

DISTRICT OF COLUMBIA  
+ + + + +  
ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

IN THE MATTER OF:                     :  
   :  
West Dupont Circle                     : Public Hearing  
Moratorium Zone Renewal             :  
   :

Wednesday,  
July 24, 2019

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson  
BOBBY CATO, JR., Member  
MIKE SILVERSTEIN, Member  
JAMES SHORT, Member  
RAFI CROCKETT, Member

ALSO PRESENT:

DANIEL WARWICK, CHAIR OF ANC 2B  
GLENN ENGELMANN, PRESIDENT OF THE DCCA

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

2 10:08 a.m.

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is a Public Hearing on the West  
5 Dupont Circle Moratorium Zone Renewal.

6 Would all parties with this case,  
7 please, step forward?

8 Okay. We are here today pursuant to  
9 DC Official Code § 25-354 to conduct a Public  
10 Hearing and receive testimony on a written  
11 request from Advisory Neighborhood Commission,  
12 ANC-2B to amend and then extend the West Dupont  
13 Moratorium for another three years.

14 By way of background, the existing  
15 moratorium is set to expire on October 27, 2019  
16 pursuant to DCMR 23-307. On June 19, 2019, ANC-  
17 2B submitted a properly adopted resolution  
18 requesting that the Board extend the moratorium  
19 as it currently exists, but with an exemption for  
20 the space known as the Dupont Underground.

21 The Dupont Underground is a District-  
22 owned former streetcar station located below

1 Square 114E, Lot 0800, and below the right-of-way  
2 of Dupont Circle, N.W., and Connecticut Avenue,  
3 N.W.

4 The exemption would allow for the  
5 licensing of nightclubs in the Dupont Underground  
6 space which is otherwise prohibited by the  
7 moratorium.

8 The Board will hear Chairperson Daniel  
9 Warwick, who is the only witness who notified the  
10 Agency regarding his desire to speak to this  
11 matter.

12 I will then open the hearing to  
13 questions from the Board.

14 And, Mr. Warwick, can you -- do you  
15 need to make a statement? Introduce yourself for  
16 the record, please, and let us know what your  
17 position is.

18 And there is a sign-in sheet, please,  
19 sign in.

20 MR. WARWICK: Absolutely, I have  
21 signed in. Thank you, Chairperson Anderson and  
22 Members of the Board. I am Daniel Warwick. I am

1 Chair of Advisory Neighborhood Commission 2B,  
2 which is Dupont Circle, as well as the  
3 commissioner for almost the entirety of the  
4 Moratorium Zone.

5 My colleague, Commissioner  
6 Silverstein, is on the other side of the table,  
7 but represents two blocks within the Moratorium  
8 Zone. However, he was not a party to any of  
9 these current discussions.

10 I'm joined here by Glenn Engelmann,  
11 who is President of the Dupont Circle Citizens  
12 Association, who I believe would also like to  
13 speak after I am --

14 CHAIRPERSON ANDERSON: Sure.

15 MR. WARWICK: -- finished speaking.  
16 So the West -- the Dupont Circle West Moratorium  
17 Zone has been around for a long time. For about  
18 20 years, it existed as a cap on all sorts of  
19 license types.

20 In 2013, the Alcohol Beverage Control  
21 Board at the request of ANC-2B, based on the  
22 leadership of my predecessor, Commissioner Kevin

1 O'Connor, tried to relax the requirements of the  
2 West Dupont Moratorium Zone and lifted -- and  
3 asked the Board and the Board granted a lifting  
4 of the restrictions on restaurant licenses.

5 P Street, this is -- West Dupont is  
6 primarily focused on the node at P Street and 21st  
7 Street, so P Street between Rock Creek Park and  
8 Dupont Circle.

9 The neighborhood has changed since the  
10 moratorium was initially created, just as retail  
11 has changed across the District and nationwide  
12 and dare I say worldwide. We have gotten more  
13 food and beverage focused. We don't have a  
14 hardware store.

15 As retailers changed, the character of  
16 the neighborhood has also changed a little bit  
17 where we used to have a lot of late night  
18 activities on P Street. Really, the number of  
19 taverns and nightclubs and late night  
20 establishments had -- is diminishing, so even the  
21 burger place isn't really open all that late most  
22 nights any more.

1                   That is a good thing for a lot of  
2 people if you are really concerned about noise  
3 and being able to sleep at night, the milling on  
4 the street, that's a really good thing, but it  
5 also means that there is not as much of a need  
6 for restrictions on the alcohol licensing of  
7 certain late night establishment types.

8                   And that's where 2016 came in when we  
9 requested the Board lift the restrictions on all  
10 license classes except nightclubs. Nightclubs  
11 have been limited to zero nightclubs within the  
12 Moratorium Zone area and where what was  
13 controversial three years ago was lifting the  
14 restriction on taverns.

15                   In 2016, we had four taverns. One of  
16 them -- one with a license that was in  
17 safekeeping. Now, we have two active taverns  
18 from a maximum of six that was allowed in the  
19 moratorium area, so I think we are okay on that.

20                   The question remains now as the  
21 Moratorium Zone only applies to nightclubs, is it  
22 worth continuing? Is it worth having the

1 continued protection of no nightclubs? We think  
2 the answer is yes and would really appreciate the  
3 Board continuing the Moratorium Zone.

4 P Street is a very mixed-use area.  
5 There are apartments next to retail  
6 establishments on top of retail establishments  
7 and the noise burden of living next to a  
8 nightclub isn't just what you can hear from the  
9 establishment, it's also what happens outside of  
10 the establishment that isn't always directly  
11 attributable to the establishment, but when you  
12 have a few establishments on the block, it is all  
13 attributable.

14 And everything not in necessarily the  
15 Show Cause Parlance, but definitely in the  
16 parlance of I'm a neighbor and I want to sleep at  
17 night.

18 All that being said, we do recognize  
19 that nightclubs do have a place in the District  
20 of Columbia and we do recognize that Dupont  
21 Circle is a regional destination. And as part of  
22 that, we recognize that if you are going to have

1 a nightclub in this area, it should be  
2 underground and it should be in an area that is  
3 not really impacting anyone.

4 That's where Dupont Underground comes  
5 in. It has had a long history of under-  
6 utilization. I reached out to DMPED who is the  
7 District Agency that owns the underground, the  
8 former trolley station. I reached out to the  
9 Dupont Underground organization, which is  
10 currently using, currently has a lease for the  
11 space and depending on where you draw --  
12 depending on what the address is for the western  
13 platform, the platform is in part of the  
14 Moratorium Zone.

15 However, the entrances are part of the  
16 Moratorium Zone. So because Moratorium Zones are  
17 three or five year processes, we just want to get  
18 ahead of this. We are not saying a nightclub  
19 should go there, but we are saying that if there  
20 is going to be a nightclub anywhere in this area,  
21 that's where it makes sense.

22 And if that is a use that is needed to



1 make the space viable and something that can be  
2 used as a regional attraction, then we'll have it  
3 there.

4 So that's where this request comes  
5 from. Six years ago, we asked for a relaxation  
6 of the moratorium on restaurants. Three years  
7 ago we asked for a relaxation on everything  
8 except nightclubs.

9 When the Moratorium Zone was  
10 established, it didn't apply to hotel licenses.  
11 I think now we are at a really good stable place  
12 that really benefits the neighborhood and we just  
13 want to make sure that the one final tweak about  
14 involving the Dupont Underground is something  
15 that would allow a use there, even if it's not  
16 compatible at 21st and P, it is compatible  
17 underground under Dupont Circle.

18 And I'm available to answer any  
19 questions.

20 CHAIRPERSON ANDERSON: All right.

21 Thank you, Mr. Warwick.

22 Can you introduce yourself, sir?

1 MR. ENGELMANN: Sure. My name is  
2 Glenn Engelmann. The first name is spelled G-L-  
3 E-N-N last name spelled E-N-G-E-L-M-A-N-N. As  
4 Daniel said, I'm President of the Dupont Circle  
5 Citizens Association. I also reside at 1412  
6 Hopkins Street, which is about two-thirds of a  
7 block off of P Street, the area in question.

8 DCCA and I personally support the  
9 position of the ANC. P Street is an active area  
10 with a number of restaurants and a couple of  
11 taverns, but it's also a very narrow area.

12 A lot of residences. 21st Street is a  
13 narrow street. There are a couple of hotels  
14 there, which can create traffic issues. There is  
15 not a great deal of parking. So we don't see  
16 that area as being amenable to nightclubs  
17 generally.

18 I would also point out the area is  
19 only a couple of blocks from the so-called "Club  
20 Central District," so for those who want  
21 nightclubs, there are several located in relative  
22 close proximity.

1           As Mr. Warwick said, however, we do  
2 recognize that the Dupont Underground is in such  
3 a location and candidly would benefit from some  
4 more utilization that we are supportive of  
5 relaxing the moratorium in the event the  
6 underground should see fit to develop a nightclub  
7 establishment there.

