning with the ANC's January public meeting. Working on profiling page where the ANC blog will profile community leaders.

Executive Director – James Conway reported progress on researching the possible use of Comcast as the internet service provider of the resource center.

Web/IT Consultant – No update

Short Reports on Old Business (if any)

(Note: For the below reports on old business, "A" means the application was approved, "P" means the matter is still pending, and "NU" means no update.)

Fab Lounge: ABRA license renewal (2B01) – P

1817 Riggs Pl NW: HPRB approval (2B01) – A

Bistro Bistro: ABRA license renewal (2B01)- Commissioner Feldstein reported that Bistro Bistro did not appear for their roll call hearing at ABC, and the application was dismissed. The Commission should expect the re-placarding of the license renewal in the near future

Al Tiramisu: sidewalk cafe (2B02)- NU

Hotel Palomar: valet parking (2B02)- NU

2112 R St NW: BZA & HPRB approval (incl gallery) (2B02)- NU

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DC2NY: public space renewal (2B02)- NU
Fireplace: ABRA license renewal (2B02)- NU
1506 19th St NW: DDOT sidewalk cafe (2B03)- Approved with 11pm closing hours
1617 & 1619 19th St NW: BZA request (2B03)- Hearing re-scheduled
Carlyle Suites: HPRB renovation (2B03)- HPRB did not approve the application
Embassy of Georgia: zoning variance (2B03)- The hearing is in January 2014
1733 16th St NW: HPRB approval (2B04)- NU
Rosebar: ABRA license renewal (2B05)- The owner did not appear for the roll call hearing
1200 17th Street NW: pavers & benches (2B05)- NU
Catch 15: new CT license (2B05)- NU
Noodles & Co: sidewalk cafe (2B05)- NU
BLT Steak: valet parking (2B05)- NU
Balletto (now Stonefish Grill): license renewal (2B05)- A new Settlement Agreement was approved by ABC
901 16th St NW: Zoning relief (2B05)-A
Pret A Manger: DDOT sidewalk cafe (2B05)-NU
Dirty Martini: ABRA license renewal (2B05)-P
BarCode: ABRA license renewal (2B05)-P
Midtown: ABRA license renewal (2B05)-P with 12/16 roll call hearing
N Street Follies: HRPB revisions (2B05)- A
Embassy of Oman: zoning variance (2B05)-NU
1321 21st St NW: new construction (2B06)-A
Washington Deluxe Bus: public space (2B02/2B06)-A
Pei Wei Asian Diner: new DR license (2B06)-A
1050 Conn Ave NW: bollards (2B06)-A
Golden Triangle BID: rain garden signage (2B06)-A
Public Bar: revisions to VA/SA (2B06)- Not yet signed
18th Street Lounge: ABRA license renewal (2B06)- NU
Noodles & Co: DDOT sidewalk cafe (2B06)- NU
1785 Mass Ave NW: Zoning relief (2B07)- A
1337 Conn Ave NW: zoning variances (2B07)-A
National Tap House: new CT license (2B07)- Settlement Agreement signed
STK: New CR license (2B07)- A
Patterson Mansion: HRPB review (2B07)- The application was withdrawn and the property was sold to another party
Chi-Cha Lounge: VA/SA amendment (2B08)- P

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Bar Charley: ABRA substantial change (2B08)-P

Policy: VA termination, public space plan, holiday hours (2B09)- New Settlement Agreement signed and submitted

Taqueria National: public space sidewalk cafe (2B09)- permit denied by Public Space Committee

1421 Swann St NW: zoning variance & HPRB request (2B09)- Both applications approved

Amsterdam Falafel: ABRA license: The Shaw-Dupont Citizens Association is going to protest

Precinct Boundaries Plan (Silverstein)- NU

Publisher Box Regulations (Stephens)- NU

Commemorating Annie Kaylor (Silverstein)-Street naming will be in 2014

Washington Redskins (Putta)- NU

DC Health Link (Putta) – The DC Health Link has extended the date to apply for healthcare.

Administrative Matters

Commissioner Maltz reported that the FY 2013 Quarter 4 quarterly Report was submitted, that the report is on the website, that the bank account has approximately \$81,000

Adjournment (9:41)

Adjourned by acclimation

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