



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Dupont Circle Advisory Neighborhood Commission 2B

Regular Meeting Minutes

Wednesday, September 9, 2015; 7:00 p.m.
Brookings Institution – 1775 Massachusetts Avenue NW

Call to Order & Introduction of Commissioners & Staff (7:00pm) (5 mins)

The September 2015 Meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Smith at 7:02 pm.

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

The Commission staff introduced themselves: James Conway (Executive Director), and Patrick Kain (2B06 Liquor Liaison).

Announcements and Comments (7:05pm) (20 mins)

Announcement of 2B07 Commissioner election to take place at October 14 ANC Meeting (7pm). Candidates will each have 3-4 minutes to introduce themselves to the Commission and audience.

1. Holly Biglow
2. John Kupcinski

Commissioner Announcements

Public Announcements and General Comments or Future Agenda Items (Please keep to 1 minute)

Commissioner Maltz announced October 17 School without walls will have their Auction @ 7pm

Commissioner Warwick announced updates to the Dupont moratorium debate and public comments will be closed on Oct. 4.

Tom Lipinsky announced the DC council is back in session and a roundtable will occur with

Eva from the Mayor's office announced the mayors 6 month progress report. Also announced the plan to end chronic homeless

DCCA announced that the house tour is still going on.

Bill McLeod announced 17th Street Festival this weekend.

Consent Items for Adoption – General (7:25pm) (5 mins)

Commissioner Mann moved to approve, seconded by Commissioner Upright. Passed 6-0.

Resolution in support of zoning relief for 1100 15th Street, NW (Washington Post building) to allow mechanical penthouse walls to be of unequal height (BZA application No. 19095) (2B05)

The resolution reads as follows:

Whereas the applicant at 1100 15th Ave NW requires a zoning variance to reduce the height of certain portions of its proposed penthouse to comply with current zoning regulations; and

Whereas ANC 2B commends the developer for applying for the variance which minimizes penthouse height in certain locations rather than a variance which maximizes height.

Be it RESOLVED ANC 2B supports the project as proposed.

Resolution of support for use of Stead Park on September 13th at 11am for a picnic hosted by the Foundry UMC in honor of its 200 years as a congregation. Stonewall Kickball to share field beginning at 2pm. Bill McLeod available to answer questions.

The resolution reads as follows:

ANC2B is pleased to support your picnic in Stead Park on Sunday, September 13, 2015 from 11:00-2:00 p.m. in celebration of 200 years of your congregation. We understand that you are working with the Department of Parks and Recreation for your permit. And have worked out an agreement with Stonewall Kickball to share the field.

We wish you great success and another 200 years of service to the faith community here in Dupont Circle.

Alcoholic Beverage Control Agenda (7:30pm) (25 mins total)

1132 19th St NW – “Bonfire” – ABRA 099786 – Application for CR license for new restaurant with modern American cuisine and entertainment. Occupancy load is 136. HOURS OF OPERATION: Sunday through Thursday 10am – 2am, Friday and Saturday 10am – 3pm. HOURS OF SALES/SERVICE/CONSUMPTION: Sunday through Thursday 10am – 2am, Friday and Saturday 10am – 3am. HOURS OF OPERATION OF ENTERTAINMENT: Sunday through Thursday 6pm – 2am, Friday and Saturday 6pm – 3am. (2B06)

Take No Action

1220 Connecticut Ave NW – “DVL” – ABRA 099876 – Application for a new CT (Tavern) license. NATURE OF OPERATION: Light fare to mix with rare bourbons. No hood for food service. DJ and bands on occasion depending on the event. No nude performances. No dancing provided. Seating for 30 and Total Occupancy Load of 250. HOURS OF OPERATION, ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION AND LIVE ENTERTAINMENT: Sunday through Thursday 10 am – 2 am, Friday & Saturday 10 am – 3 am. (2B07)

Commissioner Nichols moved to support, seconded by Commissioner Warwick. Passed 6-0. The resolution reads as follows:

Whereas, Dos Ventures, LLC, has applied for a Retailer’s Class “C” Tavern with entertainment endorsement with requested seating of 30 and occupancy of 250 for a business to be named Saint Yves at 1220 Connecticut Avenue, NW. (ABRA 099876).

Whereas, this is an increase in occupancy over the previous tenant, Bertucci’s Restaurant, which had an occupancy of 114.

Whereas, the previous business was a restaurant without a bar area, and this changes the alcohol license classification for this site from a restaurant to a tavern classification for a this site,

Whereas there is already large occupancy licensed for restaurants, taverns, and nightclubs in the vicinity of the proposed site which create problems that reduce peace, order, and quiet.

Whereas, the total occupancy of alcohol establishments in Club Central has continued to increase since ANC2B expressed concerns about the large number of taverns and nightclubs in Club Central in a policy resolution dated May 17, 2010.

Therefore, in order to minimize any impact of additional tavern/nightclub alcohol service on the neighborhood, ANC2B protests this license application on the basis of peace, order, and quiet. Furthermore, the goals of ANC2B will be to ensure that any settlement agreement will prevent negative impacts on neighborhood peace, order, and quiet.

Updates on previous ABC actions including Stetsons, Brick Lane, Someplace Else, Dupont Italian Kitchen, and Tico. (5 mins)

Stetsons – Will not be moving forward with their application.

Brick Lance – Came to a settlement agreement.

Dupont Italian Kitchen – Working on settlement agreement

Tico – 2 days late to file the application so ANC 2B will not get a say.

Marrakech– Denied for their application because they missed the roll call.