8           That's far enough away from the vast  
9 majority of the residences that we don't foresee  
10 a problem.

11           CHAIRPERSON ANDERSON: All right.

12           MR. ENGELMANN: So I'm happy to answer  
13 questions as well.

14           CHAIRPERSON ANDERSON: All right.  
15 Thank you. Mr. Warwick, please -- maybe you had  
16 done this in your testimony, give me the  
17 boundaries again of the moratorium.

18           MR. WARWICK: Yes. The Moratorium  
19 Zone is approximately 600 feet from the  
20 intersection of 21st and P Street, N.W. It goes  
21 through a variety of blocks. The retail corridor  
22 boundaries are essentially Rock Creek Park, 23rd

1 and P, to Dupont Circle along P Street. It does  
2 go down to Newport Place, but there is no retail  
3 really south of P Street, and it does go up to R  
4 Street and Hillyer Place, but there is no retail  
5 that way.

6 Previous moratoriums have exempted the  
7 1500 Block of Connecticut Avenue, so where the  
8 PNC Bank is as well as the portion along New  
9 Hampshire Avenue and Dupont Circle where it does  
10 hit Dupont Circle itself and does include a few  
11 buildings on Dupont Circle.

12 What we are really talking about is  
13 the area from 20th and P to 22nd and P, that retail  
14 node starting from -- there is a book store and  
15 Pizzeria Paradiso all the way to The Fireplace  
16 and there is a statue of someone, whom I forget  
17 the name of, right next to The Fireplace on P  
18 Street.

19 CHAIRPERSON ANDERSON: So basically  
20 within the Commercial Zone it doesn't appear that  
21 there are any of the viable business locations,  
22 maybe I'm -- for a nightclub. I'm asking.

1                   MR. WARWICK: So, yes. So there is a  
2 viable business location. Actually, about a year  
3 and a half ago, someone reached out to me about  
4 putting a nightclub in the former Apex location,  
5 which is between O and P Street along 22nd Street.  
6 It was recently renovated. It is 10,000 square  
7 feet. It has been sitting vacant for about three  
8 years.

9                   They said -- this person who reached  
10 out to me said they wanted a nightclub with the  
11 potential for nude entertainment, which, number  
12 one, wouldn't be allowed under any ABRA  
13 Regulations, because it's so close to where  
14 people live.

15                   But number two, you could put a  
16 nightclub there. Previously there was also a  
17 tavern, Omega, in the alley of -- between P and O  
18 and 21st and 22nd. There was also quite a large  
19 tavern, Marrakesh, at 2147 P Street, although  
20 that is being turned into apartments, as well as  
21 about a 3,000 square foot retail space.

22                   There are places that a nightclub

1       could go and a quite large nightclub and the only  
2       place that we feel really comfortable as a  
3       neighborhood is -- as a representative of the  
4       neighborhood is within a space that is  
5       underground and away from where people live.

6               MR. ENGELMANN:  Yeah.  And to be  
7       clear, the Omega now is a residence.

8               MR. WARWICK:  Yeah, Omega, someone  
9       lives there now, but it is a large 5,000 square  
10      foot space.

11              CHAIRPERSON ANDERSON:  Okay.  I guess  
12      what I'm trying to find out is why do we need a  
13      moratorium?  Why don't we just -- since it's just  
14      nightclubs, because if someone applies for a  
15      license, the ANC could easily protest it and the  
16      Board would either grant or deny because it would  
17      be a new license.

18              So why is it you need a moratorium  
19      when you still have -- since it's just one class  
20      of license that we are talking about, the ANC has  
21      all other -- the ANC can -- they have -- they  
22      can, the ANC, the civic association, they can

1 always protest it and then the Board would decide  
2 based on the protest whether or not it would  
3 grant the license.

4 MR. WARWICK: Absolutely. Because  
5 it's a protection we have had for several years.  
6 Quite frankly, the moratorium has existed longer  
7 than I have been alive. It is an important  
8 neighborhood protection on P Street and for the  
9 residences there.

10 There is concern with the way -- from  
11 several neighbors there is concern with the  
12 processes of how enforcement works at ABRA, with  
13 how often -- with how infrequently licenses are  
14 not granted if there was an incompatible license,  
15 in this case a nightclub, we haven't had a  
16 nightclub license there in at least 27 years.

17 If you remove the restriction of zero,  
18 who knows how many could come in. Probably one  
19 or maybe two. There is just a concern of being  
20 so close to Club Central, so close to other  
21 areas. It used to be such a large late-night  
22 destination. There are still issues with

1 establishments on the block that are taverns on  
2 the block that it really is import -- it feels  
3 really important to a lot of people who have been  
4 in the neighborhood for a long time to continue  
5 the protection that the moratorium has,  
6 especially on nightclub establishments.

7 It's an additional protection above  
8 and beyond everything else. Is it something we  
9 would be asking for right now if there wasn't a  
10 moratorium in place? Probably not, but the  
11 moratorium has been in place for a long time.  
12 It's an additional layer of protection and it's  
13 something we would like to keep.

14 MR. ENGELMANN: If I may, the only  
15 thing I would add to that is it is hard to  
16 foresee that that area is good for a nightclub.  
17 So to set up a process where ANC has to protest,  
18 DCCA has to protest, neighbors have to protest,  
19 it just seems more efficient to just continue the  
20 moratorium.

21 CHAIRPERSON ANDERSON: All right.  
22 Yes, Mr. Silverstein?



1                   MEMBER SILVERSTEIN: Looking at the  
2 history of this, it appears as though the ANC and  
3 DCCA and others have worked over the years to  
4 loosen the moratorium, that it went into place  
5 when there was a streetscape that tore up the  
6 entire area for over a year and forced a number  
7 of retail businesses out of business.

8                   And there was genuine fear, at that  
9 time, that the entire area would be overrun  
10 simply by people who were selling Budweiser at  
11 2:00 in the morning, because other people  
12 couldn't sustain themselves while people  
13 literally walking over a war zone, because of the  
14 work that they were doing, ripping up and putting  
15 in new infrastructure that hadn't been put in for  
16 close to 100 years in some of those places.

17                   And over time, what you had done is  
18 you had loosened it up and worked with the  
19 community, with ABRA, with especially the folks  
20 in the nightlife community to try to make this  
21 palatable.

22                   Do you feel that it is important to

1 keep the nightclub thing in there, basically,  
2 just so that you don't have to fight the war?

3 MR. WARWICK: Yes. There is a long  
4 history in Dupont Circle of various different  
5 opinions about late night establishments,  
6 particularly nightclubs. There is a long history  
7 of citizen associations and the ANC, frankly, not  
8 being on the same side in front of different  
9 boards and agencies.

10 Keeping the prohibition on nightclubs,  
11 keeping the moratorium on nightclubs is really  
12 important, because if not, it could open up  
13 Pandora's Box when a nightclub does want to come  
14 in. And I say when because someone reached out  
15 to me about it and there are spaces that could  
16 accommodate it.

17 I think the request that you see in  
18 front of you is a recognition of we have tried  
19 over the past six years to make it so we are  
20 accommodating all users, retail users, restaurant  
21 users, taverns as well as the people who want  
22 those amenities. It's just the final and most

1 intensive use of nightclubs. It's something that  
2 we are just not comfortable with.

3 We appreciate the additional  
4 protection, because we know that there will be a  
5 time when a nightclub is going to want to come  
6 in. It will be a long protest process. It will  
7 be a hard protest process. There are no  
8 guarantees with a protest process, but there are  
9 guarantees with a moratorium and it only applies  
10 to one class of license.

11 And that's -- and even though it only  
12 applies to one class of license, we are  
13 affirmatively carving out an area where we say it  
14 is okay for them to go in. So we are doing that  
15 not to shrink it so that it's unimportant, we are  
16 doing it because we do recognize that we do need  
17 to create a place for a nightclub in this area,  
18 if it's appropriate, but there are other portions  
19 where it frankly isn't appropriate.

20 And we don't want to deal with that,  
21 because we know that it will happen at some  
22 point.

1                   MEMBER SILVERSTEIN: How much of this  
2 area is within an Historic District?

3                   MR. WARWICK: All of it is within an  
4 Historic District.

5                   MEMBER SILVERSTEIN: So the residents  
6 who live nearby and in some cases next door,  
7 would have limits on windows, what they could put  
8 in, limits on things that would involve sound  
9 mitigation in their own homes?

10                  MR. WARWICK: Yeah. My goodness it is  
11 so difficult to replace a window in an Historic  
12 District. In a lot of areas, buildings are built  
13 or renovated. You have triple-pane windows. You  
14 turn on the air conditioning, it's fine. In  
15 Dupont Circle, that is a long and arduous process  
16 and often times at the front of your building if  
17 it faces the street, you can't do that, because  
18 you can't get a triple-pane window that is  
19 historic.

20                  It is -- this is just West Dupont. We  
21 have had the moratorium for so long, it is a  
22 protection that we would like to keep. And it is

1 something that really fits our neighborhood and  
2 the character of our neighborhood.

3 MEMBER SILVERSTEIN: Okay. Yes, go  
4 ahead.

5 MR. ENGELMANN: I was just referring  
6 to something Commissioner Silverstein mentioned.  
7 I think we have achieved a good balance. You  
8 know, when I first got involved in DCCA, there  
9 was a lot of arguments over maintaining the  
10 limits on taverns.

