

MINUTES OF THE MEETING OF THE
DUPONT CIRCLE ANC
HELD MARCH 14, 1990

The Dupont Circle Advisory Neighborhood Commission held a regularly-scheduled meeting on March 14, 1990 at St. Thomas Church. Present were commissioners Grandis, Moses, Rieffel, Gaugler, Bass, Maggi and Evans.

Vice chairman Bass called the meeting to order and conducted the meeting until the arrival of Mr. Evans. The ANC first received a report from the Second District Police. The matter concerning the incident at the "Badlands" is still being investigated. The disposition of the case will be reported by the Second District at the next ANC meeting.

Mr. Nelson informed the ANC that the dumpster at La Fonda remains on public space on the sidewalk, in violation of the law. A representative of La Fonda told the ANC that he is continuing to seek ways to resolve the problem.

Mr. Michael Aschetti (sp.) of Dupont Italian Kitchen informed the ANC that he plans to open a sidewalk cafe on R Streets.

A resident of the 18th and T area complained of trash and rat problems emanating from Tam Tam and other establishments in that area.

Mrs. Rieffel briefed the ANC on developments in the Cairo Liquor case. At its February 7 meeting the ANC had voted to support this license on the condition that Cairo enter into a voluntary agreement with the ANC. This voluntary agreement had been carefully negotiated with Cairo well in advance of February 7, and at the February 7 meeting representatives of Cairo agreed to this arrangement. During succeeding weeks, Cairo continued to promise to sign the agreement, and on March 8, Cairo informed Commissioner Rieffel that it was signed and that they would drop it off. On March 13, Cairo telephoned Commissioner Rieffel and informed her that they would not, in fact, sign the agreement. Commissioner Rieffel noted that in relying in good faith on the representations of Cairo, the ANC had not filed a protest in this case and is now precluded from doing so.

However, five individuals living in the 1600 block of Corcoran Street have filed a protest and made the settlement of their protest contingent upon the signing of the agreement with the ANC. The ABC Board on March 14 instructed Cairo to attempt

to reach a settlement with these protestants. Mrs. Rieffel expects these protestants to permit ANC representatives to negotiate on their behalf.

Mrs. Rieffel also briefed the ANC on the contents of a letter sent by the five protestants to the ABC Board alleging that Cairo had sold caselots of half pints of vodka to an individual who then bootlegged the vodka in the alley behind their houses, selling to disadvantaged persons on credit and threatening them with violence if they failed to repay him in a timely fashion. At the request of the police, Commissioners Rieffel and Gaugler had not made this letter public when the ANC considered the Cairo license on February 7, to permit the police to stake out the alley.

Mrs. Rieffel moved, and Mr. Grandis seconded, a motion that Chairman Evans transmit an appropriately worded letter to Cairo expressing the concerns of the ANC that Cairo had failed to honor its understanding with the ANC. The motion was passed unanimously.

Mrs. Rieffel moved, and Mr. grandis seconded, a motion that Chairman Evans transmit letters to the Police and the ABC Board noting the bootlegging problem and asking them to take appropriate action and acknowledging that the Police may already have done so.

Mr. Gaugler briefed the ANC on the progress of the 17th Street Pilot Project.

Mr. Bass moved and Mr. Grandis seconded the attached motion concerning property taxes, noting that the intent of the motion is no tax increases. The motion was passed with Mr. Maggi voting no, Mr. Gaugler and Mrs. Rieffel abstaining, and other commissioners voting in favor.

Mr. Gaugler moved that the letter concerning the proceeding motion be revised to incorporate comments of Mr. George Nelson concerning pegging tax increases to cost of living increases. The motion died for lack of a second.

Ms. Moses moved that the ANC ask the City Council to consider a reduction in the 1.54% tax rate for Class 2 properties. The motion died for lack of a second.

Mr. Maggi moved, and Mr. Grandis seconded, a motion that the ANC urge the ABC Board to deny a liquor license to applicant Cairo Liquor for failing to meet the conditions to which the representative of Cairo Liquors had orally agreed and as set forth in the voluntary agreement, and that the ANC authorize Commissioner Rieffel to withdraw this opposition in the event she reaches an agreement with the applicant consistent with the

voluntary agreement. The motion was passed, with all commissioners voting in favor except Mr. Gaugler, who voted in opposition.

