

LANGDON PARK MORATORIUM REQUEST

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

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IN THE MATTER OF: :

Langdon Park Proposed Moratorium Request

PUBLIC HEARING

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Wednesday, June 1, 2016

Whereupon, the above referenced matter came on for hearing at the Alcoholic Beverage Control Board, Reeves Center, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009.

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3 CHAIRPERSON:

4 DONOVAN W. ANDERSON, Presiding

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6 OTHER PERSONS PRESENT:

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8 RUTHANNE MILLER, BOARD MEMBER

9 JAMES SHORT, BOARD MEMBER

10 MIKE SILVERSTEIN, BOARD MEMBER

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

2 CHAIRPERSON ANDERSON: All right. Our next
3 event on our -- we have a public hearing on Langdon Park
4 proposed moratorium request, and this matter was
5 scheduled for 10:00. And I do apologize to starting
6 half an hour late. However, if you look at the calendar
7 outside, you see there's a lot of stuff that we were
8 supposed to do between 9:30 and 10:00. And so it's not
9 realistic in the sense that we would have started at
10 10:00. So I -- I do apologize if you believe that you
11 came at 10:00 and it's now 10:30 and I'm first calling
12 you. All right. I'm just calling you. All right.

13 We're here today to conduct a public hearing
14 and to take comment and propose the -- there is a
15 proposal regarding the Langdon Park proposed moratorium
16 request. The ANC and various neighbor committee groups
17 requests that The Board establish a moratorium of 1,800
18 feet from -- from 2266 25th Place NE that would prohibit
19 the issuance of new licenses for not less than five
20 years for taverns, nightclubs, multipurpose, and
21 restaurants within an entertainment endorsement.

22 I will begin by calling the -- the witnesses

1 who notified the agency in advance regarding their
2 desire to address The Board. I will also entertain
3 comments from other interested parties who wish to be
4 heard. Additionally parties are permitted to submit
5 written comments for The Board's consideration by no
6 later than 4 p.m. on June 10th, 2016. There is a -- I'm
7 not -- I'm not sure if it's handed out to the audience,
8 but I have a panel. And so I'll call up for the first
9 panel Mr. Walter Deleon from ANC 5C -- 5C02. And if
10 there are any other ANC members here, they can -- they
11 can -- they can -- is -- who is here from the ANC? If
12 you're here from the ANC, why don't you come -- come and
13 speak. You can come to the table and identify yourself.
14 Who are you, sir?

15 MR. DELEON: How are you?

16 CHAIRPERSON ANDERSON: Good morning, sir.

17 How are you this --

18 MR. DELEON: Good morning.

19 CHAIRPERSON ANDERSON: Your name?

20 MR. DELEON: Walter Deleon.

21 CHAIRPERSON ANDERSON: Okay. All right. So
22 you're the only ANC person that's here?

1 MR. DELEON: Yes.

2 CHAIRPERSON ANDERSON: All right. All
3 right. All right. Do we have -- let me see. Is
4 Mr. Kevin Malone here? You can come forward please,
5 sir. Is Mr. Hunter here?

6 MR. MALONE: He's en route.

7 CHAIRPERSON ANDERSON: All right. What
8 about Ms. Shirley Rivens Smith?

9 MS. RIVENS SMITH: Here.

10 CHAIRPERSON ANDERSON: What about Mr. Carlos
11 Davis? What about Ms. Frances Penn? Now, if I call
12 your name, you can come up. I'm trying to fill up the
13 seats. That's why -- that's why I'm calling the names.
14 And what about Ms. Martha Ward? All right. All right.
15 So I'll call the rest of the folks up. So basically
16 they have enough chairs -- I'll -- I'm sorry. Ma'am,
17 who are you?

18 MS. WARD: Martha Ward.

19 CHAIRPERSON ANDERSON: I thought I -- when
20 I -- when I called the names I thought we had enough
21 chairs. Why don't you just take a seat in the audience
22 and I -- I will call you. I apologize, Ms. Ward. I

1 just want to make sure that -- no. The lady in the
2 blue, what is your name, ma'am?

3 MS. PENN: Frances Penn.

4 CHAIRPERSON ANDERSON: Ms. Penn. This is
5 what I'm doing. Okay. We have five chairs here, and so
6 therefore that's why I'm trying to call five folks. So
7 since you had a chair, you shouldn't go sit back. You
8 had a seat. So that's why I want to make sure that we
9 have -- normally I want to make sure that we have enough
10 chairs for folks to sit. And I have a -- a panel. I
11 have other names. And so once -- once I've gone through
12 this panel, then I'll call other names that I have. And
13 if you're here in the audience and you need to testify
14 and if I did not call your name, then just -- just raise
15 your hand and I will make sure that you come and speak.

16 All right. Now, I know that you guys have
17 requested this -- a request to have a moratorium for
18 five years in this specific area. And I just want to
19 make sure that -- have -- and just generally there are
20 some statutory requirements what The Board can do once a
21 moratorium has been requested. And so pursuant to
22 Section 25352B it specifically states what the

1 requirements are that one has to meet to apply for a
2 moratorium. I know that you have asked for within I
3 think 1,100 feet -- 1,800 feet of a specific area. So I
4 will -- maybe someone can ask us why that specific area
5 was -- yeah. I'm just -- I'm just saying to you that so
6 you can respond why that specific area. But I'm not
7 sure if you're -- in reviewing the statutory requirement
8 the statutory requirement basically you need to identify
9 an establishment, and then you -- you measure from an
10 establishment and not necessarily from an area. And I
11 know, Miss, you're making your face. But that's not me.
12 I'm just reading the statute in front of me. So --

13 MS. RIVENS SMITH: I'm just confused by you
14 talking.

15 CHAIRPERSON ANDERSON: So that's why I'm
16 just saying if you are -- you should be aware of the
17 requirement that tells us what it is that -- where we
18 need to -- where it is that we need to start. All
19 right. So who wants to start?

20 MS. RIVENS SMITH: I'll start.

21 MR. DELEON: Let the ANC start.

22 MS. RIVENS SMITH: Oh, go ahead.

1 CHAIRPERSON ANDERSON: And identify
2 yourself. Just identify yourself for the record and
3 then you can start please.

4 MR. DELEON: Sure. Walter Deleon, ANC 5C02.

5 CHAIRPERSON ANDERSON: Yes, sir. Go ahead.

6 MR. DELEON: Well, good morning. And I'm
7 Commissioner Walter Deleon. I'm very proud to represent
8 the over 2,000 constituents of my district, 5C02 which
9 is --

10 MR. SILVERSTEIN: Could you speak up into
11 the microphone.

12 MR. DELEON: Is the mic on?

13 MR. SILVERSTEIN: It's -- yeah. If it's --
14 if the light is on, it's on.

15 MR. DELEON: Good. Okay. Good. Well, I
16 want to thank the ABC -- ABR -- ABRA for hosting today's
17 hearing and give a shout-out to all the residents who
18 are here today and those who sent in written testimony.
19 I'm here to support a liquor license moratorium along
20 Queens Chapel Road corridor, which -- an area which I
21 represent as commissioner. The current presence of
22 venues such as Echostage, Stadium Nightclub, and Bliss

1 already pose problems that another nightclub with a
2 class C or D liquor license would exacerbate. Thus such
3 a moratorium is necessary to provide our community
4 relief from what many agree is an over concentration of
5 warehouse nightclubs.

6 Every weekend a diaspora of people flock to
7 our corner of Ward 5 posing many problems for residents
8 and club -- club patrons alike. These problems extend
9 from traffic in every major corridor of the area from
10 Bladensburg Road to New York Avenue to Queens Chapel
11 Road itself to fostering crimes of opportunity like auto
12 break-ins and muggings. And many of these nightlife
13 establishments contribute to noise pollution as well
14 during their operating hours.

15 It's clear that allowing any new warehouse
16 nightclubs in this area would be an obscene act that
17 would burden the community with potentially hundreds of
18 new -- if not thousands of more patrons. In order to
19 prevent any new nightlife establishment in our currently
20 overburdened neighborhood I am asking ABRA to institute
21 a liquor license moratorium to prevent any new warehouse
22 nightclubs. I know that the majority of the community

1 will echo my sentiments over the course of this hearing.

2 So thank you.

3 CHAIRPERSON ANDERSON: All right. Thank
4 you, sir. Who else is second? Please identify yourself
5 before you speak.

6 MS. RIVENS SMITH: Good morning. Shirley
7 Rivens Smith. Good morning again, Members of the
8 Alcoholic Beverage Regulation.

9 CHAIRPERSON ANDERSON: Please speak up. We
10 can't hear. And also Mr. Silverstein at the end, he
11 does have a hearing impairment. So if he says speak up
12 it's because he can't hear you.

13 MS. RIVENS SMITH: Okay.

14 CHAIRPERSON ANDERSON: Okay.

15 MS. RIVENS SMITH: Good morning again. Can
16 you hear me now?

17 CHAIRPERSON ANDERSON: I can hear you.

18 MS. RIVENS SMITH: Okay. Good morning. To
19 members of the Alcohol Beverage Regulation
20 Administration, thank you for the opportunity to voice
21 my support for the liquor license moratorium along the
22 Queens Chapel Bladensburg Road corridor. My name again

1 is Shirley Rivens Smith. I live at 2000 Upshur Street
2 NE. My family has lived in the Woodridge community over
3 45 years. I'm here today to affirm my support as well
4 as convey the necessity to provide our community with
5 much needed relief from an over generalization of large
6 scale nightlife and entertainment establishments. I'm a
7 resident of the North Woodridge Community Association.
8 I'm the president of the North Woodridge Community
9 Association and a member of the Greater
10 Woodridge-Gateway Leaders Group. As a resident, former
11 ANC, and now president of my community association I
12 support my neighbors who for years enjoyed the quiet
13 corner of Northeast D.C. Woodridge and Gateway are
14 primarily made up of single family homes that abut a
15 dense industrial strip. People that bought their homes
16 in Woodridge-Gateway are proud to have raised their
17 families. We have always been a community for families.
18 I've lived in D.C. all my life, and I've been the --
19 I've seen the changes in the city both good and bad.

