



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Dupont Circle Advisory Neighborhood Commission 2B

Regular Meeting Minutes

Wednesday, July 8, 2015; 7:00 p.m.

Brookings Institution – 1775 Massachusetts Avenue NW

Call to Order & Introduction of Commissioners & Staff

The July 2015 Meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Smith at 7:03 pm.

The Commissioners identified their Single Member Districts (SMDs). Present were: Michael Upright (2B04), Daniel Warwick (2B02), Stephanie Maltz (2B03) (Not Present), Mike Silverstein (2B06) (arrived @ 7:09), Abigail Nichols (2B05), Mike Feldstein (2B06), Justine Underhill (2B07), Nicole Mann (2B08), and Noah Smith (2B09).

The Commission staff introduced themselves: James Conway (Executive Director), and Patrick Kain (2B06 Liquor Liaison) (Not Present).

Announcements (7:05pm) (10 mins)

General Commissioner Announcements

1. Commissioner Warwick announced Dupont Underground fundraising party on top of the Embassy Row Hotel.
2. Commissioner Nichols announced tomorrow, DC Council hearing on DC Nightlife issue.
3. Commissioner Smith announced a weeding blitz at the dog park.

Other public announcements – please keep to 1 minute!

4. Tom Lipinsky with Councilmember Jack Evans' Office announced Alleypalozza has kicked off and to please contact their office if a resident would like their alley to be added to the list.
5. Eva Lewis with the Executive Office of the Mayor announced minimum wage is up to \$10.10.
6. Keegan Theatre Opening – Virginia Riehl, Executive Chair
Brook Caspen announced update on the Patterson Mansion construction hours 7am to 7pm, new traffic pattern on P Street and new bus stop, complete structure next July, total time 18 months.

Approval of June 2015 Meeting Minutes

Commissioner Smith moved to approve, seconded by Commissioner Mann. Passed 7-0.

General Agenda Items (7:20pm) (10 mins total)

Request by Historic Dupont Circle Main Streets for a \$2500 sponsorship of the 17th St Festival to offset the costs of security and traffic safety by MPD

Commissioner Smith moved to approve up to \$2000 to Dupont Main Street depending on items approved by DC Auditor, seconded by Commissioner Mann. Passed 7-0-1.

Alcoholic Beverage Control Agenda (7:30pm) (70 mins total)

*Note: Commissioner Silverstein chooses to recuse himself from ABRA related matters because he sits on the city ABC board.

2147 P Street NW – “Merrakech Restaurant” – Substantial Change of Hours of Entertainment Endorsement from Sunday through Thursday 8PM-1AM, Friday and Saturday 8pm-2AM to Sunday through Thursday 8PM-2AM, Friday and Saturday 8PM-3AM. (2B02)

Commissioner Warwick moved to approve, seconded by Commissioner Feldstein. Passed 7-0. The resolution reads as follows:

Whereas the applicant at 2147 P St NW with the trade name “Merrakech Restaurant” has applied for a substantial change of hours of its entertainment endorsement; and

Whereas the substantial change of hours would allow entertainment until 2AM Sunday-Thursday and 3AM Friday and Saturday; and

Whereas the applicant’s hours of entertainment operation have been curtailed to 1AM Sunday-Thursday and 2AM Friday and Saturday since Alcohol Beverage Control (ABC) Board Order 2011-402 related to the applicant’s license renewal in 2011; and

Whereas the ABC Board curtailed these hours of entertainment due to the vociferous complaints of neighbors regarding noise and operating practices of the applicant; and

Whereas while the establishment is under different ownership than in 2011, the community is unwilling to risk the noise and bad operating practices of any establishment in this location—a tavern next to a condominium and across from an apartment building—with the proposed entertainment hours.

Therefore be it RESOVLED ANC 2B protests the substantial change on the order of peace, order, and quiet.

Be it further RESOLVED, based on the history explained in the whereas clauses, ANC 2B will not seek a settlement agreement with the applicant which would allow for later entertainment hours.

1636 17th ST – New CR License – Brick Lane – New restaurant with sidewalk café and a total occupancy load of 100. HOURS OF OPERATION & ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR PREMISES AND SIDEWALK CAFE

Sunday through Thursday 10 am – 1:30 am, Friday & Saturday 10 am – 2: 30 am (2B03)

Commissioner Mann moved to support, seconded by Commissioner Warwick. Passed 7-0. The resolution reads as follows:

ANC 2B hereby protests the application for a new CR license for Brick Lane (ABRA-098427) on the basis of peace, order and quiet, subject to the successful negotiation of a settlement agreement that alleviates the concerns of neighbors.

