



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Dupont Circle Advisory Neighborhood Commission 2B

Regular Meeting Minutes

Wednesday, May 10th, 2023; 7:00 p.m.
Online via Zoom

Call to Order

The regular May 2023 meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chair Meg Roggensack at 7:02 pm.

Introduction of Commissioners

The Commissioners identified their single member districts (SMDs). Present were: Meg Roggensack (2B01), Jeffrey Rueckgauer (2B02), Vincent Slatt (2B03), China Dickerson (2B04), Z Stein (2B05), Matt Johnson (2B06), Patricia Bencivenga (2B07), Zach Adams (2B08), and Christopher Davis (2B09).

Adoption of the Agenda

Commissioner Rueckgauer moved to adopt the ANC's meeting agenda. Commissioner Adams seconded the motion, which was voted on and passed (VOTES:9-0-0).

Announcements and Public Comments

Update from the Office of the Tenant Advocate Regarding the Work of the Office

Nicole McEntee, a Program Analyst for the Office of the Tenant Advocate (OTA), gave an update regarding the work of the office.

Commissioner Announcements

Chair Roggensack and Commissioners Johnson and Rueckgauer gave commissioner announcements.

Committee Updates

Commissioner Davis, Chair of the ANC's Land Use Committee (LUC), and Commissioner Rueckgauer, Chair of the ANC's Mobility Committee (MC), gave committee updates.

Reports from DC Government Representatives

Christopher Powell, a Ward 2 representative for the Mayor’s Office of Community Relations and Services (MOCRS); Victoria Casarrubias, the Scheduler and Office Assistant for Councilmember Brooke Pinto’s Office; and Lieutenant Timothy Beirne, a representative for the Metropolitan Police Department’s (MPD) Second District, gave DC Government reports.

Other Public Announcements and General Comments or Future Agenda Items

Susan Volman, the President of the Dupont Circle Citizens Association (DCCA), and Nick DelleDonne, the President of the Dupont East Civic Action Association (DECAA), gave other public announcements and general comments or future agenda items.

Land Use Agenda

Zoning Commission Application for Text Amendments to Subtitles I, X, Y, and Z for Rules of Practice and Procedure, Resulting in Proposed Changes to Zoning Procedures that Will Affect Public Participation, Notice to ANCs, Racial Equity Analysis Requirements, and Appeals of Zoning Decisions

Commissioner Davis moved to adopt a proposed resolution regarding the matter. Commissioner Rueckgauer seconded the motion, which was voted on and passed (VOTES: 8-0-1). The resolution reads as follows:

ANC 2B supports the Office of the Attorney General for the District of Columbia’s (OAG) proposal as part of the Zoning Commission application for text amendments to Subtitles I, X, Y, and Z for Rules of Practice and Procedure.

Alcoholic Beverage and Cannabis Control Board Agenda

City Tap House – Application for a Substantial Change to the Establishment’s Retailer’s Class “C” Restaurant License at 1250 Connecticut Avenue NW

Commissioner Stein moved to adopt a proposed resolution regarding the matter. Commissioner Slatt seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

WHEREAS, City Tap House, located at 1250 Connecticut Avenue NW in single member district 2B05 of ANC 2B, holds a Retailer’s Class “C” Restaurant license,

WHEREAS, the applicant has operated at this location since 2017 without notable incident,

WHEREAS, City Tap House has applied for an entertainment endorsement to offer live entertainment inside of the establishment between 11:00 am and 2:00 am on Sundays through Saturdays,

WHEREAS, it is believed that such indoor entertainment should not adversely affect the neighborhood, as the nearest residences are more than a block away, and

WHEREAS, many other establishments within two blocks of City Tap House are permitted to offer entertainment.

THEREFORE, BE IT RESOLVED that ANC 2B supports City Tap House's application for an indoor entertainment endorsement for its license.

BE IT FURTHER RESOLVED that ANC 2B requests, if the endorsement is approved, that the establishment's settlement agreement be revised to include the allowed hours for indoor entertainment.

