

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION
REGULAR MEETING MINUTES
Wednesday, October 9, 2013, Brookings Institute**

Call to Order/Introduction of Commissioners

The October 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.

Minutes/Calendar

Circulation of ANC Monthly Work Calendar

Approval of Minutes – August & September 2013 regular meetings

Commissioner Stephens moved to approve the August & September 2013 regular meetings minutes seconded by Commissioner Feldstein. Passed 8-0.

Public Announcements

1. Updates to ANC website
2. DC Health Link Enrollment
3. Keegan Theatre
4. DCCA House Tour
5. Freshfarm Markets
6. Commissioner Stephens states that the shutdown will not affect the ANC.
7. Commissioner Maltz announced renovations taking place at the Carlyle Suites
8. Commissioner Abigail announced the 17th street moratorium hearing
9. Commissioner Silverstein announced the dinner for staff at School without Walls coming up
10. Commissioner Feldstien announced the Broadway Musicals in Dupont Circle and also the volunteer cleaning up around Dupont because of the shutdown

Regulatory

Alcohol Applications

License Renewal Applications

Fab Lounge (CT), 1805 Conn Ave NW (#070719), Petition due 11/12/13; Hearing 11/25/13 (2B01)
Commissioner Feldstein made the following motion:

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ANC 2B protests the renewal application for Fab Lounge on the basis of peace, order (i.e., public safety), and quiet, subject to the successful negotiation of a settlement agreement or other resolution of the Commission's concerns about public safety related to this establishment.

Seconded by Commissioner O'Connor. Passed 7-0.

Board Room (CT), 1737 Conn Ave NW (#088106), Petition due 11/12/13; Hearing 11/25/13 (2B01) – The Commission took no action on this item.

Marrakesh (CT), 2147-49 P St NW (#090204), Petition due 11/12/13; Hearing 11/25/13 (2B02) – The Commission took no action on this item.

Lucky Bar, 1221 Connecticut Ave NW (#020234), Petition due 10/28/13; Hearing 11/12/13 (2B05) – The Commission took no action on this item.

JR's Bar & Grill, 519 17th St NW (#009267), Petition due 10/28/13; Hearing 11/12/13 (2B05) – The Commission took no action on this item.

Rosebar, 1215 Connecticut Ave NW (#077883), Petition due 11/4/13; Hearing 11/18/13 (2B05)

Commissioner Nichols made the following motion:

ANC 2B protests the renewal application for Rosebar on the basis of peace, order, and quiet, subject to the successful negotiation of a settlement agreement or other resolution of the Commission's concerns regarding peace, order, and quiet related to the establishment.

Seconded by Commissioner Stephens. Passed 7-0.

The Huxley (CN), 1730 M St NW (#089394), Petition due 11/12/13; Hearing 11/25/13 (2B05) – The Commission took no action on this item.

Mad Hatter (CT), 1321 Conn Ave NW (#082646), Petition due 11/12/13; Hearing 11/25/13 (2B05) – The Commission took no action on this item.

H-4, LLC, 1216 18th St NW (#087101), Petition due 10/28/13; Hearing 11/12/13 (2B06) – The Commission took no action on this item.

Buffalo Billiards (CT), 1330 19th St NW (#020480), Petition due 11/12/13; Hearing 11/25/13 (2B06) – The Commission took no action on this item.

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Ozio (CN), 1813 M St NW (#023167), Petition due 11/12/13; Hearing 11/25/13 (2B06) – The Commission took no action on this item.

Application for CR license Noodles & Company at 1140 19th Street NW (#093151). Fast-casual themed restaurant serving global noodle dishes. Hours including Sidewalk Cafe and Summer Garden are Sun-Thurs 10am-10pm and Fri/Sat 10am-11pm. Petition date: 10/28/13, Roll call: 11/12/13. (2B06) – The Commission took no action on this item.

Request by Public Bar, 1214B 18th Street, to review terms of Voluntary Agreement / Settlement Agreement (2B06) – After discussion, this item was tabled until the November 2013 meeting.

Request from Policy Restaurant at 1902-6 14th Street NW (#76804) to allow for additional holiday hours (2B09) Commissioner Smith made the following motion:
ANC 2B supports the request from Policy Restaurant at 1902-6 14th Street NW (#76804) to allow for additional holiday hours for Thanksgiving and New Years this year.
Seconded by Commissioner O’Conner. Passed 6-0.