11 I think the street now has a nice mix.  
12 Restaurants, we've got some more restaurants  
13 coming in. As Daniel has said, you know, my  
14 block butts up against P Street. They are all  
15 houses, including my own, in the Historic  
16 District. It would just be difficult to make  
17 adjustments.

18 At the same time, the neighborhood  
19 changes. We recognize nightlife is important to  
20 the District. You know, when this issue came up  
21 about well, the underground and some of the  
22 entrances might be within the moratorium, you

1 know, it made sense that DCCA, as did the ANC,  
2 that yeah, that's the location for something like  
3 a nightclub, something to regenerate the use of  
4 that space.

5 And it is going to have marginal, if  
6 any, impact on the residences. So let's make  
7 that change, but, you know, I would urge the  
8 Commission not to upset the apple cart that has  
9 achieved a reasonable balance when there really  
10 isn't that much. You know, there may be the one  
11 location somebody might try to put a nightclub  
12 in, but that's going to generate a firestorm.  
13 That is not, you know, good use of anybody's  
14 time.

15 MEMBER SILVERSTEIN: You spoke of the  
16 balance and not upsetting the apple cart. And I  
17 would like to share with you a story that  
18 happened a little while back and it was in the  
19 building that you lived in at one time, Chairman  
20 Warwick, which was The August.

21 And there was a nightclub or not a  
22 nightclub, a tavern next door and I believe it

1 was then called Badlands, but it may have been  
2 called something else, it went through a number  
3 of iterations.

4 And you had an elderly woman with a  
5 fixed income who was terribly concerned about the  
6 fact that in the summer she had to keep a window  
7 open, because it got too hot and stifling and yet  
8 there was noise when the door would open and  
9 people would come out of this nightclub and it  
10 was keeping her up. And the folks from the  
11 nightclub bought her an air conditioner and  
12 installed it in her home and she didn't have to  
13 keep the window open and the problem went away.

14 And that is the kind of equilibrium  
15 that you have in the neighborhood. We haven't  
16 had the fights over there that we have had in a  
17 lot of other places and, since Marrakesh went  
18 down, that is certainly something that is to be  
19 desired.

20 You mentioned that you are not saying  
21 that a nightclub should go in the Dupont  
22 Underground, but that if the right circumstances

1 occurred, it could go there.

2 I should tell you right off the bat  
3 that the idea of having anything down there  
4 large, is something that would be more than  
5 problematic with ingress and egress, I see  
6 someone smiling next to me, but I would also  
7 agree that I wouldn't shut if off, but I  
8 guarantee you that that is something that would  
9 go through a very, very, very strict vetting.

10 The idea of having anything  
11 underground, you absolutely must have proper ways  
12 to get in and out, especially in an emergency.

13 MR. WARWICK: Absolutely. And just  
14 speaking to that, we see it as a carve-out of  
15 this. First of all, it's not actually in the  
16 zone. The space itself, however, an entrance on  
17 the western platform, may be within the zone  
18 depending on how addresses are calculated.

19 It would have to go through extreme  
20 vetting, a security plan would be essential, an  
21 ingress/egress plan would be essential. There  
22 would probably -- I can't speak for future



1 commissions, but there would probably be a very  
2 extensive protest process to understand how it  
3 could work.

4 Frankly, it is coming from a place of  
5 it is an under-utilized District asset and the  
6 organization that has a lease there hasn't been  
7 able to upgrade it, so it's accessible to  
8 everyone, so that there is correct safety. They  
9 are on a conditional Certificate of Occupancy.

10 In order for the space to operate  
11 effectively, to serve the neighborhood and the  
12 District of Columbia, something needs to happen.  
13 I personally don't necessarily think a nightclub  
14 is the right solution, but it's not so out of  
15 hand that it should be affirmatively not allowed  
16 is where we are coming from.

17 And it might not pass the smell test  
18 and it might be something that there are other  
19 parts of the regulatory process that would stop  
20 it anyway, but I just don't think the moratorium  
21 is the right place to stop it on -- to stop a  
22 nightclub or any ABRA establishment within the

1 underground space, because it will require very  
2 creative financing and nightclubs tend to make a  
3 lot of money.

4 MEMBER SILVERSTEIN: Yes, that's  
5 exactly where I am. I really have serious doubts  
6 it could ever happen that it is careful as could  
7 be, but I wouldn't want to say no up front and no  
8 forever up front for a space like that.

9 MR. WARWICK: There are places we do  
10 want to say no forever up front and we had that  
11 discussion like 27 years ago and that's why we  
12 have the Moratorium Zone and we want to continue  
13 that, particularly for nightclubs. This is just  
14 one of the areas that this one specific place  
15 where we think it might be okay to just not say  
16 no up front.

17 MEMBER SILVERSTEIN: But it has been  
18 reassuring that this is one of those places where  
19 a moratorium has worked very well, that it has  
20 served its purpose, that it has been loosened,  
21 that you have worked with it and modified it,  
22 that it is not set in stone and that there is

1 peace in the neighborhood and that both the  
2 nightclub people and the folks who live in the  
3 area are generally a peace with one another.

4 MR. WARWICK: Generally. I mean,  
5 there are still --

6 MEMBER SILVERSTEIN: Sure.

7 MR. WARWICK: -- issues --

8 MEMBER SILVERSTEIN: Welcome to the  
9 big city.

10 MR. WARWICK: -- with certain  
11 establishments --

12 MR. ENGELMANN: Exactly.

13 MR. WARWICK: -- but that could just  
14 be exacerbated a lot more if the moratorium --

15 MEMBER SILVERSTEIN: We're not  
16 Sterling, Virginia and we don't want to be.

17 MR. ENGELMANN: Exactly.

18 MEMBER SILVERSTEIN: No further  
19 questions, Mr. Chairman.

20 CHAIRPERSON ANDERSON: Mr. Short?

21 MEMBER SHORT: Yes. Good morning,  
22 gentlemen, both of you. Mr. Warwick, you said

1 the underground has been under-utilized. Can you  
2 -- I have it in my head some history, but can you  
3 give me the history of why it was being under-  
4 utilized?

5 MR. WARWICK: Yes. So up until 1962  
6 it was an active streetcar tunnel and there were  
7 stops for the Connecticut Avenue Streetcar. From  
8 1962 to the mid-1990s it was vacant. It was used  
9 as a bomb shelter at certain points. There were  
10 issues in land ownership.

11 In the mid-1990s, the District granted  
12 a lease to a certain person, who decided they  
13 wanted to create Dupont Down Under, which was a  
14 food court. It turns out people don't like going  
15 downstairs to eat food necessarily. It closed  
16 within six months. There were also some issues  
17 with shady financing and that was well-reported  
18 at the time.

19 MEMBER SHORT: Any safety issues?

20 MR. WARWICK: No safety issues that I  
21 am aware of.

22 MEMBER SHORT: Can I ask you some

1 questions regarding that?

2 MR. WARWICK: Yeah.

3 MEMBER SHORT: Right now, how many  
4 entrances and exits are there to the underground?

5 MR. WARWICK: Yeah, so right now the  
6 space that I'm talking about, the West Dupont  
7 area, there are zero. It's a 75,000 square foot  
8 space.

9 MEMBER SHORT: I understand. How many  
10 exits and entrances are there?

11 MR. WARWICK: Assuming they were all  
12 open, there are eight plus a ninth that would  
13 be --

14 MR. ENGELMANN: Mr. Warwick, they are  
15 not all open right now. Right now, there are two  
16 entrances.

17 MEMBER SHORT: Mr. Warwick, I have  
18 very extensive background in public safety in the  
19 city and I have been down there. And I rode the  
20 streetcar as a kid when the streetcar used to  
21 turn around under there.

22 So how many people would be in the

1 nightclub under that underground?

2 MR. WARWICK: Each platform has a  
3 capacity of about 400 people.

4 MEMBER SHORT: So right now, there is  
5 only one way in and one way out. Is that  
6 correct? Right now.

7 MR. WARWICK: Correct, right now.  
8 However, right now only about 13,000 square feet  
9 is used and it's all on the eastern platform, not  
10 on the western platform.

11 MEMBER SHORT: Okay.

12 MR. WARWICK: This is assuming a  
13 future where there was probably egress and  
14 ingress. It is assuming a future of where,  
15 frankly, there is a leaseholder that can invest  
16 in the space or the District has invested in the  
17 space.

18 MEMBER SHORT: So can you understand  
19 my concern as a Board Member? Right now, you are  
20 talking about better than 400 people with only  
21 one way in and one way out underground. And if  
22 somebody really wanted to do something terrible

1 to the people under there, just one way down,  
2 just in Washington, D.C. we are saying now not  
3 when, but if -- it's when we are going to have a  
4 terrorist attack.

5 And that would be one calamity. I  
6 wouldn't want to have my name on at all. And I  
7 want to go on public record just saying I'm not  
8 against the underground. I'm not against  
9 nightclubs there. But they would have to have  
10 exits and egress commensurate, because if you are  
11 talking about 400 people, you need about four or  
12 five entrances and exits, that would be required  
13 for an above-ground nightclub.