20 I understand how development works, and for
21 years northeast was neglected. People in the
22 Woodridge-Gateway have waited for years to see the kind

1 of investment that Northwest D.C. enjoys pretty
2 routinely. I'm not naive about the development, but I
3 do know that Woodridge-Gateway industrial strip along
4 Bladensburg Queens Chapel Road remains industrial
5 because of the business -- businesses that support other
6 parts of the city from Waste Management to Budweiser to
7 DHL to the Metro bus barn to the Bladensburg Queens
8 Chapel corner. And for all intended purpose it's like
9 an industrial park except Woodridge is home to many of
10 unsavory businesses that don't attract families.

11 D.C. is a great city that attracts people
12 far and wide. The city has some of the best nightlife
13 to offer. The problem is that rather than invest in the
14 industrial park in Ward 5 to bring in the kind of jobs
15 people need to support a family we now have a
16 concentration of large nightclubs that wreak havoc on
17 our neighborhoods. Unfortunately for us we do not have
18 many public transportation options like U Street and
19 Adams Morgan, we know that. So people have to drive if
20 they have to get around. That means that club patrons
21 have to drive to and have to have somewhere to park.
22 Many of these clubs have limited parking or no parking

1 at all, and the private parking offered by Tag-B start
2 at \$20 and goes up to \$40.

3 The parking issue alone is enough reason to
4 implement a moratorium. Why do you park -- why do you
5 park thousands of cars -- where do you park thousands of
6 cars every weekend? I'm a senior citizen and have
7 friends that are seniors as well. I know how difficult
8 it is and can be for them to get in and out of their
9 neighborhoods when the clubs are operating. I think
10 it's unfair to think that seniors should be confined to
11 their homes at night when the clubs are running. When
12 those clubs are going caretakers, visitors, families,
13 and whatever can't find parking in the neighborhood.
14 Most of the folks don't bother leaving the house because
15 they are so worried about where they will park when they
16 return. Why should we be punished?

17 Another point I think is worth mentioning is
18 the difference between empathy, support on U Street and
19 Adams Morgan versus the clubs in our community. I know
20 that some clubs pay for reimbursable details that we
21 need more officers that can patrol. But we need more
22 officers to control the neighborhoods and can't patrol

1 the neighborhoods when the young people get out of --
2 out of hand. When issues start in the clubs, they end
3 at the community. But all the officers are out front of
4 the establishment not in the community. So neighbors
5 have to deal with that.

6 I know this city is well aware that clubs --
7 of what clubs bring. They like to ignore it, but they
8 do bring an element to the community. Woodridge-Gateway
9 is a family orientated community so I can't see why more
10 clubs will add value.

11 I hope this board doesn't allow more clubs
12 to come in to deteriorate our communities. There are
13 many -- there are so many warehouses for rent or for
14 sale that I'm nervous about what might come next. We
15 got clubs, marijuana center, trash stations, auto body
16 shops, potentially a gun range coming. And the last
17 thing we need is more clubs.

18 How will we ever see development for our
19 community if all we have are warehouses converted to
20 nightclubs and nightlife ventures? Since Councilman
21 McDuffie pushed for the Industrial Land Transformation
22 Ward 5 Works, I hope this city invests in a real

1 industrial park that would bring jobs that would support
2 our families. Ward 5 has a high unemployment rate, as
3 high as 9 percent according to The Department of
4 Employment Services. The Ward 5 work plan could fix our
5 unemployment issue. But again, adding more clubs to our
6 community don't do that.

7 ABRA, you have the an opportunity to help
8 stabilize our neighborhoods for institution -- for
9 instituting a moratorium. I believe that if our
10 community has many -- has any chance for investment in
11 the near future, then ABRA must act to prevent any more
12 Class C, D license -- liquor licenses. We don't need
13 anymore warehouses turned into nightclubs. We need
14 warehouses to be used to create jobs.

15 Thank you for the time today. I ask for
16 your support in the request to implement the liquor
17 license moratorium. Thank you very much.

18 CHAIRPERSON ANDERSON: Thank you. Who --
19 who's next? Yes, sir.

20 MR. MALONE: Good morning. My name is Kevin
21 Malone. I -- I am a resident. I'm also the president
22 of the Langdon Park Community Association, and I'm also

1 a member of the Greater Woodridge-Gateway Leaders Group.
2 So I live at 2203 Evarts Street, and I've lived in the
3 community for six years. I'm here today to advocate on
4 behalf of my neighbors and as the president of the
5 Langdon Park Community Association. I'm here to ask you
6 to please approve our request for a moratorium of all
7 Class D and D liquor licenses to prevent additional
8 nightclubs or nightlife establishments along the Queens
9 Chapel Bladensburg Road corridor. Our community endures
10 series -- a serious burden with current nightclubs that
11 we have and it is easy for me and my neighbors to
12 imagine what might happen if we get more. It's easy for
13 us to imagine what might happen to our neighborhoods if
14 we get more of them. The Queens Chapel Bladensburg Road
15 and part of New York Avenue have become attractive
16 locations for club owners because of the wide
17 availability of low rent or inexpensive warehouses.

18 With the district redeveloping areas that
19 were once magnets for nightlife property values, rents,
20 and migrants to the city, and other factors make it
21 difficult to operate nightlife establishments without
22 competing for changes in the D.C. footprint. I have

1 detailed the dynamics of our collective communities in
2 the package that you received. The industrial area that
3 abuts Langdon Park and Woodridge South communities is
4 underdeveloped and has been for many, many years which
5 is the perfect scenario for large scale nightlife
6 establishments that we once saw in Ivy City and NoMa.
7 We all witnessed, heard, read, and saw what happened
8 when large scale nightclubs operated in underdeveloped
9 communities. Imagine today how residents will feel if
10 we had another Club Love, a Fur Nightclub, or an Ibiza
11 come to our community when we already have Aqua Bar &
12 Lounge, Stadium Club, Echostage, Club Bliss, and The
13 Scene. Since Langdon Park is home to Echostage formerly
14 DC Tunnel and DC Star, Stadium Adult Entertainment Club,
15 Club Bliss, Aqua Bar & Lounge, and The Scene these
16 establishments bring thousands of patrons far and wide
17 every single weekend. Frequenting these establishments
18 almost always require patrons to drive since there is
19 very little public transportation options. As a result
20 the neighborhood is flooded with traffic often requiring
21 MPD to provide vehicle direction and traffic control.
22 More importantly, the patrons of these establishments

1 take up parking for residents that often lure in the
2 community as well as create a series of other problems
3 that disturb the peace, order, and quiet that we
4 deserve.

5 Our community has been dubbed unsafe because
6 of the crime that comes with nightclubs. Just do a
7 simple search of our neighborhood on the Internet.
8 Search Langdon on any news website. Search one of the
9 current clubs on any news website. As a resident,
10 homeowner, and the president of the community
11 association I resent this characterization. In 2014 I
12 participated in the group that stood up to protest Pulse
13 Nightclub where this board denied the application
14 because of the burden it would place on the community.

15 Today I'm standing up again to ask you to
16 grant us a moratorium that would do the same thing you
17 did in 2014. With all the warehouses that we have in
18 our communities either for rent or for sale we simply
19 cannot afford new nightclub establishments. I have
20 spend a lot of time talking with neighbors, engaging
21 with current club owners and city officials
22 individually. We have had town halls with nightclub

1 owners that included residents and city officials. We
2 know that the current situation is not working, and the
3 city must now do its part to ensure that we maintain
4 some semblance of our neighborhood. And I know you
5 don't have in front of you, but I have e-mails that
6 we've engaged with the mayor herself and the chief of
7 police. And we have not gotten any response regarding
8 our nightclubs, any response.

9 Adding more nightclubs to our neighborhood
10 already feels -- we already feel the negative impact of
11 thousands of people every weekend, and that's not what
12 we want for redevelopment. Additional nightclubs and
13 nightlife entertainment will not bring value to our
14 community but will devalue our overall quality of life
15 as it does now. We know that community agreements
16 aren't an effective tool to mitigate issues that -- and
17 we also know of the strain on MPD resources especially
18 when it has been reported that there is a shortage of
19 officers in this city.

20 I believe that if our community has any
21 chance for investment in the near future, then ABRA must
22 institute a liquor license moratorium to prevent

1 additional large scale clubs. Our community is already
2 overrun by nightclubs and marijuana cultivation centers
3 among other heavy industrial uses making it very
4 difficult to realize the kind of change we're seeing all
5 over this city.

6 Thank you for your time today, and I ask you
7 for your support to grant us a moratorium.

8 CHAIRPERSON ANDERSON: Thank you. Who's
9 next?

10 MS. PENN: Good morning. Greetings to the
11 Commissioners of the Alcoholic Beverage Regulation
12 Administration. Can you hear me now? Thank you. Good
13 morning. Greetings to the Commissioners of the
14 Alcoholic Beverage Regulation Administration. Thank you
15 again for giving me this opportunity to speak about the
16 needs for a liquor license moratorium in the area of
17 Queens Chapel Road, Adams Place, 24th Street, and 25th
18 Place NE.

19 My name is Frances Penn, and I reside at
20 2805 Franklin Street NE, Washington D.C. I have been a
21 resident of the Woodridge community since 1976,
22 approximately 40 years. I am currently the vice

1 president of Woodridge South Community Association and
2 chairperson for the 5th District Citizens' Advisory
3 Council. I am here today to state my support on no
4 additional liquor license to the Queens Chapel community
5 of entertainment. This -- this area includes a section
6 of New York Avenue and have -- and this area includes
7 sections of New York Avenue which have become attractive
8 locations for club owners to establish more
9 entertainment clubs.

10 Because the 5th District has the largest
11 industrial land in the District of Columbia and current
12 entertainment establishments currently housed in this
13 area, this area is attractive to new -- new owners
14 looking to bringing their business. While I understand
15 their thought for bringing another club to the area, the
16 reality is not realistic.

17 There are many other obstacles that the
18 residents of the surrounding neighborhoods must endure.
19 For example, loud noise, overcrowding, influx of cars,
20 traffic, and the disrespect for residents' private
21 property, and the safety of customers as well as
22 residents of the community. Currently there are four

1 active clubs within a block of each other, The Scene,
2 The Stadium Club Entertainment, Echostage formerly DC
3 Tunnel and DC Star, and Club Bliss formerly Oxygen Club
4 all within a block of each other. This tight cluster
5 seems -- seen from an aerial view presents a better view
6 of the crowded area with -- with entertainment
7 establishments.

