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9/26/90

Draft-- not approved by ANC.

MINUTES OF THE SEPTEMBER 26, 1990, MEETING
OF THE DUPONT CIRCLE ANC (ANC 2-B)

The Dupont Circle ANC held a regularly scheduled meeting on Wednesday, September 26, 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. Lt. Keegan of the 3rd District presented a report about crime in the area. Citizens raised concerns about the following matters: Ms. Wordell expressed concern that car vandalism isn't accurately reflected in statistics; Mrs. Rieffel asked that the police enforce laws against deliveries on residential streets (a problem at Cairo Liquors), about excessive helicopter flights, and about delays in getting through on the 911 number. Lt. Keegan asked persons wishing to make non-emergency calls to the police to use the number 727-1010 or 727-4326.

No comments were presented during the open forum.

Under commissioners' reports, Ms. Moses reported that in the Four Ways Restaurant case, the Court of Appeals upheld the decision of the Zoning Commission, although it will have little practical effect due to financial problems experienced by the owners. Mr. Grandis reported concerns about proposed uses at a building at 20th and S.

Mr. Bass moved, and Ms. Rieffel seconded, a motion that the ANC join ANC 2C and the Logan Circle Citizens Association in opposing a new nightclub at 1415 P Street, N.W. for reasons stated the attached draft a letter. The motion was approved unanimously.

Mr. Gaugler reported on a delay in the 17th Street Plan and asked the ANC to appoint someone to put together a formal letter to the ABC to make the moratorium law.

Mr. Evans stated that Riggs Bank has declined to make requested improvements to the ANC's office space and moved that the ANC authorize Ms. Melville to obtain bids to install a window screen to spend up to \$50 to do so. Ms. Rieffel seconded the motion, which was approved, with Ms. Moses and Mr. Grandis voting in opposition and other commissioners voting in favor.

Mr. Bass moved, and Mrs. Rieffel seconded, a motion that the ANC enter into a contract with Richard Nettler in conjunction with the PUD Task Force, with the understanding that there will be no payment

cc: All 10/3/90

under the contract until October 15. The motion was approved with Mr. Maggi voting in opposition and all others voting in favor of the motion.

Mr. Grandis moved, and Mr. Maggi seconded the following motion: It is in the interest of the constituents of ANC 2B to have the ANC appoint a representative to participate as a formal member of the 3rd District Metropolitan Police Advisory Citizen's Committee. This individual shall only present ANC positions that have been properly approved by the full ANC and issues raised by residents. This individual shall provide the ANC with information provided by the 3rd District Metropolitan Police and its Advisory Committee in a timely manner. The cost of membership shall be paid by the ANC. The term of appointment shall be one year with the initial term expiring January 31, 1991. We appoint Mr. Larry Ray to this initial term. The motion was approved unanimously.

Mr. James Lawlor presented a statement on behalf of the committee of Citizens against 005, and asked the ANC commissioners' support.

The ANC then considered the proposed settlement agreement concerning the ANC's protest of the Royal Palace liquor license. The provision in the agreement concerning the sign was clarified by the owner to mean that the sign, rather than the letters, will be no more than 12" high. Under the provisions of the agreement, the owner will cease nude dancing performances after a period of five years, but will still have a CN license. Several citizens spoke in opposition to the agreement, asking either that the sign be placed in the vestibule, or that the establishment be closed altogether. Mr. Bass and Mrs. Rieffel countered that while they would prefer to see the establishment closed, they considered that outcome unlikely due to the reluctance of the ABC Board to close existing establishments and felt that the proposed agreement was the most favorable outcome that it was realistic to expect. Mr. Bass moved, and Mrs. Rieffel seconded, a motion that the agreement as amended (i.e. that the maximum dimensions of the sign be 12" by 36") be approved, with the understanding that the signage of the establishment comply with all applicable laws. The motion was defeated, with Mr. Bass, Mrs. Rieffel, and Mr. Evans voting in favor; Mr. Gaugler, Mr. Grandis, and Ms. Moses voting in opposition; and Mr. Maggi abstaining.

Mr. Grandis moved, and Ms. Moses seconded, a motion to approve the terms of the agreement except there would be no sign identifying the type of entertainment. The motion was passed, with all commissioners voting in favor except Mr. Bass, who voted in opposition, and Mrs. Rieffel, who abstained.

The ANC then considered the request of Ms. Joanna Tyler for a

variance (BZA #15343) at 1727 21st Street. A resident of the area presented approximately 8 letters objecting in whole or in part to the proposed use. Those who objected were opposed to any conversion of residential property to commercial uses. Those who objected only in part were willing to have the building used as an art gallery. Ms. Moses moved, and Mr. Gaugler seconded, a motion that the ANC oppose this application. The motion was approved unanimously. Ms. Moses moved that the ANC support the application for art gallery use only. The motion failed for lack of a second.

Mr. Grandis moved, and Mr. Evans seconded, a motion that the ANC support the petition filed by Mr. Gaugler (acting as a private citizen) in opposition to the R Street Grille liquor license application. The motion was approved, with Mr. Grandis not present, Mr. Gaugler recused, and other commissioners voting in favor.

Mr. Bass moved, and Mr. Gaugler seconded, a motion that the minutes of the last meeting be approved. The motion was approved, with Mr. Magqi abstaining and all other commissioners voting in favor.

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Alaire Bretz Rieffel
Recording Secretary

[Date -- before 10/10/90]

Ms. Marlene Johnson
Chair
D.C. Alcoholic Beverage Control Board
614 H Street, N.W., Room 807
Washington, D.C. 20001

Draft

Dear Ms. Johnson:

At a duly noticed public meeting on September 26, 1990, the Dupont Circle Advisory Neighborhood Commission 2B voted to oppose Application No. 19473 of Edith Mae and Jesse L. Kitrell t/a Vegas Lounge, 1415 P Street, N.W. for a new Class "CN" Retailer's License. Although this establishment is located within Advisory Neighborhood Commission 2C, it is half a block from ANC 2B and would have a significant impact on residents in ANC 2B05 and 06. In protesting this application, we join the Logan Circle Citizens Association and ANC 2C.

Applicant's establishment, which does not currently feature nude dancing or other nude performances, requests a significant change in its license category. Nude or semi-nude performances and extended hours of operation are inappropriate for the establishment's location in a mixed-use residential area. While neighborhood organizations have worked to keep this area balanced between residential, office, and commercial interests and to promote a healthy diversity of uses, granting this license would be entirely the wrong signal to send about this area.

An establishment of the type applicant proposes, featuring nude adult entertainment, is not generally compatible with a residential neighborhood because it detracts from the peace, order, and quiet normally associated with areas where a substantial number of people live. Within one block of the establishment are large areas zoned R-5-B and -C on 14th and 15th Streets, N.W. These residential districts contain a number of large, well-maintained apartment buildings and individual residences. Residents can testify as to the detrimental effect "CN" licenses can have on the ability of residents to enjoy their homes and neighborhood, and to be free of untoward disturbance at night.

It is ironic that just at the time when nude ABC establishments have vacated the downtown commercial area of 14th Street, the Board is being asked to permit expansion into a mixed-use residential area further north on 14th Street. This is not a trend that the ABC Board should encourage. Granting this "CN" license now would be a bad precedent, particularly for a neighborhood that is currently reviving after 20 years of decline.

We join other community organizations in urging the Board to deny this "CN" license application.

Sincerely,

Jack Evans
Chairman
Dupont Circle Advisory Neighborhood
Commission 2B