

Notice of this meeting was: 1) given at the public meeting of ANC2F on 6/3/09  
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Present

Andrea Doughty  
Jim Kane  
Joe Kerger  
Ben Harris  
Mary Brown  
Khalid Pitts

Absent

Linda Welch  
Jim Abdo/Eric Price

Discussion of Process:

ANC2F's special ARTS Overlay Review Committee is reviewing the provisions of the ARTS Overlay Zoning District, including the 25% limitation related to restaurants/bars on 14th Street, NW, in order to examine what more the zoning regulations can do to encourage vibrant development of daytime retail and other uses on 14th Street. The committee is interested in hearing from any person or organization that has views on these issues.

Meeting of the ARTS Overlay Review Committee are public and will take place on Tuesday evenings in June and July. Following this period of public consultation and outreach, recommendations will be formulated in August. The ARTS Overlay Review Committee will report its recommendations to ANC2F and the DC Office of Planning by early September 2009.

Presentation by Michael Giulioni, Development Review Specialist, Office of Planning (attachments provided by Michael Giulioni). Mr. Giulioni reviewed the history of the arts overlay and the challenges to administering the overlay. He then walked through a series of possible options for consideration. Most options require good information management to administer, and reiterated his concern that resources were currently not available to do so in an effective way. Goal of Planning Office – a more workable and efficient-to-administer set of regulations than exist today.

Questions:

When was the arts overlay created? Needs to be established  
When was the 25% restaurant limit provision incorporated? Needs to be established.

Does the community feel the Arts Overlay is achieving its intended purpose with respect to diversity of businesses, pedestrian traffic, etc.

Noted regarding question of area covered: Restaurant provision applies only to 14<sup>th</sup> and U streets per map designating squares. But to get to 25%, how do you measure? Appears to call for a “linear foot” frontage measurement, creating potential confusion about to whom the provisions apply

Definition of eating and drinking establishment? Cleveland Park held hearings, there was clarification with respect to fast food, but never formally adopted. Seems to be working but who is measuring and how is this being implemented?

How to administer if a designated area is near the 25% - e.g. at 22%, but new restaurant would take the area to 28%? Also, how do you treat expansion of existing business?

Other measurement issues – treatment of space not using street level frontage? Not spelled out in regs. Who measures? In Cleveland Park, community association? Also, should secondary use count, such as drinks served at an arts establishment (e.g., theater)?

How long after a business stops operating as a restaurant does the premise have the right to operate as a restaurant? No loss of right if there is no intervening use in practice. OAG ?

How does ABRA limit licenses?

Is the 25% limit currently in use or enforced? Prior to granting a permit for a new eating or drinking establishment, does the Zoning Administrator’s office determine whether it would exceed the 25% limit?