8 As one can imagine when all these clubs are
9 operating simultaneously with more than 7,000 customers
10 or larger in this small area at one time this creates
11 overcrowded conditions and possibly some criminal
12 activity. Further, oftentimes some clubs are witnesses
13 long lines of customers waiting to be admitted. To
14 continue the saga cars tend to be broken -- to be burden
15 to the communities. Because the area is small, limited
16 parking and the abundance of cars the neighborhood
17 becomes their parking garage. This becomes a parking
18 issue, loud talking disturbing early hours in the a.m.,
19 and adds to the littering that customers leave for the
20 neighborhood to clean up.

21 There are several disturbing issues that the
22 club owners cannot control. They are the loud radios,

1 music from the cars, the fume from the cars, drinking
2 from their private vehicles, and using private lawns for
3 their personal bathrooms which create unpleasant odors.

4 Let me take this opportunity for the
5 gratefulness we have shared for those clubs that have
6 incorporated Uber cars for transportation for some of
7 their customers, addresses the morning litter clean up,
8 and the services provided by the 5th District
9 Metropolitan Police Department. Their presence minimize
10 some of the safety issues that could otherwise be a
11 major problem.

12 In conclusion, there are too many clubs
13 clustered in a very small area which currently generates
14 a high volume of customers, very limited car parking,
15 noise, litter, and the disturbance the neighbors witness
16 early hours in the morning. Because of the reasons
17 listed above I am recommending a moratorium on any
18 future liquor license coming to this small area, and we
19 request your support to implement a liquor license
20 moratorium. Thank you for your time today.

21 CHAIRPERSON ANDERSON: Thank you. Yes, sir.

22 MR. DAVIS: Good morning. My name is Carlos

1 Davis. I'm president of Woodridge South Community
2 Association, and I bring greetings to the members of the
3 Alcoholic Beverage Regulation Administration. Thank you
4 for this opportunity to voice my support for the liquor
5 license moratorium along the Queens Chapel Bladensburg
6 Road corridor. Again, I'm Carlos Davis, and I live at
7 2803 Evarts Street NE. I have lived in the Woodridge
8 community for 35 years.

9 I'm here today representing the members of
10 the Woodridge South community to affirm our support as
11 well as convey the necessity to provide our community
12 with much needed relief from an over-concentration of
13 large scale nightlife and entertainment establishments.
14 The Queens Chapel, Bladensburg Road, and part of New
15 York Avenue has become attractive locations for club
16 owners because of the wide availability of low rent or
17 inexpensive warehouses.

18 The industrial area that abuts the Woodridge
19 South and Langdon Park areas is underdeveloped and has
20 been for many years which allow the perfect scenario for
21 large scale nightlife establishments. The area in
22 between Woodridge South and Langdon Park is home to

1 Echostage formerly DC Tunnel and DC Star, Stadium Adult
2 Entertainment, Club Bliss formerly Oxygen Club, Aqua Bar
3 & Lounge, and The Scene. Each of these establishments
4 brings thousands of patrons far and wide nearly every
5 single weekend. As a result the neighborhood is flooded
6 with traffic often required -- requiring MPD to provide
7 vehicle direction and traffic control. More
8 importantly, the patrons -- and I emphasize patrons --
9 of these establishments take up parking from residents
10 and often loiter in the community before and after the
11 events as well as create a series of problems that
12 disturb the peace, order, and quiet that we deserve
13 despite the best efforts of club owners specifically
14 like those of Echostage.

15 Allowing more nightclubs into a community
16 that already feels the negative impact of thousands of
17 people every weekend is not what we want or envision for
18 redevelopment. Additional nightclubs and nightlife
19 entertainment will not bring value to our community but
20 will continue to devalue our overall quality of life.
21 Our community is already home to nightclubs and
22 marijuana cultivation centers among other heavy

1 industrial uses making it very difficult to realize the
2 kind of positive economic change we are seeing all over
3 this city.

4 I believe that if our community has any
5 chance for alternate development and investment in the
6 near future ABRA must institute a liquor license
7 moratorium to prevent additional large scale clubs
8 within our community.

9 Again, thank you for your time. I ask that
10 you support our request to implement a liquor license
11 moratorium.

12 CHAIRPERSON ANDERSON: Do we have any --
13 what I'll do is I'll have the board members ask
14 questions of this panel. And I know everyone's time
15 is -- there are some time constraints in the sense it's
16 supposed to be two hours, but I'm not going to say okay,
17 and not have the discussion but just to keep the
18 comments to a minimum so we can have enough time that
19 everyone can speak. So yes, Mr. Silverstein. Go ahead.

20 MR. SILVERSTEIN: First I want to thank all
21 of you for coming here for your excellent presentations.
22 There's a very important piece of housekeeping we got to

1 take care of first. You're requesting an 1,800 foot
2 radius from 2266 25th Place, and the -- the law that we
3 have requires the identification of a licensed
4 establishment from which to measure. It has to be -- it
5 can't be a church, it can't be a school, it can't -- it
6 has to be a place with an alcohol license. Now, our
7 records don't show anything with a license at that
8 particular location. I'm not sure. It may be a towing
9 facility, it may be for sale according, you know, to
10 what we see on the Internet. Do you guys know what's at
11 that location?

12 MR. MALONE: It's currently a vacant
13 warehouse that was owned by Douglas Development that was
14 being used as a towing facility. And -- and I'm not
15 trying to throw Sarah Fashbaugh under the bus because
16 she's an excellent resource to the community because I
17 have worked with her on putting together this package --
18 package. So maybe I misunderstood that it had to be
19 from an established liquor licensed place.

20 MR. SILVERSTEIN: That's perfectly fine.

21 MR. MALONE: So we can amend that and choose
22 2127 Queens Chapel Road, which is the address for

1 Stadium Club. But I think the -- the more concerning
2 issue is sort of the regulation also says, you know, it
3 has to be sort of a radius from that facility. We don't
4 want to go over New York Avenue. But we certainly want
5 to extend far enough where it covers V Street that has
6 tons of warehouses, 24th Place, 25th Place. And there's
7 also a large warehouse in the 2600 block of Evarts that
8 is within the residential community itself that is for
9 sale and potentially could become a nightclub because
10 it's zoned commercial.

11 MR. SILVERSTEIN: Okay. You brought up --
12 thank you, Mr. Malone. And -- and you brought up a
13 critical issue here. I don't think anybody wants to say
14 you don't want good, legitimate smaller restaurants in
15 that area. It seems there's a need for it. And as the
16 area becomes more populated -- is that -- is that
17 correct? Is there anybody who says you want to have an
18 absolute ban on -- so you're good with that?

19 MR. MALONE: Correct.

20 MR. SILVERSTEIN: Okay. Okay. There --
21 this is -- this is an issue that has come before us
22 before, and we're -- we're very much concerned about it.

1 And in one decision dealing with your neighborhood it
2 was written that the question here is not whether such
3 clubs are appropriate in warehouse districts, they are.
4 The question is whether another large club in proximity
5 to other very large clubs would create an
6 over-concentration. That's the issue?

7 MR. MALONE: Yeah.

8 MR. SILVERSTEIN: I mean it -- it's --

9 MR. MALONE: Yes.

10 MS. PENN: Yes, that's the issue. Yes.

11 MR. SILVERSTEIN: The larger the
12 establishment, the greater impact on the area it would
13 have on peace, order, quiet, residential parking,
14 pedestrian safety. The impact of large clubs is already
15 being felt in the residential areas. Residents of those
16 neighboring areas do not forfeit all rights to a good
17 night's sleep because they live in a neighborhood near a
18 warehouse.

19 MR. MALONE: Yeah. So for all intended
20 purposes take what we currently have, right, in our
21 neighborhoods and you add a Club Fur which could hold
22 3,000 to 4,000 people and you add another Ibiza which

1 could hold two to 3,000 people and you add a Club Fur
2 which could hold another two to 3,000 people, you're
3 going to create that kind of scenario if you continue to
4 approve liquor license for these type of establishments.
5 And that's just a simple reality. You can drive down
6 any street on Queens Chapel Adams Place and Bladensburg
7 Road, 24th Place, 25th Place, and V Street and see the
8 for sale signs on these warehouses, see the for rent
9 signs on these warehouses. And because they are zoned
10 commercially, there is nothing stopping a business owner
11 from setting up shop. And so that's what we're asking
12 The Board to take into account. Look at what we
13 currently have and imagine what our life would be like
14 if you add another Club Love, a Club Fur, and an Ibiza
15 to an already horrible situation for us.

16 MR. SILVERSTEIN: I -- I know exactly where
17 you're coming from because this was a decision I wrote,
18 this was a concurring. And I -- I shared that opinion
19 exactly with you in that case. The concern though is
20 that a moratorium is a very blunt instrument. And you
21 mentioned the concern that you don't want to go to the
22 other side of New York Avenue. What is it in that

1 particular area that you would want or would accept that
2 would be positive knowing that you don't want large
3 warehouse type clubs or anything like that? How are you
4 with sit-down restaurants, with, you know, that type of
5 thing, or in what areas -- because we are allowed to --
6 to take areas out of that. We're allowed to draw --

7 MR. MALONE: So I think what -- what's
8 interesting and what -- what's publicly available right
9 now is if you look at the Office of Planning's website,
10 Council Member McDuffie petitioned the council last year
11 when -- under Gray administration petitioned the
12 council, they approved it. And there is this Industrial
13 Land Task Force Transformation that looks at all the
14 industrial land for Ward 5. And I hear what you're
15 saying, Mr. Silverstein. But unfortunately the
16 Bladensburg Road and Queens Chapel Road will remain
17 industrial uses for heavy industrial uses, and there is
18 no likely opportunity or chance that you're going to
19 invite sit-down restaurants with a footprint of a
20 building that can hold three or 4,000 people. If you
21 look at the -- the footprint of -- of what restaurants
22 are doing now, they're shrinking, right? They're

1 becoming smaller, and you're getting more. We don't
2 have that right now. And the owners of these current
3 warehouses are looking to sell entire large footprints
4 of space, right? So across the street where you have
5 Budweiser it's a great use, right, a distribution
6 company, that supports many businesses within the city.
7 You've got DHL, right, a shipping company that supports
8 many parts in the city. But right next door is a vacant
9 warehouse, right? You've -- the mayor attempted to put
10 the homeless shelter on 25th Place in -- in what was
11 used as a towing facility.

12 So I would like to believe that we're going
13 to see the kind of redevelopment that we're experiencing
14 all over the city. But that plan in the Industrial Land
15 Task Force calls for something else. It calls for that
16 area to become an industrial park where you're having
17 jobs like science and engineering and green -- and green
18 companies because of the warehouses. So again, I would
19 like to hear you, but it's very unlikely that we're
20 going to get some sort of sit-down restaurant when next
21 door is a Waste Management trash transfer station to the
22 nightclub. Does that makes sense? Or you've got DCPS

1 using warehouses and lots to park their school buses.

