

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



ANC – 3B Minutes
December 4, 2007

A quorum was established and the meeting was called to order at 7:05 p.m. by Vice-Chair Howie Kreitzman (acting Chair for the Dec/07 meeting) as Chair Melissa J. Lane was absent. The Chairman asked if there were any changes to the agenda. Commissioner Blevins moved to advance consideration of The Grog & Tankard's liquor license as item number one, under New Business. The amended agenda was moved and properly seconded and passed by unanimous consent.

The Commissioners present were:

3B01 – Cathy Fiorillo
3B02 – Alan Blevins
3B01 – Melissa Lane, *absent*
3B04 – Horace Kreitzman
3B05 – Brian Cohen

2nd District Police Report

Officer David Baker (david.baker@dc.gov or 410-610-5166) gave the police report. Officer Baker reported crime was down in November (PSA 204) by 21%. Officer Baker reminded community members present to keep their front doors locked and secure all objects outside their residences. Commissioner Fiorillo asked Officer Baker if the two massage parlors (addressed as follows) operating below Shade and Shutter (2134 Wisconsin Avenue, N.W.) and the other in the ProVideo store (2428 Wisconsin Avenue, N.W.) have been closed? When Officer Baker responded affirmatively, several community members present objected concurring, the latter has been closed but the former was still in business and appeared to be fully operational. Mr. Michael J. Papanicolas (owner of JP's) agreed saying the business was still operating as a massage parlor. Commissioner Cohen noted "Venus Spa" as it is called, was advertising in the City Paper and also in the sports section of The Washington Post. Commissioner Blevins noted he had passed by the "spa" on a recent Sunday evening and closed the opened front door, only to return a few moments later to find it reopened. Commissioner Blevins noted to the police: Shade and Shutter Shack was not open Sunday evenings. The police said they would investigate.

Old Business

Glover Park Liquor License Moratorium Status Update Chairman Kreitzman returned to the question of discussing the liquor license moratorium and reminded those present, the Commission would be considering its course of action at the January 2008 Public Meeting. Commissioner Blevins noted he had received a letter from Ms. Jackie Blumenthal, president of the Glover Park Citizens Association requesting the Commission not to amend the moratorium to allow more than an additional two (2) Class CR licenses. Further discussion and any action thereof will take place at the regularly scheduled public meeting of ANC 3B in January 2008.

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3B01
N. GLOVER PARK
KATHLEEN W. FIORILLO
SECRETARY

3B02
E. GLOVER PARK
ALAN BLEVINS

3B03
W. GLOVER PARK
MELISSA J. LANE
CHAIR

3B04
CATHEDRAL HEIGHTS
HORACE KREITZMAN
VICE-CHAIR

3B05
S. GLOVER PARK
BRIAN A. COHEN
TREASURER

New Business

Grog & Tankard Request for Liquor License Renewal Mr. Abdul Hossainkhal (owner) was present to request the Commission support for the Grog & Tankard's Class CT liquor license renewal application. It was noted Mr. Hossainkhal negotiated a new Voluntary Agreement with ANC 3B to receive the Commission's support. Commissioner Blevins introduced a resolution to support renewing the applicant's liquor license. It was properly seconded and passed unanimously (4-0).

Mural at 2440 Wisconsin Mr. Jarrett Ferrier reported on a request made to him by Mr. Doug Yurechko (Adams Investment) on painting a mural on the north facing building façade at 2440 Wisconsin Avenue, N.W. Mr. Ferrier, a well-known muralist in Glover Park with completed works, e.g., Pearson's Liquor and the Rocklands building on 37th Street, N.W., is a 10+ year resident of Beecher Street with children in Stoddert Elementary School.

Mr. Ferrier is excited about the opportunity to paint this particular façade because it is a highly visible location with a prominent visual presence - either walking or driving south on Wisconsin Avenue, N.W. Mr. Ferrier believes a well-thought-out and beautiful mural can add a sense of vibrancy to Glover Park, in addition to Washington, D.C. Mr. Ferrier asked representatives from the GPCA and the Commission to support the project. In addition, Mr. Ferrier will try to involve students from the Duke Ellington School for the Arts. Additionally, Mr. Ferrier will inquire with the DC Commission on the Arts and Humanities to learn about rules, funding availability, etc. and will return to the Commission to share his findings.

