

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
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MEETING

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IN THE MATTER OF: :
 : Public Hearing
Adams Morgan Moratorium :
Zone Rulemaking :
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Thursday
July 13, 2023

The Alcoholic Beverage and Cannabis Board met via WebEx videoconference, Chairperson Donovan W. Anderson presiding.

PRESENT:

- DONOVAN W. ANDERSON, Chairperson
- BOBBY CATO, JR., Member
- EDWARD S. GRANDIS, Member
- JENI HANSEN, Member
- JAMES SHORT, JR., Member

ALSO PRESENT:

- KRISTEN BARDEN
- LESLIE DELAGRAN, Adams Morgan Resident
- TED GUTHRIE, Former ANC 1C Commissioner
- JULIE HUNTER
- DENIS JAMES, Kalorama Citizens Association
- JANE MASRI
- JOSE ORELLANA, DC ABCA Staff
- JEAN STEWART, Adams Morgan Resident
- PETER WOOD, ANC 1C03

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1 P-R-O-C-E-E-D-I-N-G-S

2 10:41 a.m.

3 CHAIRPERSON ANDERSON: So, the case at
4 hand, it's -- we have a public hearing. Good
5 morning again, everyone. We're here today to
6 take public comment on the renewal or expiration
7 of the Adams Morgan Moratorium.

8 By way of background, the Board voted
9 on February 1, 2023, to adopt emergency rules to
10 extend the existing moratorium. The initial
11 emergency rules expired on June 1, 2023, and the
12 Board adopted a second emergency rulemaking on
13 May 24, 2023.

14 The Board's adoption of the emergency
15 rules was necessary to allow sufficient time to
16 hold a public hearing and to receive comments on
17 the future of the moratorium. The emergency
18 rules expire on September 21, 2023.

19 Notice of this hearing was published
20 in accordance with D.C. Code Section 25-353 and
21 Section 25-354. The notice was also published on
22 the Agency website and to the D.C. Register on
23 March 24, 2023.

24 To date we have received a resolution
25 and testimony from the Advisory Neighborhood

1 Commission, ANC, and Adams Morgan Business
2 Improvement District, and the Kalorama Citizens
3 Association.

4 After hearing from persons who
5 notified the Board that they wanted to testify as
6 to this hearing, all others who are present will
7 be given an opportunity to testify.

8 Each individual is allocated five
9 minutes to speak as a matter of fairness so
10 everyone has a chance to address the Board.

11 You will see on the screen there is a
12 timer and this timer will alert you to the five
13 minutes that you have to speak. And, I'm asking
14 everyone to please adhere to the timer that is on
15 the screen.

16 The Board Members will then, so once
17 the -- once you testify, the Board Members will
18 then ask questions regarding the various
19 proposals.

20 If you have prepared written testimony
21 for today's hearing, and haven't already
22 submitted them, please email them to
23 abca.legal@dc.gov this morning.

24 All right. Good morning, everyone.
25 Mr. Orellana, -- I'm sorry, Mr. Orellana, can you

1 -- I have on the witness list though, can you
2 elevate the witnesses who are scheduled to
3 testify today?

4 And, if it's possible, can you place
5 the attendee list in the chat so the parties will
6 know the order I will be calling the names?

7 MR. ORELLANA: Sure. Denis James,
8 your access has been elevated. Jean Stewart,
9 your access has been elevated.

10 Julie, your access has been elevated.
11 Kristen Barden, your access has been elevated.
12 Leslie Delagran, your access has been elevated.

13 Peter Wood, your access has been
14 elevated, Ted Guthrie, your access has been
15 elevated. That is all, Chairman.

16 CHAIRPERSON ANDERSON: All right.

17 MS. STEWART: Hello, is it my turn?

18 CHAIRPERSON ANDERSON: No, ma'am.

19 Hold on a minute.

20 MS. STEWART: Okay. Sure.

21 CHAIRPERSON ANDERSON: All right.

22 Who's here from -- who's here from the BID? Is
23 there someone here from the BID?

24 (Off mic response.)

25 CHAIRPERSON ANDERSON: You are? Okay.

1 (Off mic response.)

2 CHAIRPERSON ANDERSON: All right. So,
3 the order I'm going to call, I'm going to start
4 off with Mr. Wood from the ANC.

5 Then I'll have Denis James. Then I'll
6 have Leslie Delagran. I'm sorry if I
7 mispronounce your name, ma'am.

8 Then I'll have Kristen Barden. Then
9 I'll have Ted Guthrie. And, then I'll have Jean
10 Stewart. So, that's the order I'll be calling --
11 I'll be calling the names.

12 If there's -- if there is someone, if
13 there is anyone else -- if there is anyone else
14 there -- hold on, I'm sorry.

15 If there's anyone else who wishes to
16 speak, please identify yourself through the chat.
17 Okay?

18 So, that's the order that I will be
19 calling on everyone. So, let's start with Mr.
20 Peter Wood from the ANC group. And, you have
21 five minutes to speak, sir.

22 MR. WOOD: Hi, good morning. Full
23 warning, I did not know we had five minutes. So,
24 this is going to be, may be a bit choppy. But,
25 I'll do my best.

1 And, I did send a fuller, more
2 thorough written testimony as well. So, that's -
3 -

4 CHAIRPERSON ANDERSON: So, that's
5 everything, sir.

6 MR. WOOD: Yes. So, there are some
7 more details. Good morning. My name is Peter
8 Wood. I am an Advisor Neighborhood Commissioner
9 representing Single Member District 103 in Adams
10 Morgan. And, I also serve as Chair of Adams
11 Morgan ANC 1C.

12 Today I come before the ABCA, ABC
13 Board to testify in favor of increasing the
14 maximum permitted number of Class A tavern
15 licenses within Adams Morgan.

16 This testimony I share today was
17 written by me. But, represents our entire
18 commission per a unanimous vote during our July
19 5, 2023, meeting.

20 So, the Adams Morgan Moratorium Zone
21 has had many iterations. But, the first began 23
22 years ago in July of 2000 when the ABC Board
23 ruled to impose a three year moratorium on
24 tavern, restaurant, and nightclub liquor licenses
25 involving the on-premises consumption of spirits.

1 According to the ABC Board Chair
2 Robert Woodson, quote, a moratorium is a type of
3 beginning, not simply an end. It is the
4 beginning of a period of self-evaluation and
5 perspective planning, to create more congenial
6 relations between commercial and residential
7 interests, end quote.

8 It is this spirit of risk assessment,
9 trial and error, and an adapting to an ever-
10 changing city that we on the Commission hope to
11 emulate.

12 Fast forward a little bit, and here we
13 are today. Real estate vacancies and high
14 business turnover persists. Progress has been
15 made in spite of that, but opportunity exists to
16 continue directing Adams Morgan toward an even
17 more robust future.

18 I'd like to now summarize the
19 questions and concerns ANC 1C addressed over
20 previous months and over, I think, exactly ten
21 different publicly held meetings to discuss this
22 with the community since December 2022.

23 And, I'll also go over some of the key
24 claims we've made in our resolution and as
25 corresponding discussion. And, what goals we

1 hope to see come to fruition.

2 So, our key questions and concerns.
3 First, retail diversity. What is the ideal mix
4 of business types in our neighborhood?

5 Second, how to prevent quote, bad
6 actors from persisting? What tools are
7 appropriate for ensuring businesses and their
8 customers benefit the community they exist
9 within?

10 Third, quality of life for need by
11 residents. And, this is not an exhaustive list,
12 but we covered things like the vacant storefronts
13 and business turnover, traffic patterns, parking
14 restraints, noise pollution, waste management and
15 rodent mitigation, pedestrian safety. Of course,
16 the list could go on, but I think those are the
17 big ones.

18 The key claims that we made within the
19 resolution that passed also unanimously, first,
20 that the moratorium zone has had detrimental
21 effects.

22 This is not to overlook how the
23 moratorium might have helped curtail dangerous
24 circumstances in its earlier days, or at least
25 did not worsen matters.

1 Instead, we see how a moratorium was
2 not necessarily the only factor at play during
3 that time. And, that two decades of extending
4 the tavern license moratorium has contributed to
5 a volatile business environment.

6 Second, not all alcohol vendors are
7 the same. And, ANC 1C pursues a diverse mix of
8 business types. We also have a realistic
9 understanding of what retail trends have occurred
10 over the past 20 plus years in Adams Morgan.

11 And, the goal to have a diverse
12 alcohol independent local economy is perhaps
13 laudable but has proven very difficult to
14 achieve. It's time we modify our expectations
15 slightly.

16 And third, other areas in D.C. have
17 demonstrated that moratorium zones are not as
18 desirable or effective as once thought.

19 Multiple neighborhoods, including
20 nearby U Street, have seen moratorium proposals
21 fail or are considering recommendations to alter
22 or eliminate current moratoriums. We believe
23 this context is worth considering.

24 Now, our key goals. First, increase
25 the limit of tavern licenses allowed. It is

1 worth clarifying that our recommendation of
2 raising the limit to 25, was an arbitrary line
3 drawn out of compromise.

4 Additionally, calling for a limit to
5 how many new licenses can be issued each year is
6 an attempt to avoid the sudden rush of taverns.

7 Most of our discussions since December
8 2022, has been between whether to fully support -
9 - support fully removing a tavern license cap
10 entirely, or raising the cap modestly. Our
11 resolution represents a middle ground to that
12 position.

13 Second, ABCA ideally with support from
14 other D.C. government agencies, will hold
15 establishments more stringently to certain
16 agreements and strategically increase penalties
17 to promote stricter adherence to those
18 agreements.

19 We need to acknowledge definitely that
20 liquor licenses are not the only factor in the
21 neighborhood's commerce. And, in some cases, are
22 merely a tangential element.

23 This highlights to keep law in the
24 D.C. system. Not enough agencies carry out
25 effective enough enforcement, and ABCA is left,

1 often left alone to try. We support enforcement
2 and wish to see sufficient resources dedicated to
3 this.