2 It's a -- it's so far down the road it's not going to
3 happen within the next five years.

4 MR. SILVERSTEIN: Okay. And we've seen so
5 much change starting at Costco and -- and on that one
6 end of New York Avenue to Union to --

7 CHAIRPERSON ANDERSON: Across New York
8 Avenue is where we're going to see the bang for our buck
9 because the triangle between Montana Avenue and
10 Bladensburg is going to be redeveloped with condos,
11 sit-down restaurants. And we're -- we're not looking to
12 go across New York Avenue.

13 MR. SILVERSTEIN: Okay.

14 MR. MALONE: We're looking to stay on this
15 side of New York Avenue where the large warehouses
16 currently exist.

17 MR. SILVERSTEIN: Thanks for understanding.

18 MR. MALONE: And -- and so I have to also
19 admit to you we don't have the capacity to continue to
20 come down here and protest every single new application.
21 That's what we're going to have to be faced with if we
22 get folks like Pulse who wants to open which you denied

1 their application. That's what we're going to have to.
2 If you don't institute a moratorium, we're going to have
3 to figure out how to protest every single application on
4 the grounds of which we're bringing forth to you today.

5 MR. SILVERSTEIN: Thank you. I don't want
6 to take any more time.

7 MR. SHORT: Thank you for your testimony,
8 all of -- each and every one of you. We can feel --
9 feel your pain. The bottom line is we as a Board can do
10 things only according to the ABRA rules that govern us.
11 Therefore you must tell us -- you mentioned New York
12 Avenue. So you -- you'd have to say to us east, west,
13 north, south.

14 MR. MALONE: It's in the package, sir.

15 MS. RIVENS SMITH: It's already there. We
16 gave it to you.

17 MR. MALONE: It says in here that we're not
18 looking to cross New York Avenue. And it lays out the
19 affected streets in the package that I submitted.

20 MR. SHORT: For the record can you read
21 those -- read those boundaries just for the record.

22 MR. MALONE: On Page 4 of the package I -- I

1 start out with providing you --

2 MS. MILLER: Excuse me. Can you --

3 MR. MALONE: Page 4.

4 MS. MILLER: I know. Can you say what's the
5 name of the package you're referring to.

6 MR. MALONE: So this package -- I wrote this
7 letter March 26th -- 22nd to the director, Moosally and
8 to the members of the board. This is the complete
9 moratorium petition package that has probably 30 pages
10 or so. And I don't know if you have a copy of this in
11 front of you. The second page has a table of contents.
12 This also includes GIS maps to show you the various
13 locations. And we worked with ABRA's own GIS analyst to
14 get maps as well.

15 CHAIRPERSON ANDERSON: I mean I've seen
16 the -- I've seen the information. It's not in front of
17 us currently.

18 MR. MALONE: Okay. But I'm saying --

19 CHAIRPERSON ANDERSON: But I've seen -- I've
20 seen the application you sent in.

21 MR. MALONE: -- in the package it lays out
22 specifically just what you're asking me for. And so let

1 me go to Page 7 of the package. It says residential
2 streets impacted by mega clubs, right? And I've laid
3 out the exact streets that we're looking for. It also
4 until the package lays --

5 MR. SHORT: Continue, but just --

6 MR. MALONE: It also lays out --

7 MR. SHORT: You said you're going to have to
8 amend the address --

9 MR. MALONE: Correct.

10 MR. SHORT: -- to the Stadium --

11 MR. MALONE: But it also lays out in the
12 package specific streets that we're looking to not have
13 new ABC licensed establishments; for example, 24th
14 Place, 25th Place, V Street, any other warehouse along
15 Bladensburg Road, Queens Chapel, Adams Place.

16 MR. SHORT: Mr. Malone.

17 MR. MALONE: Yes. Yes.

18 MR. SHORT: Mr. Malone, did you write that
19 request or that package --

20 MR. MALONE: It's in here.

21 MR. SHORT: Okay.

22 MR. MALONE: Yeah.

1 MR. SHORT: Is that in compliance with the
2 ABRA rules, the zoning rules? Did you -- did you -- or
3 did you just put some information together? In other
4 words, I'm asking you --

5 MR. MALONE: It is in compliance with --

6 MR. SHORT: Did you put some teeth in --

7 CHAIRPERSON ANDERSON: Hold on. Hold on.
8 Yeah. Hold on.

9 MR. SHORT: What I'm trying to find out if I
10 could did you put in the language quoting any of the --

11 MR. MALONE: Yes.

12 MR. SHORT: Okay.

13 MR. MALONE: We use -- and I think you
14 referred to them as -- we used -- I think you referred
15 to them as standards, right, for the individual
16 paragraphs in the section you quoted earlier this
17 morning to address each of those.

18 MR. SHORT: Would that be 25-354 --

19 MR. MALONE: Yeah. Yes.

20 MR. SHORT: Okay. Keep it -- continue.

21 MR. MALONE: So --

22 MR. SHORT: I had to get that on the record

1 that we did -- we're using information that --

2 MR. MALONE: That's fine.

3 MR. SHORT: -- directly deals with this
4 code. Other -- other than that it doesn't give us the
5 teeth we need to even try to do anything.

6 MR. MALONE: And that's -- that's fine. And
7 I thought by submitting this detailed package to you
8 that you saw in here what we laid out to The Board,
9 exactly what we were asking in accordance with the
10 standards to pursue a moratorium.

11 CHAIRPERSON ANDERSON: I think -- I think
12 the -- I think the -- what's being said is that when
13 you're asking for the moratorium you have to give us an
14 address and then say starting from this establishment
15 this is what we're requesting from -- from this
16 establishment. What -- at least what I have is that --
17 and I think the first question that was asked it was
18 1,800 feet off an address, and there is not a licensed
19 establishment there. So the moratorium that you're
20 requesting -- I think what The Board is saying that
21 because there is no licensed establishment at that
22 address, that -- I -- I -- and I -- I think at this

1 moment I might be just speaking for myself -- that we
2 couldn't grant the -- grant it in the format that you're
3 asking. So you would have to amend it to -- to make
4 sure as -- as I think you gave us Stadium.

5 MR. MALONE: Yes.

6 CHAIRPERSON ANDERSON: -- Stadium to say
7 that okay, we're requesting it from Stadium, and it
8 needs to cover this specific area or so moving east,
9 west, north, or south. Because I know you're saying
10 that you don't want to come across New York Avenue. So
11 it has specifically state okay, from this point -- or so
12 maybe you want to look at the different clubs that are
13 in the area and try to figure out starting at either
14 Bliss or -- starting at either Bliss or Stadium or
15 whatever the clubs are, Echostage what can get you
16 the -- what can cover the -- what you want to do
17 starting from that -- these specific establishments.

18 MR. MALONE: Right. I would also ask The
19 Board to consider -- and I can't remember the name of
20 the community. But you just renewed a moratorium on a
21 previous matter --

22 CHAIRPERSON ANDERSON: Well, what we did --

1 what we --

2 MR. MALONE: -- where the shape of the
3 community was -- was -- was so varied that they were --
4 you made.

5 CHAIRPERSON ANDERSON: That's the Glover --
6 that's the Glover Park.

7 MR. MALONE: You made considerations based
8 on the shape of the community, and I would ask that you
9 give us the same curtesy.

10 MR. SHORT: You'd have to write that to us.
11 We couldn't write it for you and then enforce it. It
12 had to be a request from the community in the same form
13 in which you're stating other moratoriums that came to
14 have been approved. And have you -- have you seen those
15 moratoriums or you -- have you read them?

16 MR. MALONE: I've seen them. Yeah. I've
17 seen them.

18 MR. SHORT: Does your comport with the same
19 type of language? And -- and again, we already know
20 you're going to have to amend the address. So the
21 sooner you do that the better at least for myself as a
22 board member. I can't speak for the other board

1 members. But it -- everything has to be based on
2 standards, laws, rules. And that way you -- you stand a
3 better chance of having it applied the way that you
4 would like to have it applied if it is approved.

5 CHAIRPERSON ANDERSON: I'm not -- no one's
6 saying that The Board is not -- no one is saying that
7 The Board is going to deny your request. I don't
8 want -- I don't want you -- and we have -- we're still
9 going to listen. So please don't feel dejected that you
10 put all this work and the first panel, and we're saying
11 that we're going to deny your request. That's not --
12 I've not made up my mind. I'll say that to you.

13 MR. SHORT: No. Yeah. I'm saying that.

14 CHAIRPERSON ANDERSON: So I -- I want to
15 assure you that I've not -- I'm -- I have an open mind
16 to listen. The only thing that The Board is doing is
17 that we -- we were given some specific regulations to
18 say that it has to be from -- from -- it has to extend
19 from a specific address where there is a licensed
20 establishment, a licensed ABC establishment. And so you
21 start at that point and you move. I mean I know that
22 the -- when we had the -- the Glover Park moratorium

1 that was just -- was just listed they had asked us to --
2 to -- I mean there's rules and regulations to say that
3 an A can only have an A a certain amount of feet from a
4 B and C for -- for example. So you're -- you're
5 starting at -- at -- at a point to say there's this
6 liquor store here or there's a this club here, and
7 there's an over-concentration from the this point here.
8 So moving 1,000 or 2,000 yards from this establishment
9 we don't want any others. But it can't be from like any
10 other address. Okay. So we'll -- yes. Yes,
11 Mr. Silverstein.

12 MR. SILVERSTEIN: I have -- I have a
13 question of you -- of you and of them. They have said
14 that they would be willing to amend their application.
15 Can they do that verbally now, or would that be
16 something that -- what would the process be?

17 CHAIRPERSON ANDERSON: Well, it's -- I'm
18 going to find out. But I -- I but I know that it can be
19 amended. But I also want to make sure though that you
20 guys can think about it. That if you're given -- say --
21 say for example if you're saying that it's from Stadium
22 and if -- if you want it from the address from Stadium,

1 is that the proper address that you want to utilize?