Krave Restaurant & Lounge – Application for a New Retailer's Class "C" Tavern License at 1736 Connecticut Avenue NW

Chair Roggensack moved to adopt a proposed resolution regarding the matter. Commissioner Rueckgauer seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

WHEREAS, Krave Restaurant & Lounge has applied for a new Retailer's Class "C" Tavern license at 1736 Connecticut Avenue NW in single member district 2B01 of ANC 2B,

WHEREAS, the applicant seeks operating hours of Sunday, 11:00 am to 12:00 am; Monday through Tuesday, closed; Wednesday through Thursday, 11:00 am to 12:00 am; and Friday through Saturday, 11:00 am to 2:00 am; and alcoholic beverage sales/service/consumption hours of Sunday, 11:00 am to 11:45 pm; Monday through Tuesday, closed; Wednesday through Thursday, 12:00 pm to 11:45 pm; Friday, 12:00 pm to 1:45 am; and Saturday, 11:00 am to 1:45 am,

WHEREAS, the applicant seeks an entertainment endorsement, including dancing, with hours of Sunday, 4:00 pm to 12:00 am; Monday through Tuesday, closed; Wednesday through Thursday, 9:30 pm to 12:00 am; Friday through Saturday, 10:00 pm to 2:00 am,

WHEREAS, the applicant seeks a cover charge endorsement,

WHEREAS, the applicant has indicated desire to apply for a valet parking permit, and

WHEREAS, the applicant has requested that ANC 2B supports a stipulated license to permit operation.

THEREFORE, BE IT RESOLVED that ANC 2B welcomes and encourages new businesses in our neighborhood and supports the issuing of a stipulated license for operating a Retailer's Class "C" Tavern without endorsements.

BE IT FURTHER RESOLVED that ANC 2B protests Krave Restaurant & Lounge's license application based on the adverse impact on the peace, order, and quiet of the neighborhood, to be withdrawn upon the acceptance and order by the Alcoholic Beverage and Cannabis Board of a settlement agreement between ANC 2B and the applicant, to establish a harmonious relationship with the neighborhood.

Amparo Fondita (Dupont) – Application for a New Retailer's Class "C" Restaurant License at 2002 P Street NW

Commissioner Rueckgauer moved to adopt a proposed resolution regarding the matter. Commissioner Johnson seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

WHEREAS, Amparo Fondita (Dupont) has applied for a new Retailer's Class "C" Restaurant license at 2002 P Street NW in single member district 2B02 of ANC 2B,

WHEREAS, the applicant seeks inside operating hours of Sunday through Thursday, 7:00 am to 1:00 am; and Friday through Saturday, 7:00 am to 1:30 am; and inside alcoholic beverage sales/service/consumption hours of Sunday through Thursday, 8:00 am to 1:00 am; and Friday through Saturday, 8:00 am to 1:30 am,

WHEREAS, the applicant seeks an alcoholic beverage carry-out and delivery endorsement with hours of Sunday through Saturday, 8:00 am to 1:00 am,

WHEREAS, the applicant seeks an indoor entertainment endorsement with hours of Sunday through Thursday, 10:00 am to 11:00 pm; and Friday through Saturday, 10:00 am to 12:00 am,

WHEREAS, the applicant seeks a streatory endorsement with operating hours of Sunday through Thursday, 7:00 am to 11:00 pm; and Friday through Saturday, 7:00 am to 12:00 am; and alcoholic beverage sales/service/consumption hours of Sunday through Thursday, 8:00 am to 11:00 pm; and Friday through Saturday, 8:00 am to 12:00 am, and

WHEREAS, Amparo Fondita (Dupont) will feature Mexican cuisine and entertainment, which will be for the enjoyment of guests dining and occasional private events such as birthdays, weddings, corporate events, and holiday parties.

THEREFORE, BE IT RESOLVED that ANC 2B supports Amparo Fondita (Dupont)'s license application as submitted.

BE IT FURTHER RESOLVED that ANC 2B protests Amparo Fondita (Dupont)'s license application based on the adverse impact on the peace, order, and quiet of the neighborhood, to be withdrawn upon the acceptance and order by the Alcoholic Beverage and Cannabis Board of a settlement agreement between ANC 2B and the applicant, to establish a harmonious relationship with the neighborhood.