4 And, third, continue current policies
5 regarding nightclubs and restaurants. We support
6 renewing the moratorium on nightclub liquor
7 licenses. We also support having no limit on how
8 many restaurant liquor licenses can be issued in
9 Adams Morgan.

10 There are notably two, at least two
11 points that we did not discuss at great length
12 that have previously been explored by both ANC 1C
13 and this Board.

14 And, those are geographical boundaries
15 of the moratorium zone. We have taken no
16 position on whether the current policy, I believe
17 it's an 1800 foot radius from Tryst at 2459 18th
18 Street, Northwest, if that's desirable or ought
19 to be adjusted, we haven't really discussed that.

20 And, duration of extension. We have
21 also taken no position on how long a modified
22 moratorium renewal ought to last, should one pick
23 this.

24 So, just to conclude, let's refer to
25 -- let's return to former ABC Chair, Board Chair,

1 excuse me, Woodson's words from 2000. A
2 moratorium is only a beginning in which deeper
3 assessment is undertaken and acted upon.

4 It is our view as Commissioners that
5 23 years is ample time to conduct those
6 assessments. Rather than recite from the same
7 and merely temporary measure -- I have one
8 sentence left -- of limiting tavern licenses, we
9 feel now is an appropriate moment to grow our
10 neighborhood even further.

11 Thank you.

12 CHAIRPERSON ANDERSON: Thank you, Mr.
13 Wood. Mr. James, good morning, sir.

14 (No response.)

15 CHAIRPERSON ANDERSON: I can't hear
16 you, Mr. James. You need to unmute your
17 microphone, sir.

18 MR. JAMES: Okay. Good morning.

19 CHAIRPERSON ANDERSON: Good morning,
20 sir. Go ahead.

21 MR. JAMES: Thank you. The first time
22 on WebEx for me. A new computer and all that.
23 So, thank you for holding this hearing this
24 morning.

25 The big question for the Board is, --

1 I'll start over. The KCA and 171 residential
2 neighbors filed a petition yesterday seeking
3 renewal of the existing conditions with one
4 slight exception, not for three years, but for
5 five years.

6 We put forth a case that the
7 appropriateness requirements are invoked by the
8 conditions on the ground, peace, order and quiet,
9 including noise and trash, negative impact upon
10 residential parking needs, vehicular and
11 pedestrian safety, and we claim that there is
12 over concentration within the Adams Morgan
13 Moratorium Zone.

14 The Board merely needs to find that
15 that is reasonable. And had -- this Board and
16 its previous iterations having approved similar
17 rules five different times, has no reason to
18 change that.

19 We run a course that is unfortunately
20 a very slow process of improving the commercial
21 areas by allowing restaurants. And, with the
22 typical sort of, you know, 50 percent of
23 restaurants fail within the first two years, that
24 kind of thinking.

25 And then, the difficulties brought on

1 by the COVID, Corona Virus, sorry, COVID, why'd I
2 say that? The Corona Virus epidemic, you know,
3 that hurt a lot of businesses and made things
4 more difficult.

5 But, we're on -- that is over now.
6 And, we've had numerous new restaurants come in
7 in the last six months or so. I think it's about
8 a dozen.

9 And, that trend should be allowed to
10 continue instead of having taverns go into those
11 spaces. Taverns, it does say that food is
12 required, but there's no measurable amount. And,
13 that can be satisfied by potato chips on the bar.

14 And, we don't need any more of that.
15 We have 16 existing taverns. A few of them are
16 among the worst businesses in the city, in my
17 belief.

18 One of them, I'll mention the words,
19 Heaven and Hell, has been before this Board so
20 many times and has such a long investigative
21 history, it's a wonder that they're still around.

22 Anyway, you know, we can only do so
23 much at the community level. We -- the Kalorama
24 Citizens Association adopted a policy in 2000
25 with the first moratorium that we would support

1 moratorium and we would seek settlement
2 agreements with every on-premise licensee that
3 came into the neighborhood.

4 And, that has been done. The
5 moratorium is really all we have to prevent
6 things from getting a lot worse in our
7 neighborhood.

8 If we had nine new taverns, and,
9 admittedly it would happen over time, but where
10 would they go?

11 You know, there's an -- sort of a real
12 movement towards new restaurants. In front of
13 the ANC's ABC Committee last night, four new
14 restaurants were discussed.

15 And, that doesn't even count a couple
16 that are coming along now, which are in the early
17 stages of applying. For instance, City Lights of
18 China and the Mintwood Place, space will be
19 occupied again when the owner, you know, comes up
20 with his new concept and rebuilds the interior.

21 So, there will be very few locations.
22 So, that could very well mean that taverns will
23 go into not such great locations.

24 Perhaps, you know, inappropriate
25 locations. That would depend on when and where.

1 And, I don't know what the answers to that is.

2 But particularly, the Board must
3 protect residents against the existing
4 restaurants seeking to flee their requirements
5 and go to become a tavern.

6 That way, you know, I think the BID
7 wants, you know, more taverns because that will
8 help in their payments, because they're getting
9 no taxes out of empty storefronts. So, that
10 would make more money available to the BID.

11 And, I would just say while I've
12 mentioned the BID, that eight of the 15 board
13 members are either ABC licensees or landlords of
14 ABC licensees.

15 So, you know, you really can't -- the
16 BID is not legally able to seek a moratorium.
17 They're free to comment and their individual
18 members are also free to comment.

19 As to the ANC, the process was very,
20 very bad. The Commissioners, two who are
21 holdover Commissioners from the previous
22 iteration, I honestly believe they were hoping
23 that the moratorium might just slip by and expire
24 and therefore die.

25 They didn't want to increase the time

1 for the neighborhood to discuss the matter. They
2 fought against that among themselves in December
3 of '22.

4 And, they have been very aggressive
5 against residents who spoke up to comment. I
6 would say that of perhaps 50 comments that they
7 received from residents, one was in favor of
8 getting rid of the moratorium.

9 I wonder if I might have one more
10 minute?

11 CHAIRPERSON ANDERSON: I already gave
12 you six minutes now, sir.

13 MR. JAMES: Oh, did you? I'm sorry.
14 I talk too much. Well, if there's any questions,
15 I'd be happy to answer.

16 CHAIRPERSON ANDERSON: All right.
17 And, we're going to -- I'm going to have some
18 questions to ask at the end.

19 But, I gave you an extra minute. But,
20 I guess you weren't keeping track of the time.
21 All right.

22 MR. JAMES: No, I'm too busy trying to
23 keep my thoughts in order. Thank you very much.

24 CHAIRPERSON ANDERSON: You're welcome,
25 sir. All right. We'll have Leslie, I'm sorry,

1 can -- and can Ms. Delagran --

2 MS. DELAGRAN: You pronounced it.

3 Thank you very much.

4 CHAIRPERSON ANDERSON: And, can you
5 also -- just spell your name also for the court
6 reporter, please, too.

7 And, do you have a camera, ma'am? I
8 would like to see who is speaking if that's
9 possible.

10 MS. DELAGRAN: I just turned it on.

11 CHAIRPERSON ANDERSON: That's fine.

12 But, can you please also spell your name for the
13 court reporter and what organization you're from?

14 MS. DELAGRAN: Leslie, L-E-S-L-I-E
15 Delagran, D-E-L-A-G-R-A-N. I do not represent an
16 organization. I'm a long term resident of the
17 1800 Block of Wyoming Avenue, Northwest.

18 I have a -- I've been on Wyoming
19 Avenue for 30 years. So, our life here predates
20 the moratorium. We remember the bad days of
21 broken bar bottles and wild nightlife.

22 I think that the moratorium has
23 benefitted the community. I think that there are
24 still too many taverns. Sixteen is more than
25 enough.

1 And, I do not see the reason that the
2 ANC is putting forward for increasing the number
3 of taverns. The study that they cite to, is ten
4 years old. It dates from 2013. It's sponsored
5 by the business community.

6 It relies on anecdotal evidence as far
7 as I can see. And, it assumes that there's no
8 new restaurant licenses. So, it's fundamentally
9 flawed.

10 They -- Peter talked about U Street
11 and how that is somehow a success story. All I
12 know is the number of people, friends of ours,
13 who have left U Street, it is just too noisy.
14 They can't live there anymore.

15 We have ongoing problems with trash on
16 our front sidewalk. Every weekend morning I'm
17 out there cleaning up.

18 The other night I was looking out the
19 window at midnight and there was a pile of trash.
20 And, there was enormous rats running all over it.
21 I was -- I was horrified.

22 I don't think that we should have to
23 live with cleaning up other people's mess. But,
24 I guess, that's what you get.

25 My biggest concern is that the taverns

1 attract a party scene. And, by giving the green
2 light too more and more taverns, you're basically
3 giving up on the neighborhood and saying, we
4 can't attract daytime retail, we can't have a
5 vibrant community, we can't have bakeries, we
6 can't have retail that appeals to residents.

7 We just need more bars. More bars are
8 not what residents want. Residents want daytime
9 dining. They want bakeries. They want hardware
10 stores. And, this is, this is basically giving -
11 - giving up.

12 So, my concern is that having a party
13 scene goes to personal safety. The altercation
14 and murder last December was a real wake up call.

15 To the fact that, you know, not that
16 I'm a party goer, but I'm not going to go out on
17 18th Street after dark. I mean, that -- that has
18 really put an end to it.

19 And that's, I'm sure, what many in the
20 community feel as well. And, those are just my
21 thoughts. Sorry, it's not a prepared testimony.

22 But, I'm happy to take questions as
23 well. Thank you.

24 CHAIRMAN ANDERSON: All right. Thank
25 you, ma'am. All right. So, we'll have Ms.

1 Kristen Bar -- Barden?

2 MS. BARDEN: Hi, good morning.

3 CHAIRPERSON ANDERSON: Good morning,
4 ma'am. Please spell your name and identify
5 yourself for the record, please.

6 MS. BARDEN: Sure. I'm Kristen
7 Barden. It's K-R-I-S-T-E-N B-A-R-D-E-N. Okay.
8 I'll get going.

9 I'm here today to express my strong
10 support for the resolution adopted by ANC 1C to
11 increase the number of allowable tavern licenses
12 in the Adams Morgan Moratorium Zone.