2 Because if you look at Stadium and what is it that you

3 want to do, will it cover all the areas that you want to

4 do? So --

5 MR. MALONE: I think the constraint here if
6 I could answer that question because as I mentioned to
7 you I worked with Sarah very closely on putting together
8 this package, and she's a great resource to have. And I
9 think the constraint though is the 1,800 feet. Because
10 we were very careful because we don't want to go over
11 across New York Avenue. And what we're trying to do is
12 cover a large enough area where all of these vacant
13 warehouses exist. And that's why in this package I laid
14 out to you very specific streets that we were trying to
15 cover. And I wasn't sure -- because your regulations
16 don't say that -- whether you not have flexibility,
17 right? Because I think it says that you can choose an
18 area from 600, 1,200, to 1,800 radius from a center
19 point, right? It didn't say that you could change the
20 shape. The work -- you know, in my mind when I'm
21 hearing radius you're talking about a complete circle.
22 But that doesn't cover the shape of the neighborhood or

1 the community where these warehouses currently exist.
2 So I can't change your law to say I -- I want a polygon
3 or a tripod or a triangle, right? I have to go with
4 what's in the language which was radius. And I'm not
5 trying to be funny. What I'm saying is in my mind I
6 didn't think that there was flexibility on determining
7 the distance because it's 600, 1,200, 1,800. And what I
8 understood what I read said choose an address. You're
9 now saying that it's a -- a ABC establishment. I get
10 that now. I understand that very clearly now. What I
11 don't want to do is to limit the -- the vacant and
12 available warehouses that could potentially bring us
13 another Club Love, Ibiza, and Fur.

14 CHAIRPERSON ANDERSON: Yes, Mr. Short.

15 MR. SHORT: Well, a recommendation I would
16 make to you or make to your group is -- and I do know
17 the other moratorium that came in had an attorney who
18 was quite astute at district law. And I'm not saying
19 that you can't do that yourselves. But I think you
20 would add a little more weight having someone who knows
21 that law, that can speak directly to that law, that when
22 they write it up we see it, it won't be any questions or

1 anything. We'll know exactly what your group wants and
2 how the moratorium will be if allowed to operate.
3 Not -- not exactly speaking of any geographics, but just
4 speaking of the very basic language. Then the
5 geographics come along with that. But I think what you
6 would be best to do is talk with someone who really
7 knows the zoning laws, know that portion of law which --
8 that could give you some advice that when you do a piece
9 of paper that you wouldn't have to amend anything. You
10 would give it to us, give us something to work with.
11 Our attorney would be glad to work with you I guess or
12 anyone else or any other attorney that you would hire.
13 But I would -- I would suggest very strongly that you
14 start from that point.

15 MR. SILVERSTEIN: Mr. Chairman.

16 CHAIRPERSON ANDERSON: Yeah. Hold on one
17 minute please. One thing I'll say these are the options
18 that we have. And what the law says is that we -- The
19 Board can approve the moratorium and as -- as requested
20 in whole. We can enlarge or decrease the area that you
21 have asked for, or we can limit the type of classes that
22 you're asking for. And so that's what I -- one thing

1 I'm saying to you you know what it is that you're asking
2 for. So you choose the address of an establishment to
3 make sure that that address -- and so you can let us
4 know that I want you to consider the moratorium starting
5 from either Stadium, starting from Bliss, starting from
6 Echostage. Because this will -- since we know what it
7 is that you're looking for and so therefore okay, you
8 look at the address that will cover -- that hopefully it
9 would cover all the area. But you tell us where is it
10 that you want to -- you want it to start, and then we
11 can -- in our discussion we can look at it and then we
12 can make decisions from that prospective.

13 MR. MALONE: So, Mr. Chairman, could we
14 verbally amend the address at this time?

15 CHAIRPERSON ANDERSON: That's fine. That's
16 what I'm saying. You can -- you can -- but -- but what
17 I'll do is that I'm going to call up the other panels,
18 and I'll give you an opportunity to -- to do a Google
19 search so you'll make sure that at least what is it that
20 you're requesting that it covers -- it -- it touches as
21 best as possible all the areas that you're trying to
22 cover. That's -- that's -- so you can do that. So I'll

1 give you an opportunity while other panels are -- are --
2 are speaking for you to put in the address to see
3 what -- whether or not you can -- whether or not an
4 establishment -- one of these licensed establishments
5 within the area, if you ask the moratorium zone to start
6 from there if this will cover the majority of it what is
7 it that you wanted to do without going across New York
8 Avenue. Then we can figure out the rest of it.

9 MR. MALONE: Okay. So -- so the other thing
10 too that Mr. Silverstein mentioned with regards again to
11 the Glover Park moratorium, right, because it's a
12 certain class and type of liquor licenses and because
13 the community is not a perfect shape, am I correct in
14 understanding that if we amend to the licensed
15 establishment and we're choosing Stadium as the center
16 point and -- and say we want 1,800 feet and not cross
17 over New York Avenue, am I hearing correctly that we can
18 then lay out specific streets from that establishment
19 where we don't want Class C and D license types?
20 Because that sounds like what I'm hearing and I just
21 want to make sure that I'm clear about that.

22 CHAIRPERSON ANDERSON: I have to have

1 legal -- I have to have legal provide me some guidance
2 with that.

3 MR. MALONE: Because that was the same
4 scenario in the Glover Park moratorium.

5 CHAIRPERSON ANDERSON: I wasn't here that --
6 I wasn't here for the Glover Park. I was here for -- to
7 -- lifting the moratorium on certain areas but not
8 the -- when it was first established. So -- but I -- I
9 think I'll -- I'll get clarification. We'll get
10 clarification from legal. But what I want you to do is
11 that I've seen the application that you sent before. I
12 think we have all seen it. We've have it in front of us
13 before. It was sent to us when the moratorium was first
14 requested. So we have all that information.

15 MR. MALONE: I have a -- I have a copy if
16 you need to see it.

17 CHAIRPERSON ANDERSON: And it's in our --
18 I'll make sure that everyone has it. But -- but one of
19 the things that I'll ask you to do is that you can just
20 look at all the different establishments and let us know
21 where is it that you want us to start. And then I'll
22 have the other panelists testify, and then I'll have you

1 come back up. And -- and then you can tell us where is
2 it, what -- what address you want us to start. Okay.

3 MR. MALONE: Thank you.

4 CHAIRPERSON ANDERSON: Yes. Yeah. Yeah.
5 Go ahead. The last question. Go ahead.

6 MS. MILLER: Mr. Malone, I haven't seen your
7 package so I will. I think we're all going to get it.
8 Whoever hasn't seen it will see it because it sounds
9 very comprehensive. And so maybe some of our questions
10 may be off because we haven't seen it. Well, maybe some
11 have. But anyway, one thing I wanted to say is just in
12 case you're not aware there's been a lot of reference to
13 different statutory requirements, and -- and I just want
14 to bring your attention to look at 25-352 and that
15 you'll find under there what we've been talking about
16 with respect to measurement from the property lines of
17 the establishment.

18 MR. MALONE: I'm sorry.

19 MS. MILLER: It's 25-352. My other point is
20 -- and I'm not necessarily prepared to give legal advice
21 either at this point. But when you look at 25-354 and
22 the Chair was reading that we have certain authority to

1 accept the moratorium request in whole or in part or
2 amend it or whatever, I think I would say that without,
3 you know, being able to say whether or not we can do
4 specific neighborhoods, what's -- what's important is if
5 you communicate at least to us what it is you would
6 like, and then we'll see what we have the authority to
7 do. You know, so that's your part here to -- to tell
8 us.

9 MR. MALONE: And I -- and again, I would
10 emphasize the fact that we believe that we did this.

11 MS. MILLER: Okay.

12 CHAIRPERSON ANDERSON: The Board has -- The
13 Board --

14 MR. MALONE: And we believe that each one of
15 you saw this --

16 MS. MILLER: Okay. Then it's there.

17 MR. MALONE: -- which -- which lays out
18 quite a detailed plan of what we're asking for.

19 MS. MILLER: Okay. I just wanted to give
20 you the opportunity to make sure it's in the record. So
21 if it's there, we're going to read it and give it, you
22 know, a lot of attention. So that's not an issue.

1 CHAIRPERSON ANDERSON: All members of The
2 Board have the package in front of us that you're
3 talking about. So we all have it in our -- right now.
4 Yes.

5 MR. MALONE: I understand, but Ms. Miller
6 said that she hadn't read it. And so --

7 CHAIRPERSON ANDERSON: Well -- well --

8 MR. MALONE: And so the questions are coming
9 what is it that you're asking for. And I -- and I made
10 the assumption that all of you read the package that we
11 initially sent in which lays out the streets that we're
12 asking to forego any new licensed establishments and we
13 also lay out the affected streets in the neighborhoods
14 for these establishments.

15 CHAIRPERSON ANDERSON: Well, one thing I'll
16 say to you -- and I'm learning as this process moving of
17 moves on myself because I'm a new chair. I've been
18 sitting in this -- in this position since November. And
19 what I'll say to you is that we have the package. The
20 package was provided. The issue is that you have asked
21 for a moratorium, and what the law says is that we have
22 to start from an address that -- that has an ABC

1 license. So -- so because you have not started from an
2 address for an ABC license, that's what we're asking you
3 to tell us what is the address of the ABC license that
4 you want us to start from? But we have -- all members
5 have in our possession now the packet that you provided.
6 And I'll -- I'll say this to you, we -- we are given --
7 The Board meets every Wednesday, and when -- and as new
8 board members you think this one day -- that we just
9 have to be here on Wednesdays. But every Friday before
10 the Wednesday we're sent all the information regarding
11 -- regarding all the hearings that we're having today.
12 If you look at the calendar, you see an extensive, and
13 everything comes with packages. I, however, saw this
14 when you had first submitted it. When it was -- when --
15 when the request was made to The Board for the
16 moratorium I saw the package. But of course I have many
17 other things to read. As you get closer we'll read
18 it -- in -- in -- in due course. And at the same time
19 I'm also reviewing what was provided to us today. I saw
20 the -- the -- I have -- I have reviewed the areas. You
21 have the 1,800 feet measurement from 25 -- 2266 25th
22 Street. I have what's in the area. So I -- I do have

1 that in front of me.