Public Space Applications

Application (Tracking #86297) by Pret A Manger, 1701 K Street NW, to DDOT Public Space for unenclosed sidewalk café with 11 tables, 22 seats, 8 planters, no umbrellas. (2B05) Commissioner Smith moved to support. Seconded by Commissioner Feldstein. Passed 8-0.

Application (Tracking #86302) by Sette Osteria (1666 Connecticut Avenue NW) for Planter Boxes behind sidewalk to 42" (2B02) Commissioner O’Connor moved to object because the applicant did not appear to explain the application, and to request that the DDOT Public Space Committee delay this item until the ANC can hear from the applicant. Seconded by Commissioner Stephens. Passed 7-0.

HPRB & Zoning Applications

Application to HPRB with hearing #13-577 for proposed addition to 15 Dupont Circle (Patterson Mansion) (2B07) Hearing: October 24, 2013 Commissioner Dwyer moved to support. Seconded by Commissioner Silverstein. Passed 7-2. The adopted resolution reads as follows:

Whereas, ANC 2B supports the proposed use of space and massing as presented to the Historic Preservation and Review Board for the property 15 Dupont Circle NW (Patterson Mansion, “Mansion”);

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Whereas, ANC 2B appreciates the applicants engagement with the community and the desire to maintain the beauty and grandeur of 15 Dupont Circle NW (Patterson Mansion);

Whereas, ANC 2B supports the proposed use of space for 15 Dupont Circle, as the project is presented will maintain a significant portion of the historic interior space of the “Mansion” itself, where the first two floors will be made open to the public and restored and that the third and fourth floors of the “Mansion” will be mostly maintained;

Whereas, ANC 2B supports the proposed project and sees this as an appropriate and preferred use as this historic structure is a significant and a major contributing structure to the Dupont Circle historic overlay, and is a contributing structure to Washington DC which will be preserved and made open to the public;

Whereas, ANC 2B supports the massing of the proposed six story addition with a height of 65 feet that will replace the current two story annex;

Whereas, ANC 2B requests continued development of the design of the six story addition adjacent to the “Mansion” in regards to window fenestration and materials for the south facade of the addition along P St and west facade of the addition, as well as continued exploration to the P St facade to minimize impact from the overall massing; and

Whereas, ANC 2B supports the preservation of the existing historic drive and existing curb cuts, as the drive and existing curb cuts maintain the historic property and access to the site.

Therefore, ANC 2B supports the massing and proposed use of space as presented for 15 Dupont Circle NW.

Application to BZA for proposed zoning variance for 1617 & 1619 19th St NW (2B03) Commissioner Dwyer moved to support. Seconded by Commissioner Maltz. Passed 8-0-1. The adopted resolution reads as follows:

Whereas, ANC 2B supports the following zoning variance requests for the properties located at 1617 19th St NW and 1619 19th St NW as the request has been made to improve the overall quality of life, enable the ability to age in place, provide additional security to personal property and the project adds additional green space to the lots of 1617 19th St and 1619 19th St;

Whereas, ANC 2B supports the zoning variance requests as the project as presented is consistent with the lot coverage of neighboring buildings, as the two sites previously had carriage houses, the proposed new structures are consistent with the surrounding buildings and the neighbors have expressed support for the projects at 1617 19th St and 1619 19th St;

Whereas, ANC 2B supports the zoning variance requests for an increase in the FAR under subsection 402.4; for 1617 19th St from 1.8 FAR to 2.10 FAR, and for the request to increase the FAR for 1619 19th St from 1.8 FAR to 2.17 FAR;

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Whereas, ANC 2B supports the zoning variance requests for an increase in lot occupancy under subsection 403.2; for 1617 19th St from 965 sf (60%) to 1246 sf (77%) and for 1619 19th St from 965 sf (60%) to 1417 sf (88%);

Whereas, ANC 2B supports the zoning variance requests from the minimum rear yard requirements under subsection 404.1; for the properties of 1617 19th St and 1619 19th St. as the Carriage Houses are built directly on the alley and are consistent with neighboring structures;

Whereas, ANC 2B supports the zoning variance requests from closed court width and area requirements of subsection 406.1; for the properties of 1617 19th St from 350 sf to 330 sf, and for 1619 19th St from 350 sf to 122 sf; and

Whereas, ANC 2B supports the zoning variance requests to increase the existing nonconforming aspects of the building under subsection 2001.3; where the increase does not deter from the property or abutting structures, where the proposed projects for 1617 and 1619 19th St are consistent with existing conditions with the neighboring properties.