Art on Call Boxes Mr. Dean Hill of Beecher Street (and Treasurer of Friends of Glover Park) submitted a grant request to the Commission for \$2,000 to partially fund its Art on Call project, through Friends of Glover Park. This project will renovate nine (9) historic call boxes in Glover Park. Cultural Tourism of D.C. is the main sponsoring agency (grantor) for the project citywide and has asked neighborhoods to renovate their call boxes by October of 2008. It is understood costs will be reimbursed up to \$750/call box. Already, Friends of Glover Park has provided \$500 in seed money but needs additional funds to complete the project as a whole. Friends of Glover Park, as represented by Mr. Dean Hill, asked the Commission for \$2,000 grant for year 2007. Commissioner Blevins introduced a resolution to support the request. It was properly seconded and passed 3-0 (Commissioner Fiorillo abstained due to conflict of interest).

Surfside Grill (old Apollo Market) on Wisconsin Avenue, N.W. Mr. David Scribner introduced himself and is opening a new upscale "fast/casual" restaurant presently being built-out at the previous Apollo Market location. Mr. Scribner is a chef/restaurateur with ventures such as Dahlia's in Spring Valley and Jetties on Foxhall Road, N.W. Mr. Scribner's new venture Surfside will offer meals in the \$8-16 range with grilled meats and fish served over rice and/or noodles. There will be seating for approximately 50-60 people but it will mostly run as a carryout. An opening date in early spring 2008 is planned. Mr. Scribner will apply for a beer and wine license (Class DR). Commissioner Blevins asked whether the establishment was more towards a "fast-food" establishment v. a "restaurant." In addition, Commissioner Blevins also asked about trash collection and parking. Mr. Scribner replied he was presently looking into where trash would be contained/stored and felt inclined the establishment's customer base would most likely be take-out clientele, i.e. foot traffic.

Consideration of JP's and The Good Guys Liquor License Renewals

It is important to note for the record: two adult-orientated businesses (JP's and Good Guys) liquor license renewal applications came before the Commission for consideration at the same public meeting. In tandem with the ABRA considerations, tension between the public and these two establishments were considerably heightened due to certain circumstances stemming from an earlier and tragic incident in the latter establishment. This reality caused a significant public response and the meeting room was filled notably with persons in support and/or opposed.

JP's Request for Liquor License Renewal Mr. Michael J. Papanicolas (owner) of JP's was present to request and discuss the Commission's support in renewing JP's Class CN liquor license application. JP's has an existing Voluntary Agreement with the Commission.

Commissioner Blevins shared with those gathered he received significant input from the public regarding this matter. A majority of the correspondence received was in opposition to renewing these establishments' liquor licenses. Commissioner Blevins reported receiving 51-55 in opposition; to 7-10 in support (responses and/or constituent input), respectively. At this point, Commissioner Blevins introduced Mr. Papanicolas of JP's and Chairman Kreitzman opened the floor to public comment.

Ms. Jody Schwartz, Secretary of the GPCA, reported: while the GPCA did not send a formal letter to the Commission commenting on the organization's position to the applicant's renewals, the GPCA did not receive one email supporting renewing the establishment's license(s). Ms. Schwartz also commented she had personally been a victim of verbal harassment in front of one establishment. Ms. Schwartz expressed to the Commission her strong opposition to the renewal of both liquor licenses.

Mrs. Sophia Henry and Ms. Pat Clark added the community has tried for years to get rid of both JP's and Good Guys. Mrs. Henry stated in previous years: JP's has had their liquor license approved by the Commission with "intimidation, deception and manipulation."

Of counsel to Mr. Papanicolas stated: the establishment has good record with the ABRA and an unblemished record when it comes to ABRA violations. Additionally it was mentioned, since the introduction of the ban against smoking inside bars/restaurants has caused the establishment's smoking patrons and staff to congregate in front of their entrance. They continue to monitor their front sidewalk and ask patrons to take a walk rather than congregate.

