

Letters:

To: ABC
Re: Mr. P's

To: ABC
Re: Badlands

To: ABC
Re: Fraternity House

To: Dave Clarke
Re: ANC Bill 107-67

To: Maybelle Taylor
Re: 1616 R.I., Ave. - PUD

To: PSC
Re: JR's

To: PSC
Re: JR's - Awning

To: ABC
Re: Circle Restaurant

MINUTES OF THE OCTOBER 12, 1994 MEETING OF THE DUPONT CIRCLE
ANC 2B

The Dupont Circle ANC 2B held a regularly scheduled public meeting on October 12, 1994 at St. Thomas Parish. Commissioners Gamble, Shannon, Taylor, Pagano, Holmes and Ray were present. Chair Gamble called the meeting to order at 7:45 pm.

Introduction of the Commissioners

Adoption of the Minutes:

Ms. Shannon moved and Ms. Taylor seconded to adopt the minutes of the September 12 meeting. The motion passed with one abstention.

POLICE CRIME REPORT

Lt. Neal of the 2nd District gave the crime statistics for September 1994 and compared them with the statistics of September 1993. Ms. Taylor asked if the burglaries were in residential or

commercial areas. Lt. Neal said most of the burglaries were in commercial areas. He said that most of the crimes were committed between the hours of midnight and 6:00a.m. Ms. Taylor asked Mr. Dotson of Mr. P's Restaurant to read a portion of a letter that he had sent to the 2nd District regarding police response to an incident in front of his business. Mr. Dotson said that the responding officer told him in front of the loiterer that unless a person was at his door, and under his canopy he (Mr. Dotson) did not have the right to ask a person to move on as it was public space. Ms. Taylor said that this establishment and other establishments along P Street are constantly being criticized by residents who perceive them as not operating responsibly - for not policing the property and for not calling the police. She said that when Mr. Dotson did act responsibly he got no help from the police. Lt. Neal said that when a complainant is not satisfied with a responding officer's action that the complainant should call that officers supervisor. Ms. Taylor asked Lt. Neal as the representative of the 2nd District to follow up this complaint. Mr. Ray said that P Street between the Circle and 22nd Street has never been worse in terms of aggressive panhandling and that he never sees police in this area. He said that the lack of police presence in high crime areas puts business owners in a dilemma because they have no enforcement.

Sgt. Roofner gave the statistics for the Park Police. He reported on three stabbings that had taken place on the bike path between P & Q Streets and gave the times of these assaults. Ms. Taylor asked if the Park Police had any leads on the assailant. Sgt. Roofner said they were working on it and asked that if anyone in the community knew of any suspicious activity in that area they should call the Park Police.

Capt. Boggs reported the statistics comparing September 1993 with September 1994. He said the figures indicated an overall reduction in crime. He asked residents to put house numbers on the backs of their houses and to be cautious when going from place to place at night and if possible not to walk alone. He said that the 3rd District is going to put flyers on cars to remind residents of car safety, and also asked residents to check the safety of their homes. He said there would be a gun turn in at Shiloh Baptist Church on October 15. Mr. Gamble said the DCCA and the 17th Street Merchants Association had met to discuss street vending and asked Captain Boggs if there had been progress in training some officers of the 3rd District in the specifics of the street vending laws as there is evidence of many violations. Captain Boggs said the 3rd District intends to enforce the vending laws and that he had two officers trained in the vending laws. Mr. Gamble pointed out that street vending is illegal south of Church Street and north of Swann on 17th Street. Mr. Ray said that he has a printer to do the stop theft from auto flyers to be distributed in November and December. He said that he was concerned about some muggings in the 18th and Corcoran Streets area in the past couple of months and that Captain

Boggs has set up a special meeting on October 18 for neighbors of that area.

Mr. Gamble announced the Friends of S and T Streets park will be holding a fund raiser in the park October 23, 1:00p.m. and DCCA is holding its annual House Tour on Sunday, October 16 from 12 to 5p.m.