1637 R St NW – New CR License – “Someplace Else” (2B04) – ABRA-098935 – Petition by July 27. Mediterranean & Pakistani Food will be served with a seating capacity for 15. Total load of 150. Sidewalk Café with a seating capacity of 12. No live entertainment or dancing. HOURS OF OPERATION AND ALCOHOLIC BEVERAGES SALES/SERVICE/CONSUMPTION FOR INSIDE PREMISE AND OUT SIDEWALK CAFÉ Sunday through Thursday 11 am – 2 am and Friday & Saturday 11 am – 3 am (2B04)

Commissioner Smith moved to approve the stipulated license, seconded by Commissioner Upright. Commissioner Smith moved to protest the full license on the basis of peace, order, and quiet contingent on coming to a settlement agreement, seconded by Commissioner Upright. Passed 7-0.

1708 L St NW – Stonefish Grill Entertainment Endorsement – Applicant requests an Entertainment Endorsement with Cover Charge for DJ performances or live band during happy/late night hours. HOURS OF LIVE ENTERTAINMENT: Sunday through Thursday 6 pm – 2 am and Friday & Saturday 6 pm – 3 am. (2B05)

Take No Action

1333 New Hampshire Ave NW – Pizza Studio – Application for a new DR (beer and wine only) license – NATURE OF OPERATION: New restaurant serving pizza. Customers can order their own pizza in a Chipotle-style line. Total occupancy load is 141. HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION: Sunday through Thursday 11 am – 11 pm, Friday and Saturday 11 am – 2 am (2B06)

Take No Action

Commissioner Underhill moved to approve the stipulated license, seconded by Commissioner Feldstein. Passed 7-0.

1917 18th St NW – DC Grill Express – New restaurant (CR) alcohol license serving fast food. Total Occupancy Load of 10. HOURS OF OPERATON AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR PREMISES AND SIDEWALK CAFE: Sunday 9 am – 11 pm, Monday through Saturday 10 am – 2 am. HOURS OF LIVE ENTERTAINMENT FOR PREMISES AND SIDEWALK CAFE: Sunday through Saturday 6 pm – 11 pm. (ABRA-099452) (2B08) (10 mins)

Commissioner Mann moved to protest the full license on the basis of peace, order, and quiet contingent on coming to a settlement agreement, seconded by Commissioner Upright. Passed 7-0. The resolution reads as follows:

ANC 2B hereby protests the application for a new CR license for DC Grill Express (ABRA-099452) on the basis of peace, order and quiet, subject to the successful negotiation of a settlement agreement that alleviates the concerns of neighbors.

AND

Public Space Permit application #10189184 for New Sidewalk Cafe Un-Enclosed. Proposed hours 8:00 AM – 11:00 PM. 2 tables and six chairs.

Commissioner Mann moved to support, seconded by Commissioner Smith. Passed 7-0. The resolution reads as follows:

Be it resolved that ANC 2B supports the request for a Public Space Permit for DC Grill Express at 1917 18th St NW, comprised of 3 tables and 6 seats, with the understanding that there is a minimum of ten feet of pedestrian passage between the proposed tables and chairs and the tree box. The ANC objects to the hours from 8am – 11pm every day, and instead supports the hours of Sunday through Thursday 8am – 10pm and Friday and Saturday 8am – 11pm.

Commissioner Warwick moved to support a stipulated license contingent upon an application, seconded by Commissioner Upright. Passed 6-0-1.

1414 U St NW – New Class C Tavern License – “District Distilleries” – ABRA-098271 – Petition by August 10. High-end tavern with adjacent distillery pub. Will serve high-quality menu and provide live solo and small combo performers and recorded musical entertainment with or without D.J. Entertainment Endorsement and a Distillery Pub Permit. Seating for 157 inside and a Total Occupancy load of 170. HOURS OF OPERATION: Sunday through Thursday 7am-2am, Friday and Saturday 7am-3am HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION Sunday through Thursday 8am-2am, Friday and Saturday 8am-3am HOURS OF LIVE ENTERTAINMENT Sunday through Thursday 6pm-2am, Friday and Saturday 6pm-3am. (2B09)

Commissioner Smith moved to protest the application, seconded by Commissioner Mann. Passed 7-0. The resolution reads as follows:

ANC 2B hereby protests the application for a new CT license for District Distilleries (ABRA-098271) on the basis of peace, order and quiet, subject to the successful negotiation of a settlement agreement that alleviates the concerns of neighbors.

