

Letters:

To: ABC

Re: ABC Application No. 27107, 1602 17th Street, NW

To: ABC

Re: ABC Application No. 6254, 1813 M Street, NW

To: Public Space Division

Re: Public Space Application for Ambassel, 1910 18th Street, NW

To: SuperCrown

Re: SuperCrown neon lighting

To: Gary Burch, DPW

Re: Francis Pool Lighting

To: Gary Burch, DPW

Re: Covering old Dupont Circle underground entrances

MINUTES OF THE AUGUST 21, 1993 MEETING OF THE DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION 2B

The Dupont Circle ANC 2B co-hosted a D.C. Council Chair Candidates Forum August 21, 1993 at St. Thomas Parish. Candidates, David Clarke, Linda Cropp, Charlene Drew Jarvis, and Marie Drissel were in attendance. Candidate Fitzsimmons was invited to the Forum but was unable to attend due to work conflicts. Chairman Bass called the ANC 2B regularly scheduled meeting to order at 8:55 p.m.

Adoption of the Minutes

Ms. Shannon moved and Mr. Gamble seconded, a motion to adopt the minutes of the July 21, 1993 meeting of ANC 2B. This motion passed with Ms. Taylor in abstention.

Issues:

I. ABC Application No. 27106, 1602 17th Street, N.W.

The Applicants and their attorney, Michael Fonseca, were present at the meeting to discuss their plans to open a new restaurant at 1602 17th Street, N.W., formerly Dupont Szechuan. Mr. Fonseca began the discussion by stating that his clients have already begun work on cleaning the premises and hiring a pest-control company to spray for rats and insects. They have also made arrangements with a waste removal contractor to pick up garbage 6 times a week. The establishment will serve cajun style food. There are plans to use the outside patio area which will have 40 seats. Mr. Bass began by informing those in the audience that the ANC has been provided with an office from one of the applicants in the case and asked the Commission if they could make a non-bias decision on this case in light of the landlord/tenant situation. All the Commissioners answered yes, that they could.

Residents, Lex Rieffel, Marilyn Groves, Pat Steele, and others, who live near the premises gave a presentation stating their views as to why this application should not be granted. They cited reasons such as noise, litter, rats, inadequate parking, and the decline in residential values. The Applicants responded that they would be willing to negotiate on the hours of outside service and stressed the fact that they have already made arrangements to have the garbage hand-carried away 6 times a week. The Applicants said that they would be willing to work with the ANC and the community.

Ms. Shannon moved and Mr. Ray seconded, a motion that ANC 2B protest ABC Application No. 27106-91009P for the transfer of a Retailer's Class "CR" ABC license to Carmella Inc., t/at Carmella Kitty's Rock Garden, 1602 17th Street, N.W.

This protest is based on several unresolved issues, including the effect of this establishment on the peace, order, and quiet of the relevant neighborhood; adequate means of trash removal; noise issues related to sidewalk service of alcoholic beverages; and other concerns of the ANC and residents of the neighborhood. ANC 2B will work with the Applicants and the neighborhood residents in hopes that a voluntary agreement can be accomplished. This motion passed unanimously.

II. ABC Application No. 6254, 1813 M Street, NW

Applicants, Khaled Fayyad and Clinton Stack, were present at the meeting to discuss their plans to open a new restaurant at 1813 M Street, N.W., formerly Sabina's. The owners have agreed to enter into a voluntary agreement with the ANC not to offer nude entertainment at the establishment. The restaurant will serve Italian-American cuisine. The Applicants informed the ANC that they have already made arrangements with PMI Parking to offer complimentary parking for their customers. The Applicants are also remodeling the premises and have all the legal permits to do so. Their plans for the renovation were approved by the HPRB.

Mr. Holmes moved and Ms. Taylor seconded, a motion that ANC 2B support ABC Application No. 6254 for S & F Inc., t/a Que, for a new Retailer's Class "CN" license, 1813 M Street, N.W., with the condition that no nude entertainment will be offered, and the voluntary agreement will be incorporated into the issuance of the license. This motion passed unanimously.

III. Public Space Application for Ambassel, 1910 18th Street, N.W.

Commissioner Ray, within whose SMD this premises lies, began the discussion with the following motion:

Mr. Ray moved and Mr. Pagano seconded, a motion that ANC 2B oppose the public space application for a sidewalk cafe at 1910 18th Street, N.W. for the following reasons:

- 1) a sidewalk cafe is incompatible with the block because this establishment is surrounded by residential condominiums which will be greatly disturbed by noise;
- 2)

Many complaints and an investigation of violations of Ambassel's ABC license are pending before the ABC Board and no public space permit should be issued until these serious allegations are resolved; 3) Neighbors have registered complaints about litter and traffic related to this establishment's inside operations; 4) Applying for public space without notifying ANC 2B is in violation of the voluntary agreement signed June 1992; 5) Further, Ambassel promised during a neighborhood meeting in February that they would not expand in any way until the neighborhood complaints were resolved. Thus, ANC 2B believes that this public space application would be a violation of their promise to the neighborhood.

