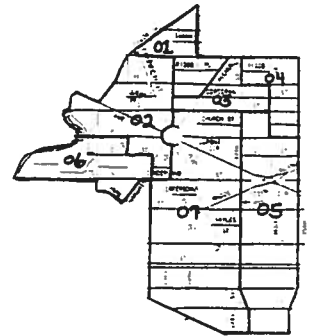




**DUPONT CIRCLE  
 ADVISORY NEIGHBORHOOD COMMISSION 2B  
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**Letters**

To: ABC Board  
 Re: H.H. Leonards

Minutes of the August 6, 1997 Meeting of the Advisory Neighborhood Commission 2B (ANC 2B).

Mr. Pitsor called the meeting to order at 7:30p.m. Commissioners Jackson, McRaney, DeHart, Cary and Newton were present.

Mr. Pitsor said the tentative agenda for the August 6, 1997 meeting were duly posted. He said he wished to defer the review of the July meeting minutes until September 10.

**ADMINISTRATIVE ISSUES**

**MOTION**

Ms. DeHart moved and Dr. Carey seconded a motion to include Mr. Donald Jackson, ANC 2B Secretary, as a third signatory for checks for the ANC. The motion passed unanimously.

**ISSUES**

Mr. Pitsor said the issue under consideration is the application for a CX license by H. H. Leonards Associates t/a the Mansion on O Street, 2020 O Streets. He said the application was filed in July and the ANC received notice in late July. He said there is a role call hearing scheduled for September 3 and all requests, objections, or petitions have to be filed by August 19, and protestors have to be present at the September role call hearing before the ABC Board. Mr. Pitsor said this has been a contentious issue in the neighborhood for some years. He said as to the procedure the commission would be first hearing from the applicant and then from the audience. Mr. Pitsor read the relevant points of the legislation governing the issue of CX licenses. Mr. Pitsor said if H.H. Leonards succeeds in obtaining a CX license they will be able to serve liquor for no more than 208 days, the license is not transferable to another person or place that is zoned residential. Mr. Pitsor said that the establishment applied for a liquor license in 1993 and that application was protested by the previous ANC, neighborhood organizations and residents. He said

**COMMISSIONERS**

SMD 01  
 Laine McRaney  
 Vice Chair-Communications

SMD 02  
 Stephen Angle

SMD 03  
 Francine Cary  
 Vice Chair-Operations

SMD 04  
 Donald Jackson  
 Secretary

SMD 05  
 Meredith De Hart  
 Treasurer

SMD 06  
 Marilyn Newton

SMD 07  
 Kyle Pitsor  
 Chair

the ABC Board did grant the license in December of 1993. He said that granting of the license was appealed and was reversed in July 1995 and the license was revoked because the establishment did not qualify as a private club. He said this reversal was reaffirmed in November of 1995. Mr. Pitsor said the applicant filed a motion to reapply with a back dated application and in February 1996 the Corporation Counsel (CC) advised against granting the motion, however the ABC Board did grant the motion in March of 1996. Mr. Pitsor said the CC then went to the court of appeals and asked the ABC action be remanded and the court agreed. He said that in June of 1996 the ABC Board voided the application and the license at that time.

Mr. Pitsor introduced Mr. Stephen O'Brien, attorney for H.H. Leonards, who introduced Ms. H.H. Leonards. Ms. Leonards said she is the president of H.H. Leonards Associates, a non-profit corporation whose activities take place at 2020 O Street. She said she wanted to create an establishment which would meet the ideals of her generation, where people could gather to enjoy art and exchange ideas. She said this business has operated at 2020 O Street since 1980 and she has given many fundraisers for various organizations. Ms. Leonard said the mansion is her home as well as her livelihood. Mr. O'Brien said that he felt a satisfactory resolution to the problems over the application can be reached if all parties would be willing to cooperate. He said from his side that he and his client are willing to be candid about what the situation is and what they want and that he and his client would be willing to sit down with the commission and any body else from the neighborhood to address the concerns. Mr. Pitsor asked Mr. O'Brien if he had a statement about the terms of the permit application. Mr. O'Brien said the most significant feature of the application is the legislation limits the number of events per year to 208 functions. He said aside from that there is no radical departure in the philosophy of the mansion. Mr. Pitsor asked if all the buildings that had been purchased by the corporation would be part of the operation and club. Mr. O'Brien said there are permits pending now to license 2024 O Street as a rooming house. Mr. Pitsor said that H.H. Leonards had recently purchased 2016 O Street with a group called Potomac Group Liability and asked if this would be part of the operation. Mr. O'Brien said there was no relationship. Mr. Pitsor said that he asked this as the growth of the operation over the years has been part of the contention with the issue.