14 Underground would be even more than  
15 that. Is there an emergency generator down there  
16 now?

17 MR. WARWICK: I'm not aware. And just  
18 to be clear, the space that I'm talking about,  
19 the western platform has zero active entrances  
20 and exits right now, because it is closed to the  
21 public.

22 MEMBER SHORT: Yeah.

1 MR. WARWICK: And not used at all.

2 MEMBER SHORT: Okay. I'm asking you  
3 a question. Is there any emergency electricity  
4 down there now? So if you had a club down there  
5 right now and people were down there drinking and  
6 having a good time and a power outage happens,  
7 like happens in Dupont a lot of times, how would  
8 the people know how to get in and get out?

9 MR. WARWICK: I would assume as part  
10 of a safety plan a generator may be required by--

11 MEMBER SHORT: It's going to be  
12 required, I can tell you that. Yes, it is. But  
13 right now there is not one, correct?

14 MR. WARWICK: I am not aware. I am  
15 not the leaseholder or --

16 MEMBER SHORT: I understand.

17 MR. WARWICK: -- the occupant.

18 MEMBER SHORT: Is it being used now  
19 and for what purpose?

20 MR. WARWICK: The western platform is  
21 not being used and that's the only area that this  
22 resolution discusses. The eastern platform is



1 currently being used, conditionally, by the  
2 Dupont Underground Organization for pop-up arts  
3 and culture festivals and they have a CX License.

4 MEMBER SHORT: Yeah, I understand they  
5 do. And again, my name appears on some of those  
6 documents. And I have said it to the Board  
7 Members in closed and I'll say it here publicly,  
8 I really think that's a very unsafe idea right  
9 now.

10 I think that you need to work with the  
11 city and work with some engineers and work with  
12 some people to make it so it's safe for the  
13 visitors, for customers or whomever else goes  
14 down there. I'm not against a nightclub. I'm  
15 not against anything that is going to stop  
16 business here in the city, but I have to go on  
17 public record in saying right now, would you  
18 consider it a very safe place to be under there?

19 MR. WARWICK: Well, right now it's not  
20 -- the area we are discussing is not open to the  
21 public.

22 MEMBER SHORT: I asked you a question

1 about safety. Is it safe? In your opinion, and  
2 I know you are not a public safety person, so you  
3 really know -- but you want to -- you were  
4 talking about a nightclub in a carve-out, is it  
5 safe in your opinion? Is it safe or isn't it?

6 MR. WARWICK: Right now under the  
7 current conditions?

8 MEMBER SHORT: Um-hum.

9 MR. WARWICK: No, because none of the  
10 ingress or egress is allowed. However, is there  
11 a possibility that it could be safe in the future  
12 with investments that could be allowed by a  
13 nightclub license? Potentially, it's, I think, a  
14 good enough shot that it is worth keeping as an  
15 option for the District.

16 MEMBER SHORT: So I heard your answer  
17 was no. And you are saying also that it could be  
18 if the additional safety features were put in.  
19 Is that correct?

20 MR. WARWICK: It could be under the  
21 right circumstances. I'm not an expert in the  
22 right circumstances. I'm an expert in the

1 neighborhood.

2 MEMBER SHORT: Okay. I understand.  
3 That's all I have, Mr. Chair. Thank you very  
4 much. I just wanted to go on the record.

5 CHAIRPERSON ANDERSON: Thank you, Mr.  
6 Short. Any other questions by any other Board  
7 Members?

8 I mean, this is not necessarily a  
9 discussion about the Dupont Underground, so I  
10 think it is whether or not that is a space for a  
11 nightclub or any type of business. I just think  
12 that as you were asking for an extension of the  
13 moratorium and you are saying that some -- if the  
14 Board decides to grant the moratorium, then you  
15 would ask that that specific area be exempt for  
16 whatever further development.

17 You don't want to impact the  
18 development in that area, that's correct?

19 MR. WARWICK: Correct. And the Board  
20 has already granted exemptions from the 600 feet  
21 rule on the 1500 Block of Connecticut Avenue as  
22 well as I believe it is 9 Dupont Circle or 7

1 Dupont Circle. There is a building on Dupont  
2 Circle that has an exemption as well on their New  
3 Hampshire Street frontage as well as the Dupont  
4 Circle Street frontage.

5 So this is not a new concept. It's  
6 just new because it's a unique space under  
7 National Park Service land.

8 CHAIRPERSON ANDERSON: My only  
9 concern, I don't know what any of the Board  
10 Members think, I'm not quite sure if just to  
11 extend the moratorium for another three years and  
12 it's just for a class of license when you have  
13 other options to prevent these type of  
14 establishments from license being granted for  
15 this particular -- that's just the only -- I'm  
16 thinking aloud.

17 If the larger class of license, I  
18 would fully agree and say sure, but it's --

19 MR. WARWICK: We will take a five year  
20 extension, too. I would note that this was the  
21 extension that was granted by the Board in 2016.  
22 So all we are asking for is the status quo that

1 was already granted by the Board in 2016.

2 CHAIRPERSON ANDERSON: I'll just say  
3 my thought process, I have not made any decision.  
4 I have not made any decision, just my thought  
5 process.

6 And any other questions by any other  
7 Board Members? Any final comments either party  
8 decides to -- wants to make prior to closing this  
9 hearing?

10 MR. ENGELMANN: Yeah, Mr. Chairman,  
11 the only thing I would add to your comment is  
12 Commissioner Silverstein mentioned is keep in  
13 mind that this started out as a much broader  
14 moratorium and we are down to one class through  
15 experience and negotiation among the residents.

16 So it's not like we are asking for a  
17 new moratorium. And again, I would just urge you  
18 to -- we have a good balance. We have good  
19 establishments. It is working. Let's not upset  
20 the apple cart and just continue for three years.

21 MR. WARWICK: I would also urge in the  
22 same vein we have a balance. We have a long

1 history of concerns. We have a long history of  
2 loosening, so we are meeting the needs of  
3 everyone involved in the nightlife and food and  
4 beverage economy as well as the amenities that  
5 people come to Dupont Circle and live in the  
6 neighborhood for.

7 This is I think an example of a  
8 moratorium having success. Not being extended on  
9 all license types forever, but being extended  
10 where it matters and where it counts and we  
11 probably wouldn't be having the same discussion.  
12 If it was about requesting a new moratorium, we  
13 wouldn't be having the same discussion.

14 If it was requesting a change, if we  
15 were requesting a change, there would be a lot  
16 more people here and a lot of people who are very  
17 concerned about removing the final restriction on  
18 nightclubs. It is something that is really  
19 important.

20 I think we have reached a place where  
21 until it is okay for a nightclub to be right next  
22 to where people are sleeping at night, until the

1 technology allows for sound mitigation like that  
2 in an Historic District and until there is  
3 enforcement that makes it not an issue, then  
4 having the moratorium is a really important  
5 protection for neighbors and it's a protection we  
6 would like to keep based on our long history of  
7 being a nightlife destination.

8 And I really -- I understand this is  
9 not the usual request that the Board receives  
10 with a moratoria and really appreciate all of you  
11 taking the time and being willing to consider our  
12 request.

13 CHAIRPERSON ANDERSON: All right.  
14 What's your name again, sir?

15 MR. ENGELMANN: Sure. It's Glenn  
16 Engelmann.

17 CHAIRPERSON ANDERSON: Mr. Engelmann?

18 MR. ENGELMANN: Yes. Do you want me  
19 to spell it?

20 CHAIRPERSON ANDERSON: No. No, I'm  
21 fine. Thank you.

22 MR. ENGELMANN: Sure.

1                   CHAIRPERSON ANDERSON: All right.  
2           Chairperson Warwick, I would like to thank you  
3           for being here today, for taking the time to  
4           express the views of the residents and making  
5           this request to the Board for its consideration  
6           of extending the moratorium for another three  
7           years.

8                   And the Board will take it under  
9           advisement. So I thank you for being here today.

10                   Mr. Engelmann, also thank you very  
11           much for also taking the time to come to the  
12           Board today to express the views of the residents  
13           of the community that you represent and the  
14           Board.

15                   We take the concerns, the comments of  
16           -- for both the civic association and the ANC in  
17           making whatever decision that we make, because,  
18           again, we don't live in the neighborhood and so  
19           we take our lead from the representatives of the  
20           community to advise us what is the best decision  
21           to make.

22                   And so again, I want to thank both of



1 you for being here today. And the Board will  
2 take this matter under advisement and we will  
3 make a determination on whether or not we will  
4 grant the moratorium for another three years with  
5 the carve-out, with just nightclubs and with the  
6 carve-out of the Dupont Underground.

7 Okay. Thank you very much.

8 MR. WARWICK: Thank you.

9 MR. ENGELMANN: Thank you.

10 CHAIRPERSON ANDERSON: All right.

11 Thank you. This hearing is now closed.

12 All right. The Board then is in  
13 recess. Thank you.

14 (Whereupon, the Public Hearing was  
15 concluded at 10:49 a.m.)

