



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

August 19, 2013

Chairwoman Ruthanne Miller
Alcoholic Beverage Control Board
Reeves Center
2000 14th Street NW
Washington, DC 20009
abra@dc.gov

RE: Resolution to Extend and Modify the East Dupont Circle Liquor Moratorium

Dear Chairwoman Miller,

At its regular meeting on August 14, 2013, the Dupont Circle Advisory Neighborhood Commission (“ANC2B” or “Commissioner”) considered the East Dupont Liquor Moratorium, which is currently set to expire in September 2013. We very much appreciate that ABRA Director Fred Moosally and his staff provided the ANC with reminders and notice at the beginning of 2013 that this moratorium was set to expire this year.

The Commission held a series of public meetings, beginning in May 2013 and continuing through August 2013, to discuss the moratorium openly with community stakeholders and formulate a recommendation for the Board.

With 8 of 9 Commissioners present at our August 14, 2013 meeting, a quorum at a duly-noticed public meeting, the Commission approved the below motion by a split vote of 4 to 4. The Commission has a tie-breaking rule in its by-laws that in case of a tie vote, the vote of the Chairperson controls. The Chair was one of the four Commissioners voting in favor of the below resolution, and therefore the resolution passed. As set forth in more detail below, the resolution recommends renewal of the moratorium for three years, but with restrictions lifted on Class CR, Class DR, Class A, and Class B licenses.

The resolution adopted by the Commission is as follows:

Whereas, the East Dupont Circle Moratorium (the Moratorium) has been recognized as a tool to reduce liquor license over-concentration and protect the peace, order and quiet of the East Dupont Circle neighborhood;

Whereas, a goal of the ANC is to promote the future of its neighborhoods, advocating for smart growth and sustainable, responsible economic development;

there are several tools that can effectively help promote the welfare of the neighborhood;

Whereas, the ANC has weighed the opinions of the impacted community, businesses, community organizations and the Dupont Circle neighborhood at-large; which were diverse and often strong;

Whereas, the East Dupont Circle Moratorium limits the number of Retailer's liquor licenses issued in the area that extends approximately six hundred (600) feet in all directions from the intersection of 17 and Q Streets, N.W., Washington, D.C.; and

Whereas, the East Dupont Circle Moratorium is set to expire on September 23, 2013.

Therefore, be it resolved, that ANC 2B petition the Alcoholic Beverage Control Board for the renewal of a modified East Dupont Circle Moratorium for a three-year period from the date of Board action;

Be it further resolved, that ANC 2B recommends continuing the current number of licenses allowable be listed as the following: Class CT/DT – Two (2); and Class CN/DN – Zero (0);

Be it further resolved, that ANC 2B recommends that the restriction on the number of Class A, Class B, and CR/DR licenses be lifted;

Be it further resolved, that ANC 2B recommends that the current exemption for hotels continue;

Be it further resolved, that ANC 2B recommends the existing language pertaining to transfer of ownership be maintained;

Be it further resolved, that ANC 2B recommends that the prohibition on the transfer of a CT/DT, or CN/DN license from outside the Moratorium zone to inside the Moratorium zone be continued;

Be it further resolved, that ANC 2B recommends the Moratorium shall prohibit the change of all CR/DR licenses to CT/DT or CN/DN licenses;

Be it further resolved that ANC 2B will track measures to determine the effectiveness of these changes. These will include: violations registered with ABRA, complaints registered with the Commissioners of the Single-Member Districts within the Moratorium boundaries, and the number and type of new businesses in the Moratorium boundaries; and

Be it further resolved that ANC 2B recommends that the Alcoholic Beverage Control Board take any actions necessary to ensure that the current moratorium does not expire before it can act on these recommendations.

Due to his position on the ABC Board, Commissioner Silverstein did not participate in the vote. Commissioner Silverstein was attending an extended ABC Board meeting on the night of August 14, 2013 and thus did not attend the ANC meeting at which the above resolution was considered.

Commissioners Kevin O'Connor (kevin.oconnor@dupontcircleanc.net), Will Stephens (will.stephens@dupontcircleanc.net), and Mike Feldstein (mike.feldstein@dupontcircleanc.net) are the Commission's designated representatives on this matter.

Enclosed is the Commission's report on the moratorium. A hard copy of the report's appendix will be delivered to ABRA's offices.

ON BEHALF OF THE COMMISSION

Sincerely,

A handwritten signature in blue ink that reads "William F. Stephens". The signature is written in a cursive style with a long horizontal stroke at the end.

Will Stephens
Chairman