13 But, to encourage the ABCA Board to
14 consider removing the AMMZ altogether except for
15 the prohibition on nightclub licenses.

16 I have been the Executive Director of
17 the Adams Morgan Partnership, AMP BID since 2008.
18 And, the AMP BID, like the other BIDs in D.C., is
19 funded mostly through a special assessment tax on
20 the commercial properties in Adams Morgan.

21 The special assessment tax is based on
22 the commercial value of the building and not
23 based on occupancy or tenancy. It's based solely
24 on the commercial, on the assessment value that's
25 determined by OTR.

1 The Adams Morgan Partnership Business
2 Improvement District is a nonprofit organization
3 focused on enhancing the quality of life for
4 businesses, commercial property owners,
5 residents, visitors, and employees in the
6 District of Columbia's most vibrant and eclectic
7 neighborhood.

8 The Partnership provides daily street
9 cleaning, fun neighborhood events, and creative
10 marketing and economic development initiatives.
11 I believe that this resolution will have a
12 positive impact on the neighborhood and
13 contribute to its continued growth and vitality.

14 Our Board of Directors passed a
15 resolution on November 8, 2022, requesting the
16 ABRA Board, prior to name change, vacate the AMMZ
17 except for the restriction on nightclub licenses,
18 CN, DN licenses.

19 The resolution adopted by ANC 1C to
20 increase the number of allowable tavern licenses
21 to 25, to be phased in with no more than four new
22 licenses each year, is a step in the right
23 direction.

24 But, we would argue it doesn't go far
25 enough to leveling the playing field. The

1 current AMMZ is the result of various renewals
2 since 2000, and, amended to reflect the changing
3 needs of the Adams Morgan commercial area and
4 surrounding community.

5 The AMMZ was found to limit the
6 economic development of the Adams Morgan
7 Commercial Corridor, thus the report from the
8 D.C. Fiscal Policy Institute that was previously
9 referred to.

10 Specifically, the report stated quote,
11 Adams Morgan's commercial area is growing far
12 more slowly than other non-moratorium parts of
13 the city, faces stagnation and system vacancies,
14 has not resulted in the expansion of non-
15 restaurant retail, while at the same time making
16 it harder for new ABC establishments to enter the
17 marketplace, and has not directly improved peace,
18 order and quiet. But, other steps taken -- other
19 steps taken have improved those issues.

20 As the DCFPI report found, the
21 appropriate approach is to target problem
22 establishments regardless of license class. And
23 the targeted action, rather than a blanket
24 moratorium, is the more appropriate action.

25 And, there are mechanisms in place

1 with the current regulations to take targeted
2 action such as through settlement agreements.

3 Additionally, the moratoriums in
4 Dupont Circle, Georgetown, Glover Park, all have
5 either been dramatically modified or removed
6 entirely.

7 Additional attempts to establish
8 moratorium zones that took place in the Trinidad
9 and U Street neighborhoods, have both failed.
10 The one successful creation of a new moratorium
11 zone in Langdon Park was specifically focused on
12 preventing nightclubs and nothing more.

13 Adams Morgan has long been known as a
14 vibrant and diverse neighborhood, attracting
15 residents and visitors with its rich heritage,
16 thriving local businesses, and a lively
17 entertainment scene.

18 However, the existing moratorium on
19 tavern licenses has created unintended
20 consequences that hinder the community's ability
21 to evolve and adapt to changing needs and
22 demands.

23 I know that Lost City Bookstore would
24 love to acquire a tavern license and offer beer
25 and wine at book talks. But, are unable to do so

1 with the moratorium on tavern licenses.

2 Not only is it cost prohibitive, but
3 they would have to wait for a tavern license to
4 become available when another business closes.

5 By increasing the number of allowable
6 tavern licenses, we can create a more inclusive
7 and diverse social landscape that caters to a
8 broader range of interests and preferences.

9 This will foster an environment that
10 encourages entrepreneurship, innovation, and
11 healthy competition. All of which are essential
12 for a thriving local economy and more sales taxes
13 for D.C. government.

14 Furthermore, it is important to note
15 that the resolution adopted by ANC 1C has been
16 carefully considered and is backed by extensive
17 community input and engagement. And, the ANC has
18 worked diligently the past seven months to gather
19 feedback from residents, local businesses and
20 other stakeholders.

21 I have full confidence that an
22 increase in tavern licenses, perhaps the
23 elimination of the AMMZ except for nightclub
24 licenses, accompanied by the existing effective
25 regulation and oversight from ABCA will not only

1 preserve the unique character of Adams Morgan, it
2 will also enhance its overall appeal to
3 entrepreneurs, residents, and visitors.

4 The resolution aligns with the
5 evolving needs and desires of our community.
6 And, I believe it will contribute to the
7 neighborhoods long term success.

8 In conclusion, I strongly urge the
9 ABCA Board to support the resolution to increase
10 the number of allowable tavern licenses at a
11 minimum, and, perhaps remove the AMMZ except for
12 nightclub licenses.

13 And, by doing so, we can foster a
14 dynamic and inclusive community that embraces
15 growth, encourages entrepreneurship, and provides
16 residents and visitors with a diverse array of
17 social and cultural experiences.

18 Thank you very much. And, I
19 appreciate your commitment to the well-being and
20 development of Adams Morgan.

21 CHAIRPERSON ANDERSON: Thank you,
22 ma'am. All right. So, we'll have Mr. Guthrie.
23 Please --

24 MR. GUTHRIE: Excuse me.

25 CHAIRPERSON ANDERSON: Yes, sir?

1 MR. GUTHRIE: I'm having a -- I had to
2 call in in order to hear what you're saying.
3 But, I think that you're getting me over the
4 feed?

5 CHAIRPERSON ANDERSON: Yes. I can --
6 I can hear you, sir. I can hear you.

7 MR. GUTHRIE: Okay. Unfortunately, I
8 didn't hear what anyone said before me, because I
9 was having technical problems.

10 I'm Ted Guthrie. I'm a former ANC
11 member who participated in determinations of
12 requested changes to the moratorium the last
13 couple of times it's been renewed.

14 I guess one of my principal concerns
15 that I don't see really addressed by the material
16 that came from the ANC this year, is that to me,
17 the moratorium has actually been a success.

18 We have, the purpose of the moratorium
19 was to limit the number of tavern licenses, which
20 ABRA successfully enforced by not allowing anyone
21 to put their applications in. And, as a result
22 of which, we had however many taverns would have
23 applied, and would have gotten open, did not in
24 Adams Morgan.

25 And, to me, that's a success of the

1 moratorium. Because quite frankly, it's obvious
2 that there are people out there who want to have
3 tavern licenses in Adams Morgan.

4 It's also clear to me that tavern
5 licensees in general, have very little
6 responsibility toward the community, as opposed
7 to restaurants.

8 And, that they're not providing any
9 services that are, you know, truly needed,
10 desired, and wanted by the community.

11 What they're doing is providing large
12 quantities of alcohol to people without
13 providing, generally without providing food.
14 And, putting them in a situation where it's much
15 more likely that they're going to become
16 inebriated and they're going to do things that
17 are detrimental to the residents who live in the
18 neighborhood.

19 And, every single weekend, there are
20 people coming up sort of in hoards from the bar
21 scene down on 18th, along my street, that disturb
22 the peace and quiet of the street. And, you
23 know, a certain amount of that I'm quite willing
24 to put up with to have the vital business
25 community that we do have in Adams Morgan.

1 But, to suggest somehow it's going to
2 improve Adams Morgan to add tavern licenses when
3 we have as many tavern licenses as we do, is just
4 beyond credibility to me.

5 I don't understand why people would
6 suggest that that would be a benefit. I haven't
7 heard anything from anyone in support of that.

8 And, in addition, I would point out
9 that there are vast numbers of storefronts that
10 are empty throughout the District, whether or not
11 there's a moratorium zone in place or not.

12 We're struggling through some
13 challenging times economically in commercial
14 areas. But, the solution is not to put a bunch
15 of alcohol only establishments.

16 We have more than enough restaurants,
17 more than enough taverns. And, the moratorium
18 has been quite successful and should be continued
19 as it is.

20 Thank you.

21 CHAIRPERSON ANDERSON: Thank you, sir.
22 And, do we have, let me see, Jean Stewart?

23 (No response.)

24 CHAIRPERSON ANDERSON: Ms. Stewart,
25 are you there?

1 MS. STEWART: Yes. Can you hear me?

2 CHAIRPERSON ANDERSON: I can hear you.
3 Do you have --

4 MS. STEWART: Yes. I have technical
5 troubles with the sound on my computer too. I am
6 using closed captioning.

7 But, thank you very much for this
8 opportunity to testify. And, good morning Mr.
9 Chairman and Members of the Board.

10 I've been a resident in Adams Morgan
11 for over 53 years. And, I remember as a previous
12 witness said, the bad old days when it was mostly
13 party city. And, have welcomed more diverse
14 businesses.

15 I also am a member of the Executive
16 Committee at the Kalorama Citizens Association.
17 And, I am testifying in support of extending the
18 Adams Morgan Moratorium Zone as currently
19 established, for another five years and in
20 opposition to the proposal from the ANC.

21 And, despite the current limit of ten
22 CT licenses in the moratorium zone, there are
23 already 16 tavern licenses, down slightly from
24 the 18 we had in 2006.

25 Expanding the number of licenses to 25

1 under the proposal would be 20 in the first year,
2 I believe is totally unnecessary. There are
3 plenty of places for we residents to go and drink
4 if we want to. We don't need more.

