

MINUTES OF THE MEETING
OF THE DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION
HELD JULY 21, 1989

A regularly stated meeting of the Dupont Circle Advisory Neighborhood Commission (ANC 2B) was held on Wednesday, July 21, 1989 at 7:30 p.m. Commissioners Bass, Evans, Grandis, Maggi, Moses and Rieffel were present; Commissioner Gaugler was absent.

1. The following matters were raised during the community forum:

a. Mr. Dan Callahan of La Fonda Restaurant responded to a letter he had received from the ANC, noting that he was working with neighbors to lease space on which to place the dumpster. Mr. Callahan was referred to Mr. Gaugler, the commissioner for that single member district.

b. A resident of the 1600 block of Q Street complained about drunks, noise, public urination and defecation and violence in the alley. She was referred to Mr. Gaugler, the commissioner for that single member district.

c. A resident of the 1700 block of 21st street inquired about the status of a bricked up building. He was referred to Ms. Moses, the commissioner for that single member district.

d. A resident complained about the trash and posters at the intersection of Connecticut and Q. She was referred to Ms. Moses, the commissioner for that single member district.

e. Officer Caldwell of the 3rd District Police presented a brief report. He requested that all property owners place their addresses on the alley side of their property, that bicycle owners invest in "Krypt-4" locks, and that car owners avoid leaving valuables in their car and invest in a \$50 "kill switch" to prevent auto theft.

Commissioner Grandis expressed concern about crime in the alley of Connecticut and Q Streets.

Commissioner Rieffel expressed concern about the slow response time when the emergency number 911 is dialed. Officer Caldwell recommended the use of the number 727-4326 to reach the dispatcher.

f. Kerry Ricker inquired about the nature of the business to replace Melody Records at Connecticut and Q Streets.

2. The minutes of the previous meeting, held June 24, 1989, were approved unanimously.

3. Commissioners presented the following reports:

a. Mr. Grandis noted that he had testified at a BZA hearing concerning a rear deck on 19th Street.

b. Mrs. Rieffel noted that garbage trucks are making their pickups during the night, awakening residents. She asked for the assistance of residents in identifying these trucks, so that complaints can be lodged.

c. Mr. Bass made the following motion, which was seconded by Mrs. Rieffel:

To insure that ANC 2B's administrative rights in hearings before the ABC Board are preserved, for those ABC applications for which the deadline for filing a petition to appear before the ABC Board will occur before the next regularly scheduled ANC meeting, the Commissioner representing the Single Member District within which the ABC applicant is located may request that the ANC Chairman send a letter to the ABC Board stating ANC 2B's expectation that it will appear as a party in opposition to the application.

The motion was passed unanimously.

d. Mr. Evans noted that the final hearing on the Brookings matter would take place the following evening. In addition, he expressed the gratitude of the Commission to Doreen Moses for her assistance in organizing the office.

4. Bill Gridley requested a letter of support from the ANC to the BZA for a deck for the rear of three houses at 21st and N Streets, N.W. which would require a variance from the allowable lot occupancy. Mr. Maggi moved that such a letter be sent, Mrs. Rieffel seconded the motion, and the motion was passed unanimously.

5. Scott Munzell, an attorney for the Cosmos Club, asked for the support of the ANC in an application to the BZA for a special exception for the Club's parking space. Ms. Moses moved that the ANC support the application for the period of one year. Mr. Maggi seconded the motion, which was passed unanimously.

6. George Wheeler, representing the West End Dupont Coalition, a group formed to monitor a requested PUD at 22 and N Street, discussed the activities of that group.

Mr. Grandis moved, and Mr. Bass seconded, a motion that Mr. Maggi serve as the ANC's representative to this group and that the ANC authorize Mr. Maggi to use the ANC's name in correspondence consistent with the past actions of the ANC. The motion was passed, with all present voting in favor, except Mr. Maggi, who abstained.

Mr. Maggi moved, and Mrs. Rieffel seconded, a motion that the ANC reassert its opposition to the plans for this development, for the reasons stated at the time the ANC previously took action on this subject. The motion was passed unanimously.

