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MINUTES OF THE SEPTEMBER 5, 1990, MEETING
OF THE DUPONT CIRCLE ANC (ANC 2-B)

The Dupont Circle ANC held a regularly scheduled meeting on Wednesday, September 5, 1990, at 7:30 p.m. at St. Thomas Church. All commissioners (Moses, Rieffel, Bass, Maggi, Grandis, Evans and Gaugler) were present.

Chairman Evans called the meeting to order at 7:30 p.m.

Captain Bruce MacDonald of the 2nd District presented a report on crime in the area. Citizens raised concerns about problems created by vagrants at the 20th and Q Street park near the Metro and by loud musical performances.

During the citizens' forum, Kyle Pitser of the Dupont Circle Citizens Association expressed concerns about trash and litter in the commercial areas of the neighborhood and asked the ANC to sponsor a community meeting jointly with DCCA. The ANC agreed without a motion to hold such a meeting in November.

Mr. Bass moved and Mr Gaugler seconded a motion to approve the minutes of the August 8 meeting. The motion was passed with Moses and Rieffel abstaining, Maggi absent, and all other commissioners voting in favor.

Under commissioners' reports, Mr. Grandis reported that certain drug problems in his single member district have been resolved. Commissioners Moses and Rieffel had nothing to report. Mr. Gaugler reported that the 17th street Plan will start on September 15, with completion planned by November 30. Mr. Bass reported that the Royal Palace matter will be on the agenda for the September 26 meeting. Mr. Evans reported that the 22nd and N PUD is on the September 10 agenda of the Zoning Commission. He also reported that the PUD task force met on September 4 and agreed to hire attorney Nettler for $10,000 plus expenses, of which the ANC has tentatively agreed to contribute $5,000. The HPRB will consider the 1700 block of N Street PUD on September 19, although the same design was rejected by the Zoning Commission.

Mr. Grandis asked that a copy of the ANC's position and of the Zoning Commission decision be sent to Charles Robertson, Dudley Cannada (of DCCA), the HPRB, and Suzanne Ganschinitz for their information.

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Mr. Evans moved, and Mr. Bass seconded a motion that the ANC send a letter to the D.C. government on behalf of the Green Door stating that they are a good organization in the community and urging their continued funding by the D.C. government. The motion was passed, with all commissioners voting in favor except Mr. Maggi, who was not present.

The ANC then undertook consideration of the request for approval by the HPRB of plans to rebuild a garage on the northeast corner of 20th and S Streets. The ANC received comments from the community expressing concerns about public urination at the light pole adjacent to the previous structure and discussed the fact that the center building is not exactly the same as its predecessor. Mr. Grandis moved, and Ms. Moses seconded, the following motion, which was passed unanimously.

That the ANC support the rebuilding of the left portion of the garage [as viewed in elevations presented to the ANC], which is identical to the previous left portion of the garage ("Phase 1"), and with the understanding that the owner will contact C&P to set up a meeting to attempt to resolve the pole issue. The ANC will postpone action on the center building [i.e. the building adjacent to the house], ("Phase 2") pending further efforts to address concerns of neighbors. The owners are to return to the ANC for approval of Phase 2.

Chairman Evans introduced Jim Harvey, a candidate for an At Large seat on the Council, who presented brief comments.

The ANC then undertook consideration of the request for a liquor license for a new restaurant proposed for 1635 R Street, N.W. Mr. Paul Katinis presented the plan on behalf of the owners. He noted that the property has been vacant for 10 years and that the owners have tried to rent out the building throughout that period. They have applied for an ABC license under the provisions of §405.1 of the ABC regulations, which do not require that a plan be filed. The owners propose to open a family style restaurant similar to that at 1609 17th Street, and pledged to work with neighbors to address any concerns. Mr. Mike Katinis described problems the owners had experienced with the property. He noted that the family has been in business 43 years at Annie's Paramount Steak house and has never had liquor license violations.

Citizens of the area near the proposed site presented the following comments. Mr. Robert Day of 1625 R Street expressed a preference for another type of business. A resident of the 1600 block of R Street objected that to grant the license would be to "buy a pig in a poke," since the owners have failed to present plans. To grant the license

would cause the community to lose any leverage it has in controlling the establishment. He noted that to grant the license would be a violation of the spirit of the moratorium. In response to other questions, the owners stated that there will be no off-street parking provided and there will be no live entertainers. A resident of Riggs Place stated he was opposed to the granting of the license because there are already a "multitude of problems" in that alley.

Mr. Tom Ward, speaking on behalf of DCCA, informed the ANC that DCCA had voted to oppose the license for the following reasons: it would violate the spirit of the moratorium; 17th Street is saturated with ABC-licensed establishments; there is already too much congestion and traffic; and the neighborhood can't absorb another such space. He also noted his own difficulties in travelling from his alley down 17th street.

Commissioner Grandis noted that the ANC and other groups had worked hard for the moratorium, which still isn't in effect. This owner was aware of the moratorium, but failed to submit an application sooner. This would be the first occasion for the ANC to consider the use of an application under §405.1.

Commissioner Bass stated that he is often approached by business owners about the ANC's lack of sensitivity to business interests, but this was an example of a business acting contrary to the neighborhood. The owners' arguments concerning economic necessity are irrelevant to criteria for granting an ABC license.

Commissioner Evans reviewed the history of the moratorium application, noting that it will go into effect two days after the Council reconvenes in September if the Council has not acted on it.

Commissioner Gaugler stated that the building for which the application is requested sits behind his house. It is a big problem. all the residents are opposed to the restaurant, which is an eyesore and dirty. The ally is already so congested that no one can get in or out. He stressed that the applicant has submitted no plans for the proposed restaurant, although the owners previously submitted plans to the HPRB for apartments. He stated that the residents don't want this establishment because of parking problems, an overconcentration of liquor licensed establishments, the moratorium, and the fact that the closing time in the application is 2:30 a.m., even though several homes are just behind the building.

<u>Mr. Gaugler moved, and Mr. Bass seconded, a motion that the ANC strongly oppose this application, at least until such time as the applicant comes before the ANC with a full set of plans, and for the following reasons: this establishment will adversely affect the</u>

peace, order, and quiet of the neighborhood; it will adversely affect residential parking and pedestrian traffic; it will create undesirable noise; it will contribute to the overconcentration of ABC-licensed establishments as testified to by the ABC Board staff in the hearing concerning the moratorium; and it will contribute to noise pollution and illegal parking.

Mr. Grandis proposed the following amendment, which was accepted by the maker and seconder: The ANC also encourages the ABC Board to require the applicant to refile an application under more complete guidelines because the ANC needs a fuller proposal before it can judge the impact of this establishment on such matters as trash. In addition, the chairman is instructed to attached to the letter to the ABC Board the relevant documents submitted with the moratorium request.

The motion as amended was passed unanimously.

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Alaire Bretz Rieffel
Recording Secretary