16

17

18

19

20

21

22

**A**

**a.m** 2:2 41:15  
**able** 6:3 25:7  
**above-ground** 31:13  
**ABRA** 13:12 15:12  
 17:19 25:22  
**absolutely** 3:20 15:4  
 24:11,13  
**accessible** 25:7  
**accommodate** 18:16  
**accommodating** 18:20  
**achieved** 21:7 22:9  
**active** 6:17 10:9 28:6  
 31:19  
**activities** 5:18  
**add** 16:15 37:11  
**additional** 16:7,12 19:3  
 34:18  
**address** 8:12  
**addresses** 24:18  
**adjustments** 21:17  
**adopted** 2:17  
**advise** 40:20  
**advisement** 40:9 41:2  
**Advisory** 2:11 4:1  
**affirmatively** 19:13  
 25:15  
**agencies** 18:9  
**Agency** 3:10 8:7  
**ago** 6:13 9:5,7 13:3  
 26:11  
**agree** 24:7 36:18  
**ahead** 8:18 21:4  
**air** 20:14 23:11  
**alcohol** 4:20 6:6  
**Alcoholic** 1:2,11,11  
**alive** 15:7  
**alley** 13:17  
**allow** 3:4 9:15  
**allowed** 6:18 13:12  
 25:15 34:10,12  
**allows** 39:1  
**aloud** 36:16  
**amenable** 10:16  
**amend** 2:12  
**amenities** 18:22 38:4  
**ANC** 1:20 10:9 14:15,20  
 14:21,22 16:17 17:2  
 18:7 22:1 40:16  
**ANC-** 2:16  
**ANC-2B** 2:12 4:21  
**Anderson** 1:13,15 2:3  
 3:21 4:14 9:20 11:11  
 11:14 12:19 14:11  
 16:21 27:20 35:5 36:8  
 37:2 39:13,17,20 40:1  
 41:10  
**answer** 7:2 9:18 11:12

34:16  
**anybody's** 22:13  
**anyway** 25:20  
**apartments** 7:5 13:20  
**Apex** 13:4  
**appear** 12:20  
**appears** 17:2 33:5  
**apple** 22:8,16 37:20  
**applies** 6:21 14:14 19:9  
 19:12  
**apply** 9:10  
**appreciate** 7:2 19:3  
 39:10  
**appropriate** 19:18,19  
**approximately** 11:19  
**arduous** 20:15  
**area** 6:12,19 7:4 8:1,2  
 8:20 10:7,9,11,16,18  
 12:13 16:16 17:6,9  
 19:13,17 20:2 27:3  
 29:7 32:21 33:20  
 35:15,18  
**areas** 15:21 20:12  
 26:14  
**arguments** 21:9  
**arts** 33:2  
**asked** 5:3 9:5,7 33:22  
**asking** 12:22 16:9 32:2  
 35:12 36:22 37:16  
**asset** 25:5  
**association** 4:12 10:5  
 14:22 40:16  
**associations** 18:7  
**assume** 32:9  
**assuming** 29:11 30:12  
 30:14  
**attack** 31:4  
**attraction** 9:2  
**attributable** 7:11,13  
**August** 22:20  
**available** 9:18  
**Avenue** 3:2 12:7,9 28:7  
 35:21  
**aware** 28:21 31:17  
 32:14

**B**

**back** 22:18  
**background** 2:14 29:18  
**Badlands** 23:1  
**balance** 21:7 22:9,16  
 37:18,22  
**Bank** 12:8  
**based** 4:21 15:2 39:6  
**basically** 12:19 18:1  
**bat** 24:2  
**believe** 4:12 22:22  
 35:22

**benefit** 11:3  
**benefits** 9:12  
**best** 40:20  
**better** 30:20  
**beverage** 1:2,11,11  
 4:20 5:13 38:4  
**beyond** 16:8  
**big** 27:9  
**bit** 5:16  
**block** 7:12 10:7 12:7  
 16:1,2 21:14 35:21  
**blocks** 4:7 10:19 11:21  
**Board** 1:2,11 2:18 3:8  
 3:13,22 4:21 5:3,3 6:9  
 7:3 14:16 15:1 30:19  
 33:6 35:6,14,19 36:9  
 36:21 37:1,7 39:9  
 40:5,8,12,14 41:1,12  
**boards** 18:9  
**BOBBY** 1:16  
**bomb** 28:9  
**book** 12:14  
**bought** 23:11  
**boundaries** 11:17,22  
**Box** 18:13  
**broader** 37:13  
**Budweiser** 17:10  
**building** 1:12 20:16  
 22:19 36:1  
**buildings** 12:11 20:12  
**built** 20:12  
**burden** 7:7  
**burger** 5:21  
**business** 12:21 13:2  
 17:7 33:16 35:11  
**businesses** 17:7  
**butts** 21:14  
**by--** 32:10

**C**

**calamity** 31:5  
**calculated** 24:18  
**calendar** 2:4  
**called** 23:1,2  
**candidly** 11:3  
**cap** 4:18  
**capacity** 30:3  
**careful** 26:6  
**cart** 22:8,16 37:20  
**carve-out** 24:14 34:4  
 41:5,6  
**carving** 19:13  
**case** 2:3,6 15:15  
**cases** 20:6  
**CATO** 1:16  
**Cause** 7:15  
**Central** 10:20 15:20  
**certain** 6:7 27:10 28:9  
 28:12  
**certainly** 23:18  
**Certificate** 25:9  
**Chair** 1:20 4:1 35:3  
**Chairman** 22:19 27:19  
 37:10  
**Chairperson** 1:12,15  
 2:3 3:8,21 4:14 9:20  
 11:11,14 12:19 14:11  
 16:21 27:20 35:5 36:8  
 37:2 39:13,17,20 40:1  
 40:2 41:10  
**change** 22:7 38:14,15  
**changed** 5:9,11,15,16  
**changes** 21:19  
**character** 5:15 21:2  
**Circle** 1:6 2:5 3:2 4:2,11  
 4:16 5:8 7:21 9:17  
 10:4 12:1,9,10,11  
 18:4 20:15 35:22 36:1  
 36:2,4 38:5  
**circumstances** 23:22  
 34:21,22  
**citizen** 18:7  
**Citizens** 4:11 10:5  
**city** 27:9 29:19 33:11,16  
**civic** 14:22 40:16  
**class** 14:19 19:10,12  
 36:12,17 37:14  
**classes** 6:10  
**clear** 14:7 31:18  
**close** 10:22 13:13 15:20  
 15:20 17:16  
**closed** 28:15 31:20  
 33:7 41:11  
**closing** 37:8  
**club** 10:19 15:20 32:4  
**Code** 2:9  
**colleague** 4:5  
**Columbia** 1:1 7:20  
 25:12  
**come** 15:18 18:13 19:5  
 23:9 38:5 40:11  
**comes** 8:4 9:4  
**comfortable** 14:2 19:2  
**coming** 21:13 25:4,16  
**commensurate** 31:10  
**comment** 37:11  
**comments** 37:7 40:15  
**Commercial** 12:20  
**Commission** 2:11 4:1  
 22:8  
**commissioner** 4:3,5,22  
 21:6 37:12  
**commissions** 25:1  
**community** 17:19,20  
 40:13,20  
**compatible** 9:16,16

**concept** 36:5  
**concern** 15:10,11,19  
 30:19 36:9  
**concerned** 6:2 23:5  
 38:17  
**concerns** 38:1 40:15  
**concluded** 41:15  
**conditional** 25:9  
**conditionally** 33:1  
**conditioner** 23:11  
**conditioning** 20:14  
**conditions** 34:7  
**conduct** 2:9  
**Connecticut** 3:2 12:7  
 28:7 35:21  
**consider** 33:18 39:11  
**consideration** 40:5  
**continue** 16:4,19 26:12  
 37:20  
**continued** 7:1  
**continuing** 6:22 7:3  
**Control** 1:2,11,11 4:20  
**controversial** 6:13  
**correct** 25:8 30:6,7  
 32:13 34:19 35:18,19  
**corridor** 11:21  
**counts** 38:10  
**couple** 10:10,13,19  
**court** 28:14  
**create** 10:14 19:17  
 28:13  
**created** 5:10  
**creative** 26:2  
**Creek** 5:7 11:22  
**CROCKETT** 1:17  
**culture** 33:3  
**current** 4:9 34:7  
**currently** 2:19 8:10,10  
 33:1  
**customers** 33:13  
**CX** 33:3

---

**D**

**D.C** 1:12 31:2  
**Daniel** 1:20 3:8,22 10:4  
 21:13  
**dare** 5:12  
**DC** 2:9  
**DCCA** 1:20 10:8 16:18  
 17:3 21:8 22:1  
**DCMR** 2:16  
**deal** 10:15 19:20  
**decide** 15:1  
**decided** 28:12  
**decides** 35:14 37:8  
**decision** 37:3,4 40:17  
 40:20  
**definitely** 7:15