2 MR. MALONE: Okay.

3 CHAIRPERSON ANDERSON: Ms. -- Ms. Riven --
4 I'm sorry. Your name?

5 MS. RIVENS SMITH: Rivens Smith.

6 CHAIRPERSON ANDERSON: Ms. Rivens Smith.

7 MS. RIVENS SMITH: Yes.

8 CHAIRPERSON ANDERSON: Say what you need to
9 say, ma'am. I see that you're very disappointed.

10 MS. RIVENS SMITH: I am very disappointed.

11 CHAIRPERSON ANDERSON: So tell me what
12 you're -- what's going on.

13 MS. RIVENS SMITH: Because I feel like you
14 shouldn't have called a hearing for something you have
15 not read and for the questions that you asked. For each
16 one of you that asked -- the only person that was honest
17 was this lady here on the end. And the rest of you were
18 just asking questions in general that had nothing to do
19 with us coming this morning, taking our time testifying
20 for something that you could have very well have
21 answered some of these questions if you had read the
22 testimony of what's given to you. So that's all I'm

1 saying.

2 CHAIRPERSON ANDERSON: Well --

3 MS. RIVENS SMITH: And I just think it's
4 unfair for us as citizens. If this is the kind of
5 attitude we're going to get from the ABRA, then I'm
6 saying we need to look at it different. The city needs
7 to look at it different because this is not fair. And
8 so I've been in this city all my life. I've been before
9 ABRA before. But this is the worst I've ever been --
10 and ABRA's been bad for a long time. But this has got
11 to be fair. So I just want you to say that I want it on
12 record that I wanted to say that because I'm not -- I'm
13 not pleased with the kind of attitude you all had. You
14 didn't know what you were saying. You were just saying
15 things. And so now that you have finished that and
16 we've given you the packet you now have the package in
17 front of you, then we will go. But we could have come
18 another Wednesday and everybody would have been able to
19 talk about this at another level. So that's all I'm
20 speaking of. And thank you very much.

21 CHAIRPERSON ANDERSON: I'm very sorry that
22 you feel that way. And it's not -- and I don't want you

1 to leave -- and that's one of the reasons why I --
2 although you have testified before I saw the look on
3 your face and I saw the expression. And that's one of
4 the reasons why I came back to you. And one thing I'll
5 say to you you have -- you have requested that we act.
6 And the part of it that we're saying to you is that yes,
7 we can act, but you gave us a general that the -- the
8 rules and the regulations specifically states that when
9 you make the request to us you need to start at an ABC
10 licensed establishment. And so what I -- what I'm
11 saying to you is that you need to tell us -- your
12 request did not give us an ABC licensed establishment.
13 You gave us an address that there's no ABC licensed
14 establishment at that address. And so based on that
15 then you need to let us know what ABC licensed
16 establishment is in that area that you need us to start
17 at. Once you tell us to say I need you to go to
18 Echostage which is at this address, and then we can
19 figure out the rest. You have given us a package. We
20 understand what is it you're trying to establish. But
21 we just can't -- we can't pick the address for you. So
22 you have to tell us the address. I don't -- one of --

1 one of the reasons why the mayor put me in this position
2 is because community groups have come here and they have
3 complained that they don't believe that they're getting
4 a fair share. And my job since I've been here in
5 November is to make sure that I listen to you. And I
6 don't want you to leave believing that this Board is not
7 listening to you or this Board is not going to take the
8 time to listen to your -- to your concerns and what it
9 is. I know that you take the time off -- even if you're
10 retired, you could be doing something more interesting.
11 So -- so I know that. So I know it's very important
12 that you decide to come here to speak to us. And I -- I
13 want you to know that I'm listening to you and I'm
14 not -- we might ask questions that you believe that we
15 have not read or we haven't done. But I know I'm
16 prepared to be here today, and I want you to know that
17 I'm prepared to be here today. And I will -- if I have
18 not read -- whatever else it is I have not read, I will
19 have read it before The Board make a -- make a -- make a
20 decision. And we're not going to take anything that you
21 say for granted. We do appreciate the time and the
22 effort that you took to put this package together to be

1 down here today. Okay.

2 MS. RIVENS SMITH: Thank you very much.

3 CHAIRPERSON ANDERSON: You're welcome.

4 MS. RIVENS SMITH: Thank you.

5 CHAIRPERSON ANDERSON: All right. All
6 right.

7 MS. MILLER: Can I have a few more
8 questions?

9 CHAIRPERSON ANDERSON: We have --

10 MS. MILLER: I have hardly had any
11 questions.

12 CHAIRPERSON ANDERSON: Ms. Miller, they're
13 going to come back again, and we have -- I think there
14 are several more witnesses. And although we're not
15 going to end at 12:00, but I'm not sure what other
16 folks. So I just want to get -- we're just on the first
17 panel. I'm going to have other panels come up.
18 Mr. Malone is going to come back, and then you'll have
19 an -- and, Ms. Rivens, if you want to come back to say
20 stuff, then I'll give you an opportunity to ask them
21 when they come back. Okay?

22 MS. RIVENS SMITH: Thank you very much.

1 CHAIRPERSON ANDERSON: All right. Thank
2 you. So, Mr. Malone, you can -- I'll have the other
3 panels, and then you can come back up.

4 MR. MALONE: Okay. Thanks.

5 MR. SHORT: Thank you.

6 CHAIRPERSON ANDERSON: Do we have Ms. Martha
7 Ward, rays and Jennifer Gerhold (ph)? What about
8 Antoine and Adele Harris? What about Anthony Quinn?
9 What about -- all right. Jonathan Ang (ph), Marshall
10 Cusack (ph), Yolanda --

11 MS. ODUNSI: Odunsi.

12 CHAIRPERSON ANDERSON: -- Odunsi. Is there
13 anyone else in the audience who -- you can come up,
14 ma'am, please.

15 MS. BUSHONG: And I -- I submitted might
16 name, but you haven't read it.

17 CHAIRPERSON ANDERSON: I'm not sure when you
18 submitted your -- your name. But I'm -- I don't -- when
19 this was given to me last night -- just we'll -- we'll
20 get it from you. We'll have someone take it from you.
21 Yeah. When this was given to me last night in
22 preparing --

1 MS. BUSHONG: Well, I did it last week.

2 CHAIRPERSON ANDERSON: All right.

3 MS. BUSHONG: And was told I was on the
4 list. I got something in my e-mail.

5 CHAIRPERSON ANDERSON: All right. So that's
6 one of the -- that's one of the reasons why -- that's
7 one of the reasons why I want to make sure that if I
8 don't have your name in front of me, I'm going to make
9 sure that if you're sitting in the audience you're going
10 to come up and speak.

11 MS. BUSHONG: Thank you.

12 CHAIRPERSON ANDERSON: Is there anyone else
13 in the audience who wanted to speak on this matter
14 who -- all right. So I think we have covered everyone
15 so far. All right. I have enough seats for him. All
16 right. What I'll do is that I'll have you identify
17 yourself for the record, and then you can speak. I'll
18 start over this end with this -- this -- identify
19 yourself for the record. Yes, ma'am.

20 MS. WARD: Martha Ward.

21 CHAIRPERSON ANDERSON: Hi, Ms. Ward.

22 MS. WARD: Hi.

1 CHAIRPERSON ANDERSON: Good morning. You
2 can -- you can start.

3 MS. WARD: Greetings to the Commissioners of
4 ABRA. Thank you again for giving me the opportunity to
5 speak about the -- the need for a liquor license
6 moratorium in the area of Queens Chapel Road, Adams
7 Place, 24th Place, and I'm -- I'm omitting 25th Place.
8 Again, my name is Martha Ward, and I reside at 2711
9 South Dakota Avenue NE, Washington D.C. I have been a
10 resident of the Woodridge community since 1949,
11 approximately 67 years where I grew up and attended
12 schools in the area. I am currently a member of the
13 Woodridge South Community Association, vice chair of --
14 person of the 5th District Citizens Advisory Council.
15 Also I am former commissioner of the area that we are
16 speaking about and a retired D.C. Metropolitan Police
17 Officer. Currently there are four clubs within a block
18 of each other, The Scene, the Stadium Club, Echostage
19 formerly DC Tunnel and DC Star, and Bliss formerly
20 Oxygen Club all within a block of each other. This is a
21 tight cluster seen from an aerial view, and it presents
22 a better view of the crowded area of the entertainment

1 establishments. As one can imagine when all of the
2 clubs are operating simultaneously with more than 7,000
3 customers and larger in this small area at one time this
4 creates overcrowded conditions. Further, oftentimes
5 some clubs are witnessing long lines of customers
6 waiting to be admitted. To continue the saga cars tend
7 to be a burden to the community because the area is
8 small, generally narrow streets, limited parking, and an
9 abundance of cars. The neighborhood has become their
10 parking garage. This becomes a parking issue also with
11 loud talking disturbing early hours in the a.m. and adds
12 to the littering the customers leave for the neighbors
13 to clean up. There are several disturbing issues that
14 club owners cannot control. They are loud radios, music
15 from the cars, fumes from the cars, drinking from their
16 private vehicles, and using private lawns for their
17 personal bathrooms which creates other problems. I take
18 this opportunity for the gratefulness that we share with
19 the clubs that have incorporated Uber cars for
20 transportation for some of their customers. They
21 address morning litter clean-up and services provided by
22 the 5th District Metropolitan Police Officers. Their

1 presence minimizes some of the safety issues that could
2 otherwise be a major problem. In conclusion, there are
3 too many clubs clustered in a very small area which
4 currently generates a very high volume of customers,
5 very limited parking, noise, litter, and disturbing the
6 neighbors early hours in the morning. And actually I
7 have not even -- even included the crime reports. There
8 are many break-ins, arguments, and fist to cuffs that
9 can take place and sometimes other more dangerous
10 activities. Therefore, we are recommending a moratorium
11 on any future liquor license coming to this small area.
12 And we -- we realize that it's a limited time, but
13 nonetheless, we request your support to implement a
14 liquor license moratorium. Thank you for your time
15 today.