5 Taverns are basically bars, as there
6 is no requirement to serve any kind of food other
7 than bar snacks. And, the neighborhood just
8 really doesn't need any more of these types of
9 businesses.

10 We have plenty. We have been or are
11 really over concentrations of taverns, with
12 attendant disturbances of the peace, order, and
13 quiet.

14 This spoils the quality of life for
15 those of us who live here. And, it's just very
16 unpleasant for our residents.

17 We are a mixed residential and
18 commercial neighborhood. With due consideration
19 for the large component of those of us who live
20 here and should mean less commotion, commotion
21 sometimes involving vandalism and violence, not
22 more.

23 More taverns in this compact zone
24 would also lead to still more traffic, with
25 attendant negative impact on vehicle and

1 pedestrian safety and residential parking
2 requirements.

3 What Adams Morgan needs, as previous
4 witnesses have said, is more businesses that
5 serve actual needs of residents. Cleaners,
6 pharmacies, coffee shops, restaurants, bakeries,
7 that sort of thing.

8 And, we have, I would hope that the
9 BID and ANC might explore small business
10 incubators as other neighborhoods have had. To
11 encourage a diversity of businesses in Adams
12 Morgan.

13 Anyway, for these reasons, I urge the
14 Board to reject the proposal of ANC 1C. And,
15 instead to continue the moratorium zone with its
16 cap of ten CT licenses for another five years.

17 Thank you.

18 CHAIRPERSON ANDERSON: Thank you, Ms.
19 Stewart. I think the amount -- I think the
20 amount of -- Mr. Stewart, mute your phone, please
21 ma'am. Yes, thank you.

22 I see there's a Larry Hargrove. Mr.
23 Hargrove, do you wish to speak?

24 (No response.)

25 CHAIRPERSON ANDERSON: I guess not.

1 Is there anyone else who wishes to testify today
2 that I have not, I have not called?

3 (No response.)

4 CHAIRPERSON ANDERSON: Is there -- has
5 anyone identified themselves in the chat Mr.
6 Orellana?

7 MR. ORELLANA: We -- who offered her
8 time for everyone else. She can be elevated if
9 she wishes.

10 CHAIRPERSON ANDERSON: No. I think
11 she had said she doesn't want to speak. So, she
12 was just listening.

13 So, if that's -- I just want to make
14 sure that I've covered the universe of everyone
15 who wants to speak. Okay, fine.

16 I just have a couple, and I'm asking
17 the same questions to everyone. I mean,
18 currently in Adams Morgan there are 52 active
19 restaurants. One is in safekeeping, four
20 pending.

21 There are 15 active CT Licenses, which
22 ex -- which exceeds the cap, the current cap of
23 10. And, of course, I see that everyone knows,
24 everyone wants to continue the no nightclubs.

25 So, let's start with the ANC. I know

1 that the ANC has proposed that we raise the cap
2 to 25.

3 So, I guess what I'm just trying to
4 find out from you, were you aware that although
5 the cap had, is currently 10, that there's
6 actually 16 CR License currently in use in the
7 neighborhood?

8 MR. WOOD: That question was for me,
9 I'm guessing?

10 CHAIRPERSON ANDERSON: Yes. I'll
11 start with you first, yes.

12 MR. WOOD: Oh, yes. We're definitely
13 aware. That was a point that we discussed quite
14 a bit. I mean, 25, like I said, an arbitrary
15 number. I mean, really the discussion was just,
16 I guess, two parts.

17 Should it be -- should there be
18 consideration on ANC's part to suggest that some
19 sort of change towards slightly less stringent
20 regulations should be considered?

21 And then, if so, to what degree do we
22 want to recommend that change? Like I said, 25
23 was a compromise because we recognize that the
24 number currently is 16. It has to go back down
25 to nine until a new application can come through

1 for a tenth.

2 Twenty-five is higher than both those
3 numbers. Not a magic number. Something we just
4 thought was a useful placeholder and relatively
5 reasonable, considering the, I don't know,
6 somewhere between six to ten hours of meetings
7 that we had.

8 CHAIRPERSON ANDERSON: And, Mr. James,
9 the same question for you. I know that you're
10 asking us to maintain the current cap. With the
11 current cap there's ten, but there's actually, as
12 I stated before, there are actually 15 in active.

13 So, how do you -- how do you propose
14 the Board should address that issue?

15 MR. JAMES: Can you hear me?

16 CHAIRPERSON ANDERSON: Yes, sir.

17 MR. JAMES: Okay, thanks. Seeing the
18 number has not changed. Let's put it this way,
19 since the cap was put in place in 2006, the
20 number has never approached ten.

21 That was set, you know, it was set up
22 in a way that no license, no further taverns can
23 be issued until the number goes below ten. Then
24 you could issue one.

25 So, the cap was not going to disappear

1 if the number changed. It was a protection for
2 the community.

3 So, the idea of having two and a half
4 times the number of the cap, which the 25 that
5 the ANC thinks might be acceptable, is ludicrous.
6 And, I'm trying to think of a word that isn't too
7 nasty.

8 But, you know, it would just put way
9 too much pressure on the residential community.
10 And, it's not good for the business community
11 either.

12 Restaurants don't need a whole lot of
13 rough taverns around them that cause disturbance
14 and violent incidents late at night.

15 The Board has within its ability to
16 look at all the investigative histories of
17 taverns over time. They're long and very
18 serious.

19 And, I'm not going to go into it, but
20 I will maybe, the other thing I'm going to submit
21 those to you as evidence before the end of
22 tomorrow.

23 It's just repetitive problems,
24 fighting, you know, police being called. You
25 know, one of the things you see from a police

1 report is often, you know, person taken to
2 hospital.

3 Well, gosh, I guess they, you know,
4 had hangnails. No. They got in a fight because
5 they were all drunk, because they were over-
6 served in a tavern.

7 This is the kind of thing we dealt
8 with for a very long time. And, the ANC is like,
9 saying, oh well, we need more diverse types in
10 the business thing.

11 Oh well, we have to get this tavern
12 license for a bookstore? They can give away
13 alcohol. It's legal to do so.

14 Or, they could institute a charge at
15 the bookstore to participate in their book clubs.
16 But, no. You know, everything that is protecting
17 the residents should be given away.

18 The only reason that I've heard out of
19 this ANC and the BID, oh, is so that a bookstore
20 could have a tavern license.

21 And then, what would stop that
22 bookstore from selling that tavern license to
23 somebody who actually wants to run a tavern in a
24 building that is a full-blown tavern? Who
25 knows.

1 You know, it's just that would be just
2 a ridiculous path to go down. And, it's just
3 beyond belief, you know, that such things would
4 be suggested in a serious way.

5 Again, I would like to just say that
6 we deal in a very constructive way with
7 settlement agreements. Historically the Kalorama
8 Citizens Association and the ANCs over time have
9 worked together, not always agreeing perfectly.

10 But, you know, we wind up coming up
11 with a position for a particular settlement
12 agreement for a particular establishment. But,
13 that's not the only thing.

14 You know, the ABRA investigators, ABCA
15 now, are not standing in front of that
16 establishment 24 hours a day seeing if anything
17 goes wrong. You have to be there to note that
18 there's a problem.

19 And, there's lots of problems that
20 there aren't enough investigators to see. Or
21 MPD, we have very sparse MPD coverage in this
22 neighborhood nowadays.

23 When the shooting occurred on December
24 27, tavern owner Bill Duggen, was out on the
25 sidewalk and was saying, I looked around and

1 there was no police anywhere to be seen.

2 You know, this is, this came out of
3 AIR. It's a restaurant. It wanted to be a
4 tavern. But, you know, the people who owned the
5 tavern at that previous location, Songbyrd,
6 didn't want to sell to AIR. They sold it to
7 somebody else.

8 So, you know, we have people coming to
9 Adams Morgan with guns. And, who knows what
10 else. That's not good for the community.

11 And, while AIR is not a tavern, you
12 know, but we have lots of restaurants that act
13 quite a bit like nightclubs, because they have an
14 entertainment endorsement, cover charge, music,
15 dancing.

16 You know, and while those things by
17 themselves are not necessarily bad, when you get
18 a large conglomeration of them, it's going to
19 have an effect on the community. And, it has.

20 You know, and that's why we've been
21 here since the year 2000 seeking renewal for an
22 effective moratorium. In the beginning, it was
23 too much.

24 It said no kind of any licen -- you
25 know, no license at all. No As, no Bs, you know.

1 That was too much.

2 And, we learned that it was. And, we
3 moved forward and became one that allows
4 restaurants, which everybody can enjoy.

5 You know, families with children can
6 go and enjoy those. But, not if the scene is too
7 dangerous for those people to be attracted or for
8 viable, you know, open to everyone kind of
9 restaurant to come here.

10 CHAIRPERSON ANDERSON: All right, Mr.
11 James. Thank you.

12 MR. JAMES: Thanks very much. I
13 appreciate the chance to say all that.

14 CHAIRPERSON ANDERSON: Ms. Barden, you
15 had your hand -- you can lower your hand, please
16 ma'am. Go ahead, please.

17 MS. BARDEN: Okay, great. Thanks.
18 Yeah, I just wanted to mention a few things. A
19 few, I wanted to correct a few inaccuracies that
20 I've heard this morning.

21 First of all, Heaven and Hell no
22 longer exist. That business was sold. Mehari no
23 longer owns it.

24 It's now called Moonlight DC. So, any
25 misconceptions about Heaven and Hell, it's no

1 longer there.

2 So, and AIR was not Songbyrd.
3 Songbyrd was where the comedy club is now. And,
4 also, the Delightful -- Caf, D Light, which is
5 owned by the Ukrainian sisters.

6 And, so I wanted to also kind of point
7 out, you know, some of the -- some of the places
8 that are, that do have tavern licenses.

9 So, that includes Hotbed that I just
10 mentioned, the comedy club. Bedrock Billiards,
11 which has been there for at least 30 years.

12 The Imperial, which is down at Florida
13 Avenue. Baja Tap, Roofers Union, both of which
14 are, you know, operate as restaurants.

