

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 3B
GLOVER PARK AND CATHEDRAL HEIGHTS

ANC3B Resolution on JP's Application for Substantial Change

Whereas, the Alcoholic Beverage Control Board ("Board") ruled on June 19, 2013, in response to ANC3B's request for reconsideration, that JP's ("Licensee") announced intention to use three table tops on the second floor and two raised platforms within private alcoves on the first floor as stages for nude dances expanded the performance area in the newly rebuilt JP's and therefore constituted a substantial change;

Whereas the Board thus recognized that these changes were likely to be of concern to the community;

Whereas the Board instructed JP's not to use the expanded performance areas, i.e., the five private-alcove and table-top stages, unless and until the Board approved a Substantial Change Application;

Whereas, JP's delivered a letter to the Board, date-stamped July 3, requesting "two (2) private alcoves, fully exposed, allowing for table dancing; three (3) tables for dancing on the second floor," a communication which did not meet the requirements of an application for substantial change, as described in D.C. Code Section 25-404(a);

Whereas despite the insufficiency of Licensee's July 3 communication, the Board apparently accepted it as an application for substantial change amendment and allowed Licensee to post placards on July 5 advising the community that those who object to the changes are entitled to be heard;

Whereas, ANC3B objects to the proposed substantial changes on the following grounds:

1. The use of private alcove and table-top stages for nude dancing is not appropriate for the community in which the Licensee will operate. These changes are not about expanded performance space but about a substantial change in operation. JP's operation will change from offering single-stage (one per floor), nude dancing performances in front of a seated, general audience of patrons, to the sale of private nude dances to individual patrons priced "in three-

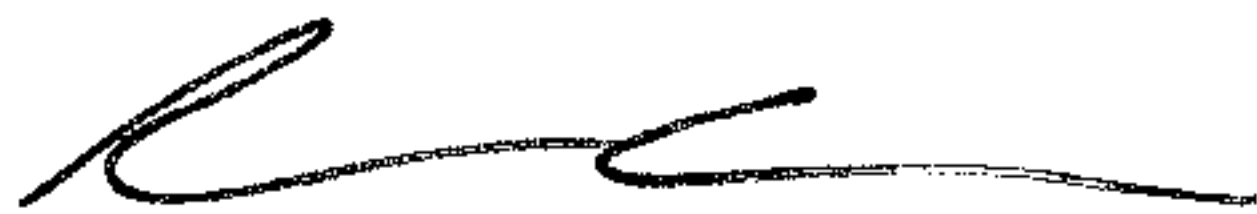
minute increments,” as Paul Kadlick told the Board on June 19. We contend that this change in operation threatens the peace, order and quiet of the community. D.C. Code Section 25-400.1(a) and 25-400.3.

2. The introduction of direct contractual dealings between individual dancers and individual customers may substantially increase the risk that nude performances will exceed the bounds of what is legally permissible. Additionally, the space limitations inside JP’s and in the private alcoves will make it impossible to enforce the law requiring that nude performances be “removed at least three feet from the nearest customer.” D.C. Code Section 25-372.

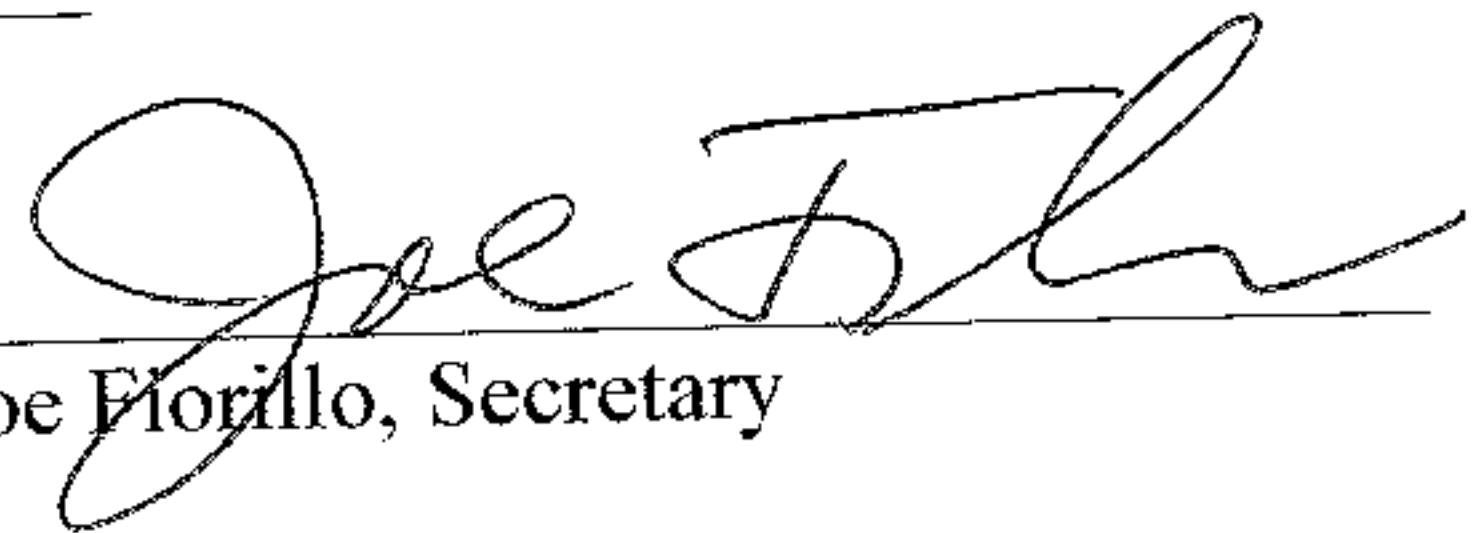
Therefore, ANC3B hereby resolves to oppose the changes sought by JP’s and to submit this resolution as its Protest against their approval by the Board. Further, ANC3B appoints Commissioner Jackie Blumenthal, in consultation with Chairman Brian Cohen, as its representative in this Protest.

The intent of ANC3B to act on JP’s Application for Substantial Change was duly announced and publicized to the community. The Resolution was introduced, discussed and voted on at a regularly scheduled meeting of ANC3B on July 11, 2013, at which a quorum was present.

The Resolution passed by a vote of 5 to 0.



Brian A. Cohen, Chairman



Joe Florillo, Secretary

July 11, 2013