Under old business, Mr. Grandis questioned whether additions to a building on 19th Street have received Zoning Commission approvals. Commissioner Moses is to check on this.

Mr. Rase (sp.), an attorney for the applicant, presented a request for the ANC's support of BZA Application #15213 for a variance at 1633 16th Street, N.W. The attorney noted that when the property was originally purchased, it was a rooming house. The current owner wishes to use it for a software engineering business. To make residential use economical for the property would require \$2.5 million in renovations, requiring the unrealistic rent of \$1,500 monthly to cover the finance charges. Without discussing the merits of the application, the commissioners expressed astonishment that the applicant was requesting a variance for two buildings (1631 and 1633 16th Street) and all of the second floors, although the BZA application had been for "part of the second floor at 1633 Street." Commissioners stated that they were unwilling to take action on this new request because they had not been able to give proper notice to constituents about the property for which the variance was requested. For those reasons, Mr. Grandis moved, and Mrs. Rieffel seconded, a motion that the matter be tabled until this issue could be addressed.

Councilmember Charlene Drew Jarvis addressed the ANC on current issues in the District of Columbia.

Representatives of the Cosmos Club briefed the ANC on the conceptual design for a Planned Unit Development on property owned by the Cosmos Club at 2121 Massachusetts Avenue, N.W., which would serve as a facility for the University of California. The following comments were made. The proposed development will house 110 residents. It will contain 140,000 square feet, of which 10,000 will be office space. The f.a.r. will be 2.8, which is relatively low. Mr. Ward of D.C.C.A. commended the Cosmos Club for trying to work with the community. Mrs. Ann Sellin expressed a desire for an iron clad guarantee that there will be no expansion of the building (as has been a problem with Johns Hopkins and George Washington Universities). She also asked that the park be open to the public as part of the P.U.D. amenity package. Mr. Jim McGrath noted that it was "one of the best P.U.D.'s" that he has seen. Mrs. Kay Eckles expressed concern that the property revert to housing. Mr. George Nelson commended the project. Mr. Charles Robertson asked that Cosmos fix up the dormitory annex. Commissioners expressed concern that the students resident in the project will create problems for the neighborhood and asked that if the project goes forward, the University establish a mechanism to address community complaints.

Other commissioners expressed concern that the Cosmos Club had not apprised the ANC of its development plans at the time it asked for the ANC's support for the closing of the alley. The ANC took no action on this item, as none was requested at this time.

The ANC then reviewed an application before the Historic Preservation Review Board to designate 2225 N Street, N.W. as an historic landmark. Representatives of the following groups informed the ANC that their groups had taken action to support the request: D.C.C.A., Midway Civic Association, The Committee of 100, RAC, and the Dupont Circle Conservancy. Mr. Tom Ward of D.C.C.A. presented a statement of the reasons of D.C.C.A. in supporting the application. Mrs. Emily Eig presented reasons for not supporting the application based on the building's historic character (and lack thereof). Mr. Maggi moved, and Ms. Moses seconded, a motion that the ANC support the application. The motion was passed unanimously.

The ANC then reviewed the ABC renewal application (#08225) of the Royal Palace Nightclub at 1805 Connecticut avenue, N.W. for a change in license class from "CR" (restaurant) to "CT" (nightclub.) This would not involve a change in operations, but is a change required by the new regulations. Mr. Tom Ward noted that D.C.C.A. is opposed to this application. Mr. Dwyer, a nearby resident, voiced his opposition based on nude dancing. Mr. George Nelson commended that previous complaints about the signage for the building have not been addressed by the establishment. Mr. Grandis, the commissioner for the SMD in which this establishment is located, noted that he was unaware of problems created by patrons of the establishment. Mr. Bass commented that he feels that nude dancing is inappropriate in a residential neighborhood, and that the building is within 400 feet of St. Margaret's Church. Mrs. Rieffel objected to the fact that the establishment provides nude female dancing on the grounds that such dancing is exploitive of females and is inappropriate in a residential neighborhood.

Mr. Grandis moved that the ANC take no position on the application. The motion died for lack of a second.

Mr. Maggi made, and Mrs. Rieffel seconded, a motion that the ANC oppose the application on the grounds that the establishment is inappropriate for the neighborhood. The motion was passed, with commissioners Maggi, Gaugler, Rieffel and Bass voting in favor, Grandis voting in opposition and Moses and Evans abstaining.

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

Respectfully submitted,