15 And then, the very new Shanklin Hall,
16 which just opened up as a community space where
17 the Columbia Station used to be.

18 So, I just wanted to point out that,
19 you know, many places that have tavern licenses
20 operate like restaurants. And, you know, we've
21 heard that there is interest in doing some more
22 interesting concepts like the bookstore being
23 able to offer beer and wine.

24 They would have to sell it, you know.
25 And, the only way they can do that without a

1 kitchen is by getting a tavern license. So, and
2 they have to wait for, you know, another business
3 to close before they're able to do that.

4 And, even then, you know, because of
5 the moratorium, acquiring a tavern license is at
6 least \$75,000. And, most small business owners
7 can simply just not afford that. It's just
8 beyond, you know, beyond their reach.

9 So, that's really prevented unique and
10 interesting concepts from -- from even
11 considering Adams Morgan, because that price
12 point is just outside anybody's reach.

13 So, I just wanted to make a few
14 clarifications.

15 CHAIRPERSON ANDERSON: Thank you.
16 Hold on -- hold on, Mr. Wood. I know that you
17 have spoken before, so let me see if anyone else
18 wants to address that issue.

19 I also want to have the other Board
20 Members ask questions. So, just hold on a minute
21 sir. But, I will -- before I close this hearing,
22 Mr. Wood, I'll get -- I'll give you an
23 opportunity to speak again.

24 Do we have any questions from any
25 Board Members? Go ahead, Mr. Short.

1 MEMBER SHORT: Thank you, Chairman.
2 And, good morning to all of the panelists and
3 concerned citizens who have shown up for this
4 moratorium, for this hearing.

5 And, I've heard as a Board Member on
6 many occasions the concerns of the community.
7 And, my personal choice has always been that
8 businesses and the community must learn, well,
9 have to survive together. One can't survive
10 without the other.

11 So, I would just like to say, I've
12 taken some notes, and I can see where Mr. Denis
13 James, what is your recommendation again to the
14 Board?

15 MR. JAMES: It would be to renew the
16 existing conditions. But, to -- not just for
17 three years but for five years.

18 MEMBER SHORT: Okay. Thank you very
19 much.

20 MR. JAMES: Okay.

21 MEMBER SHORT: Thank you very much.
22 And, I'd also like to go to Ms. Kristen Barden.
23 Your recommendation Ms. Kristen Barden for the
24 Board?

25 MS. BARDEN: Our recommendation, our

1 Board voted in November to vacate the entire
2 Adams Morgan Moratorium Zone, except for the
3 exception on nightclub licenses.

4 MEMBER SHORT: This next question is
5 for Mr. Ted Guthrie. Mr. Guthrie, can you give
6 us your recommendation?

7 (No response.)

8 MEMBER SHORT: Ted Guthrie?

9 (No response.)

10 MEMBER SHORT: Okay. Then I'll go to
11 Ms. Jean Stewart.

12 MS. STEWART: My recommendation is to
13 extend the moratorium as is for five years, not
14 three.

15 And, I would ask the Board also to
16 note the previous witness, a longtime resident,
17 who said going back to Adams Morgan as a party
18 city will drive away residents, not attract them
19 like she noted in U Street.

20 Thank you.

21 MEMBER SHORT: Thank you. And this
22 question is for Ms. Leslie Delagran.

23 CHAIRPERSON ANDERSON: I'm sorry, who
24 are you -- who are you asking a question, Mr.
25 Short?

1 MEMBER SHORT: Leslie Delagran.

2 MS. DELAGRAN: Yes. Thank you. Yes,
3 my recommendation would be to extend the current
4 moratorium for an additional five years.

5 Thank you.

6 MEMBER SHORT: And, this last question
7 would be for ANC 1C03, Peter Wood.

8 MR. WOOD: All right. What's the
9 question?

10 MEMBER SHORT: What is your -- what is
11 your recommendation to the Board? I'm just
12 asking as a Board Member before I vote on
13 anything, I'd just like to get your opinion and
14 why you're testifying today.

15 MR. WOOD: Yes. So, our entire ANC
16 voted unanimously to suggest raising the limit on
17 tavern licenses from 25, maintaining the
18 moratorium on the nightclub licenses, and
19 maintaining the current status for restaurant
20 licenses, which has no limit.

21 MEMBER SHORT: Thank you very much.
22 And, when were you elected to be on the ANC, and
23 how long have you been the ANC, with the --
24 active with the ANC?

25 MR. WOOD: That's in the written part

1 of the testimony. I had to cut, to cap it. But,
2 I personally have been, it's weird, I'm the
3 longest tenured. But, the tenure used to be
4 significantly longer.

5 So, I was elected in November 2020.
6 So, I've been a term and a half, three years or
7 so. Or, yeah, a little bit under three years as
8 a Commissioner, plus campaigning and stuff.

9 MEMBER SHORT: All right. Thank you
10 very much. I don't want to take too much time.
11 Thank you, Mr. Chairman, for allowing me to ask
12 questions. And, thank you panelists.

13 CHAIRPERSON ANDERSON: Before we move
14 on, I'll call on Mr. -- hold on, Mr. Grandis is
15 next.

16 Mr. Wood, did you respond, did you
17 state what you wanted to state when you had your
18 hand raised the last time?

19 MR. WOOD: No. But, I can wait to see
20 if it gets addressed in questions first.

21 CHAIRPERSON ANDERSON: Okay.

22 MR. WOOD: Just a couple, following up
23 from what Ms. Barden was saying.

24 CHAIRPERSON ANDERSON: Okay. All
25 right, go ahead Mr. Grandis.

1 MEMBER GRANDIS: Good afternoon
2 everyone. So, I want to --

3 CHAIRPERSON ANDERSON: I cannot hear
4 you, Mr. Grandis. So, I can't hear you clearly.

5 MEMBER GRANDIS: Mr. Chairman, is that
6 better?

7 CHAIRPERSON ANDERSON: Just raise your
8 voice up a little bit. Or turn your microphone
9 up, sir, please.

10 MEMBER GRANDIS: How's that? Better?
11 It must be a technical thing, because I have --
12 can participants hear me or not?

13 MEMBER SHORT: We can hear you.

14 MEMBER GRANDIS: Mr. Wood, you in your
15 oral presentation, I didn't see it in the
16 written, you used the term volatile. Do you
17 remember, recollect using the term volatile when
18 you spoke about taverns?

19 MR. WOOD: I remember using the word.
20 I don't know if it was specifically towards
21 taverns. I think it was, if I remember
22 correctly, that basically the volatility of the
23 local business stability.

24 And, this is something that has been
25 pointed out. Like I said, we had many

1 discussions at public meetings on this.

2 And then also, just individual
3 constituents that -- there's a lot of turnover.
4 Like one of the points that was raised, of why
5 this proposal was not useful, is because there's
6 so many new restaurants coming in.

7 And, the point that we ended up really
8 settling on is, that that's actually reflective
9 of the volatility. It's nice to have the new
10 energy of new investors coming into the
11 neighborhood.

12 But, it's a lot. And, it's constant.
13 And it potentially has increased in recent years.
14 Probably partially because of the pandemic.

15 But, that volatility comes because
16 there's limited options for what types of
17 establishments can exist. And, modifying that
18 slightly could potentially reduce some of the
19 volatility.

20 Of course, it's a tough question.
21 But, that was a big point of when we discussed
22 volatility of how we discussed it.

23 MEMBER GRANDIS: I want to thank you
24 for the clarification. Because, this Board, one
25 of our responsibilities is public health and

1 safety when we issue licenses and we have our
2 investigators do their routine investigations.

3 So, I was concerned that you were
4 referencing that there's volatility in the
5 balance, on the balance issue, not the volatility
6 as you've explained it. So, I just wanted that
7 clarification.

8 Ms. Barden, it's good to see you.
9 And, I want -- we all want to thank you. And, we
10 appreciate your presentation today.

11 Just for public record, I live on
12 Swann at 18th. So, I mean to say, we get the
13 benefit of late night Adams Morgan coming down
14 the hill.

15 So, we're very familiar with that
16 neighborhood. And, Ms. Barden has done
17 outstanding work as the Executive Director of
18 that BID.

19 And, I know what the challenges are,
20 I would just note. We've all had these
21 discussions and commitments. So, I want to
22 congratulate what the BID has done.

23 Now, you mentioned in your testimony
24 that the BID is interested in having other types
25 of businesses come into Adams Morgan. And, as

1 you know, that's part of your Charter, is to
2 attract them.

3 There's a perception, and I think it
4 was brought up in this meeting, or hearing,
5 there's a perception that an ABC License or more
6 specifically, a Tavern License, precludes another
7 type of business being in that location.

8 In your work, which is to bring in
9 business, are you finding that the townhouses,
10 the square footage, the stairs, the lack of
11 storage space, are there other things that are
12 prohibiting or makes it difficult or a challenge
13 for a small business?

14 Leaving internet -- leaving the
15 internet world aside, is that something you can
16 speak to too this Board to explain, is it the
17 Tavern License or ABC that's precluding new
18 businesses?

19 MS. BARDEN: I think it's one of the
20 factors, for sure. The -- you know, as you're
21 mentioning, you know, a lot of our commercial
22 properties were former townhouses that were
23 converted into commercial use.

24 They are not Class A, you know,
25 commercial buildings with 12 foot ceilings and,

1 you know, 10 foot windows.

2 They are, you know, they've been
3 converted for commercial use. The Amsterdam
4 Falafelshop is, you know, kind of a perfect
5 example of that.

6 So, these are not traditional, you
7 know, Class A commercial buildings that are easy
8 to attract retail for sure. We've had a number
9 of terrific retail stores come and go, simply
10 because they outgrew the space, you know.

11 And, they -- I'm thinking about
12 Violet, the adorable women's clothing store. You
13 know, she outgrew that space and moved to
14 Georgetown. And then, you know, moved to Shaw
15 after that. So, as -- as she continued to grow.