**deny** 14:16  
**depending** 8:11,12  
 24:18  
**desire** 3:10  
**desired** 23:19  
**destination** 7:21 15:22  
 39:7  
**determination** 41:3  
**develop** 11:6  
**development** 35:16,18  
**different** 18:4,8  
**difficult** 20:11 21:16  
**diminishing** 5:20  
**directly** 7:10  
**discusses** 32:22  
**discussing** 33:20  
**discussion** 26:11 35:9  
 38:11,13  
**discussions** 4:9  
**District** 1:1 5:11 7:19  
 8:7 10:20 20:2,4,12  
 21:16,20 25:5,12  
 28:11 30:16 34:15  
 39:2  
**District-** 2:21  
**DMPED** 8:6  
**documents** 33:6  
**doing** 17:14 19:14,16  
**Donovan** 1:13,15  
**door** 20:6 22:22 23:8  
**doubts** 26:5  
**downstairs** 28:15  
**draw** 8:11  
**drinking** 32:5  
**Dupont** 1:6 2:5,12,20  
 2:21 3:2,5 4:2,11,16  
 5:2,5,8 7:20 8:4,9  
 9:14,17 10:4 11:2  
 12:1,9,10,11 18:4  
 20:15,20 23:21 28:13  
 29:6 32:7 33:2 35:9  
 35:22 36:1,1,3 38:5  
 41:6

---

**E**

**E-N-G-E-L-M-A-N-N**  
 10:3  
**E-N-N** 10:3  
**easily** 14:15  
**eastern** 30:9 32:22  
**eat** 28:15  
**economy** 38:4  
**effectively** 25:11  
**efficient** 16:19  
**egress** 24:5 30:13  
 31:10 34:10  
**eight** 29:12  
**either** 14:16 37:7

**elderly** 23:4  
**electricity** 32:3  
**emergency** 24:12 31:15  
 32:3  
**enforcement** 15:12  
 39:3  
**Engelmann** 1:20 4:10  
 10:1,2 11:12 14:6  
 16:14 21:5 27:12,17  
 29:14 37:10 39:15,16  
 39:17,18,22 40:10  
 41:9  
**engineers** 33:11  
**entertainment** 13:11  
**entire** 17:6,9  
**entirety** 4:3  
**entrance** 24:16  
**entrances** 8:15 21:22  
 29:4,10,16 31:12,19  
**equilibrium** 23:14  
**especially** 16:6 17:19  
 24:12  
**essential** 24:20,21  
**essentially** 11:22  
**established** 9:10  
**establishment** 6:7 7:9  
 7:10,11 11:7 25:22  
**establishments** 5:20  
 7:6,6,12 16:1,6 18:5  
 27:11 36:14 37:19  
**event** 11:5  
**exacerbated** 27:14  
**exactly** 26:5 27:12,17  
**example** 38:7  
**exempt** 35:15  
**exempted** 12:6  
**exemption** 2:19 3:4  
 36:2  
**exemptions** 35:20  
**existed** 4:18 15:6  
**existing** 2:14  
**exists** 2:19  
**exits** 29:4,10 31:10,12  
 31:20  
**experience** 37:15  
**expert** 34:21,22  
**expire** 2:15  
**express** 40:4,12  
**extend** 2:12,18 36:11  
**extended** 38:8,9  
**extending** 40:6  
**extension** 35:12 36:20  
 36:21  
**extensive** 25:2 29:18  
**extreme** 24:19

---

**F**

**faces** 20:17

**fact** 23:6  
**far** 11:8  
**fear** 17:8  
**features** 34:18  
**feel** 14:2 17:22  
**feels** 16:2  
**feet** 11:19 13:7 30:8  
 35:20  
**festivals** 33:3  
**fight** 18:2  
**fight** 23:16  
**final** 9:13 18:22 37:7  
 38:17  
**financing** 26:2 28:17  
**find** 14:12  
**fine** 20:14 39:21  
**finished** 4:15  
**Fireplace** 12:15,17  
**firestorm** 22:12  
**first** 10:2 21:8 24:15  
**fit** 11:6  
**fits** 21:1  
**five** 8:17 31:12 36:19  
**fixed** 23:5  
**focused** 5:6,13  
**folks** 17:19 23:10 27:2  
**food** 5:13 28:14,15 38:3  
**foot** 13:21 14:10 29:7  
**forced** 17:6  
**foresee** 11:9 16:16  
**forever** 26:8,10 38:9  
**forget** 12:16  
**former** 2:22 8:8 13:4  
**forward** 2:7  
**four** 6:15 31:11  
**frankly** 15:6 18:7 19:19  
 25:4 30:15  
**front** 18:8,18 20:16 26:7  
 26:8,10,16  
**frontage** 36:3,4  
**fully** 36:18  
**further** 27:18 35:16  
**future** 24:22 30:13,14  
 34:11

---

**G**

**G-L-** 10:2  
**generally** 10:17 27:3,4  
**generate** 22:12  
**generator** 31:15 32:10  
**gentlemen** 27:22  
**genuine** 17:8  
**give** 11:16 28:3  
**Glenn** 1:20 4:10 10:2  
 39:15  
**goodness** 20:10  
**gotten** 5:12  
**grant** 14:16 15:3 35:14

41:4  
**granted** 5:3 15:14 28:11  
 35:20 36:14,21 37:1  
**guarantee** 24:8  
**guarantees** 19:8,9  
**guess** 14:11

---

**H**

---

**half** 13:3  
**Hampshire** 12:9 36:3  
**hand** 25:15  
**happen** 19:21 25:12  
 26:6

**happened** 22:18  
**happens** 7:9 32:6,7  
**happy** 11:12  
**hard** 16:15 19:7  
**hardware** 5:14  
**head** 28:2  
**hear** 3:8 7:8  
**heard** 34:16  
**hearing** 1:6,11 2:4,10  
 3:12 37:9 41:11,14  
**Hillyer** 12:4  
**historic** 20:2,4,11,19  
 21:15 39:2  
**history** 8:5 17:2 18:4,6  
 28:2,3 38:1,1 39:6  
**hit** 12:10

**home** 23:12  
**homes** 20:9  
**Hopkins** 10:6  
**hot** 23:7  
**hotel** 9:10  
**hotels** 10:13  
**houses** 21:15

---

**I**

---

**idea** 24:3,10 33:8  
**impact** 22:6 35:17  
**impacting** 8:3  
**import** 16:2  
**important** 15:7 16:3  
 17:22 18:12 21:19  
 38:19 39:4  
**include** 12:10  
**including** 21:15  
**income** 23:5  
**incompatible** 15:14  
**infrastructure** 17:15  
**infrequently** 15:13  
**ingress** 24:5 30:14  
 34:10  
**ingress/egress** 24:21  
**initially** 5:10  
**installed** 23:12  
**intensive** 19:1  
**intersection** 11:20

**introduce** 3:15 9:22  
**invest** 30:15  
**invested** 30:16  
**investments** 34:12  
**involve** 20:8  
**involved** 21:8 38:3  
**involving** 9:14  
**issue** 21:20 39:3  
**issues** 10:14 15:22 27:7  
 28:10,16,19,20  
**iterations** 23:3

---

**J**

---

**JAMES** 1:17  
**joined** 4:10  
**JR** 1:16  
**July** 1:9  
**June** 2:16

---

**K**

---

**keep** 16:13 18:1 20:22  
 23:6,13 37:12 39:6  
**keeping** 18:10,11 23:10  
 34:14  
**Kevin** 4:22  
**kid** 29:20  
**known** 2:20  
**knows** 15:18

---

**L**

---

**land** 28:10 36:7  
**large** 13:18 14:1,9  
 15:21 24:4  
**larger** 36:17  
**late** 5:17,19,21 6:7 18:5  
**late-night** 15:21  
**layer** 16:12  
**lead** 40:19  
**leadership** 4:22  
**lease** 8:10 25:6 28:12  
**leaseholder** 30:15  
 32:15  
**let's** 22:6 37:19  
**license** 4:19 6:10,16  
 14:15,17,20 15:3,14  
 15:16 19:10,12 33:3  
 34:13 36:12,14,17  
 38:9  
**licenses** 5:4 9:10 15:13  
**licensing** 3:5 6:6  
**lift** 6:9  
**lifted** 5:2  
**lifting** 5:3 6:13  
**limited** 6:11  
**limits** 20:7,8 21:10  
**literally** 17:13  
**little** 5:16 22:18  
**live** 13:14 14:5 20:6

27:2 38:5 40:18  
**lived** 22:19  
**lives** 14:9  
**living** 7:7  
**located** 2:22 10:21  
**location** 11:3 13:2,4  
 22:2,11  
**locations** 12:21  
**long** 4:17 8:5 16:4,11  
 18:3,6 19:6 20:15,21  
 37:22 38:1 39:6  
**longer** 15:6  
**Looking** 17:1  
**loosen** 17:4  
**loosened** 17:18 26:20  
**loosening** 38:2  
**lot** 3:1 5:17 6:1 10:12  
 16:3 20:12 21:9 23:17  
 26:3 27:14 32:7 38:15  
 38:16