Mr. Maggi moved, and Mr. Grandis seconded, a motion that the ANC send a letter to the Regional Director of the National Park Service to notify the Service of the ANC's opposition. Because of our opposition and until the Park Service has met with members of the community on the best use of the park east of 23rd Street and north of N Street, N.W., the ANC is opposed to the proposed land swap between the Park Service and the Westbrooke Place developer. The land swap must be approved by the Park Service in order to implement this proposal. Such a swap would alter the fundamental character of that square and the surrounding neighborhood. Existing moderate density residential uses which are compatible with the historical and scenic relationship of the Rock Creek National Park with the adjacent Dupont Circle Historic District would be destroyed. The Dupont Circle area is one of the most densely populated areas of the city and badly needs the sense of open space which the park now affords in this area. The ANC also supports the citizen adopt-a-park

*need
correct
wording
from
Maggi:*

program which a number of residents in the vicinity of Square 49 are undertaking to implement as an alternative to the "commercially sponsored" adopt-a-park program involved in the Westbrooke proposal. This citizen involvement which would avoid harmful "commercial" trade-offs which the developer requires, is the best way of assuring that the park improvements implemented over the next five to ten years will address the needs and interests of the general public.

The motion was approved unanimously.

Mr. Maggi moved, and Mr. Grandis seconded, a motion that ANC 2B send a letter to the National Capital Planning Commission opposing any boundary change in the National Park in Square 49 to implement a proposed land swap with the Westbrooke Place PUD developer. We also request that the Park Service send a representative to attend a meeting of the ANC to hear the ? of the Because of the extremely limited availability of open space in the Dupont Circle area for recreational purposes, the ANC supports the preservation and possible expansion of this national park area. The proposal at issue here, provides for intensive commercial development of one of the few remaining low rise "park" settings in the Dupont Circle area, which the ANC strongly opposes.

Mr. Maggi moved, and Mr. Grandis seconded, a motion that ANC 2B send a letter to the Office of Public Works to notify it of our efforts ? the proposed Planned Unit Development at 23rd and N Streets, N.W., identified as "Westbrooke Place." The traffic problems which this project will create will exacerbate severely the already significant problems in this area. The motion was passed unanimously.

Mr. Maggi moved, and Mr. Grandis seconded, a motion that ANC 2B send a letter to the Fine Arts Commission opposing construction of the proposed combined commercial/residential structure of Square 49. The Fine Arts Commission should exercise its authority under the Shipsted-Luce Act to oppose the adverse impact of the height, bulk, commercial "retail" and high traffic character of the large scale development in the Westbrooke proposal in Square 49. The look and character of the national part which is immediately adjacent to the proposed development would be adversely affected by the overwhelming height and bulk of such large scale development literally on the border of the National Park. The natural beauty of the park would be diminished by the

introduction of commercial "retail" operations proposed for the ground floor of the proposed building, also literally bordering on the park land. The adverse impact also extends to the portions of the Dupont Circle Historic District, also immediately adjacent to the proposed development. The proposed development would be totally out of scale and character with the medium density, moderate height, residential historic structures which predominate in this area. The motion was approved unanimously.

7. The ANC considered application number 28664 of Salpo, Inc. t/a Enzo Trattoria, for a Retailer's Class "CR" license at 1619 Connecticut Avenue, N.W. Ms. Moses moved, and Mr. Maggi seconded, a motion that ANC support this application. The motion was passed, with all present voting in favor, except Mr. Bass and Mrs. Rieffel, who abstained.

8. The ANC considered the plans of KFC Architects for a new building at 806 Connecticut Avenue, N.W. Mr. Evans moved, and Mr. Bass seconded, a motion that the ANC support this application, with all present voting in favor, except Ms. Moses, who abstained.

9. The ANC considered the BZA Application No. 15132 for the issuance of Special Acceptance as a "Youth Rehabilitation Facility" the facility at 1728 P Street, N.W. Community members commented that this facility had been "good neighbors" and had not created problems in the neighborhood. Mr. Evans moved, and Mrs. Rieffel seconded, a motion that the ANC support this application, which was passed unanimously.

10. The ANC considered ABC application No. 10227 for the reissuance of a Retailer's Class "CR" license for the Food for Thought Restaurant at 1738 Connecticut Avenue, N.W.

Mr. Chris Bellinger, an owner of a house facing the rear entrance of this restaurant, called to the attention of the ANC a number of problems associated with this establishment:

He noted that he has collected 28 signatures from residents of 20 homes on the block, that there has been a serious problem with trash and with rats, both dead and alive. He complained about the open dumpster on the rear of the premises, about beer kegs and soft drink canisters stored outdoors, about motorcycles illegally parked behind

Minutes of the July 19, 1989 Meeting

Page 6

the restaurant, about the bad odors emanating from the dumpster, about noise created by employees and patrons, about drinking outdoors on the sidewalk, about the test driving and servicing of motorcycles, about motorcyclists driving the wrong way on the street, about loud music, about mats from the floor of the restaurant being hosed down outdoors, about an employee of the restaurant going through his trash and leaving it scattered, about public urination by customers, and about a person believed to be a customer of the restaurant vomiting in his yard.