16 And, you know, Adams Morgan has been
17 a place where a lot of entrepreneurs have chosen
18 historically to start their business. We can go
19 all the way back to ToysRUs.

20 They got their start in what's now
21 Adams Morgan. And, he was -- it was a hardware
22 store and he started making wooden toys for his
23 children. You know, and then grew that empire.

24 So, we have a long history of being a
25 terrific neighborhood for entrepreneurs to get

1 their start. And, to bring a new and interesting
2 concept, which could be a wine bar, you know,
3 with jazz, you know.

4 But, you know, having that limitation
5 on what the marketplace can invite, is really
6 difficult, you know. And, I think we could see
7 some really interesting, unique concepts come
8 into Adams Morgan if they didn't have to spend
9 \$75,000 on a tavern license when one is
10 available, you know.

11 And, you know, we've seen that that is
12 a hindrance to the creativity that's in the
13 marketplace. And, we think this is a perfect
14 opportunity to open that up and to see what, you
15 know, what entrepreneurs want to do.

16 So, I think there's some really
17 creative concepts that are out there that we
18 would love to have here to fill, you know, to
19 fill these vacancies.

20 You know, as we all know, you know,
21 Adams Morgan has suffered, you know, through the
22 pandemic, closures, as has the rest of the city
23 and the rest of the country.

24 But, you know, this is a unique
25 opportunity, I think, too finally, you know, be

1 able to attract some really interesting concepts
2 that could help bring this neighborhood back, you
3 know, out of the pandemic.

4 MEMBER GRANDIS: Well, thank you, Ms.
5 Barden. I appreciate you adding to the record so
6 that the Board has more information about the
7 business opportunities in Adams Morgan.

8 Being where I live, I'm very familiar
9 with north of Dupont Circle along Connecticut
10 Avenue. And, I think that suffers similar
11 characteristics to 18th Street where Adams Morgan
12 is, in trying to get retail business in, because
13 they do want to be in these neighborhoods, you
14 know.

15 Adams Morgan has a national, you know,
16 people know it. So, as Dupont Circle, as all the
17 other neighborhoods that are full of townhouses.
18 At the same time, some of these old structures
19 are very limiting.

20 And, it's a challenge and we
21 appreciate, you know, the BID and Mr. James and
22 his organization and the ANC working together on
23 trying to bring additional types of businesses.

24 Mr. James, I want to thank you for
25 your testimony today. I've been very impressed

1 with you for decades.

2 As I say, I live at 18th and Swann and
3 you've been a real advocate for the residential
4 community. And, you have brought some very good
5 ideas on how to improve and moderate certain
6 things. So, I want to thank you for being so
7 involved these many decades.

8 I just asked, you know, Ms. Barden
9 that question about the challenges of trying to
10 get other retail. Have you or your organization,
11 and this is not that you should have, but it
12 would help in the record, have you tried to speak
13 with, over these decades, small businesses to try
14 to come in, and finding out why they're not, you
15 know, renting these spaces?

16 MR. JAMES: Thank you for the kind
17 words. Am I being heard again?

18 MEMBER GRANDIS: I can hear you.

19 MR. JAMES: Am I being heard? Oh, no,
20 wait.

21 CHAIRPERSON ANDERSON: No, I can't
22 hear you, Mr. James. I don't know what you did.

23 MEMBER GRANDIS: It's back on.

24 CHAIRPERSON ANDERSON: I can't hear
25 you now. No, I can't hear you, Mr. James.

1 MEMBER GRANDIS: He's muted himself.

2 MR. JAMES: I found a button and I
3 pushed it. Now can you hear me?

4 CHAIRPERSON ANDERSON: Yes, sir. Go
5 ahead.

6 MR. JAMES: Thank you very much.
7 Sorry about that. I don't know if he heard it,
8 so I'll thank Mr. Grandis for the kind words
9 again.

10 And, we -- the Kalorama Citizens
11 Association is concerned with many different
12 aspects of residential life in the city.

13 So, among the things that we've done
14 over time are establish historic districts, which
15 become somewhat of a tourist attraction, but also
16 attract people who care about the history of the
17 neighborhood.

18 And, for that reason, you know, 18th
19 Street is in the Washington Heights Historic
20 District. And, if it hadn't been, it wouldn't
21 have the feel that it has now, which attracts
22 people.

23 They want to go to this groovy looking
24 place, but unfortunately it kind of got lost
25 along the way and became more of a wild

1 entertainment corridor.

2 So, if we hadn't done that work for
3 historic preservation, you'd probably see a
4 vastly different street with buildings torn down
5 and different kinds of structures put in their
6 place, because zoning would allow it in lots of
7 places.

8 Yes, as the President for too many
9 years, I have approached different business
10 owners about moving to Adams Morgan, because I
11 think they would be beneficial. For instance, I
12 know the owner of Pizzeria Paradiso, who runs a
13 very nice set of businesses.

14 And, she actually lived here in the
15 neighborhood for quite a while. And, she just
16 said it was a little too rough for her.

17 And, you know, other businesses that
18 were here and then want -- you know, decided to
19 leave because of the difficulties of high rent,
20 or the overall atmosphere not suiting what they
21 want to do.

22 Like Toro Mata was a wonderful
23 Peruvian import store that was forced to leave by
24 a massive rent increase. They didn't want to
25 leave. And, you know, I don't know what went on

1 precisely with the rental. You know, landlords
2 can do what they want.

3 Violet, the store that Kristen Barden
4 mentioned a moment ago, they left perhaps for
5 monetary reasons, but, specifically because they
6 were directly above a very loud tavern called
7 Timehri.

8 And, it's still there. And, it's one
9 of the board members of the BID, you know, its
10 owner is. And, you know, I'm sure he's on that
11 board to protect his interests.

12 So, it's a very, to use the word Mr.
13 Wood said earlier, it's volatile. But, it's not
14 always just a good mix of different things
15 happening.

16 It's people wanting to keep it the way
17 it is or expand the way it is because they think
18 they can make more money out of it if we have
19 additional taverns.

20 And, you know, it's not lost on me
21 that Peter Wood was the ANC's representative to
22 the BID in his prior term. And, now the ANC has
23 a different representative, you know.

24 So, I've just got to say, you know,
25 the ANC has a different representative this term

1 to the BID who also voted in favor of, you know,
2 this resolution, which is the ANC resolution very
3 similar to the BID's resolution.

4 And, it's also filled with
5 inaccuracies. For instance, Glover Park did not
6 do away with their moratorium. They renewed it.

7 You know, it just didn't show up in
8 the ABC Code book because you only renew that
9 once per year. And so, they were looking at old
10 information.

11 And, in the Georgetown situation, the
12 moratorium was allowed to expire. But, not
13 before the City Council at the Citizen's
14 Association of Georgetown and the ANC's request,
15 put in protections into the Code about a limit on
16 the number of taverns and nightclubs.

17 So, you know, when the result is the
18 same, sure you can move away from moratorium.
19 But, we've never seen that as a viable way
20 forward in Adams Morgan for various reasons.

21 I would love to see more innovative
22 businesses that could come and live within the
23 restaurant requirements. The easier of those,
24 the \$2,000 per seat of ABC Board approved
25 occupancy is quite easy to meet. It's not --

1 it's less than half of the 45 percent food
2 requirement.

3 So, you know, one could have a wine
4 bar with jazz. I'm not aware of anybody who ever
5 wanted to come here to do that. We certainly
6 have places that have jazz.

7 And, in fact, one of the taverns that
8 Ms. Barden referred to, is actually a restaurant,
9 Shanklin Hall, it's not a tavern license. So,
10 and it's just a minor point that.

11 I know I go on a bit. So, I'll pause
12 there. I'd be happy to answer any other
13 questions anybody might have.

14 And, I think Ted Guthrie was trying to
15 get back on. I don't see his name listed. But,
16 he was having some kind of technical issue, he
17 texted me.

18 So, thank you again.

19 CHAIRPERSON ANDERSON: He can log back
20 on, Mr. James if he wants to.

21 MR. JAMES: Yeah. I encouraged him to
22 do so. And, I contacted your IT guy as well, and
23 tried to connect them.

24 Hopefully he'll come back.

25 CHAIRPERSON ANDERSON: All right.

1 That's fine. I think Mr. Grandis, I saw Ms.
2 Barden raise her hand. And then Mr. Wood. I
3 guess they want to respond to the questions that
4 you asked. And, I'm not sure.

5 MS. BARDEN: I wanted to go back to
6 Mr. Grandis' question about the retail
7 attraction. Because I think it's a really good
8 question. Thank you for asking it.

9 So, you know, Urban Dwell, which is an
10 adorable home goods and gift store, they have
11 women's clothing and jewelry, and all kinds of
12 gift ideas. Some of them are very Adams Morgan
13 centric.

14 We helped them find that space on
15 Columbia Road when they came in there about seven
16 or eight years ago. So, and they've done very
17 well and survived the pandemic.

18 And, for those of you who aren't
19 familiar with Urban Dwell, I urge you to check it
20 out, because it's a really cute store.

21 But, Toro Mata, the Peruvian furniture
22 and hand goods store that Mr. James referred to,
23 they left because the building sold.

24 So, and that's also the case with the
25 Amsterdam Falafelshop that just recently closed.

1 They also had to close because the building is
2 for sale. So, those are two examples of, you
3 know, circumstances beyond their control.

4 And, I do know for certain that a wine
5 bar was very interested in going into a building
6 at 17th and Columbia Road in Jessica White's
7 property.

8 She was talking to a proprietor for
9 the better part of a year and then gave up
10 because they realized they couldn't get a tavern
11 license. And, there's no kitchen there and there
12 was no space to build a kitchen.

13 But, the wine bar with, you know, with
14 jazz concept, you know, would have worked really
15 nicely in that space. But, instead, we now have
16 a weed store in that space.

17 So, you know, landlords yes, they are,
18 you know, they have an incentive to try to get
19 the most money they can from their rent, right?