Therefore, be it resolved that ANC 2B supports the zoning variance requests for 1617 19th St NW and 1619 19th St NW.

Application to HPRB with hearing #13-563 and to BZA for proposed zoning variance for proposed renovation of 1421 Swann St NW (2B09) Commissioner Smith moved to support. Seconded by Commissioner Feldstein. Passed 9-0. The adopted resolution reads as follows:

WHEREAS this project is located within the U Street Historic District and the applicant proposes to fill in a dogleg and improve the structure in the rear of their property; and

WHEREAS the new construction will not extend beyond the current depth of the structure nor the depth of neighboring homes; 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 met with the applicant and have not expressed concerns with the use of space, lot occupancy or historic nature of the proposed construction; and

WHEREAS the applicant has offered to work with neighbors to use materials and methods that are at least intrusive as possible to the quality of life of neighbors.

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

To the Board of Zoning Adjustment (Application #18658)

WHEREAS the applicant proposes to fill in a dogleg and improve the structure in the rear of their property; and

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WHEREAS the lot is currently beyond 60% FAR and the application is to increase the FAR even further, however the use of space will not change and the structure will remain a single family residence; and

WHEREAS the new construction will not alter the light or air quality of the neighbors nor the historic character of the neighborhood; and

WHEREAS the abutting property owners have met with the applicant and have not expressed concerns with the use of space, lot occupancy or historic nature of the proposed construction; and

WHEREAS the applicant has offered to work with neighbors to use materials and methods that are as least intrusive as possible to the quality of life of neighbors.

Therefore BE IT RESOLVED that ANC 2B supports this project as presented and the Expedited Section 223 Special Exception Application.

General

2013 Precinct Boundary Efficiency Plan

Commissioner Silverstein moved the below resolution. Seconded by Commissioner Stephens.

Commissioner O'Connor offered a friendly amendment, which was accepted and reflected in the below resolution. Passed 7-1. The adopted resolution reads as follows:

Whereas, the purpose of changes in DC Elections laws should be to help maintain fair and honest elections, and make it easier, more convenient, and less confusing for citizens to cast their ballots, and

Whereas, a proposal to change precinct boundaries to conform with ANC boundaries would force some voters to walk greater distances and even pass by their current precincts to cast ballots at new precincts, and many of our constituents would be among those adversely affected, and

Whereas, this proposal would also result in thousands of voters having their precincts changed only a few months in advance of DC's Mayoral Primary in April risking additional confusion, and

Whereas, making polling stations less convenient and changing them unnecessarily would undoubtedly result in suppressing the total vote count,

Be it resolved that Dupont Circle ANC 2B opposes any change in DC Elections laws that would result in ANY voters being assigned to new precincts that are of appreciably greater distance and less convenient than their current precincts, and

Be it further resolved that Dupont Circle ANC 2B opposes any change in DC Elections laws that would result in confusion among voters about where to vote in the upcoming April Primary election, and

Be it further resolved that ANC 2B believes that voters should have the right to vote at the precinct nearest their home – whenever possible – and that voting precincts should not be changed within six months of a city-wide Mayoral or Council election unless absolutely necessary.

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Be it further resolved that ANC2B resolves to work with DCBOEE to help identify new polling locations.

Whereas Advisory Neighbor Commission 2B (ANC2B) shares with the Board of Elections the desire that election processes maintain fair and honest elections, and to make it easier, more convenient, and less confusing for citizens to cast their ballots,

Whereas, we note low voting rates in non-Presidential elections and recognize the need to improve our electoral processes to increase voter participation,

Whereas, on October 4, the DC Board of Elections released a draft proposal “The 2013 Precinct Boundary Efficiency Plan,” has asked for all comments within less than one month’s comment period, and plans to refer a modified draft to the Council for action,

Whereas, we have concerns about the proposal that we think should be addressed before the proposal is ready for the Council,

Therefore, ANC2B requests that the Board of Elections take comments now but also resubmit the proposal to the public again after it has incorporated the first round of comments in order that public support can be stronger than we believe it can be on the basis of the current draft.