---

**M**

---

**maintaining** 21:9  
**majority** 11:9  
**making** 40:4,17  
**marginal** 22:5  
**Marrakesh** 13:19 23:17  
**matter** 1:5 3:11 41:2  
**matters** 38:10  
**maximum** 6:18  
**mean** 27:4 35:8  
**means** 6:5  
**meeting** 1:3 38:2  
**Member** 1:16,16,17,17  
 17:1 20:1,5 21:3  
 22:15 26:4,17 27:6,8  
 27:15,18,21 28:19,22  
 29:3,9,17 30:4,11,18  
 30:19 31:22 32:2,11  
 32:16,18 33:4,22 34:8  
 34:16 35:2  
**Members** 3:22 33:7  
 35:7 36:10 37:7  
**mentioned** 21:6 23:20  
 37:12  
**met** 1:11  
**mid-1990s** 28:8,11  
**MIKE** 1:16  
**milling** 6:3  
**mind** 37:13  
**mitigation** 20:9 39:1  
**mix** 21:11  
**mixed-use** 7:4  
**modified** 26:21  
**money** 26:3  
**months** 28:16  
**moratoria** 39:10  
**moratorium** 1:6 2:5,13

2:15,18 3:7 4:4,7,16  
 5:2,10 6:12,19,21 7:3  
 8:14,16,16 9:6,9 11:5  
 11:17,18 14:13,18  
 15:6 16:5,10,11,20  
 17:4 18:11 19:9 20:21  
 21:22 25:20 26:12,19  
 27:14 35:13,14 36:11  
 37:14,17 38:8,12 39:4  
 40:6 41:4  
**moratoriums** 12:6  
**morning** 17:11 27:21

---

**N**

---

**N.W** 1:12 3:2,3 11:20  
**name** 10:1,2,3 12:17  
 31:6 33:5 39:14  
**narrow** 10:11,13  
**National** 36:7  
**nationwide** 5:11  
**nearby** 20:6  
**necessarily** 7:14 25:13  
 28:15 35:8  
**need** 3:15 6:5 14:12,18  
 19:16 31:11 33:10  
**needed** 8:22  
**needs** 25:12 38:2  
**negotiation** 37:15  
**neighbor** 7:16  
**neighborhood** 2:11 4:1  
 5:9,16 9:12 14:3,4  
 15:8 16:4 21:1,2,18  
 23:15 25:11 27:1 35:1  
 38:6 40:18  
**neighbors** 15:11 16:18  
 39:5  
**new** 12:8 14:17 17:15  
 36:2,5,6 37:17 38:12  
**Newport** 12:2  
**nice** 21:11  
**night** 5:17,19 6:3,7 7:17  
 18:5 38:22  
**nightclub** 7:8 8:1,18,20  
 11:6 12:22 13:4,10,16  
 13:22 14:1 15:15,16  
 16:6,16 18:1,13 19:5  
 19:17 22:3,11,21,22  
 23:9,11,21 25:13,22  
 27:2 30:1 31:13 33:14  
 34:4,13 35:11 38:21  
**nightclubs** 3:5 5:19  
 6:10,10,11,21 7:1,19  
 9:8 10:16,21 14:14  
 18:6,10,11 19:1 26:2  
 26:13 31:9 38:18 41:5  
**nightlife** 17:20 21:19  
 38:3 39:7  
**nights** 5:22

ninth 29:12  
 node 5:6 12:14  
 noise 6:2 7:7 23:8  
 note 36:20  
 notified 3:9  
 nude 13:11  
 number 5:18 10:10  
 13:11,15 17:6 23:2

---

**O**


---

**O** 13:5,17  
**O'Connor** 5:1  
**Occupancy** 25:9  
**occupant** 32:17  
**occurred** 24:1  
**October** 2:15  
**Official** 2:9  
**Omega** 13:17 14:7,8  
**open** 3:12 5:21 18:12  
 23:7,8,13 29:12,15  
 33:20  
**operate** 25:10  
**opinion** 34:1,5  
**opinions** 18:5  
**option** 34:15  
**options** 36:13  
**order** 25:10  
**organization** 8:9 25:6  
 33:2  
**outrage** 32:6  
**outside** 7:9  
**overrun** 17:9  
**owned** 2:22  
**ownership** 28:10  
**owns** 8:7

---

**P**


---

**P** 5:5,6,7,18 7:4 9:16  
 10:7,9 11:20 12:1,1,3  
 12:13,13,17 13:5,17  
 13:19 15:8 21:14  
**P-R-O-C-E-E-D-I-N-G-S**  
 2:1  
**palatable** 17:21  
**Pandora's** 18:13  
**Paradiso** 12:15  
**Park** 5:7 11:22 36:7  
**parking** 10:15  
**parlance** 7:15,16  
**part** 7:21 8:13,15 32:9  
**particular** 36:15  
**particularly** 18:6 26:13  
**parties** 2:6  
**parts** 25:19  
**party** 4:8 37:7  
**pass** 25:17  
**peace** 27:1,3  
**people** 6:2 13:14 14:5

16:3 17:10,11,12  
 18:21 23:9 27:2 28:14  
 29:22 30:3,20 31:1,11  
 32:5,8 33:12 38:5,16  
 38:16,22  
**person** 13:9 28:12 34:2  
**personally** 10:8 25:13  
**Pizzeria** 12:15  
**place** 5:21 7:19 9:11  
 12:2,4 14:2 16:10,11  
 17:4 19:17 25:4,21  
 26:14 33:18 38:20  
**places** 13:22 17:16  
 23:17 26:9,18  
**plan** 24:20,21 32:10  
**platform** 8:13,13 24:17  
 30:2,9,10 31:19 32:20  
 32:22  
**please** 2:7 3:16,18  
 11:15  
**plus** 29:12  
**PNC** 12:8  
**point** 10:18 19:22  
**points** 28:9  
**pop-up** 33:2  
**portion** 12:8  
**portions** 19:18  
**position** 3:17 10:9  
**possibility** 34:11  
**potential** 13:11  
**Potentially** 34:13  
**power** 32:6  
**predecessor** 4:22  
**PRESENT** 1:14,19  
**President** 1:20 4:11  
 10:4  
**presiding** 1:13  
**prevent** 36:13  
**Previous** 12:6  
**Previously** 13:16  
**primarily** 5:6  
**prior** 37:8  
**probably** 15:18 16:10  
 24:22 25:1 30:13  
 38:11  
**problem** 11:10 23:13  
**problematic** 24:5  
**process** 16:17 19:6,7,8  
 20:15 25:2,19 37:3,5  
**processes** 8:17 15:12  
**prohibited** 3:6  
**prohibition** 18:10  
**proper** 24:11  
**properly** 2:17  
**protection** 7:1 15:5,8  
 16:5,7,12 19:4 20:22  
 39:5,5  
**protest** 14:15 15:1,2

16:17,18,18 19:6,7,8  
 25:2  
**proximity** 10:22  
**public** 1:6 2:4,9 29:18  
 31:7,21 33:17,21 34:2  
 41:14  
**publicly** 33:7  
**purpose** 26:20 32:19  
**pursuant** 2:8,16  
**put** 13:15 17:15 20:7  
 22:11 34:18  
**putting** 13:4 17:14

---

**Q**


---

**question** 6:20 10:7 32:3  
 33:22  
**questions** 3:13 9:19  
 11:13 27:19 29:1 35:6  
 37:6  
**quite** 13:18 14:1 15:6  
 36:10  
**quo** 36:22

---

**R**


---

**R** 12:3  
**RAFI** 1:17  
**reached** 8:6,8 13:3,9  
 18:14 38:20  
**reasonable** 22:9  
**reassuring** 26:18  
**receive** 2:10  
**receives** 39:9  
**recess** 41:13  
**recognition** 18:18  
**recognize** 7:18,20,22  
 11:2 19:16 21:19  
**record** 3:16 31:7 33:17  
 35:4  
**Reeves** 1:12  
**referring** 21:5  
**regarding** 3:10 29:1  
**regenerate** 22:3  
**regional** 7:21 9:2  
**Regulations** 13:13  
**regulatory** 25:19  
**relative** 10:21  
**relax** 5:1  
**relaxation** 9:5,7  
**relaxing** 11:5  
**remains** 6:20  
**remove** 15:17  
**removing** 38:17  
**Renewal** 1:6 2:5  
**renovated** 13:6 20:13  
**replace** 20:11  
**represent** 40:13  
**representative** 14:3  
**representatives** 40:19

**represents** 4:7  
**request** 2:11 4:21 9:4  
 18:17 39:9,12 40:5  
**requested** 6:9  
**requesting** 2:18 38:12  
 38:14,15  
**require** 26:1  
**required** 31:12 32:10  
 32:12  
**requirements** 5:1  
**reside** 10:5  
**residence** 14:7  
**residences** 10:12 11:9  
 15:9 22:6  
**residents** 20:5 37:15  
 40:4,12  
**resolution** 2:17 32:22  
**restaurant** 5:4 18:20  
**restaurants** 9:6 10:10  
 21:12,12  
**restriction** 6:14 15:17  
 38:17  
**restrictions** 5:4 6:6,9  
**retail** 5:10 7:5,6 11:21  
 12:2,4,13 13:21 17:7  
 18:20  
**retailers** 5:15  
**right-of-way** 3:1  
**ripping** 17:14  
**Rock** 5:7 11:22  
**rode** 29:19  
**Room** 1:12  
**rule** 35:21