Alero Restaurant – Application to Transfer the Establishment’s Retailer’s Class “C” Restaurant License from 1724 Connecticut Avenue NW to a New Location at 1629 Connecticut Avenue NW

Chair Roggensack moved to adopt a proposed resolution regarding the matter. Commissioner Bencivenga seconded the motion, which was voted on and passed (VOTES: 7-0-2). The resolution reads as follows:

WHEREAS, Alero Restaurant, currently located at 1724 Connecticut Avenue NW in single member district 2B01 of ANC 2B, holds a Retailer’s Class “C” Restaurant license,

WHEREAS, the establishment has operated at 1724 Connecticut Avenue NW for more than twenty years without complaint from the neighborhood,

WHEREAS, the establishment is proposing to relocate to 1629 Connecticut Avenue NW,

WHEREAS, there are no changes sought to the terms of the license, and

WHEREAS, a settlement agreement was approved for a former occupant of the 1629 Connecticut Avenue NW space and it remains applicable to successor occupants.

THEREFORE, BE IT RESOLVED that ANC 2B supports the transfer of Alero Restaurant’s license from 1724 Connecticut Avenue NW to 1629 Connecticut Avenue NW.

BE IT FURTHER RESOLVED that ANC 2B supports the issuing of a stipulated license to permit the establishment to continue operation at the 1629 Connecticut Avenue NW location without interruption.

BE IT FURTHER RESOLVED that ANC 2B will work with the establishment to review and, as may be necessary, to revise the existing settlement agreement to accommodate differences between the new and former business formats.

Mad Hatter – Application for a Substantial Change to the Establishment’s Retailer’s Class “C” Tavern License at 1321 Connecticut Avenue NW

Commissioner Rueckgauer moved to adopt a proposed resolution regarding the matter. Commissioner Stein seconded the motion, which was voted on and passed (VOTES: 9-0-0). The resolution reads as follows:

WHEREAS, Mad Hatter, located at 1321 Connecticut Avenue NW in single member district 2B05 of ANC 2B, holds a Retailer’s Class “C” Tavern license,

WHEREAS, the applicant has operated at this location since 2009, and in the Dupont Circle neighborhood since 1981,

WHEREAS, Mad Hatter, like most restaurants and taverns in DC, continues to struggle financially due to the adversity caused by the pandemic and the uncertain economic climate,

WHEREAS, Mad Hatter has submitted a substantial change application to increase the occupancy of its premises from the current 224 people to 495 people,

WHEREAS, the current Certificate of Occupancy declares occupancy of 224 people and an increase must be approved by the Department of Buildings in order for the Alcoholic Beverage and Cannabis Board to grant the request,

WHEREAS, ANC 2B has not been advised by neighborhood residents of violations of the establishment's settlement agreement, other concerns, or reasons to oppose this request, and

WHEREAS, ANC 2B at this time does not know what the Department of Building's decision will be regarding the Certificate of Occupancy and what new allowed maximum occupancy will be granted.

THEREFORE, BE IT RESOLVED that ANC 2B supports Mad Hatter's substantial change application to increase occupancy from 224 people to not more than 500 people, pursuant to the issuance of a corresponding revised Certificate of Occupancy.

BE IT FURTHER RESOLVED that ANC 2B requests that the Alcoholic Beverage and Cannabis Board advises the ANC if a revised settlement agreement between the establishment and the ANC is advisable in order to reflect the decision on occupancy and to bring conditions in line with the current enforceability standard.

Administrative Matters

Approval of the ANC's Regular April 2023 Meeting Minutes

Commissioner Rueckgauer moved to approve the ANC's regular April 2023 meeting minutes. Commissioner Johnson seconded the motion, which was voted on and passed (VOTES: 9-0-0).

Approval of the Creation of an ANC Working Group Regarding Administrative Matters Requiring Additional Deliberation Outside of the Scope of Existing Committees

Commissioner Slatt moved to approve the creation of an ANC working group regarding administrative matters requiring additional deliberation outside of the scope of existing committees. Commissioner Johnson seconded the motion, which was voted on and passed (VOTES: 9-0-0).

Approval of an Increase in the ANC Executive Director's Salary

Chair Roggensack moved to approve a \$100 a month increase in the ANC Executive Director's salary. Commissioner Rueckgauer seconded the motion, which was voted on and passed (VOTES: 9-0-0).

Adjournment

Chair Roggensack adjourned the meeting at 9:14 pm.