

1743-55 N Street PUD
Chicago Bar & Grill
Lauren Condo
Rascals

Letters:
to: Zoning
re: 22nd & N Street PUD

**MINUTES OF THE FEBRUARY 27, 1991, MEETING
OF THE DUPONT CIRCLE ANC (ANC 2B)**

The Dupont Circle ANC held a regularly scheduled meeting on Wednesday, February 27, 1991, at 7:30 p.m. at St. Thomas Church. Commissioners Rieffel, Grandis, Taylor, Bass, Moses and Evans were present; Commissioner Gaugler was absent.

Chairman Rieffel called the meeting to order at 7:30 p.m. Crime reports were given by Sergeant Kenneth Ford of the Third District Police, and Lt. Gary Van Horn, of the U.S. Park Police. Third District Advisory Council Representative Larry Ray reported on progress made by the Council.

During the open forum, Mr. Mike Dwyer commented that Blockbuster Video had opened at the corner of 20th and S Streets, NW. Commissioner Grandis commented that the store's closing hour of midnight is inappropriate for a residential neighborhood and that the signage on the building is inappropriate for a historic district.

Commissioner Rieffel moved, and Commissioner Taylor seconded, a motion to adopt the minutes of the last meeting with the following amendments:

a) that a footnote be added correcting the ANC's endorsement of Laura Richards for the vacancy on the Zoning Commission, instead of the HPRB, as was incorrectly stated, and

b) that the minutes are corrected to state the ANC's support of BZA application #15459 for La Fonda Restaurant on the condition that their license reflect that they no longer use their dumpster on public space.

The motion was passed unanimously.

Under Commissioner reports:

Commissioner Bass moved, and Commissioner Grandis seconded, a motion that the ANC endorse legislation proposed by Councilmember Ray to amend

ABC Board policies to provide more timely notice of applications to ANC's and the public. The motion was passed unanimously.

Commissioner Taylor reported that at a recent Fine Arts Commission meeting, she had learned that the developers for the PUD at 22nd and N Streets, NW had not made the changes requested by the Zoning Commission to keep the penthouse and elevators of the project under the 65' limit.

Commissioner Taylor moved, and Commissioner Grandis seconded, a motion that the ANC send a letter to the Zoning Commission expressing the ANC's concern that the developers for the 22nd and N Street PUD have not yet fully complied with the Zoning Commission's contingencies for the project's approval. The motion was passed unanimously.

Commissioner Rieffel reported that ABC Board Chairperson Marlene Johnson had advised her that the ANC should not participate in the hearings regarding the renewal of Rascal's license because at this stage it is a "show cause" hearing and is now an issue involving the ABC Board and the Corporation Council.

Rascal's attorney, Steve O'Brien, who was in the audience representing Chicago Bar and Grill, reported that, as the result of a recent police investigation of Rascal's, five arrests were made involving Rascal's employees, who were selling cocaine to undercover officers. Mr. O'Brien stated that no one in direct management was apparently involved in the arrests, and that the hearings will be based on whether the establishment "knowingly permitted" the sale of drugs on its premises. In the order to show cause for the case, there are 18 counts, 16 of which are cocaine-related, and two of which involve indecent sexual acts, which Mr. O'Brien described as customers having contact with an entertainer and the entertainer fondling himself.

Issues:

I. Architect Richard Rosen made a presentation regarding the HPRB application for a PUD at 1743-55 N Street, NW.

Commissioner Rieffel moved, and Commissioner Taylor seconded, a motion to oppose the conceptual design of the proposed planned unit development at 1743-55 N Street for the following reasons:

- **In view of the pending consideration by the Zoning Commission of the Dupont Circle Development Overlay plan, action by the HPRB is premature. Zoning Commission action may prohibit the development of any planned unit development at this site or may require such substantial changes that the HPRB will be required to repeat the conceptual design review process. In either event, the result will be wasteful of the resources of the HPRB, and ultimately of the taxpayer.**

• The proposed design is not in the public interest, will not enhance the historic district, and is not compatible with the historic district because:

- The massive scale of this project will overwhelm the surrounding area.
- This block has many unique qualities; nothing other than faithful restoration is appropriate.
- This project will transform the residential atmosphere of the block into a commercial atmosphere.
- Other projects that have built large buildings behind facades have not been successful.
- This project would destroy the historic character of the block.

The motion was passed unanimously.

II. Attorney Steve O'Brien, representing the Chicago Bar and Grill, made a presentation regarding the ABC license renewal and class change from "C" to "CT" for the establishment. Also present were the owner, Mr. Norman Gross, and the establishment's night manager. Mr. O'Brien stated that the license is technically a new application because of the class change from "C" to "CT." Mr. Gross stated that the establishment is open from 5:00 p.m. to 3:00 a.m., 7 nights a week, and that on Sunday nights they are the only bar in town to host a party, which he later added was marketed directly toward Howard University students. Mr. Gross said that a special event is also given on Thursday nights.

A number of residents from the neighboring Lauren Condominium, 1301 20th Street, NW, were in the audience and expressed strong opposition to the license renewal. Mr. Myron Peck stated that a noisy traffic and loitering in the early hours of the morning; litter and public urination are constant problems because of the establishment's hours and clientele. Virginia Brown commented that even though the condo has hired security police (which Chicago Bar and Grill has agreed to pay for), the problems persist, especially on Sunday and Thursday nights. Other audience members noted that broken windows, gunfire and assaults are not uncommon occurrences around the establishment. All of the neighbors emphasized that Sundays and Thursdays are especially bad nights, but that the problems persist all nights of the week. Mr. Gross exhibited a flyer that is handed out to patrons of his establishment upon entering. The flyer encourages customers to respect the peace and quiet of the neighborhood when leaving.

Commissioner Evans moved, and Commissioner Taylor seconded, a motion that the ANC oppose the ABC license of Chicago Bar and Grill for the following reasons:

- 1) The hours that this establishment operates, from 5:00 p.m. to 3:00 a.m., 7 days a week, are totally inappropriate for its largely residential location.
- 2) Patrons of this establishment regularly drive through the neighborhood in early morning hours with loud music emanating from their vehicles, disturbing the peace of local residents.
- 3) Incidents related to public drunkenness, such as public urination, the breaking of windows and fighting occur on a regular basis around this establishment.
- 4) The Second District Police Department has reported that it has an "enormous" file on this establishment, which includes reports of serious crimes involving firearms and assaults.
- 5) The establishment boasts that it is "the only bar in town" to offer a Sunday night party, an event that attracts hundreds of patrons and results in a more intensified situation involving all of the above listed problems.

The motion was passed unanimously.

Before the meeting adjourned, residents of the Lauren Condominium were asked to stay to discuss the ongoing problem of zoning violations in their building. Most of the residents were in favor of the suggested 20% cap on professional offices in the building, but felt that their Condo Board was not doing enough to resolve the situation. Commissioner Evans offered his help in working with the residents and encouraged them to become involved with their Condo Association.

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

Respectfully submitted,

Nancy Melville
Staff Coordinator