Ms. McRaney asked what neighborhood organizations use or have benefitted by the mansion. Mr. Bothwell, a member of the mansion and president of the Dupont West Citizens Association, said he has benefitted from membership in the Mansion by using it for monthly meetings of the DWCA. He said the mansion has also helped by promoting the Orange Hat Patrol, assisting with street cleanups, and helping with yard sales that benefit the neighborhood association. Mr. Goldman of 2013 O Street said he and his wife are members and considered the Mansion to be good neighbors. Mr. Bothwell said the DCCA has also used the Mansion for house tours.

Mr. Jackson asked what were the number of patrons permitted and what were the permitted hours of operation as clarified on the application. Mr. O'Brien said what the law stipulated. Mr. Jackson said it was customary to give that information. Ms. Leonard said the hours were 8a.m. until 2am. and the occupancy was 200. He said if there was a problem with the hours they would be willing to negotiate. Ms. McRaney asked Mr. O'Brien what days the Mansion would not be open, and is there not an alternative licensing for serving alcohol on particular days. Mr. O'Brien said the limit of 208 days is established by the Mansion when they are doing their bookings and there are day licenses, but there are no standards which govern the granting or denial of these licenses. He said it is an administrative problem as one-day licenses are not intended to be applied for on an ongoing basis. He said the Mansion needs an ongoing ability to serve its guests.

Ms. McDoran of 2023 N Street said her property backs on 2020 O Street and she considers the traffic in the alley is a problem. She said that the Mansion, which is residential property and now is being run as a commercial venture is creating problems in alley usage and parking. She asked Ms. Leonard why if the legal capacity of the Mansion is two hundred persons why she advertises that she has a capacity for 600, and if this is a private club what are the limits on the people that are being served. She asked Ms. Leonard if she paid commercial taxes. She asked where do patrons park. Mr. Pitsor said he didn't want this time to be a question and answer format, but for residents to express their concerns are at this point. Mr. Pitsor said the role of the ANC is to assess whether the license is appropriate given the requirements of the ABC statute, not to decide if the license should be granted.

Ms. Eastment said she did have some questions for the purpose of clarification. She said that although the mansion has been around for 17 years it has only been incorporated since 1992 and does that mean that the mansion has been serving alcohol illegally for 14 years. She said if you look at the articles of incorporation of H.H. Leonards from 1992, which states the purpose to be to identify and bring together business, professions, and civic leaders to build and foster a network of communications. She said this sound like a networking organization and she is confused about this. Ms. Eastment said she is a neighbor and has nothing against the facility, but she asks the ANC not to support a liquor license, and that the ANC advises the Board not to grant the license for the following reasons: 1) it is not appropriate as the area is residential and that the operation is of a size that it is not really a private club which has an occasional reception, that it is an ongoing business that continues to grow, 2) H.H. Leonards is changing the character of the neighborhood because of congestion of traffic, delivery trucks and the lack of available parking. Mr. Jim Astranick, a resident of 1311 Hopkins Street, said that trucks have damaged the brick wall around his property because the trucks are too big to get down such a narrow alley. He said he called Ms. Leonard and told her of the problem and she said she had spoken to the delivery people, but it was very difficult to control. He

asked the ANC to oppose the issuance of a liquor license.