Historic Preservation & Zoning Applications (8:40pm) (20 mins total)

Rehearing of Historic Preservation Review for St. Thomas Church Development, 1772 Church St NW (2B07)

Commissioner Underhill moved to approve, seconded by Commissioner Upright. Passed 8-0. The resolutions read as follows:

Whereas ANC 2B acknowledges the applicant has effectively addressed the following subjective design issues that the Board articulated at the May hearing consisting of:

- Setting back the Residential bays to align more with the setback along Church St., moving back residential façade so that face of bays are aligned with Parish Hall façade (+/-3')
- Stepping back and reducing the upper floors (6+7) to minimize perceived mass.
- Re-scaling the residential windows compared to the rest of church street rowhouses.

Whereas portions of the 7th floor remain visible above 59 feet per the architect's renderings presented on July 1st, 2015 at the ANC's Zoning Preservation and Development meeting.

Whereas ANC 2B finds the developer has not met the specification of the ANC 2B March 13th resolution which reads "the residential building seen from adjacent at-grade vantage points including the entirety of Church Street, P Street, 18th Street, and the public alley between Church and P Streets be between 40 and 59 feet tall, including mechanicals."

Be it Resolved that ANC 2B is unable to support the project and that ANC 2B recommends the Historic Preservation Review Board require additional total massing reductions to lessen the impact of the residential structure and conform with the entirety of ANC 2B's March 13th resolution.

DDOT Public Space Committee Applications (9:00pm) (15 mins total)

19th and L NW – Proposed Sculptures from Golden Triangle BID (#112024) (2B06)
Commissioner Silverstein moved to approve, seconded by Commissioner Smith

Passed 8-0.

1528 Connecticut Ave NW – Beefsteak – DDOT Public Space Permit application (#10187240)
for new sidewalk cafe un-enclosed. 4 tables, 14 seats, 2 umbrellas. Proposed hours of operation:
10:30am to 10:30pm every day. (2B02)

DELAYED TO AUGUST AT REQUEST OF APPLICANT

(DC Surveyor) Request for partial alley closing, 1700 K Street NW. Applicant requests zoning change, technical “closing” of a small stub of an alley, that sits under an overhang in the alley at the rear of 1700 K Street. There will be no construction or actual closing or changes of any kind. The area under – and above – the overhang will be subject to real estate taxes rather than public space rental fees. Area is four feet deep and wide enough to fit several cars. Carolyn Brown will present. (2B06)

Commissioner Silverstein moved to approve, seconded by Commissioner Upright. Passed 8-0. The resolutions read as follows:

WHEREAS, 1700 K St LLC, (“Applicant”) has filed an application to close a portion of a stub alley behind its planned unit development (“PUD”) at 1700 K St NW

WHEREAS, the Applicant intends to close the small portion of the alley now rented from the District, which will convert the area to taxable real property;

WHEREAS, there will not be any new construction in or physical changes to the alley, and it will continue to operate as it does today;

THEREFORE, ANC 2B SUPPORTS the closing of a portion of the alley in Square 126 as requested by the Applicant.

Other New Business (9:15pm) (10 mins total)

Vice Chair and Secretary position switch between Commissioners Maltz and Mann. Commissioner Smith moved to approve, seconded by Commissioner Upright. Approved by acclamation.

Committee and Workgroup Reports (9:25pm) (10 mins total)

Each of the following committees and workgroups will discuss their progress from the last meeting, nominate new members, and announce next meeting times:

Zoning, Preservation and Development Committee (Warwick)

Transportation and Public Infrastructure Committee (Mann)

Workgroup on Homelessness in Dupont Circle (Upright)

Workgroup on West Dupont Circle Moratorium (Warwick)

Workgroup on South & West of the Circle Nightlife (Smith)

Administrative Matters (9:35pm) (15 mins total)

Treasurer’s Report and Discussion of Financial Reporting Process (Upright)

End of June in the bank we have, \$82,681.90. From DC pride parade we spent \$166.60.
Old administrative business: By-laws, Policies & Procedures Manual, Annual Report, etc.

Resource Center Renovation (Feldstein)

Hopefully to get the final remarks from DC this week or next.

Update on Dupont Bulletin Board

No report

Other Administrative Items (if any)

The new ANC website, please go and look at the draft version.

Commissioner and Staff Reports (9:45pm) (5 mins total)

Staff Reports

1. Executive Director
2. Web/IT Consultant
3. Coudriet Fellow (vacant)
4. Deschaine Fellow (vacant)

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

Adjournment (9:47 pm)