

Letters:

To: Mayor Kelly
Re: ABC Appointments

*add letter T Buzgop
Rabelais*

To: ABC
Re: Reissuance Pan Asia

To: ABC
Re: Ambassel - managerial contract

To: Public Space
✓ Re: Ruth's Chris Steak House (III pg 3)

To: PSC
Re: Payphone 1810 Florida Avenue

MINUTES OF THE MAY 25, 1994 MEETING OF THE DUPONT CIRCLE ANC 2B

The Dupont Circle ANC 2B held a regularly scheduled public meeting on May 25, 1994 at St. Thomas Parish. Commissioners Bass, Shannon, Taylor, Holmes, Pagano and Ray were present. Vice Chair Taylor called the meeting to order at 7:40 pm.

Introduction of the Commissioners

Adoption of the Minutes:

Commissioner Taylor asked that a section of the minutes on page three be amended as follows: Where the minutes read, "...the community wants the festival" "wants" should be changed to "supports", and add "...and she reminded the Commission that this is an interim compromise until another site can be found." This move is noted and approved.

MOTION

Ms. Shannon moved and Mr. Ray seconded a motion to adopt the minutes of the May 11, 1994 meeting of the Dupont Circle ANC 2B, as amended. This motion passed unanimously.

ISSUES:

I. Commissioner Ray introduced the representatives of the managerial contract group - Bossanova, Erin Mara, Amanda Hallowell, and Chris Isaacson, contractors with Ambassel 1910 18th Street, NW. ~~Commissioner Ray said in July of 1992 the ANC 2B entered into a~~

Commissioner Ray said in July of 1992 the ANC 2B entered into a Voluntary Agreement with the Ambassel. In March of 1993 ANC 2B issued a warning to the Ambassel to conform to the terms of this agreement. In April 1993 ANC 2B filed a complaint which resulted in a show cause hearing in April 1994. This show cause hearing resulted in a \$500 fine and a five day suspension of Ambassel's ABC license. In April 1994 the ANC protested the reissuance of the ABC license for the Ambassel because of the pattern of violations of the Voluntary Agreement. Mr. Ray said he filed a complaint with the ABC office about live music and dancing which is in violation of the terms of the Ambassel's license. Mr. Ray said that the representatives of Bossanova were considering entering into a managerial contract with the Ambassel and would speak of that. Erin Mara said that Bossanova had been hired by the Ambassel to manage the first floor of the Ambassel. She said that she did understand Ambassel had problems with the neighbors with regard to noise and supposed ABC violations. However, we are working for Ambassel to create a real restaurant on the first floor. Mr. Ray said that in fact the neighbors and the ANC do support a restaurant at this location but the problems are with existing and on going violations by the Ambassel. He said the problem is that the restaurant is attaching itself to the liquor license that is under complaint. Mr. Bass asked if the current ABC license permitted dancing. Ms. Mara said that her understanding is that the "CR" license does permit dancing. Mr. Bass asked what changes Bossanova was planning for the operation. Ms. Mara said that they were changing the cuisine and the interior. Mr. Bass said that it requires approval of the ABC Board to change the cuisine as did the change in a trade name. Ms. Mara said that this was not her understanding. Mr. Bass said that her understanding was incorrect. Ms. Mara said that the Ambassel would continue to manage the second floor. The following motion was made by Mr. Ray seconded by Mr. Bass and approved unanimously. The ANC 2B opposes the substantial change being proposed by Three Guys, Inc. t/a Ambassel Retailer's Class "CR" (App. No. 31077) respective to the restaurant managerial contract with "Bossanova" on the following grounds:

1) A managerial contract (involving, as here, new cuisine, new trade name, and different clientele) constitutes a "substantial change" within the meaning of Section 505 of the regulations, requiring an amended application to and approval by the Board before the change is implemented.

2) This establishment has already made a substantial change to its operations without Board approval by providing live music and patron dancing, neither of which is permissible under their current approved "CR" license. These violations were noted by ANC 2B in a May 16, 1994 letter to the Board. Before another substantial change (managerial contract) occurs, the Board should require an application be filed by the licensee to request permission to provide live music and patron dancing as required by Section 505, and should forbid the licensee from providing this entertainment until the Board has approved it.

3) This licensee is currently the subject of a protest to

its license reissuance for consistent violations of ~~the existing~~ ^{The peace, order & quiet of} ~~Voluntary Agreement~~ ^{The neighborhood} (noise problems from music and patrons), as well as entertainment not authorized by its license. This protest stems from the adverse impact on the neighborhood of the unapproved and illegal activities noted in #2 above. The Board should therefore refrain from approving any new substantial changes to the license until the unapproved live music/dancing substantial changes are resolved.

II.