20 But, we don't want to have all weed
21 stores. And, you know, and I'm not suggesting
22 that we do. We have quite a few.

23 But, you know, that the -- you know,
24 it, you know, I don't want to -- I don't want to
25 see like, you know, landlords have to take that

1 option because they can't get an interesting,
2 unique concept that would require a tavern
3 license simply because there's no kitchen and no
4 possibility of building a kitchen in a given
5 space, right, because these spaces are so unique
6 and so, you know, so different.

7 So, you know, I just -- I wanted to
8 make that clarification.

9 CHAIRPERSON ANDERSON: Go ahead, Mr.
10 Wood. And then you can go back, Mr. Grandis. Go
11 ahead Mr. Wood.

12 You can lower your hand, please.

13 MR. WOOD: So, thanks. I won't be
14 long. There were unfortunately quite a few
15 inaccurate statements. I don't have time to
16 address them all.

17 But, I think a few are worth
18 mentioning. One, there's kind of the implication
19 that the BID and the ANC 1C had some sort of
20 collaboration on creating our resolution because
21 I was the representative at one point. That's
22 completely false.

23 Even if it was true, it's okay. But,
24 it is not. We're unpaid volunteers. And, the
25 only time we've ever even spoken off of public

1 meetings with the BID, it was on an issue that we
2 disagreed with, a collection of Commissions. And
3 so, it was completely unrelated to this.

4 But, more to the point of like
5 relative to our discussion, a few things stand
6 out to me. One, I think much earlier on in this
7 hearing someone stated that the ANC's process was
8 very inadequate in garnishing public input.

9 I personally found that to be kind of
10 an insulting comment. We went so far beyond what
11 was expected of us for public comment that people
12 commented to me that they were tired of talking
13 about the moratorium zone, because we had done it
14 for so long.

15 On multiple occasions and multiple
16 meetings, in multiple months, we had comments
17 from people saying that they had voiced their
18 opinions.

19 That we had, I think established that
20 there was quite a diversity of opinion. And, our
21 job is to try to assess what that is.

22 I also, independent of that on my own,
23 contacted many people who have been involved with
24 similar discussions in the past, and have had
25 similar views. Many of whom said that they have

1 supported our resolution.

2 Some of whom said that they didn't
3 want their name to be made public because the
4 Kalorama Citizens Association had harassed them
5 in the past. So, I respected their request for
6 anonymity.

7 But, I really think the main point
8 here is, is there was also a couple of things
9 that people moving out of U Street, which I don't
10 know if that is statistically accurate, I just
11 haven't looked at the data.

12 And then also, that we haven't seen
13 any new applications for tavern licenses. So,
14 that must justify keeping the status quo.

15 I think Ms. Barden kind of alluded to
16 this, it's really expensive to try to apply for
17 one to be transferred. And, you have to wait for
18 the number to lower.

19 So, the reason we haven't seen that is
20 because they've been mostly amassed within a
21 small group of actors who have mixed motives.
22 Some have been probably more bad faith than
23 others.

24 Some have been very good faith. Some
25 of the best constituents I have, and the

1 neighborhood Commissioners have, have tavern
2 licenses.

3 And, those are some of the best run
4 businesses in our districts, if not in the
5 neighborhood. And, some of them you wouldn't
6 even know if there was a bar there if someone
7 didn't tell you, because they're so well hidden.

8 But, really it brings, I think, to the
9 deeper point that we discussed pretty
10 exhaustively, which is, I think, everyone wants
11 retail diversity. Everyone wants to have a
12 robust local economy that is ideally locally
13 owned, ideally diverse in terms of who's doing
14 that ownership, ideally has longevity, and
15 ideally does not depend on things like the sales
16 of alcohol, cannabis, and quote/unquote vice
17 economy.

18 But, we also realize that we don't
19 live in an ideal world. So, we have to make
20 compromises if we're going to maintain a
21 community and a neighborhood that works well
22 together. Which, I think, collectively we all do
23 agree upon that in this hearing and in my
24 experience as a Commissioner.

25 But, in order to do that, you know,

1 sacrifice is required. And, it's hard. I admit.
2 I think this hearing is kind of testament to
3 that.

4 It's probably not a question that the
5 people that have the most time and energy
6 available to be involved in these discussions,
7 are people who are retired homeowners.

8 I have to take off time from work just
9 to speak here today. And, most of my fellow
10 Commissioners and constituents couldn't even
11 consider doing that.

12 So, I'm glad to be able to share these
13 views. But, I do want to make it clear that to
14 the best of my ability, I've really tried to
15 collect information from a wide range of people
16 in the neighborhood.

17 It's hard as a Commissioner. We don't
18 have a staff. We don't have much of a budget.
19 It's volunteer.

20 So, really I'm trying. But, I
21 appreciate the chance to be able to kind of add
22 onto that. And, I did put some of that in my
23 written testimony as well, for reference.

24 CHAIRPERSON ANDERSON: Were you done
25 with your questioning, Mr. Grandis?

1 MEMBER GRANDIS: I just had one last
2 statement. Mr. Wood, I think it's excellent that
3 you referenced one of the big public policies of
4 the district, is to encourage D.C. residents and
5 to encourage small entrepreneurs to have the
6 ability to get a storefront.

7 And, your neighborhood with the
8 falafel shop, is an outstanding example of having
9 an excellent idea going in. Have no money.

10 Have a food truck in the --(audio
11 interference.) To have a food truck and to be
12 able to show that product to the residents to be
13 able to have a brick and mortar location.

14 I just want to reference that Adams
15 Morgan has been an incubator of those types of
16 things. So, I just want to thank you all for
17 taking the time off your record, off your work
18 today to be able to give us your presentations.

19 Thank you. And, thank you, Mr.
20 Chairman.

21 CHAIRPERSON ANDERSON: And, you are
22 welcome, Mr. Grandis. Any other questions by any
23 other Board Members?

24 (No response.)

25 CHAIRPERSON ANDERSON: I see you

1 raised your hand. But, I want to bring this
2 hearing to a close Ms. Barden.

3 But, so I'm -- all right. What I'm
4 going to do is that I'm going to give everyone an
5 opportunity to speak for two minutes to wrap up.

6 And, I will go back and basically
7 I'll, if you need to speak I will. So, what I'll
8 do, is that since there are no other questions by
9 other Board Members, so I'm just going to have
10 everyone just, I'll give you two minutes to wrap
11 up.

12 Just to let us know what it is that
13 you want the Board to do. And then, we'll move
14 on from there.

15 So, let me limit on the timer so I can
16 put this back on. So, it's two minutes. I'm
17 giving everyone two minutes, just two minutes, to
18 wrap up.

19 And, I'm going to go in the same order
20 that I went before if you want to speak. And so,
21 I'll start again with Mr. Wood.

22 MR. WOOD: Well, thanks. I'll be
23 brief because I sort of already started my
24 closing monolog.

25 All right. I think that an important

1 point for us to address here was we've addressed
2 as a Commission and, I think really, as a
3 community, including the groups that disagree
4 with one another as individuals.

5 Is that Adams Morgan is unique. Adams
6 Morgan is creative. We have a history of a lot
7 of things. Of course, within those things comes
8 conflict.

9 But, we tend to manage it well. And,
10 in that creativity, I think, is the need to adapt
11 to circumstances. Like I said, the ideal
12 scenario and the realistic scenario aren't
13 necessarily aligned.

14 So, it's trying to find that middle
15 ground to find what types of adjustments, what
16 types of risks are worth taking.

17 And, we really went, in my mind, above
18 and beyond as a Commission to try to find a
19 compromise. It was unfortunate that the
20 disagreeing forces were very much opposed to make
21 compromise.

22 And, I'm glad that I was on a
23 Commission that really took a lot of that into
24 consideration to try to find some sort of
25 position that suggests that some types of modest

1 changes are worth considering if we're trying to
2 continue having a neighborhood that's worth
3 living in. And, I think it is.

4 CHAIRPERSON ANDERSON: Thank you, Mr.
5 Wood. And, Mr. Wood spoke for less than two
6 minutes. Hint, hint to the rest of the other
7 parties.

8 Mr. James?

9 (No response.)

10 CHAIRPERSON ANDERSON: Mr. James, I
11 can't hear you, sir.

12 MR. JAMES: How about now?

13 CHAIRPERSON ANDERSON: Go ahead, sir.

14 MR. JAMES: All right. So, I don't
15 want to trade insults with anybody in this panel.
16 I'll just say that the Kalorama Citizens
17 Association behaves properly in all situations.

18 We have a long history of dealing with
19 a very diverse group of licensees in as
20 harmonious a way as possible. Meaning, when we
21 go to seek a settlement agreement for instance,
22 we've dealt with every single ABC Licensee, you
23 know, that means 70 that currently exist.

24 So, once in a while we can't agree,
25 and we go to a protest hearing over some serious

1 point. But, mostly we can come to terms.

2 Anyway, the main points that I really
3 want to stress in this last moment or so, are the
4 appropriateness requirements, which are documents
5 which we got to you yesterday. There's about 15
6 photographs that show the incredibly sloppy
7 dumpsters of many of the ABC establishments.

8 There's a map that shows the density
9 of ABC licenses on 18th Street. In particular, a
10 cluster of taverns around the upper stretch of
11 18th Street.

12 The description of all of the
13 pedestrian safety and parking stressors that go
14 in the neighborhood.

15 You know, we have these folks who come
16 in and ride their dirt bikes, off road vehicles
17 and so forth. Most of which I understand from
18 the police are illegal.

19 You know, that comes at two o'clock at
20 night sometimes. And, zooms around the
21 neighborhood blasting stereos as loud as can be,
22 waking up residents. That's because there's a
23 scene here that they want to be part of.

24 Fifteen, you know, 15 weed shops in
25 the neighborhood. They're not legal. I think

1 the Board knows that, because it's within your
2 bailiwick now.