16 CHAIRPERSON ANDERSON: Yes, sir.

17 MR. QUINN: Good morning, and thank you for
18 the opportunity to speak before The Board. I'd like to
19 also thank my -- my neighbors for showing up and the
20 neighborhood leadership for being very vocal and putting
21 together the package for the moratorium which I support.
22 Unfortunately I don't have any prepared testimony so I'm

1 just going to speak extemporaneously about my experience
2 in the neighborhood. My name is Anthony Quinn, and I
3 live at 24 -- 2619 24th Street NE in the neighborhood.
4 And unlike my neighbors I don't actually know the names
5 of all the -- of all of the clubs and I don't have any
6 crime data. All I know is how many times I've called
7 the police specifically related to the incidents that
8 have happened that I've witnessed. I can tell you that
9 I've seen a lot in the neighborhood in the one year that
10 I've lived there. Unlike my neighbors I haven't lived
11 in the neighborhood for very long so I also don't have
12 much experience. But I know that it's a -- its become a
13 nuisance and a problem to -- to see some of this happen.
14 As the father a one year-old I can tell you that sleep
15 is tantamount in my house and I don't get a lot of it.
16 So when the clubs create noise and ruckus that wakes the
17 baby up or wakes me up then it kind of pisses me off.
18 It's a -- it's a big problem for -- for the community.
19 I can tell you that I've witnessed public sex which I
20 know is -- is not something that anyone wants to see.
21 But the fact that people are drinking and having a good
22 time and loose, people want to have sex so they go in

1 the alleyway or honestly in their cars in front of the
2 house, in the alleyway. So it's something that is
3 becoming a problem in that regard. I personally like to
4 tailgate at baseball -- at football games. But I can
5 tell you that people tailgate for parties in front of
6 our house which is a problem. It's not something that
7 we want to happen, but it's definitely happening.
8 People come and they want to pre-bar in their cars
9 because it's cheaper, and they do it before and after
10 the club. I don't know how many of you are familiar
11 with day parties, but there are a number of day parties
12 that are taking place. So just imagine these parties
13 that happen in the nighttime now happening in the
14 daytime. So parking is not only a issue at night but
15 it's also an issue during the day. So as my neighbors
16 mentioned there are number of clubs that are happening.
17 But these particular clubs are also hosting parties
18 during the daytime which creates a whole other slew of
19 problems. So it's not just the weekends. It's not just
20 the evening times. It's also during the day on the
21 weekends. And, you know, these clubs host a number
22 of -- of artists for concerts. So everyone from Miley

1 Cyrus which brings one crowd to Snoop Dogg and Lil Wayne
2 which brings another crowd. All of these people come to
3 our neighborhood to party. And unfortunately it's a --
4 it's a problem for us. Parking is an issue. Parking --
5 you know, just to -- to bring a real serious scenario
6 parking is an issue for other reasons. One day I woke
7 up on a Sunday and my car was blocked in by another car
8 that had been abandoned from the club. It took the
9 police five hours to remove the car. It was a stolen
10 car. It was someone that had been at the club that
11 night and -- and decided that they wanted to leave the
12 car right there. So it's -- it's -- there are a number
13 of problems that these clubs produce that are unsightly.
14 So having a moratorium will be very helpful for the
15 neighborhood. Thank you.

16 CHAIRPERSON ANDERSON: Thank you. Yes,
17 ma'am. Your name please?

18 MS. ODUNSI: Yes. My name is Yolanda
19 Odunsi, and I want to thank you all for having us here
20 to -- Yolanda Odunsi, Y-O-L-A-N-D-A, and the last name
21 is O-D-U-N-S-I. Yes. And thank you again for allowing
22 us to testify for a moratorium on the liquor licenses.

1 I moved to the Langdon community 13 years ago with my
2 then three year-old son I found my slice of the American
3 dream, a detached three bedroom brick home with a
4 fireplace and a large front and back yard and plenty of
5 room for my son to play and a bonus, a good school, a
6 large park, a recreation center, playground, basketball
7 court, swimming pool where he'd go over the years to
8 socialize and make new friends. And the icing, great
9 neighbors that treat you like family. And all of this
10 is located in a walkable community just two blocks from
11 Rhode Island Avenue and shops with plenty of public
12 transportation options available.

13 Shortly after moving in I got involved with
14 community activities and worked with government agencies
15 and private firms to design and build our current
16 playground and to advocate for a smaller and more
17 manageable Chuck Brown Memorial as well as improvements
18 to the west side of Langdon Park. Five years in I got a
19 dog and worked with folks from neighboring Brookland to
20 open Langdon Dog Park whose association I'm still a
21 board member on. I added another dog to our family a
22 few years later and have since met many more wonderful

1 neighbors during our morning and afternoon walks. I
2 really love living here, but there's been one constant
3 nagging element that has soured my life here and that's
4 the nightclubs just on the other side of Queens Chapel
5 Bridge towards Bladensburg Road. There are five, The
6 Scene, Bliss, Echostage, Stadium, and Aqua all within
7 walking distance of several churches, three schools, a
8 senior center, and a nursing home, my home, and many
9 other single family homes. On early morning walks with
10 the dogs along 20th on to Queens Chapel I encounter
11 trash, inappropriate flyers for upcoming events, and
12 used condoms in front of these businesses. Before
13 Stadium and Echostage opened up I was able to drive home
14 in the evenings after my son's sports practices using
15 Bladensburg Road off of 17th and making a left onto 20th
16 towards Franklin. Not any more. There's just too many
17 vehicles looking for parking to go to the clubs, and
18 neighbors like me have to wait and wait and wait. So I
19 have had to alter my route home which now takes an extra
20 five to ten minutes. Over a year that time and extra
21 gas adds up. I've spent time I would have rather spent
22 reading a book or doing activities with my son or

1 socializing with friends and family, instead at ANC and
2 other community meetings as well as ABRA hearings to try
3 and deal with the problems that come with so many clubs
4 and so many drunk patrons and their nuisances, urine
5 litter, car break-ins, loud and rowdy drunks passing by
6 our houses at 3 a.m., all of this tainting my little
7 slice of the dream. It's a huge headache I wish I
8 didn't have to deal with and one that has caused me to
9 lose some great neighbors including three; a former ANC
10 commissioner and two Langdon Community Association board
11 members who have fought very hard against liquor license
12 renewals and new licenses for these clubs. Unlike them
13 I don't plan on moving any time soon. I still love my
14 home and most of my neighborhood amenities, and I'm
15 excited about the development happening in nearby Ivy
16 City. I am here today in support of a moratorium on any
17 new nightclubs in our community. We already have more
18 than our fair share and way more than our community can
19 absorb. We cannot possibly host yet another club.
20 There's just not enough infrastructure for those types
21 of businesses here. There are not enough police to
22 control the patrons or the crime, not enough response to

1 the loud noises from the clubs. There are no cleaning
2 crews beyond the immediate storefronts for the clubs.
3 So neighbors, many of them elderly, have to spend their
4 Saturday and Sunday mornings sweeping and washing away
5 trash and urine. When a crime does occur the police
6 response is slow to nonexistent. We have had enough.
7 The Langdon Woodridge community cannot possibly handle
8 any additional nightclubs. We need a moratorium and we
9 need it now. Thank you.

10 CHAIRPERSON ANDERSON: Thank you.

11 MS. BUSHONG: Good morning. My name is --
12 yeah. Yeah. Just barely still morning. Okay. Good
13 morning. My name is Dolores Bushong, and I live at 2030
14 Hamlin Street NE. I have lived in my home for 24 years
15 and am glad to see some of the changes that have come to
16 my neighborhood particularly in the last ten years or
17 so. It is nice to have some places to go out and get a
18 bite to eat or buy some groceries. However, one thing
19 that has not been a welcome change is large music venues
20 on Queens Chapel Road and Bladensburg Road. Let me ask
21 you a question. Do you look forward to Friday, the end
22 of the workweek and going home to some much needed rest

1 and relaxation? I know I do. But what if you knew that
2 over 2,000 people -- and you've heard them say that it
3 could be up to 7,000 people -- were coming to your
4 neighborhood tonight, not just my neighborhood but to
5 your neighborhood tonight and not just tonight, every
6 weekend and you could see and you could hear the cars
7 and the people talking loudly especially when they were
8 leaving the neighborhood after midnight after having a
9 few too many drinks? I have just described what life is
10 like for my neighbors in the Queens Chapel NE area.
11 Would you want to live here? These nightclubs do not
12 have parking of their own to meet the large demand. It
13 isn't just the cars needing a place to be parked. It's
14 the noise of the cars, the loud patrons, and the trash
15 they drop.

16 Even though I live across Langdon Park from
17 Queens Chapel Road I can sometimes hear the pounding of
18 the bass, because as you know that's you kind of almost
19 feel sometimes more than you can just hear, when I sleep
20 with my windows open to get fresh air. I don't have
21 central air conditioning. I do like to hear and have
22 the fresh air coming into my bedroom at night. It is so

1 aggravating and unfair to have to live with noise
2 pollution that prevents me from enjoying the comforts of
3 my own home. My area in Woodridge is saturated with
4 these large music venues and the issues they present for
5 the neighborhood; trash, noise pollution, and parking
6 issues. A liquor license moratorium won't solve the
7 problems we already have to contend with, but it would
8 mean they wouldn't get any worse.

9 I implore you to approve a liquor license
10 moratorium for the Queens Chapel area. Give us the
11 peace and quiet we deserve in our own homes. Thank you.

12 CHAIRPERSON ANDERSON: Thank you,
13 Ms. Bushong. Yes, sir.

14 MR. HUBBARD: Good morning. My name is Drew
15 Hubbard.

16 CHAIRPERSON ANDERSON: Drew.

17 MR. HUBBARD: Hubbard. Good morning,
18 Chairperson Anderson, ABC board members, and neighbors.
19 Thank you for this opportunity to voice my support for a
20 liquor license moratorium along the Queens Chapel
21 Bladensburg Road corridor. My name is Drew Hubbard, and
22 I have had the pleasure of serving as the president of

1 the Woodridge Civic Association. Due to the large
2 geographical size and the presence of many vibrant
3 subdivisions within the neighborhood several community
4 groups have been formed over the years including
5 Woodridge South Community Association, the Langdon Park
6 Community Association, and the North Woodridge Community
7 Association that operate independently but work in
8 concert and cooperation with each other and with the
9 Woodridge Civic Association which for decades has been
10 recognized as the association for our area. We are also
11 proud to work with our direct neighbors in the Gateway
12 community and ANC 5C.

13 There has been a deliberate effort by
14 neighbors in the area to work more closely to support
15 the needs and to address with one voice the common
16 problems present in the Greater Woodridge and Gateway
17 communities. As such I am here today in my capacity as
18 president of the Woodridge Civic Association and as a
19 member of the Gateway Woodridge -- excuse me -- the
20 Greater Woodridge Gateway Leaders Group to support the
21 proposed action before The Board and urge the members to
22 remain steadfast and consistent with protecting this

1 community from the negative effects of increasing what
2 is already an over-concentration of licensed liquor
3 establishments in the Queens Chapel area. Recent
4 actions by this Board, specifically the denial of the
5 Pulse liquor license application in 2014 demonstrates
6 that this body is keenly aware of and on record as
7 having formally recognized the inherent negative impacts
8 on the neighborhood associated with the specter of
9 allowing more licensed establishments in light of the
10 fact that this section of the neighborhood already has
11 the dubious distinction of hosting many more large
12 nightlife and entertainment venues that can be
13 realistically operated in a manner that fairly balances
14 their business interest with the public safety, parking,
15 and other quality of life issues that continue to impact
16 the immediate surrounding residents.

