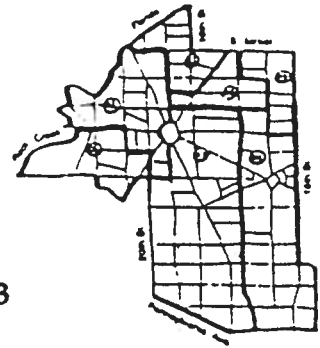




**DUPONT CIRCLE  
ADVISORY NEIGHBORHOOD COMMISSION 2B**  
The Dupont Down Under Mall  
1900 Massachusetts Avenue, NW  
Washington, DC 20036



Telephone: (202) 82 ANC 2B [822-6222]      Fax: (202) 822-6223

Letters:

- To: ABC Board
- Re: Dupont Italian Kitchen expansion
  
- To: Inspector Barnes, 2D
- Re: thank you for response to hate crime in Dupont Circle
  
- To: Eleanor Holmes Norton
- Re: monitor and review response of Secret Service Police to hate crime
  
- To: Treasury Secretary Rubin
- Re: request report on hate crime investigation
  
- To: Fire Chief Otis Latin
- Re: report on why treatment not offered after hate crime
  
- To: ABC Board
- Re: Burro Restaurant, 1615 Connecticut
  
- To: Public Space
- Re: Burro II Restaurant, 1134 19th St. NW
  
- To: Dept. of Public Works
- Re: status of stop signs at 20th & N Sts.
  
- To: Dept. of Public Works
- Re: parking meters/signage after Dupont Circle/Conn. Ave. reconstruction
  
- To: Dept. of Public Works
- Re: pavement markings in Dupont Circle after reconstruction

**MINUTES OF THE JULY 10, 1996 PUBLIC MEETING OF ADVISORY NEIGHBORHOOD COMMISSION 2B**

The following commissioners were present: Fernandez, Haransky, Jackson, Pitsor, and Heller.

**COMMISSIONERS**

- |                                       |                  |  |                   |                                    |  |                |
|---------------------------------------|------------------|--|-------------------|------------------------------------|--|----------------|
| 01 Brad Haransky<br><i>Vice-Chair</i> | 02 Stephen Smith | 03 Jonathan Heller<br><i>Treasurer</i> | 04 Donald Jackson | 05 Erik Wemple<br><i>Secretary</i> | 06 Henry Fernandez<br><i>Chairperson</i> | 07 Kyle Pitsor |
|---------------------------------------|------------------|--|-------------------|------------------------------------|--|----------------|

## ADMINISTRATIVE MATTERS

Mr. Jackson noted that the correct spelling for the name of the owner of the Elite Restaurant is "Dornas." The minutes were then passed unanimously as corrected. Mr. Heller distributed the Second Quarter Financial Statement. It was approved unanimously.

Mr. Fernandez proposed that ANC 2B and the Dupont Circle Citizens Association jointly sponsor a public forum for city council candidates in place of the August meeting. This event has occurred during August in years when there was an election. DCCA has already indicated they were interested in the joint effort. Mr. Jackson moved and Mr. Fernandez seconded that ANC 2B and DCCA sponsor a public forum for city council candidates on Wednesday, August 14, 1996 in place of the regular ANC meeting. The motion passed unanimously.

Mr. Jackson reminded the commissioners that the Dupont Down Under office arrangement is becoming less reliable. In discussions with John Fanning, the Mayor's Ombudsman for Ward 2, it was suggested that ANC 2B investigate sharing the office space used by ANC 2F at 1400 Q St. NW. Although it is outside the ANC 2B boundaries, it is in a former city school and there would be no rental fees. Mr. Fernandez appointed Mr. Jackson to review the space and to move quickly at securing a new office space in case a move became necessary.

## POLICE CRIME REPORTS

Sargent Hilton Burton gave the statistics for the Third District. Although crime increased 4.6% overall, theft from autos and robberies are both down. A resident asked about drug activity in 1800 block of S Street. He had visited 3D Office to complain and has not noticed any responses. Sgt. Burton recommended that as many residents as possible call to report the activity. Because of the staff reductions in the police department priority is given to those incidents that are reported by multiple citizens. A resident asked about citing trash companies that pick-up dumpsters before 7 am. This responsibility was given to the Department of Public Works. A bill is before council to return the enforcement ability to the Police Department and the audience was encouraged to write city council to pass the bill.

