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draft--not approved by ANC.

MINUTES OF THE JULY 11, 1990, MEETING
OF THE DUPONT CIRCLE ANC (ANC 2-B)

The Dupont Circle ANC held a regularly scheduled meeting on Wednesday, June 13, 1990, at 7:30 p.m. at St. Thomas Church. Commissioners (Moses, Rieffel, Bass, Maggi, Grandis, and Evans) were present; commissioner Gaugler was absent.

1. Chairman Evans convened the meeting at 7:30 p.m. Captain McDonald of the 2nd District Police presented a report on crime in the area.

2, David Fitch, a principal with IBG developers, briefed the commissioners on the status of the PUD at 22nd and N Streets, N.W. On June 11 the Zoning Commission sent this project back to the developers to make adjustments to the height and to address historic preservation issues. The developers have done that, working with the WEDAC and the Dupont Circle Conservancy. Accordingly, they will submit a revised package by July 23, for a hearing scheduled for August 6.

The matter was on the ANC agenda not for substantive consideration of the merits of the development, but to determine if the ANC wished to reconsider its earlier action in agreeing not to hold a late July meeting, in order to meet to consider this proposal prior to the August 6 hearing.

Mr. Grandis moved, and Mrs. Rieffel seconded, a motion that the ANC hold its regularly scheduled late July meeting (on July 25) to consider this and any other matters that require consideration. The motion was passed unanimously.

2. Councilmember and mayoral candidate John Ray presented comments.

3. During the open forum, a resident of Corcoran Street expressed concerns about parking and was referred to Mrs. Rieffel, who represents her district.

4. Matthew Watson, on behalf of Metro, provided a presentation on the processes followed by Metro in considering requests for e.g. air rights such as that possibly contemplated by Riggs Bank at Dupont Circle. According to Mr. Watson, the developer has proposed access to Metro plus a small overhang of the open space at the Q Street exit, which would entail the transfer of 2,800 square feet. The next step is staff review by WMATA to determine if the building would have any negative impact. Ultimately, the package proposal will be

presented to the WMATA Board, a process requiring 6 to 9 months.

Citizens expressed a desire to maintain the openness and beauty of the entrance as it is now configured. Mr. Watson responded that no one is considering a building over the site, but that what is being considered is a transfer of the air rights, which would permit Riggs to include that space in calculating its floor area ratio, which would permit Riggs to build a building with more above ground floor space than otherwise.

While this process does not entail a public hearing, the representatives from the District of Columbia (ie, Gladys Mack with Mr. Watson as an alternate, and Hilda Mason with Frank Smith as an alternate) are committed to keeping the process open. As a practical matter, each of the three jurisdictions has a veto over any action of the WMATA board. Mr. Evans asked that as chairman of the ANC he be kept fully informed on the progress of this issue.

5. Mr. Steve O'Brien presented the request of Rascals for a reissuance of their liquor license, which, because of new ABC regulations, they are required to elect as either a nightclub or a tavern. However, no changes in the current operations are contemplated.

Mr. Maggi moved, and Mrs. Rieffel seconded, a motion that the ANC oppose this license on the grounds that nude dancing (which Rascals plans to continue to provide) is incompatible with a residential neighborhood.

Mr. Maggi noted that the ANC has consistently opposed establishments with nude dancing, and that opposing this license is treating gay establishments in the same manner as other establishments, such as the Royal Palace, that the ANC opposed. Other commissioners distinguished this establishment from the Royal Palace, noting that there had been no complaints received from the public with respect to Rascals and that it is not in a residential neighborhood. Mrs. Rieffel objected that Rascals is in a residential neighborhood equally as much as Royal Palace, which is on the same street, and that Rascals is not located in an out of the way place but adjacent to a subway exit used by many members of the community, including her children daily as they go and come from school. She noted that on many occasions she has observed male prostitutes loitering in this area during early evening hours, and that while she has no reason to think Rascals condones male prostitution, nude dancing creates an atmosphere in which prostitution thrives.

The motion was rejected, with Mr. Maggi and Mrs. Rieffel voting in favor, Mr. Grandis and Mr. Evans voting in opposition, and Mr. Bass

and Ms. Moses abstaining.

6. Mr. Grandis moved and Mrs. Moses seconded, a motion that the ANC take no position on this license provided that Rascals enter into a voluntary agreement in lieu of the filing of a protest. This agreement is to contain the following provisions: 1. Rascals will maintain the same hours of operation. 2. Rascals will not place any signage on the exterior that advertises nude entertainment, and 3. the management will police the immediate area after closing to minimize noise and remove litter, with the understanding that the management of this and any other establishment has a limited ability to control noise made by persons off the premises. The motion was passed, with all commissioners voting in favor except Mr. Maggi who voted in opposition and Mr. Bass, who abstained.

7. The ANC then considered the application of the Embassy of Papua New Guinea to locate a chancery at 1615 New Hampshire. Mrs. Rieffel moved, and Ms. Moses seconded, a motion that the ANC support this application on the condition that the applicant agree not to request reserved diplomatic parking. This support is based on the following factors: 1. This chancery is sought for a building long planned as the location for chanceries and other activities related to the south Pacific region. At the time of the construction of the building, residential space was added with the understanding that the community would not oppose chancery space in the building. 2. This chancery will employ a very small number of people and will involve little, if any, additional traffic or demand for parking. 3. The current chancery is also in the neighborhood, hence this will not add chancery space to the neighborhood, but will merely relocate it. The motion was passed unanimously.

8. The ANC then considered the application of the Republic of Zimbabwe to locate a chancery at 1608 New Hampshire Avenue, N.W. Mrs. Rieffel moved, and Ms. Moses seconded, a motion that the ANC support this application on the condition that the applicant agree not to request reserved diplomatic parking. This support is based on the following factors: 1. This chancery will employ only a small number of persons, with little, if any, additional traffic or demand for parking. 2. This location has for many years been used for commercial activities. Because of its location at the intersection of three heavily travelled streets and because of its size, design, and vista, it is relatively well suited for chancery use, and relatively ill suited for residential use. 3. The Dupont Circle ANC has received a letter from ANC 3C (in which the chancery is currently located) stating that this chancery has not caused problems in its current location. The motion was passed, with all commissioners voting in favor, except Mr. Grandis, who voted in opposition.

The ANC commended the Republic of Zimbabwe for their efforts to establish a partnership with Ross Elementary School.

9. Mr. Bass moved, and Ms. Moses seconded, a motion to adopt the minutes of the previous meeting. The motion passed unanimously.

10. Mr. Bass moved, and Mrs. Rieffel seconded, a motion that the key to the ANC offices be made available only to the chairman and the coordinator of the ANC. All commissioners voted in favor, except Ms. Moses, who abstained.

11. The commissioners agreed to transmit a letter to the appropriate parties expressing concern about the appearance of the Pepco station in the West End.

12. Mr. Bass moved, and Ms. Moses seconded, a motion that the ANC transmit a letter stating that the ANC's participation in a task force to resolve issues concerning PUD's be conditioned on having no developers or government officials (other than ANC commissioners) participate. The motion was passed unanimously.

13. At the request of Mr. Grandis, the commissioners agreed to send a letter to Roger Dougherty, President of the Gay and Lesbian Task force, recognizing his outstanding leadership for the gay and lesbian residents of our ANC in his positive contribution to policies and issues that came before the D.C. government. Mr. Dougherty has proven to be an effective role model that through his work has improved the quality of life for everyone in our community.

14. The meeting was adjourned at 11 p.m.

Respectfully submitted,

Alaire Bretz Rieffel
Recording Secretary