



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

June 19, 2019

Chairman Donovan Anderson
Alcoholic Beverage Control Board
Reeves Center
2000 14th Street NW
Washington, DC 20009
abra.legal@dc.gov

RE: Request for the Alcohol Beverage Control Board to Extend the West Dupont Circle Moratorium Zone by Three Years

Dear Chairman Anderson,

At its regular meeting on June 12, 2019, the Dupont Circle Advisory Neighborhood Commission (“ANC 2B” or “Commission”) considered the above-referenced matter. With 8 of 9 Commissioners in attendance, a quorum at a duly-noticed public meeting, the Commission approved the following resolution by a vote of (7-0-1):

WHEREAS, the West Dupont Circle Moratorium Zone was created on July 22, 1994 to limit the number of alcohol-serving establishments within 600 feet of the intersection of 21st Street and P Street NW,

WHEREAS, ANC 2B believes that the negative impacts of alcohol-selling establishments are contingent on operating practices and proximity to residential units rather than the Alcoholic Beverage Regulation Administration (ABRA) license classification system,

WHEREAS, ANC 2B acknowledges the long history of West Dupont as a mixed use neighborhood with apartments, condominiums, and late night businesses located next to each other,

WHEREAS, ANC 2B recognizes that the amenities and availability of late night food service and entertainment options are what drives many neighbors to choose to live in Dupont Circle,

WHEREAS, ANC 2B acknowledges that while late night amenities are often paired with late night problems, including the disruption of residents’ sleep due to disregard for peace, order, and quiet, ANC 2B believes that these problems are based on the operating behavior of business owners, the attentiveness of Metropolitan Police Department (MPD)

patrols, and the effectiveness of ABRA and Department of Consumer and Regulatory Affairs (DCRA) enforcement of noise ordinances,

WHEREAS, ANC 2B believes that the negative impacts of some late night alcohol-serving establishments are managed ineffectually through the current MPD, ABRA, and DCRA enforcement mechanisms,

WHEREAS, in 2013, the Alcoholic Beverage Control (ABC) Board removed the limit on restaurant licenses within the moratorium zone,

WHEREAS, in 2016, the ABC Board removed the limit on Class A, B, X, and T licenses (liquor stores, beer and wine stores, multipurpose licenses such as the Phillips Collection or the Cosmos Club, and taverns),

WHEREAS, the number of Class A, B, and X licenses stayed constant from 2016 through 2019,

WHEREAS, over the past three years, the number of active tavern licenses has decreased within the moratorium zone from four to two with the closure of tavern establishments at 1413-1415 22nd Street NW and 2147 P Street NW,

WHEREAS, in 2011, the ABC Board exempted the building at One Dupont Circle from the moratorium zone,

WHEREAS, additional carve outs to the moratorium zone exist on the 1500 block of Connecticut Avenue NW so that the moratorium zone is functionally a restriction on licenses on P Street between 20th Street and 22nd Street NW,

WHEREAS, lifting the moratorium in its entirety would allow nightclubs to enter West Dupont while West Dupont has not had a nightclub for at least twenty years,

WHEREAS, the addition of a nightclub to West Dupont would be disruptive to the peace, order, and quiet of our and any mixed use neighborhood based on the guaranteed entertainment endorsements and lack of food service inherent in the license class,

WHEREAS, ANC 2B requests that the ABC Board continues the status quo which does not allow for nightclubs within the moratorium zone,

WHEREAS, ANC 2B understands that in addition to being a vibrant walkable neighborhood, Dupont Circle is also a regional entertainment destination,

WHEREAS, ANC 2B believes that if a nightclub is to locate within the West Dupont neighborhood, it should be located within a space which is not next to residential uses,

WHEREAS, ANC 2B believes that the former streetcar station below Dupont Circle (“Dupont Underground”) is a potential site for a nightclub licensed establishment with minimal impact on neighbors, and

WHEREAS, based on current moratorium zone boundaries, ANC 2B believes that no portion of the Dupont Underground is within the moratorium zone, however the ANC understands that potential future subdivisions of the Dupont Underground space may lead to addresses which overlap with the moratorium zone as there are no current addresses for future potential primary entrances to the western platform of the Dupont Underground.

THEREFORE, BE IT RESOLVED that ANC 2B requests a three-year extension of the West Dupont Circle Moratorium Zone as it currently exists restricting the number of nightclub licenses to zero.

BE IT FURTHER RESOLVED that ANC 2B requests that the Alcohol Beverage Control Board affirmatively exempts the premises of the Dupont Underground, a District-owned former streetcar station property located below Square 114E Lot 0800 and below the right of way of Dupont Circle NW and Connecticut Avenue NW with entrances on public space and reservations abutting Dupont Circle NW and surrounding streets, from the moratorium zone.

Due to his position on the ABC Board, Commissioner Silverstein did not participate in this discussion.

Commissioners Daniel Warwick (2B02@anc.dc.gov) and Kari Cunningham (2B07@anc.dc.gov) are the Commission’s representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,



Daniel Warwick
Chair