Commissioner Taylor introduced Arminda Valles of the Peoples Council. Ms. Valles reported on the cases pending between the peoples Council and the utility companies before the Public Service Commission. She said that if any member of the audience had problems with the utility companies they could not resolve they could ask the Peoples Council to review the problem as their advocate and the Peoples Council will review the situation and assist citizens in resolving the problem. A representative of PEPCO said that Washington, DC had some of the lowest rates in the country.

✓ III.

Commissioner Ray present a letter distributed to the commissioners concerning DCCA's protest of enclosure of public space at Ruth's Chris Steak House and introduced John Webenson the architect for Ruth's. Mr. Webenson presented his plans for the proposed outdoor cafe. Ms. Shannon said the issue was not with the design but with constructing an enclosed structure on public space. Mr. Bass said that the design may fit the technical definition of a sidewalk cafe, but his definition is one where a cafe contributes to the ambiance of the urban streetscape and street life and that this design is the exact opposite in that it closes off the public space to the use of the public. Mr. Bass said that the design looks like an extension of Ruth's.

Mr. Ray moved and Mr. Pagano seconded to oppose the proposed plan sidewalk cafe at Ruth's Chris Steak House because it appears to be a permanent structure on public space. ANC 2B, as a general rule, is in favor of open air cafes if they do not disturb the peace and quiet of nearby neighbors, are safe, and compatible with the neighborhood. In addition, the Ward 2 Plan, section 1200.218AB gives specific preference to unenclosed cafes and in this ANC 2B is following the Ward 2 plan. The motion was approved unanimously.

IV.

Commissioner Pagano introduced Mr. Ron Vassel president of Firehook Bakery, who gave a preliminary presentation regarding probable location in the Mooring Building at 19th and Q Streets, NW. Mr. Vassel said that most of the baking would be done in Alexandria and that there would be no wholesale distribution from the Q Street location. The operation would be strictly retail with counter style seating for 24 and carry-out. He said the operation would generate about 15 jobs for the area and that all deliveries

would be made by station wagon between the hours of 8 and 12 AM. The business would only be using the first floor and there would be no outdoor cafe.

COMMISSIONER REPORTS

Commissioner Shannon reported that the application for the public phone at 1619 17th Street, NW was withdrawn. The Comprehensive Sanitation Program is slated to begin in our area, west of 16th Street on June 6. She will put application of the Italian Kitchen for use of public space for an outdoor cafe on the agenda for the June 8 meeting.

Commissioner Ray said that he has done a first draft of a letter to be sent to the Chief of Police concerning police visibility, and monitoring and vacancies and that he would like to delay the approval of this letter until the next meeting to give the Commissioners an opportunity to review it and comment. He has also sent copies of it to Captain Boggs and Griffith to get their input.

NEW BUSINESS

MOTION

Dennis Holmes moved and Ms. Taylor seconded a motion to approve up to \$250 to move the ANC office. The motion passed unanimously.

OLD BUSINESS

Commissioner Bass said that he has a Voluntary Agreement with New Japan t/a Sushi Taro 1503 17th Street, NW. He asked the commission to approve this Voluntary Agreement.

MOTION

Mr. Bass moved and Mr. Holmes seconded to approve a Voluntary Agreement be entered into with Sushi Taro 1503 17th Street, NW. The motion was approved unanimously.

Mr. Bass said that there is a problem with trash, waste disposal, and rodent infestation at the Pan Asian Restaurant at 2020 P Street, NW.

MOTION

Mr. Bass moved and Ms. Taylor seconded to protest the reissuance of a Class "CR" license Appl. no. 28155 for Capitol Restaurant Alliance t/a Pan Asian, 2020 P Street NW because of the adverse impact on the peace, order, and quiet of the neighborhood due to improper trash and waste disposal and rodent infestation. The motion passed unanimously.

MOTION:

Mr. Bass moved and Mr. Holmes seconded a letter

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to the Mayor urging her not to reappoint Mary Eva Candon and James O'Dea to the new ABC Board. This motion passed unanimously.

MOTION

Mr. Ray moved and Ms. Shannon seconded to oppose the installation of a pay phone at 18th and Florida Avenue NW because there are several pay phones within sight of this address and adjacent addresses are under scrutiny by the police, DCRA, and the ANC based on multiple drug arrests and unpaid housing and sanitation code violation fines, and serving as sites for trespassing. The motion passed unanimously.

The Commissioners briefly discussed complaints about trash and vagrancy at the Cafe Rabelais. Mr. Pagano said the problem is that the owners are not united as to what they want to do with the property. However, they are not going to renew the existing lease. The meeting adjourned at 10:00pm.

Respectfully submitted,

Martha Shannon
Secretary, ANC 2B