The ANC also heard from residents who live nearby 1910 18th Street, who voiced their opposition to the issuance of a sidewalk cafe permit. They cited Ambassel's violation of the terms of its voluntary agreement in regards to noise and litter. They also charged that the establishment has been operating as a nightclub and not a restaurant. Benjamin Chaplain, representative for Ambassel said that the ABC Board will decide whether or not 45% of sales at the establishment is generated by food sales. He also said that the Applicants believe that other restaurants in the area contributed to the noise problem. He went on to say that there is no evidence that the establishment is operating as a nightclub. However, it was pointed out to him that there are flyers posted in the area stating that there is a cover charge to enter the restaurant. Mr. Chaplain said he was unaware of that fact. Chairman Bass warned the licensee that violation of their "CR" ABC license and the voluntary agreement are very serious and would be pursued vigorously by the ANC. Mr. Ray's motion passed unanimously.

IV. SuperCrown

Mr. Holmes began the discussion by stating that SuperCrown maintains that the neon signs it has in its windows are not in violation of Historic codes and are legal. Mr. Holmes said that it appears that they are right. However, he requested that the ANC write a letter to SuperCrown representatives reminding them that they assured the ANC that there would be no neon lighting used.

V. St. Thomas Parish Community Day, September 19, 1993

Mr. Holmes informed the ANC that St. Thomas Parish is going to have a Community Day on Sept. 19 which will take place in the park outside the church. He asked if the ANC would be willing to co-sponsor the event to show its appreciation to the church for all it has done for the community. The Commission agreed to this idea and the attached resolution was moved by Mr. Holmes, seconded by Ms. Shannon, and passed unanimously. (see attached).

VI. Initiative 37

Representatives for Initiative 37 were present at the meeting to request the ANC's support for this initiative which would call for the disarmament of all nuclear weapons. The Commission thanked the representatives for coming.

Commissioner Reports

Mr. Ray reported that he has worked out a voluntary agreement with the Straits of Malaya in regard to their ABC Application for a "CT" tavern license which he has sent to the ABC.

Ms. Shannon reported on a meeting with Gary Burch of the Dept. of Public Works, regarding the covering of the old Dupont Circle trolley entrances and other capital projects.

Ms. Shannon moved and Mr. Gamble seconded, a motion that ANC 2B requests that the Dept. of Public Works move as expeditiously as possible, because of public safety and health concerns, to cover all eight entrances to the abandoned streetcar station beneath Dupont Circle. This motion passed unanimously.

Mr. Holmes asked whether or not this will affect the plans of Dupont Down Under to use the space under Dupont Circle. Ms. Shannon replied that the covers will be easily removable should the Dupont Down Under project go into effect.

Mr. Bass reported on a letter he received from the Dept. of Public Works and Mayor Kelly stating that the city has no plans to move pick up of recyclables back into alleys.

Mr. Gamble reported that the trash can in front of People's Drug store on 17th Street has been replaced as requested by the ANC at it's July 18 meeting.

Mr. Holmes reported that the Zoning Commission granted St. Matthew's a 2 year extension until 1994. He went on to say that the Tabard Inn and the Residential Action Coalition have filed for an appeal.

Mr. Holmes moved and Mr. Bass seconded, a motion that ANC 2B donate \$200 to defray the cost of this appeal. This motion passed unanimously.

Mr. Holmes also gave a financial report; and said that expenses are as budgeted. He said that in September, the ANC could look into the possibility of giving out community grants.

Mr. Holmes moved and Ms. Taylor seconded, a motion to adopt the 3rd quarterly report of ANC 2B and send it to the D.C. Auditor's office. This motion passed unanimously.

Ms. Taylor reported that she and John Ralls, of Councilmember Jack Evans' office, hope to meet with Pride, Inc. representatives to discuss plans for next years Pride Day event.

Open Forum

A resident voiced his dismay at high-intensity lights from Francis Pool which shine

directly into his apartment and make sleep impossible. He asked the ANC to request that the lights be turned off until a solution to this problem could be found. Mr. Gamble said that he spoke with Gary Burch of DPW and Carol Hill Lowe of Parks and Recreation and they are aware of this problem. Ms. Taylor said that she would like to write a letter to Mr. Burch stating that although the ANC is happy with pool, it is aware of this resident's complaint regarding the lighting and would like to find a solution immediately.

The meeting adjourned at 11:05 p.m.

Respectfully submitted,

Martha T. Shannon

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Secretary, ANC 2B