Historic Preservation & Zoning Applications (7:55pm) (25 mins total)

1508 Caroline Street, NW, (BZA 19044) rear and side additions, heard by ANC and HPRB last year for historic considerations. Now requires zoning variance. (2B09)

Commissioner Smith moved to support, seconded by Commissioner. Passed 6-0. The resolution reads as follows:

Whereas the applicant at 1508 Caroline Street NW is requesting a special exception to the zoning regulations for an addition to their property; and

Whereas the property is on Caroline Street NW within the U Street Historic District;

Whereas Caroline Street is unique and composed of pairs of identical houses;

Whereas a small shed on the side of 1508 Caroline Street, constructed prior to the enactment of the historic district, breaks this pattern;

Whereas there is concern from immediate neighbors that the proposed addition will negatively impact their light and air quality as well the health of trees on their property;

Whereas there is concern that the side addition could be precedent setting for the street and few neighbors would like to see the separated homes expanded on the property lines to become row homes.

Whereas ANC 2B reviewed the project at our September 2, 2015 Zoning, Preservation, and Development meeting and supported a compromise (which has since been fully incorporated into the plans) that would retain the one story addition on the side of the building where the shed is now, while angling the rear of the house so that the addition will not impede the light and air of the neighbor to the West.

Therefore be it RESOLVED for the reasons specified above that ANC 2B supports the project as proposed.

Be it further RESOLVED ANC 2B supports the project conditioned on the consultation of an arborist to protect trees on and adjacent to the property during construction.

Be it further RESOLVED that ANC 2B does not believe support for this special exception would constitute precedent for other houses on the block to expand laterally, because of the pre-existing structure on the property line.

1315 22nd Street, NW. Historic Preservation review for construction (HPA 15-574). (2B06)

Commissioner Smith moved to support, seconded by Commissioner Warwick. Passed 6-0. The resolution reads as follows:

Whereas the applicant at 1315 22nd St NW has received support from immediate neighbors; and

Whereas the project is within the context of the block.

Be it RESOLVED ANC 2B supports the project as proposed.

Update on Carlyle Hotel Appeal (5 mins)

DDOT/Public Space Permit Applications (8:20pm) (35 mins total)

750 17th Street NW. (DDOT Tracking Number 113081) Public Space application for canopy on premises by John Hancock Life Insurance Co. (2B06)

Take No Action

1215 Connecticut Ave NW – & Pizza – application for new unenclosed sidewalk cafe. Six seats. (DDOT Tracking Number 10200432, Review Due September 17, 2015) (2B05)

Commissioner Nichols moved to support, seconded by Commissioner Warwick. Passed 6-0. The resolution reads as follows:

Whereas, &Pizza at 1215 Connecticut Avenue has applied for public space to seat six persons at three tables. (DDOT Tracking Number 1020043),

Whereas, ANC2B supports the business's desire that its establishment be visible to customers, and understands that sidewalk eating can be part of creating such visibility,

Whereas approving the applied-for space would leave a conduit of only eight feet in a busy area of Connecticut Avenue and would, furthermore, interrupt a long stretch of open sidewalk that creates an elegant view on Connecticut Avenue,

Whereas ANC 2B public space guidelines require ten feet of public space where sidewalk cafes are permitted;

Whereas, it appears that noncompliance with public space permitting by other businesses in the block may be adversely affecting the visibility of &Pizza,

Therefore, ANC2B does not support this application. However, ANC2B will work with &Pizza and other businesses to find solutions that support &Pizza and other businesses in the 1200 block of Connecticut Avenue.

Update on previous public space resolutions, including &Pizza Connecticut Ave. (5 mins)

Administrative Matters (8:55pm) (20 mins)

Approval of August 2015 Regular Meeting Minutes

Commissioner Mann moved to support, seconded by Commissioner Upright. Passed 6-0.

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

ANC 2B Balance: \$77, 600

Motion to approve \$220 request from 17th Street Festival.

Approval of August 2015 Regular Meeting Minutes

Commissioner Upright moved to support, seconded by Commissioner Smith. Passed 4-1-1.

Old administrative business: By-laws, Policies & Procedures Manual, Annual Report, etc.
Resource Center Renovation (Feldstein)

Update on ANC Grants (Feldstein)

Other Administrative Items (if any)

Other Items from Commissioners or Staff (9:15pm) (20 mins)

Resolution to DOEE requesting to reconsider the TNR program for feral cats in the District (10 mins) (Mann)

Commissioner Mann moved to support, seconded by Commissioner Upright. Passed 6-0. The resolution reads as follows:

WHEREAS the District Department of Energy and the Environment has released a draft of the proposed "Wildlife Action Plan"

WHEREAS the plan recommends revisiting the successful Trap, Neuter, and Release (TNR) program for feral and alley cats across the District and instead sending them to already-overcrowded animal shelters, suggesting that feral cats are an invasive species that inhabit National Parks and damage bird, reptile, and mammal populations.

WHEREAS the Washington Humane Society has expressed opposition to this proposal because when the cats arrive at the crowded shelters they would most likely be unadoptable and euthanized, and WHS continues to support the TNR program, having performed TNR on over 8,000 feral cats in DC at no cost to taxpayers.

WHEREAS the District's TNR program has been considered a model for the rest of the nation by advocate Alley Cat Allies.

WHEREAS feral cats help control the rodent and insect populations in many alleyways in Dupont, and are often cared for by neighbors and residents in Dupont, and concerns remain that this action would have a negative effect on neighborhood pest control.

THEREFORE ANC 2B asks that the DOEE reconsider ending the TNR program for feral cats in the District and remove this proposal from the Wildlife Action Plan.

Adoption of New Position Description for Executive Director (10 mins) (Smith)

Commissioner Smith moved to support, seconded by Commissioner Mann. Passed 6-0.

Adjournment (9:35pm)