---

**S**


---

**safe** 33:12,18 34:1,5,5  
 34:11  
**safekeeping** 6:17  
**safety** 25:8 28:19,20  
 29:18 32:10 34:1,2,18  
**saying** 8:18,19 23:20  
 31:2,7 33:17 34:17  
 35:13  
**security** 24:20  
**selling** 17:10  
**sense** 8:21 22:1  
**serious** 26:5  
**serve** 25:11  
**served** 26:20  
**Service** 36:7  
**set** 2:15 16:17 26:22  
**shady** 28:17  
**share** 22:17  
**sheet** 3:18  
**shelter** 28:9  
**Short** 1:17 27:20,21  
 28:19,22 29:3,9,17  
 30:4,11,18 31:22 32:2

32:11,16,18 33:4,22  
34:8,16 35:2,6  
**shot** 34:14  
**Show** 7:15  
**shrink** 19:15  
**shut** 24:7  
**side** 4:6 18:8  
**sign** 3:19  
**sign-in** 3:18  
**signed** 3:21  
**Silverstein** 1:16 4:6  
16:22 17:1 20:1,5  
21:3,6 22:15 26:4,17  
27:6,8,15,18 37:12  
**simply** 17:10  
**sir** 9:22 39:14  
**sitting** 13:7  
**six** 6:18 9:5 18:19 28:16  
**sleep** 6:3 7:16  
**sleeping** 38:22  
**smell** 25:17  
**smiling** 24:6  
**so-called** 10:19  
**solution** 25:14  
**somebody** 22:11 30:22  
**sorts** 4:18  
**sound** 20:8 39:1  
**south** 12:3  
**space** 2:20 3:6 8:11 9:1  
13:21 14:4,10 22:4  
24:16 25:10 26:1,8  
29:6,8 30:16,17 31:18  
35:10 36:6  
**spaces** 18:15  
**speak** 3:10 4:13 24:22  
**speaking** 4:15 24:14  
**specific** 26:14 35:15  
**spell** 39:19  
**spelled** 10:2,3  
**spoke** 22:15  
**square** 3:1 13:6,21 14:9  
29:7 30:8  
**stable** 9:11  
**started** 37:13  
**starting** 12:14  
**statement** 3:15  
**station** 2:22 8:8  
**statue** 12:16  
**status** 36:22  
**step** 2:7  
**Sterling** 27:16  
**stifling** 23:7  
**stone** 26:22  
**stop** 25:19,21,21 33:15  
**stops** 28:7  
**store** 5:14 12:14  
**story** 22:17  
**street** 1:12 5:5,6,7,18

6:4 7:4 10:6,7,9,12,13  
11:20 12:1,3,4,18  
13:5,5,19 15:8 20:17  
21:11,14 36:3,4  
**streetcar** 2:22 28:6,7  
29:20,20  
**streetscape** 17:5  
**strict** 24:9  
**submitted** 2:17  
**success** 38:8  
**Suite** 1:12  
**summer** 23:6  
**support** 10:8  
**supportive** 11:4  
**sustain** 17:12

---

### T

**table** 4:6  
**talking** 12:12 14:20  
29:6 30:20 31:11,18  
34:4  
**tavern** 13:17,19 22:22  
**taverns** 5:19 6:14,15,17  
10:11 16:1 18:21  
21:10  
**technology** 39:1  
**tell** 24:2 32:12  
**tend** 26:2  
**terrible** 30:22  
**terribly** 23:5  
**terrorist** 31:4  
**test** 25:17  
**testimony** 2:10 11:16  
**thank** 3:21 9:21 11:15  
35:3,5 39:21 40:2,9  
40:10,22 41:7,8,9,11  
41:13  
**things** 20:8  
**thought** 37:3,4  
**three** 2:13 6:13 8:17 9:6  
13:7 36:11 37:20 40:6  
41:4  
**times** 20:16 32:7  
**today** 2:8 40:3,9,12  
41:1  
**top** 7:6  
**tore** 17:5  
**traffic** 10:14  
**tried** 5:1 18:18  
**triple-pane** 20:13,18  
**trolley** 8:8  
**try** 17:20 22:11  
**trying** 14:12  
**tunnel** 28:6  
**turn** 20:14 29:21  
**turned** 13:20  
**turns** 28:14  
**tweak** 9:13

**two** 4:7 6:17 13:15  
15:19 29:15  
**two-thirds** 10:6  
**type** 35:11 36:13  
**types** 4:19 6:7 38:9

---

### U

**Um-hum** 34:8  
**under-** 8:5 28:3  
**under-utilized** 25:5  
28:1  
**underground** 2:20,21  
3:5 8:2,4,7,9 9:14,17  
11:2,6 14:5 21:21  
23:22 24:11 26:1 28:1  
29:4 30:1,21 31:8,14  
33:2 35:9 41:6  
**understand** 25:2 29:9  
30:18 32:16 33:4 35:2  
39:8  
**unimportant** 19:15  
**unique** 36:6  
**unsafe** 33:8  
**upgrade** 25:7  
**upset** 22:8 37:19  
**upsetting** 22:16  
**urge** 22:7 37:17,21  
**use** 8:22 9:15 19:1 22:3  
22:13  
**users** 18:20,20,21  
**usual** 39:9  
**utilization** 8:6 11:4  
**utilized** 28:4

---

### V

**vacant** 13:7 28:8  
**variety** 11:21  
**various** 18:4  
**vast** 11:8  
**vein** 37:22  
**vetting** 24:9,20  
**viable** 9:1 12:21 13:2  
**views** 40:4,12  
**Virginia** 27:16  
**visitors** 33:13

---

### W

**W** 1:13,15  
**walking** 17:13  
**wanted** 13:10 28:13  
30:22 35:4  
**wants** 37:8  
**war** 17:13 18:2  
**Warwick** 1:20 3:9,14,20  
3:22 4:15 9:21 11:1  
11:15,18 13:1 14:8  
15:4 18:3 20:3,10  
22:20 24:13 26:9 27:4

27:7,10,13,22 28:5,20  
29:2,5,11,14,17 30:2  
30:7,12 31:17 32:1,9  
32:14,17,20 33:19  
34:6,9,20 35:19 36:19  
37:21 40:2 41:8

**Washington** 1:12 31:2  
**wasn't** 16:9  
**way** 2:14 12:5,15 15:10  
30:5,5,21,21 31:1  
**ways** 24:11  
**Wednesday** 1:9  
**Welcome** 27:8  
**well-reported** 28:17  
**went** 17:4 23:2,13,17  
**West** 1:6 2:4,12 4:16,16  
5:2,5 20:20 29:6  
**western** 8:12 24:17  
30:10 31:19 32:20  
**willing** 39:11  
**window** 20:11,18 23:6  
23:13  
**windows** 20:7,13  
**witness** 3:9  
**woman** 23:4  
**work** 17:14 25:3 33:10  
33:11,11  
**worked** 17:3,18 26:19  
26:21  
**working** 37:19  
**works** 15:12  
**worldwide** 5:12  
**worth** 6:22,22 34:14  
**wouldn't** 13:12 24:7  
26:7 31:6 38:11,13  
**written** 2:10

---

### X

---

### Y

**year** 8:17 13:2 17:6  
36:19  
**years** 2:13 4:18 6:13  
9:5,6 13:8 15:5,16  
17:3,16 18:19 26:11  
36:11 37:20 40:7 41:4

---

### Z

**zero** 6:11 15:17 29:7  
31:19  
**zone** 1:6 2:5 4:4,8,17  
5:2 6:12,21 7:3 8:14  
8:16 9:9 11:19 12:20  
17:13 24:16,17 26:12  
**Zones** 8:16

---

### 0

**0800** 3:1

**1**

**10,000** 13:6  
**10:08** 2:2  
**10:49** 41:15  
**100** 17:16  
**114E** 3:1  
**13,000** 30:8  
**1412** 10:5  
**14th** 1:12  
**1500** 12:7 35:21  
**19** 2:16  
**1962** 28:5,8

**2**

**2:00** 17:11  
**20** 4:18  
**2000** 1:12  
**20009** 1:12  
**2013** 4:20  
**2016** 6:8,15 36:21 37:1  
**2019** 1:9 2:15,16  
**20th** 12:13  
**2147** 13:19  
**21st** 5:6 9:16 10:12  
11:20 13:18  
**22nd** 12:13 13:5,18  
**23-307** 2:16  
**23rd** 11:22  
**24** 1:9  
**25-354** 2:9  
**27** 2:15 15:16 26:11  
**2B** 1:20 2:17 4:1

**3**

**3,000** 13:21

**4**

**400** 30:3,20 31:11  
**400S** 1:12

**5**

**5,000** 14:9

**6**

**600** 11:19 35:20

**7**

**7** 35:22  
**75,000** 29:7

**8**

**9**

**9** 35:22

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: West Dupont Moratorium

Before: DCABRA

Date: 07-24-19

Place: Washington, DC

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



-----  
Court Reporter

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701