3 You know, they don't have basic
4 business licenses. They don't pay taxes.
5 They're cash businesses. They have armed guards
6 sometimes.

7 This is not safe for residents. We're
8 experiencing a rash of armed robberies in the
9 neighborhood, particularly around 18th and
10 Columbia.

11 There's been seven within the last
12 months. I think three with guns. And, some of
13 them, it's not certain whether there was a gun or
14 not, because the person who did it was not
15 apprehended.

16 And, these occurred between 2:00 a.m.
17 and 4:00 a.m. And, the victims are generally --

18 CHAIRPERSON ANDERSON: Your time is
19 up.

20 MR. JAMES: Okay. I'll just stop.
21 You know, I'm going to provide the Board with all
22 this information from MPD that I think will help
23 inform its decision.

24 Thank you.

25 CHAIRPERSON ANDERSON: All right.

1 Thank you. Ms. Barden?

2 MS. BARDEN: Sure. So, I'd just like
3 to thank the Board again for holding this
4 hearing. And, if I didn't thank you already,
5 thank you for your kind words about my work here.

6 It has been quite a while that I've
7 been in this position. And, some days are more
8 challenging than others. But, it is a labor of
9 love for sure.

10 So, I would just like to reiterate
11 that my Board of Directors would like the Adams
12 Morgan Moratorium Zone to be vacated except for
13 the prohibition on nightclub licenses.

14 And, as I emphasized in my written
15 remarks, the ANC process, you know, went on for
16 seven months. And, we thought it was very
17 extensive.

18 And, there were surveys. There were
19 lots of meetings. They got a lot of feedback.
20 And, we thought that they, you know, did an
21 excellent job with that and really took the time
22 to consider lots of viewpoints.

23 So, and you know, I'd also like to
24 point out, you know, some of the newest
25 businesses that have joined the Adams Morgan

1 community, Manifest, which is the barbershop on
2 Florida Avenue, that also has a speakeasy.

3 Hotbed Comedy Club, Baja Tap, they've
4 all been, you know, terrific neighbors. And,
5 those are the types of businesses and
6 entrepreneurs that, you know, we want in Adams
7 Morgan, you know.

8 And, we think that the community at
9 large could really benefit from more of those
10 types of, you know, innovative, unique concepts.
11 Many of which would need a tavern license simply
12 because they don't have room for a kitchen.

13 So, or they don't have the ability to
14 build a hood. So, and, you know, I think -- I'd
15 just like to emphasize that this is a unique
16 moment.

17 And, I think with the Board's support,
18 opening up the tavern licenses will help attract,
19 you know, more unique businesses to the
20 neighborhood and help fill some long term
21 vacancies.

22 So, you know, and the -- I know D.C.
23 government is very interested in getting
24 businesses back into empty storefronts. And,
25 this is a terrific way to make some significant

1 drives in that direction.

2 So, thank you very much for your time
3 today.

4 CHAIRPERSON ANDERSON: Thank you,
5 ma'am. Is Mr. Guthrie, is he still available and
6 want to say something?

7 (No response.)

8 CHAIRPERSON ANDERSON: No? If the
9 other members, if you want to speak, just raise
10 your hand, please and I'll call on you.

11 If not, I'm going to bring -- close
12 the hearing. I know there was -- if anyone else
13 wants to speak, just raise your hand or make some
14 comment.

15 Okay. So, go ahead Ms. Delagran.

16 MS. DELAGRAN: Thank you. I just
17 wanted to summarize by saying that I do not think
18 that the ANC proposal is a modest proposal.

19 And, I think it's a sad commentary
20 that the only options for revitalization in the
21 neighborhood involve drinking.

22 I think that the vision of a bookstore
23 with a happy hour or whatever, is a wonderful
24 vision. I fear that that is not the route that
25 this is going to take.

1 And, that we will have a dozen more or
2 however more, ten more taverns which behave
3 badly. So, I would propose extending or
4 recommend extending the current moratorium.

5 Thank you very much.

6 CHAIRPERSON ANDERSON: Thank you,
7 ma'am. Anyone else want to speak who hasn't
8 spoken already?

9 (No response.)

10 CHAIRPERSON ANDERSON: Okay. It
11 appears not.

12 MS. STEWART: I can't get my video to
13 work.

14 CHAIRPERSON ANDERSON: That's all
15 right. Ms. Stewart. Go ahead.

16 MS. STEWART: Yeah. But, I just want
17 to agree with a previous witness that especially
18 if tavern licenses are that expensive, I don't
19 think this is what's going to be attractive.

20 It's going to be bars, because they
21 can make more money off of liquor than unique
22 businesses, or businesses that serve the needs of
23 residents like me.

24 It will just add to the noise and the
25 conflict and, you know, possible attraction of

1 nonresidents who may be rather undesirable. And,
2 will really damage the current attractiveness of
3 our neighborhood, not improve it.

4 It will just become back to party city
5 with trash and noise and at all hours of the
6 night.

7 And, I just really oppose the idea
8 that bringing in more taverns is going to improve
9 the diversity of our businesses. I think it will
10 do the opposite.

11 Thank you.

12 CHAIRPERSON ANDERSON: All right.
13 Thank you, that was Jean Stewart. I saw -- I see
14 something in the chat, it says if the moratorium
15 on tavern licenses is lifted, the price would be
16 what ABCA sets.

17 No, we do not set prices. The market
18 sets the price. The market sets the price for a
19 tavern license.

20 And, it's my understanding of that.
21 I could be wrong. But, the market sets the price
22 for a tavern license in Adams Morgan based on the
23 availability of license.

24 So, that's really, it's the
25 availability of licenses that sets -- that sets

1 the price. The ABCA has no participation in the
2 price of licenses.

3 We charge a standard price for a
4 tavern license or a nightclub license based on
5 the numbers. But, we -- there's no specific
6 charge for a license in any specific area.

7 That is -- that's a market source
8 issue. So, I just want to put that out there.

9 MS. BARDEN: Yeah. That was my point.
10 Yeah, that was my point. If the moratorium on
11 tavern licenses is lifted, it would just be the
12 license fee.

13 There would no longer be a marketplace
14 for tavern licenses.

15 CHAIRPERSON ANDERSON: Right. I just
16 wanted to correct the record for that. Mr.
17 James, you have spoken before.

18 I mean, I'll give you half a second to
19 speak if you need to say something, sir.

20 MR. JAMES: Okay. Can you hear me?

21 CHAIRPERSON ANDERSON: Yes, sir.

22 MR. JAMES: Okay. I guess it's a
23 technical question for the Board. Does a tavern
24 re -- is a tavern required to have a kitchen?

25 CHAIRPERSON ANDERSON: There's no food

1 requirements for a tavern. It's just -- it is
2 just for restaurants that have to serve food.

3 So, there are -- and, one of the
4 things I learned during COVID, there are a
5 significant amount of restaurants up there, what
6 we would consider restaurants that have tavern
7 licenses, because for whatever reason, they
8 choose to have a tavern license though.

9 And, we had to make, during COVID, we
10 had to make exceptions for certain
11 establishments, because they were truly
12 restaurants.

13 And, that -- but, they elected for
14 whatever reason, to have a tavern license rather
15 than a restaurant license.

16 MR. JAMES: Well, the rest -- the
17 definition says food, but it doesn't say what or
18 how much.

19 CHAIRPERSON ANDERSON: Yes.

20 MR. JAMES: So, I thought maybe that
21 a kitchen might still be required.

22 CHAIRPERSON ANDERSON: There is no
23 requirement in the sense that restaurants have to
24 qualify a certain percentage -- a certain
25 percentage that restaurants have to serve in the

1 combination of food and alcohol, while that
2 doesn't exist for taverns.

3 MR. JAMES: Thank you.

4 CHAIRPERSON ANDERSON: All right. All
5 right. I -- all right. I want to thank everyone
6 for their active participation today.

7 The record is -- will remain open
8 until August 4. And the Board will let -- will
9 be issuing a decision trying to -- prior to the
10 expiration of the emergency rules in September.

11 So, we'll issue a decision on whether
12 or not we will maintain the moratorium and for
13 how -- for the number of years, and what
14 establishment, I think that one is -- if there's
15 no agreement within the parties, the one thing
16 that everyone agrees to, is that they do not want
17 nightclubs in Adams Morgan.

18 So, if we take nothing from this
19 hearing in the sense of whatever decision, I
20 believe that it's loud and clear from all the
21 opinions that we have received that there is
22 agreement amongst the parties that there should
23 be no nightclubs, which are Nightclub CN Licenses
24 in Adams Morgan.

25 So, that is loud and clear to the

1 Board. But, we will look at, we'll take the
2 testimony today into consideration. We will also
3 read all of the public comments that we have
4 received. And, we will make the decision based
5 on the feedback we have received from the
6 community.

7 So, thank you again for your
8 participation in the hearing today. I believe I
9 do not have to formally end this hearing, because
10 I did that yesterday.

11 So, thank you very much. Have a great
12 day. I now direct all Board Members to return to
13 -- and so we'll take this matter under --

14 (Off mic comment.)

15 CHAIRPERSON ANDERSON: I'm sorry
16 Commissioner Jake J-A-K-E F-A-L-E-S-C-H-I-N-I
17 from ANC 1C07. So, I'm working -- this hearing
18 is over. But, if you want to submit written
19 testimony, you can do that.

20 You have through August 4. And, it
21 can be sent to ABCA, abca.legal@dc.gov. Okay?

22 All right. And, that -- all right.
23 So, we will take this matter under advisement.
24 And, I thank you very much.

25 I now direct all Board Members to

1 return to Executive Session for further action.
2 Have a great afternoon. Thank you very much.

3 (Whereupon, the above-entitled matter
4 went off the record at 12:15 p.m.)

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In the matter of: Adams Morgan Moratorium

Before: DC ABCA

Date: 07-13-23

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate complete record of the proceedings.

Neal R Gross

Court Reporter

NEAL R. GROSS

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