Commissioner Cohen stated: the strip clubs were no longer appropriate businesses in the Glover Park Business District. Stressing he was very concerned about crime, women pedestrians being verbally harassed in front of JPs and the non-descript blank wall (façade) which is the front of the establishment. In addition, Commissioner Cohen read crime statistics for the location over the past five years: there have been 8 assaults and/or assaults with a deadly weapon at JPs. Within the past eighteen (18) months, five (5) of these assaults have occurred.

Commissioner Fiorillo stated: the establishments are legal operating businesses within the commercial district. Commissioner Fiorillo believes the Commission has no right to deny their liquor license renewals and the police statistics are questionable.

Additionally, there was an allowed time for other individuals in attendance to express their view and/or position in this matter and many opinions were expressed.

Good Guys Request for Liquor License Renewal Mr. Ben Zanganeh (owner) and counsel, Mr. Andrew J. Kline, Esq., were present to request and discuss the Commission's support in renewing The Good Guys Restaurant Class CN liquor license application. Good Guys has an existing Voluntary Agreement with the Commission.

Commissioner Blevins introduced Mr. Zanganeh who then distributed to the Commission a packet of letters of support, including a circulated petition and then addressed questions and/or concerns from those gathered. Again there were many individuals present who were not in favor of his establishment's liquor license renewal. And on a few occasions the interaction between the applicant and public was quite heated. Mr. Zanganeh and Mr. Kline fielded questions for quite some time.

Commissioner Cohen again cited crime statistics and noted a greater number of calls to the Good Guys location in contrast to JP's. Mr. Zanganeh explained many people on the strip, e.g., parking attendants in the rear parking lot, use his establishment's phone when they need police assistance.

Regarding the tragic incident in November 2007 when an angry patron was ejected from the establishment and returned to the premises and assaulted an employee of Good Guys by dousing the victim with gasoline and setting him on fire, Mr. Zanganeh said this was the action of a deranged man and could have occurred anywhere but, should not be a reflection on his establishment.

Commissioner Blevins stated Mr. Zanganeh had requested to negotiate a new Voluntary Agreement in consideration for the Commission to agree not to protest Good Guys liquor license renewal. In return, Mr. Zanganeh agreed to forego and cede his current expansion plans under the licensed period and add additional security personnel, and other concessions as listed in the attached Voluntary Agreement. At this point, Chairman Kritzman closed discussion.

Commissioner Blevins introduced a resolution to withhold support but not object to renewing **JP's** Class CN liquor license on the condition JP's and the Commission enter into a new Voluntary Agreement. The resolution was properly seconded. Commissioner Blevins requested a recorded vote and the Secretary called the role:

Commissioner Blevins <i>aye</i>	Commissioner Fiorillo <i>aye</i>	Commissioner Lane <i>absent</i>
Commissioner Cohen <i>nay</i>	Commissioner Kreitzman <i>aye</i>	

The resolution passed: 3 *ayes*; 1 *nay*

Commissioner Blevins introduced a resolution to withhold support but not object to renewing **Good Guys** Class CN liquor license, noting the establishment entered into a new Voluntary Agreement agreeing to drop its expansion plans and increase security (with additional concessions as recorded in the VA). It was properly seconded. Commissioner Blevins requested a recorded vote and the Secretary called the role:

Commissioner Blevins <i>aye</i>	Commissioner Fiorillo <i>aye</i>	Commissioner Lane <i>absent</i>
Commissioner Cohen <i>nay</i>	Commissioner Kreitzman <i>aye</i>	

The resolution passed: 3 *ayes*; 1 *nay*

Administrative:

Treasurer's Report: Commissioner Cohen moved the treasurer's report: for the month of September the Opening Balance was \$21,030 with Withdrawals of \$87.62 and Deposits of \$0.00 to equal a Closing Balance of \$20,938.23. Petty cash opened with \$169.31 less \$31.99 equals an ending balance of \$137.32. The resolution was properly seconded and passed by unanimous consent.

October and November Minutes: Commissioner Fiorillo moved the minutes for the October and November 2007 meetings. The resolution was properly seconded and passed by unanimous consent

Adjournment

Chairman Kreitzman asked if there was a motion to adjourn. One was made and properly seconded.

The meeting adjourned at 9:55 PM.