Sargent Dignon gave the statistics for the Second District. Robberies and theft from auto are both down compared to June last year. Stolen autos are up in 2D as in the city as a whole and thefts were up for the same period. He invited Lt. Haransak of the Park Police to give his report since there was a jointly resolved incident to report.

Lt. Haransak introduced Officer Andy Kness who is permanently assigned to Dupont Circle and the P St. Beach. His regular shift is Tuesday through Saturday, noon to 8 pm. In the month that he has been assigned he has recorded 76 violations, mostly drug violations and assaults. He also reported that plans were progressing for the renovation of the comfort station.

On July 1 at 5:30 pm there was a Hate Bias Crime in Dupont Circle. The perpetrator made references to the victims sexual orientation before the assault. The Secret Service was the first to

arrive at the scene. They made no arrests and made no report. When 2D arrived they did make an arrest. Sgt. Dignan (2D) noted that all officers receive in-service training monthly that includes hate bias issues and that failure to respond to a hate crime is not tolerated at 2D. Lt. Haransak indicated that incident occurred on Officer Kness' day off. The Park Service also receives monthly training and considers hate crimes a serious offense. Mr. Fernandez inquired whether the Park Police had been notified of the incident. Lt. Haransak indicated that they were not notified by the 911 service.

Mr. Ken Ludden, one of the victims, was introduced and described the incident. He indicated the Fire Department suggested immediate medical attention to their wounds, but only offered the supplies for cleaning their wounds, but would not assist them. The Fire Dept. personnel also lied about having called an ambulance. Mr. Ludden and Mr. Lavoie had to walk to George Washington University Hospital for treatment. The only person that offered to help them was a young woman in the Circle. Mr. Ludden has researched responses to a number of Fire Department calls and determined this was not the first such case. He commended the 2D police on coming to the hospital to further investigate the incident.

Dr. Fernandez asked for the names of the officers who responded to the call. He then requested that a thank you letter be sent to Inspector Barnes at 2D thanking Officers Kenneth Carter and Brian Curtis for their quick, decisive action. The motion passed unanimously. Dr. Fernandez then moved and Mr. Pitsor seconded that the following letters be sent regarding the July 1 crime: 1) to Treasury Secretary Rubin asking why the Secret Service did not report the incident, 2) to Eleanor Holmes Norton requesting that she monitor and review the response to this incident by the Secret Service police and 3) to DC Fire Chief Otis Latin asking why there was no treatment offered to the men at the scene of the incident. Mr. Robert Meehan, a member of the EMS Planning Team requested a copy of the letter to Chief Latin for discussion during the team's next meeting. The motion passed unanimously. Mr. Ludden further commended the officers from 2D for their help despite the fact they had no gloves and Mr. Lavoie was bleeding seriously.

## PUBLIC FORUM

- 1) Mr. Tom Breckinridge and Ms. Karen Lightfoot of St. Thomas' Parish made a presentation on an effort by the Washington Interfaith Alliance to increase community involvement in reducing crime. They requested ANC support in proposing that the (Dupont Circle) area around St. Thomas' Church be one of the initial target areas. Commissioner Pitsor requested that issue be continued during new business.
- 2.) Mr. Peter Rosenstein, (1545 18th St.) a resident, made a request that the ANC stop making it difficult for businesses in the city. He cited the closing of Dupont Down Under as an example.

Ms. Pam Taylor pointed out the current ANC is much more business friendly than the previous ANC (of which she was a member) although DCCA is very supportive of small neighborhood business. The primary concern in objecting to some businesses in residential areas is proper use of alcohol.

- 3) Ms. Debbie Hanrahan announced that a Flower Sale to benefit clean-up efforts at Stead Playground would be held every Wednesday from 5-7 pm in front of Prego Secondo.

#### COUNCILMAN EVAN'S OFFICE

Michelle Sedgewick reported that the Council begins a recess on July 17. There will be no public meetings until September. Any legislation not passed by the recess must be reintroduced. Ms. Sedgewick indicated that on the next period council will review a new Public Benefits Corporation that would merge DC General Hospital and public health clinics. Mr. Heller asked the status of the noise bill. Mr. Haransky inquired if the noise bill covered dumpster pickups before 7 am. She responded there was a decibel range in the bill, but was not aware of specific incidents, just the decibel levels. A resident asked about the potential council action concerning the problems at the Real Estate Assessment Office detailed by the Post that day. Ms. Sedgewick indicated that since this fell under the Committee of the Whole, chaired by Dave Clarke most likely an oversight hearing would be held.