Therefore, we request that the Board of Elections incorporate answers to some of our questions and responds to our concerns into a revised draft proposal. Our concerns and questions are:

- 1) Give the public more information on the proposed schedule for implementing this so that we can be confident that voters will have a good deal of notice of any changes in polling places.
- 2) Give us more information about the effect of this proposal on the distances voters will have to travel to vote so that we can be confident that the burden of voting will not be increased. What are the net effects of this proposal on the distribution of distances voters must travel to vote?
- 3) Incorporate more information and discussion of the availability of polling places that that meet distance goals, and how the benefits of this proposal are affected by the absence of such polling places.

Resolution of Support for DC Council Resolution Supporting the Spirit of Proposed DC Council Resolution Calling on Washington Redskins to Change Their Name

Commissioner Putta moved the below resolution. Seconded by Commissioner O’Connor. Passed 7-0-1. The adopted resolution reads as follows:

Whereas: ANC 2B recognizes the importance of history and tradition in Washington, D.C. but also realizes that some traditions must evolve with our evolving societal consciousness;

Whereas: The Washington Redskins football team is strongly identified with the District of Columbia;

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Whereas: ANC 2B encourages and welcomes the increasing recognition by society that dividing people by skin color is wrong and has been the root cause of many social ills;

Whereas: The name “Washington Redskins” is rooted in a focus on skin color and racial divisions;

Whereas: The name “Washington Redskins” is insensitive to the history of subjugation and dehumanization of Native peoples in the Americas;

Whereas: Use of the term “Redskins” has twice been declared derogatory by the US Patent and Trademark Office;

Whereas: This past weekend, President Barack Obama said the following: “I don’t think there are any Redskins fans that mean offense. I’ve got to say that if I were the owner of the team and I knew that there was a name of my team — even if it had a storied history — that was offending a sizeable group of people, I’d think about changing it. But I don’t want to detract from the wonderful Redskins fans that are here. They love their team, and rightly so — even though they’ve been having a pretty tough time this year. But I think — all these mascots and team names related to Native Americans, Native Americans feel pretty strongly about it. And I don’t know whether our attachment to a particular name should override the real, legitimate concerns that people have about these things.

Whereas: ANC 2B, like President Obama, does not wish to detract from the team’s fans, who do not mean to cause any offense or harm in supporting the team or buying branded paraphernalia;

Whereas: A majority of the members of the D.C. Council have sponsored a resolution expressing the sense of the Council that “the Local Professional Football Club immediately change its designation so as to avoid using the derogatory identification or nickname of ‘Washington Redskins.’”

Therefore be it resolved: that ANC 2B strongly supports the spirit of the Council resolution and enthusiastically joins the increasing numbers of people and institutions of all backgrounds calling for the team to change its name within a reasonable period of time.

Letter of Support for Stead Park 60th Anniversary Celebration

Commissioner Putta moved to support. Seconded by Commissioner Nichols. Passed 7-0. The adopted resolution reads as follows:

Whereas, Stead Park opened in November 1953.

Whereas, nearly 60 years later, Stead Park is beloved by our community’s children and parents.

Whereas, Stead Park’s acre of field space is about to undergo a transformation making it a multi-use resource for all the community.

Whereas, Friends of Stead Park is planning a 60th Anniversary celebration on Saturday, November 16 and it obtaining the proper permits for doing so.

Be it resolved that ANC 2B supports the Stead Park 60th Anniversary Celebration.

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Letter of Support for Stonewall Kickball All-Star Game and Community Award Presentation in Stead Park

Commissioner Putta moved to support. Seconded by Commissioner Nichols. Passed 7-0.

Partner/Supporter of the Logan/Dupont Little Goblins Parade

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

Committee & Liaison Reports

Commissioner Putta moved to authorize Commissioners Smith and Putta to submit a Community Impact Statement on the sentencing of Gregory Teal. Commissioner Smith seconded. Passed 7-0-1.

Commissioner and Staff Reports

None

Administrative Matters

FY 2014 Budget Approval

Commissioner Stephens moved to support a budget for FY 2014 that with all of the same figures and details as the Commission's FY 2013 budget. Seconded by Commissioner Maltz. Passed 7-0.

Finance/ Treasurer Items

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

ANC2B vote to pay room rental for Ward 2 Education Network on October 26. Cost is \$75 for Luther Church space. Commissioner Maltz moved to support. Seconded by Commissioner Stephens. Passed 7-0.

Adjournment

The Commission adjourned by acclimation at 10:03pm.

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