Mr. Tony Teal, who presently lives at 2031 Q Street and formerly lived at 2021 O Street, said he is in favor of the application and regrets that there is a dispute about the application. He said the reason to live in D.C. is because it is exciting and interesting not because it is quiet. He said he feels that the Mansion is a major asset to the neighborhood. He said H.H. Leonard spends \$25,000 in property tax. (He was reminded that she doesn't pay tax because she is non-profit and tax exempt). Mr. Rothrock, a resident, said he has never seen any of the problems with the Mansion that have been mentioned. A resident said he is a member of the club and that the Mansion is a good alternative to the bars in the area. Ms. Terry Lubarb, a resident, said she has seen buses and parties at all hours of the day and night. She said that H.H. was her friend for many years and she was at one time supportive of the mansion. She said she does not want to live across the street from an establishment with a liquor license. She said she wants a quiet street, not one with a bar with valet parking across the street. She said she is not opposed to the existing bed and breakfast, but does not want an establishment serving liquor. She said that here husband had a dispute with a tour bus driver who insisted on parking illegally on O Street. Mr. Lex Reafel said he supports liquor licenses when there is a benefit to the community, but here there is no benefit. He cited the Sulgrave and Cosmos Clubs and said that these places didn't advertise. He said as H.H. Leonard's expands residents have fewer houses in which to live. He said the neighborhood has spent thousands of dollars on helping the city cope with these kinds of enterprises and the money could be better spent.

Mr. Jim McGrath of the Bay State Tenants Association said his organization was in support of H. H. Leonard. He said that H.H. has contributed to the Summer School, and in other ways has benefitted the neighborhood with her philanthropic endeavors. He said that O Street is an isle of tranquility, unlike 17th Street which is like Coney Island. Mr. McGrath asked the ANC to re-affirm the City Council's Vote. Mr. Pitsor said as a point of clarification the vote that Mr. McGrath referred to is the vote on the legislation that would make it possible for H.H. Leonard to apply.

Mr. Dudley Cannada said he has been attending events at the mansion for about 13 years. He said many of those events at that time were sponsored by H.H. He said many neighborhood organizations have met there in the past. He said that the mansion has been on the Dupont Circle house tour twice. He said that she saved the house tour, and was one of the first people to sponsor an AIDS fundraiser.

Ms. Pam Taylor, a resident, said that the neighbors don't deny the positive things that H.H. has done for the neighborhood. She said the problem is the growth of the enterprise makes it much bigger than the small private club that it states is its intent. She said it is a reception hall and operates on a continuous basis, not with

occasional club functions. She said that in the neighborhood little by little the residential quality is being lost by the presence of various businesses moving in and expanding. She said it is a club operating in conjunction with a commercial business and doesn't belong in Dupont Circle.

Mr. George Whelan of 2019 N Street said the incursion of commercial enterprises in residential areas has a serious impact on the entire Dupont Circle area. He said the merits of the individual case aren't really the question, the question is, does the business in question fit any of the templates worked out for commercial enterprises in residential areas. He said it is important to protect the residential quality of residential areas. He said the reason it is important to maintain a standard for approaching the issues of residential only neighborhoods is that residential and commercial areas abut all over Dupont Circle. He said the fabric of the neighborhood ultimately is based on the credibility and integrity of land use plans. He said the expansion of H.H.'s enterprise is incompatible with the neighborhood.

Mr. Tom Eastment said that the expansion of H.H. Leonard's enterprise has gotten noisy over the years.

Ms. Marilyn Groves of DCCA said that she wanted it on the record that when the mansion was on the house tours there was no ABC issue. She said that DCCA is opposed to an issuance of a liquor license.

Mr. Brad Haransky, a former ANC Commissioner said he voted against the issuance of CX licenses when he was a commissioner.

A resident said the granting of a liquor license would create traffic problems. He said when there is a function at the mansion now the valet parkers can't keep up with the volume of cars. He said that further he feels that H.H. has never negotiated in good faith or been honest in here dealing with the neighbors.

Mr. Bill Wasserman, a club member, member of the association board, and resident of Chevy Chase, said there have been many very beautiful moments at the mansion. He said the Board is willing to talk to people who have concerns.

Mr. Dave Young, a resident, said the issue is clear cut, it is a residential neighborhood and a liquor license is inappropriate. He said the city doesn't need more liquor licenses, especially in residential neighborhoods.