#### ISSUES:

**Burro Restaurant, 1615 Connecticut Avenue** Mr. Tony Brown, owner, appeared to request support of a Class DR liquor license (beer and wine, on premises only). Zelda Zeldan expressed concern that additional liquor sales in that block would add to the on-going problem with trash and rats in the alley behind the east side of Connecticut Ave. Mr. Brown reported that he currently has bottled beverages, but agreed to secure the trash receptacles. Mr. Fernandez moved and Mr. Pitsor seconded that we send a letter to Department of Public Works investigating the trash problems in the area bounded by 19th, Q, and R Streets and Connecticut Ave. The motion passed 4-0-1 with Mr. Heller abstaining.

Mr. Heller moved that we send a letter to the ABC Board supporting the DR license for The Burro Restaurant provided that the trash containers be secured. It was seconded by Mr. Pitsor. Pam Taylor of DCCA reported they were not opposed. Mr. Heller's motion passed unanimously.

**Burro II Restaurant, 1134 19th Street** Mr. Tony Brown, owner, appeared to request approval for use of public space for an unenclosed outdoor cafe. Mr. Jackson noted that previous restaurants at this location had used the space for a cafe and that due to other adjoining sidewalk cafes, opposing the use of this space would not help pedestrians in any way. Mr. Pitsor confirmed the material to be used to separate the cafe space from the adjoining alley on the south side. Mr. Brown responded that he would not be using the post and rope in the drawing, rather leaving the existing wood divider fence. Mr. Pitsor moved, and Mr. Fernandez seconded, that we support the application for use of public space by The Burro according to the diagrams presented and dated 2/1/96 with the deletion of the post and chain. The motion passed unanimously.

**Operation of Dupont Italian Kitchen** Mr. Fernandez placed this item on the agenda because of calls he received about the restaurants expanded operation (to include the entire second floor). The specific complaints were use of a balcony at the south end of the second floor, use of the

center door on 17th St which was to have been for emergency use only, and the use of the name *Windows* for the new bar area, rather than the name of the restaurant. Mr. Heller reviewed the approval process for the expanded operation. Presentations were made to the ANC in September and approved by the ANC in December 1995. The ANC voted to support the expansion. Neighbors then protested at the ABC Board hearings. Mr. Heller indicated that the added expenses may now require changes in business' operation or additional marketing of the space and that some of the changes may be normal operations. He hoped that all discussions would be open minded and congenial throughout.

Michael Askarinam was given the floor to respond. Michael feels that all complaints to the expansion were initiated by DCCA. He reminded everyone that the moratorium on 17th Street was designed to control trash, traffic, and noise. He did not feel that his new bar area would be contributing to any of these problems and neither did the ABC Board. He chose the name *Windows* because of the second floor location and he did not want the bar to be referred to by the restaurant's initials thus, becoming the DIK Bar. The license covers all spaces he uses and a common kitchen serves both floors. Thus, it is one establishment, regardless of the name. He indicated he has an occupancy permit for the whole second floor and thought the balcony (only 4' x 15') was included. Regarding the use of the additional door, it is the more logical approach and customers prefer it to the other stairs. He was surprised that so much is being made of something as basic as a door.

Mr. Robert Meehan commented that Michael's testimony to the ANC and the ABC Board that the outside door would be for fire use and that the second floor would be one space was a fabrication because he found a barricade between the restaurant and bar spaces. Michael did not follow through and should have been honest with his intentions from the start. Ms Pam Taylor reminded us that the moratorium prohibited additional licenses and that it appeared he was running an business. Ms. Zelda Zeldan indicated she had been a customer since the expansion. She waited at the bar upstairs and was called when a table was ready. Her experience indicated the new space was an expansion, as approved, not a separate business. The new space is quiet and an asset to the community. A resident Chuck Bradshaw commented that it was a good establishment with a mixed clientele and that DCCA's objections were homophobic and need to be stopped. Dave Newhouse appreciated the new space because it is quiet unlike other bars on 17th street and that he had seen food served at the bar.

Keith Kreiger rebutted Mr. Meehan's comments by indicating the barricade between the restaurant and bar was simply an oriental screen. Eric Flam (of the Mercury Grill) did not see use of the name *Windows* as a separate business, only a nickname for the bar at Dupont Italian Kitchen. Larry Ray made [REDACTED] comment about DCCA being too selective in its support of neighborhood establishments and that it was not democratic. He commended Mike on the new space.