Issues:

1. Mr. Gamble said he would read the two lists of "CT" and "CN" liquor licenses which are up for renewal. He said for some cases the commissioners would be negotiating renewals of existing Voluntary Agreements. He asked the audience to make any comments on these pending license renewals as he reads the list. He read the list of establishments that have their petition date on October 18 and hearing date on November 2. Mr. Pagano said that he received one complaint from a resident about noise from Mr. P's Restaurant. Mr. Gamble said Mr. Dotson from Mr. P's was present to speak to this issue. A resident Mr. Eli Goettsdiener said that he was the complainant and had long standing complaints about the noise coming from Mr. P's. He said that Mr. P's violated many terms of an agreement that had been signed with neighbors. He mentioned Mr. P's not providing a patio monitor as promised. Mr. Pagano asked Mr. Goettsdiener to give him a copy of the private agreement he and neighbors had with Mr. P's. Mr. Gamble said a point of information is that if the ANC opposes a liquor license the ABC Board goes to the establishment and the ANC and asks the parties to negotiate a Voluntary Agreement and that this step can be avoided if the establishment is willing to sign an agreement.

has signed an agreement prior to the hearing date for approval

Mr. Pagano said that the ANC felt there was an obligation on the part of Mr. P's to address the problem of noise associated with his establishment and perhaps a security guard should be hired. Mr. Pagano said Mr. Goettsdiener's complaint was of both noise from the patio and noise from the street in front of Mr. P's. Mr. Ray asked Mr. Goettsdiener if he had been in contact with Mr. Pagano about any of these issues. Mr. Goettsdiener said that he had been in contact with Mr. Pagano a year and a half ago.

MOTION

Mr. Pagano moved and Ms. Shannon seconded the ANC oppose the reissuance of "CT" license No. 252 for New Dot, Inc., t/a Mr. P's 2147 P Street, NW due to adverse conditions affecting the peace, order, and quiet of the neighborhood. This motion passed with Mr. Ray abstaining.

Mr. Gamble introduces Mr. Fonseca, representative for Badlands and Fraternity House. He said as he understands the complaints are due to trash and rats. He said that these establishments aren't the primary parties responsible for generating this problem as they serve little food and that his client, owners of Badlands and Fraternity House, had taken care of the only problem associated

with their establishments. Ms. Taylor said the residents of her SMD feel the owners of Badlands and Fraternity House have abided by all their requests and to her knowledge have met the terms of the existing Voluntary Agreement with the ANC. And also, that no complaints have come to the attention of the police about either of these establishments. Ms. Taylor read a proposed addition to the Voluntary Agreements with Badlands and Fraternity House, which addresses the problems associated with the control of rats through specific efforts of removal and storage of trash and periodic baiting of the alley to prevent rat harborage. Mr. Gamble suggested that a pro forma protest be lodged with the ABC Board about Badlands and Fraternity House adding that the ANC anticipates this protest will be removed upon completion of negotiations of Voluntary Agreements.

MOTION

Ms. Taylor moved and Mr. Holmes seconded to protest the reissuance of liquor licenses for Badlands and Fraternity House due to issues of trash and rats. The Motion passed unanimously.

2. MOTION

Mr. Gamble moved and Mr. Ray seconded to enter into a Voluntary Agreement with JR's Bar and Grill 1519 17th Street, NW. The Voluntary Agreement will conform to others in the neighborhood. The motion passed unanimously.

3. Mr. Gamble read the second list of "CT" and "CN" liquor license renewal applications - petition dates November 1 and hearing dates November 16. He said that the Fireplace 2161 P St. which is in Mr. Pagano's SMD may need a renewal of a Voluntary Agreement and The Circle - 1639 Conn. Ave., may require some discussion as some residents have called and complained. A resident, Ms. Margie Young complained of disorderly conduct outside Mr. Dave's Sports Rock Cafe, 1111 19th St. Mr. Ray said the ANC should not protest the reissuance of the license, but some attention should be focused on this area in the future. Mr. Gamble said that Mr. Dave's is not near any residential areas which is the ANC's primary concern. Mr. Gamble suggested a letter be sent to the ABC Board protesting the renewal of The Circle restaurant's liquor license, stating that a Voluntary Agreement is being negotiated.