Mr. Jonathan Heller, a resident, said that the ANC should use the standard criteria in determining its position on the application, that is problems with pedestrian safety, trash, noise, and the peace, order, and quiet of the neighborhood.

A resident said that Mr. McGrath called O Street a isle of tranquility, but Mr. McGrath lives on 17th Street and if he lived

on O Street he would see how tranquil it is with the valet parkers racing to get cars parked. He said his experience has been when ever the neighbors tried to negotiate with H.H. Leonards they don't cooperate, don't return calls, etc. He said the application has been overturned three times and that says a lot.

A resident said he was opposed because of the high volume of traffic that would be generated. He said he has already seen problems of that nature associated with the mansion, long lines of cars, and double parking. He said that he feels H.H. Leonard has not negotiated in good faith with the neighbors in former instances.

Mr. Bothwell said there is a law in place which allows H.H. to apply for CX license. He said that offers have been made to sit down and discuss, compromise, and negotiate with protestants to come up with a Voluntary Agreement, and if the ANC find the VA unacceptable after attempted negotiations there would be the option to not use it. Dr. Cary asked if the applicant was willing to withdraw their application. Mr. Pitsor said it was necessary to vote on the application in order to meet the roll call deadline of the ABC Board, and thereby have a part in the ABC process. Mr. O'Brien said the application was three months into a six month process so it would not be practical for them to withdraw, he said they could suspend the prosecution process to negotiate with the ANC. Mr. Pitsor asked if the commissioners had any comments. Ms. DeHart asked if H.H. wanted to operate a private club and have a liquor license why didn't she chose an appropriate location, and why not consider relocating at this point in that there is so much opposition to the application and legal problems involved. Mr. O'Brien said that because of the large amount of money put into the mansion over the years neither option would be a good alternative. Dr. Cary said her vote would be based on the impact of an expanding commercial enterprise in a residentially zoned area that has been granted an exception and an exemption. She said a question she is asking herself is why are exceptions granted in some cases and not others, what is the criteria for granting an exemption, and whose interests are being served. She said another criteria is a non-profit status and a for-profit status. Mr. Jackson said he is sympathetic to the nuisance created by the increase in traffic and noise based on his experience of living across the street from the Jewish Community Center (JCC). He said functions at the JCC have created problems with noise, congestion of traffic, and parking. He said that buses have parked on Q Street although it is illegal. He said the buses have parked there even though the JCC has asked them not to. He said that the bus companies are contracted and hard to control. Mr. Jackson said the scale of the enterprise has grown too large to be in a residential neighborhood. He said he will vote in opposition to the issuance of the license for reasons of peace, order, and quiet.

Mr. Pitsor said the ANC is to consider the appropriateness criteria as listed in the ABC Statute respective to the issuance of a

license. He said of a lot of the concerns have to do with is this a private club or commercial enterprise that wants a liquor license. He pointed out that benefits to the community were cited, however the benefits of a liquor license issued to a private club would be to the members and guests of the club. He said the issues that concern him are the impact to the peace, order, and quiet and the impact on parking and these need to be addressed at the ABC hearing. He said he welcomes the opportunity for dialogue. He said in order to participate in the process the ANC has to take a formal position and protest the license. He said that is the only way for the ANC to preserve its right to be a player in negotiations.

Ms. Newton said she thought the meeting had been a good forum to hear comments from both sides of the issue.

MOTION

Ms. Newton moved and Mr. Pitsor seconded ANC 2B oppose the issuance of a Class CX liquor license for H.H. Leonard t/a The Mansion on O Street, 2020 O Street because 1) further ABC licensed establishments in this area will adversely affect the peace, order and quiet of the nearby residents and surrounding neighborhood, 2) vehicular traffic including commercial deliveries would be increased and parking for residents will be decreased to the detriment of residents if the license is issued, 3) issuance of this license will contribute to an over concentration of ABC licensed establishments in the area, and 4) issuance of this license in an R5D residential zone will impair the intent, purpose, and integrity of the residential zone plan and land use elements. The motion passed unanimously.

The meeting adjourned at 9:30p.m.

Respectfully submitted,

Donald Jackson, Secretary  
ANC 2B, Dupont Circle