Mike Fasano complemented the ANC on allowing the interaction because it is a healthy exercise. He felt the issue to be discussed was the presentation of a plan and the follow through by Dupont

Italian Kitchen. It appeared to him Michael did not follow through and this is regrettable and sets a bad precedent. Mr. Chito Padilla expressed his personal conflict with the issue. He realized that Michael's actions could impact future decisions for other establishments. He encouraged businesses to realize that changes must be reasonable. Anne Scanlon indicated that Michael's original presentation seems disingenuous in light of what actually exists now. Mr. Duncan Foley felt that people were slandering Michael's character. Despite all the attacks he has remained sturdy person. We all have to adapt plans occasionally and we should be more understanding.

Mr Heller indicated he was initially upset and felt that Michael's original presentation was an attempt to avoid protest filings. Unfortunately that did not work and now we have to look for more common ground. Mr. Jackson indicated that no one has questioned how nice the new bar is or made any complaints about the general operation. However, the problem for him was that the credibility of the 17th Street merchants has now been called to question. It will make future decisions more difficult. Mr. Pitsor commented on the symbiotic nature of the neighborhood and the need for notice of changes in action plans by businesses to possibly avert discussions like these. We all need to work together to live together. Mr. Haransky indicated he is in a precarious situation. As a gay man use of the name DIK Bar was cute and not an issue for him, but he would like to have had notice of any changes from the presentation. People asked how a new bar opened in the moratorium zone and was caught totally off guard. He must now decide when to stop trusting businesses. We need to maintain integrity in our relationships.

Michael responded that he had recalled ads using the name *Windows*. Bruce Johnson, a (new) partner in Dupont Italian Kitchen, indicated he would no longer be opening businesses in this part of the District because DCCA is too polarizing. Debbie Hanrahan expressed concern that this is an example of the beginning of "moratorium creep" and that the ANC has been duped. More businesses will follow this example. We should either end the moratorium or fully enforce it.

Mr. Fernandez commented that after reviewing the minutes of the meetings we must decide if a substantial change from the presentations was made by Dupont Italian Kitchen. He moved and Mr. Heller seconded, that we send a letter to the ABC Board asking that an investigator review Dupont Italian Kitchen's operation in the following areas to determine if substantial changes were made: 1) use of the balcony, 2) use of the additional door on 17th Street as an entrance to the bar, and 3) marketing the name *Windows* although the owner has agreed to stop using it in the future. Mr Pitsor stated the issue was whether the expansion was being operated consistent with the 1995 presentation, not whether the operation represented a substantial change. Also, if Michael agreed to no longer use the name *Windows* and that the additional door would not be used as a primary entrance, Mr. Pitsor would not find the operation objectionable. Michael offered to never put a sign on the door with either name, but said it would remain unlocked. The motion passed 4-1-0, with Mr. Pitsor against.

## COMMISSIONERS REPORTS

Mr. Heller asked that a letter be sent to Dept. of Public Works asking for the status of the stop

signs we requested be placed on 20th Street at N Street. He asked that the Street Repair Division at Public Works be sent a letter asking that after the sidewalk reconstruction street signs and parking meters around Dupont Circle not be placed in tree boxes to prevent damage to the trees. Mr. Heller asked that the latter group also be sent a letter asking that when the repaving of Dupont Circle is complete it be marked in a manner as equally explicit as Logan Circle.

Mr. Jackson indicated that discussions are on-going with the auto repair shop at 1525 15th St and with ANC 2F regarding neighborhood complaints of its operation.

Mr. Fernandez reported that the Goals 2000 Report (on education reform) was complete and had been given to the mayor and the Superintendent of Schools.

Mr. Pitsor moved that we provide WIN (from Open Forum) with a letter supporting their anti-crime efforts in the Dupont Circle area and that we would look forward to helping them enlist participants. It was seconded by Mr. Jackson and passed unanimously.

#### OLD BUSINESS

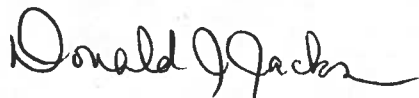
Michael Askarinam of Dupont Italian Kitchen informed the ANC that some ads had already gone to press with the name *Windows* and that they could not be recalled. The ANC indicated they understood he would need time to change such items.

#### NEW BUSINESS

Mr. Phil Mendelsohn gave an overview of his candidacy for the Democratic primary as an At-Large Council member.

The meeting was adjourned at 10:10 pm.

Respectfully submitted,



Donald Jackson