MOTION

Mr. Pagano moved and Ms. Shannon seconded to oppose the renewal of a Class "CN" liquor license Application Number 8811, Circle Restaurant - 1629-31 Conn., Ave. due to adverse impact on the neighborhood because of noise. The motion passed unanimously.

Mr. Gamble said Joanna's 1819 Club - 1819 19th St. needs to have it's Voluntary Agreement renewed if one existed and suggested that a protest be filed if one does not.

MOTION

Mr. Holmes moved and Ms. Taylor seconded to oppose the liquor license renewal for Joanna's 1819 Club pending completion of negotiations of a Voluntary Agreement. The motion passed unanimously.

COMMISSIONERS REPORTS

Mr. Ray reported that the protest hearing for the Ambassel Restaurant is scheduled for February 1, 1994.

Ms. Shannon reported that Jack Evan's office has called a meeting October 14 concerning the celebration of Halloween on 17th Street and she will be attending that meeting as will Mr. Holmes, Mr. Gamble, representatives of DCCA, the police, and representatives of the 17th Street Merchants Association.

Commissioner Taylor reported that at the last meeting of the Conservancy there was no objection to a shed being constructed at the gas station at 18th and S Sts., but the Conservancy ruled against a proposed curb cut at 1262 New Hampshire Avenue. She said that the St. Matthews PUD has been put back on the HPRB calendar for October 27 to determine if the application will be considered as a continuation or as a new application and that ANC 2B has a record on file as being in opposition to this application.

OLD BUSINESS

Mr. Gamble said the ANC had previously agreed to concur to the modification of the PUD at 1616 Rhode Island Avenue to permit usage as a parking lot for a three year period not to go past March 9, 1997. He reported that the applicant now wants the three year period to start on the date of final approval which would extend the period. He proposed ANC object to this extension.

MOTION

Mr. Gamble moved and Ms. Shannon seconded a letter be sent to D.C. Zoning Commission opposing the extension for the PUD - 1616 Rhode Island Ave. beyond the previously time period that the ANC reluctantly agreed to. The motion passed unanimously.

MOTION

Mr. Gamble moved and Ms. Shannon seconded to send a letter to David Clarke supporting Bill 107-67 which clarifies the "great weight" accorded the ANCs. This legislation is necessary for ANCs to be effective. This motion passed unanimously.

NEW BUSINESS

Mr. Holmes said that JR's Bar and Grill 1519 17th Street NW was resubmitting an application for a Certificate of Use to operate a sidewalk cafe on their patio. He said that the ANC had opposed this application because there would be little or no food service. He said that as this application has changed and now includes food service that JR's would like the ANC to support this new application. Mr. Little of JR's presented a proposal to the ANC and said that JR's has the capability and the desire to serve food and that JR's has the intention of marketing the food and that food will be available during all hours of operation. Ms. Shannon asked if this proposal was for information purposes only. Mr. Holmes said that the ANC's major reason for opposing the Certificate of Use was that JR's didn't serve food. Ms. Shannon said that this item should be placed on a future agenda and the public notified, especially since the previous application had been of interest to many residents. Mr. Pagano said that the issue needed to be added to an agenda to be addressed by the ANC. Mr. Ray said that he agreed this issue had to be on an agenda which would alert the public.

MOTION

Mr. Holmes moved and Mr. Ray seconded to support the application for a Certificate of Use of public space for an outdoor cafe fronting the premises. During the discussion Mr. Ray moved and Mr. Holmes seconded to defer final discussion and decision on JR's public space application until the next ANC meeting (November 9). The motion passed unanimously.

MOTION

Mr. Gamble moved and Ms. Taylor seconded that a letter be sent to the Public Space Committee requesting that the order to remove the awning at JR's Bar and Grill, 1915 17th Street, NW be deferred pending ANC 2B's public review and action on this issue. The motion passed unanimously.

The meeting adjourned at 9:50p.m.

Respectfully submitted,

Martha Shannon
Secretary, ANC 2B