Another resident of the neighborhood, who lives at 1728 21st Street, noted that this establishment has been a problem for 5-1/2 years, that the area is dirty and that the garbage smells.

Another resident of the neighborhood, Larry Bush of 1716 21st Street, stated that the rats are overwhelming, that the mats are brought outside for cleaning, which attracts rats, that the motorcycle engines are torn down on the sidewalk, that cyclists drive onto adjacent properties, and that cars are parked on the sidewalk.

Another resident of the neighborhood, Eric Ewalt of 1726 21st Street, told the ANC that his occupation is in the restaurant and hotel industry and he is familiar with compliance with regulations, and that Food for Thought has been out of compliance in defiance of the neighbors. He described motorcycle races through the restaurant late at night, fights and other incidents requiring 4 or 5 police cars, and other problems. He has complained about the problems for 5 years.

The owner of Food for Thought responded that his trash is picked up three times a week, that boxes are only placed outside prior to pickup, that the motorcycles were parked legally, and that the neighbors had not come to him with their problems.

Mr. Maggi moved, and Mrs. Rieffel seconded, a motion that ANC 2B recognizes the complaints of the protestants concerning the applicant, supports the ABC Board in efforts to obtain a compromise between the applicant and the protestants, and, should efforts at a compromise fail, the ANC opposes the reissuance of Application 10227 because of trash, illegal parking, the dumpster, unruly employees, and noise. The motion was passed unanimously.

11. Mr. Gary Lashley appeared in support of his request for a new ABC license for an establishment to be known as "Buckley's Grill" at 17th and Q Streets. Mr. Grandis recused himself from participation in actions relating to this application.

Mr. Lashley noted that he, his attorney, and the developer had met with individual ANC commissioners on two dates since the last meeting of the ANC and the ABC roll call. He noted that since the last ANC meeting, the planned seating at Cavanaugh's (a jazz club in the same building) had been reduced from 250 to 200 and that the planned seating of Buckley's Grill had been reduced from 150 to 75.

Citizens present expressed concern about the adequacy of arrangements for parking. A resident of 1512 noted that he has had a favorable experience with every restaurant in the area and would welcome a quality restaurant. Mr. Eric Ewalt noted that as a professional restaurateur he knows the Buckley Grill restaurateurs to be "very professional operators" who would run a "first class restaurant."

Mrs. Rieffel made and Mr. Bass seconded a motion that the ANC reconsider its action at its June 24 meeting concerning this ABC application. The motion passed, with all present voting in favor, except Mr. Grandis who had recused himself.

Mrs. Rieffel made a motion, which was seconded by Mr. Bass, that the ANC oppose the liquor license application of Buckley's Grill for the following reasons:

The ANC reaffirms its request for a moratorium on new liquor licenses on 17th Street.

The ANC notes that all of the reasons for which the moratorium was filed still obtain. Moreover, due to the expected granting of a new license for Cavanaugh's ("Trumpets"), the previous problems would be exacerbated.

The ANC notes that any new ABC license would contribute to the problems which led to the request for the moratorium, even though the individual establishment might be well managed.

The ANC reiterates its reasons for requesting the moratorium:

-The 17th Street area is becoming, like Georgetown, a mecca for nightlife. This creates the following problems: displacement of services needed by the neighborhood (e.g. a hardware store, a variety store, etc.),

-Additional establishments will create additional parking congestion and illegal parking by patrons.

-Additional establishments will create additional traffic congestion both by patrons and by delivery vehicles.

-Additional establishments will interfere with the peace, order and quiet of the residents by creating litter, by creating noise so that residents are unable to sleep, and by creating filth from public urination and defecation.

-Additional establishments will contribute to the overconcentration of ABC-licensed establishments in this local commercial area.

While the ANC acknowledges that there have been some changes in the applicant's position with respect to the number of seats in the proposed restaurant, the ANC nevertheless has the following concerns specific to this application:

The ANC believes that even if parking in the building is adequate, this establishment will add to parking problems. The ANC notes that the experience in Georgetown is that, notwithstanding the availability of plentiful commercial parking, patrons of establishments there continue to park illegally; it seems to be human nature to try to avoid paying for parking.

The ANC is concerned about the adequacy of the loading space for the building in which the applicant is to be located. It notes that the area allocated to the dumpsters appears to be too small, and believes that the narrowness of the alley will create problems due to an inadequate turning radius for garbage and delivery trucks, blocking access to the commercial parking area. Resulting bottlenecks in the alley will force delivery and garbage trucks to double park on 17th and Q Streets, worsening the double parking situation at these locations.

The motion was passed, with all present voting in favor, except Mr. Grandis, who had recused himself.

The meeting was adjourned at 11:30 p.m.