17 Others have noted but I will reiterate there
18 are currently large five large scale nightclubs within
19 the very close proximity operating along New York
20 Avenue, Queens Chapel Road, and Bladensburg Road
21 corridor. These establishments include The Scene,
22 Echostage, the Stadium Club, Club Bliss, and Aqua Bar &

1 Lounge.

2 These -- these establishments have the
3 potential to amass more than 7,000 patrons at any given
4 time when operating simultaneously. The impact of the
5 nightclubs' patrons and vehicular traffic have on the
6 community continues to adversely affect residents in the
7 neighborhood each time they open for business. It's
8 well-documented that the current establishments have
9 been plagued with violent acts perpetrated by or
10 committed on patrons, vehicle thefts and break-ins,
11 public alcohol consumption, public intoxication, public
12 urination, sexual assaults, vandalism, excessive litter
13 and trash, and proper damage. Each of the current
14 establishments have been the subject of multiple MPD and
15 ABRA investigations of incidents that particularly tend
16 to occur within the clubs but invariably spill out into
17 the neighborhood. The approval of the expansion of
18 existing licenses or new Class C or D licenses types
19 will only aggravate and an already tenuous situation
20 that we are pushing the current establishments to -- to
21 address and improve. Excuse me. As such and as
22 requested we seek approval of the moratorium that would

1 prevent the establishment of new nightclubs or
2 entertainment venues for not less than five years in an
3 1,800 foot radius pending the -- the new location as
4 identified, place a restriction on the current
5 nightclubs and entertainment venues up for sale thus
6 requiring that new owners must have enough on-site
7 parking to support their capacity, prohibit the
8 expansion of existing licenses into adjoining spaces
9 properties or lots unless it's for the sole purpose of
10 increasing on-site parking, and hold all pending and
11 future applications until we as petitioners have this
12 request resolved.

13 Per the applicable requirements and fixing
14 the one defect of tying it to an established location
15 the requirements of Title 25 of the D.C. Code that we
16 submitted under we request the moratorium be put in
17 place as it is in concert with Title 25 and it is
18 consistent in purpose and intent with the desires of our
19 community and the example of needed and properly
20 bestowed relief embodied in the four moratorium zones
21 currently in force in Adams Morgan, East DuPont Circle,
22 West DuPont Circle, and Glover Park. As this body

1 wisely granted relief to these similarly situated
2 neighbors we hope that you will see fit to afford us the
3 same consideration and protections.

4 Thank you for your time today and I ask once
5 again that you support our request.

6 CHAIRPERSON ANDERSON: Thank you,
7 Mr. Hubbard. Any questions by board members for this
8 panel? Yes, Ms. Miller.

9 MS. MILLER: Thank you. I'd like to ask
10 you -- sorry. What's your last name again?

11 MR. HUBBARD: Hubbard.

12 MS. MILLER: Hubbard. Okay. So you
13 represent the Woodridge --

14 MR. HUBBARD: -- Civic Association.

15 MS. MILLER: -- Civic Association. Okay.
16 Because I'm fairly familiar with the issues that you all
17 are raising from our Pulse case. You know, we heard all
18 about this kind of -- the cars that go into the
19 neighborhoods and the sex and the whatever, all that
20 stuff. I'm just -- I'm not clear -- maybe you can help
21 me how many different civic organizations are -- are
22 involved in this moratorium request?

1 MR. HUBBARD: So the Woodridge Civic
2 Association is kind of the over-arching civic
3 association recognized by The Federation of Civic
4 Associations. But Langdon Park, North Woodridge, and
5 Woodridge South all have community associations which
6 work with us. And they address more specific concerns
7 within their immediate communities.

8 MS. MILLER: Okay. And basically is it --

9 MR. HUBBARD: And I'm sorry. And Gateway,
10 which is the contiguous association.

11 MS. MILLER: Okay. And I don't know if you
12 can speak for all of them, but would you say basically
13 you're all on the same page, you all basically want the
14 same thing?

15 MR. HUBBARD: Absolutely. As -- as -- as I
16 noted the five presidents of the different groups all
17 signed on together to the initial application.

18 MS. MILLER: Okay. And -- and that is
19 basically that no more big nightclubs in the area?

20 MR. HUBBARD: Correct.

21 MS. MILLER: Okay. So in one of the
22 petitions there's a reference to a -- a CR-E restaurant

1 with entertainment endorsement. Is that -- I'm not
2 sure. It says residents of Woodridge/Langdon Park
3 communities petition for moratorium. I don't know if
4 you're familiar with that. But I guess my question -- I
5 wanted to make sure that there wasn't a -- or is there a
6 support for, you know, no more restaurants if they get
7 entertainment endorsements?

8 MR. HUBBARD: Well, I mean I think as -- as
9 Mr. Malone pointed out in that particular area --

10 MS. MILLER: Okay.

11 MR. HUBBARD: -- you're not going to get
12 much of that activity anyway. When you look at some of
13 the newer restaurants on Rhode Island Avenue and a
14 couple blocks away you have a more suitable corridor
15 where you have that activity happening already.

16 MS. MILLER: But you're not opposed to a
17 sit-down restaurant opening up if it were -- wanted to
18 with a liquor license?

19 MR. HUBBARD: Not necessarily. No.

20 MS. MILLER: Okay. Are you --

21 MS. BUSHONG: I just wanted to say that what
22 a moratorium I think would help with places that are

1 trying to rent or buy these large warehouses, they bring
2 in a lot of money because of selling liquor and because
3 of the cost of tickets. It doesn't give other places an
4 opportunity that may want to use a warehouse that would
5 be more fitting in terms of our neighborhood to even
6 step into that arena. We know development is coming,
7 but we'd like to have a little bit of choice so it's not
8 all the same thing. If there's a five-year moratorium,
9 it gives some -- the owners who either want to sell it
10 or want to rent it may be considering that there are
11 some other kinds of businesses that don't bring some of
12 the kinds of problems that we've mentioned to our
13 neighborhood. As long as businesses can still have the
14 clubs and get that kind of money they can afford those
15 higher rents. No -- I've lived there a long time. No
16 one was interested in this area but distribution
17 companies. I mean there are different things that it
18 definitely could be but not as long as more clubs are
19 allowed to come. So that's just my thinking having
20 lived there for a while on what this would also --
21 you've asked us to talk about what we would like and
22 what it could bring about. Oh, I think it could bring

1 about some very different things if people weren't
2 looking for the amount of money to either rent or buy
3 those properties which only really a large venue
4 nightclub can kind of do.

5 MS. MILLER: Right. Okay. I wanted to ask
6 you -- well, first of all, are you Mr. Quinn?

7 MR. QUINN: Yes.

8 MS. MILLER: Right. Okay. How far away are
9 you from these nightclubs in that you're getting that
10 kind of overflow of -- of crime?

11 MR. QUINN: I'm a good distance. I mean you
12 have to come over a bridge and go at least four blocks,
13 five blocks into the neighborhood. So, you know, I mean
14 over Queens Chapel Road, come into the neighborhood
15 some, and I'm on 24th and Evarts. So a good distance
16 into the neighborhood. I'm one block away from the
17 park. So yeah, it's not -- it's -- it's -- it's a
18 decent walk but people still park there. People park
19 all the way down to Franklin. If you're trying to save
20 money on parking, you're -- you're coming pretty deep
21 into the neighborhood.

22 MS. MILLER: Okay. And I did want to follow

1 up with you too about how far are you that you hear this
2 pounding?

3 MS. BUSHONG: I'm across the park on a hill.
4 So a lot of the -- a lot of the noise kind of
5 reverberates. And I'm not saying I hear it all the
6 time, but sometimes I do. And I find it extremely
7 annoying because it's something you kind of feel. It's
8 that kind of pounding.

9 MS. MILLER: Okay. And --

10 MS. BUSHONG: And I don't think they can
11 control that. I mean you can shut your doors, but that
12 kind of pounding sound, that bass doesn't help.

13 MS. MILLER: And then I think you said one
14 other thing I wanted to follow up on. It was either
15 2000 to 7,000 or 2,000 to 5,000 people [inaudible
16 2:27:01.]

17 MS. BUSHONG: There are 2000 in one club.
18 But as you've heard if all the clubs are having people
19 one night, then it's 7,000 people if everybody has a
20 different act that night.

21 MS. MILLER: Okay. So --

22 MS. BUSHONG: So it can be from 2,000 to

1 7,000 people.

2 MS. MILLER: It can be, but do you know what
3 it is on average?

4 MS. BUSHONG: No.

5 MS. MILLER: No. You just know it's a lot
6 of people.

7 MS. BUSHONG: Yeah. I just know it's a lot
8 of people. I know Echostage has really big acts, and so
9 I know they draw -- because I actually know some --

10 MS. MILLER: Right.

11 MS. BUSHONG: -- young people who go to
12 that. I know that they draw really big, big crowds.

13 MS. MILLER: Right. They just -- they don't
14 do it every weekend, but they do.

15 MS. BUSHONG: Right.

16 MS. MILLER: Yeah. Okay. Well, I -- I want
17 to say thank you also for coming down. I really
18 appreciated hearing this firsthand.

19 MS. BUSHONG: Thank you.

20 CHAIRPERSON ANDERSON: Yes, Mr. Short.

21 MR. SHORT: Good afternoon each and every
22 one of you. Thank you for taking the time to come down

1 today and voicing your opinions and giving -- giving our
2 community -- I mean giving us insight into your
3 community. As I've been a board member now for a little
4 more than just two years, again, as I said to the first
5 panel I do feel your pain. I was here for the Pulse
6 hearing. Like many of you I've been here in Washington
7 for almost 70 years. I lived in Ward 5 for -- for a lot
8 of those years and Langston Terrace, 21st and Benning
9 Road. Now I live in Ward 7. I served with the D.C.
10 Fire Department for 33 years. So, officer, thank you
11 for your time and service.

12 MS. WARD: You're welcome.

13 MR. SHORT: I know Sergeant Paul Sullivan
14 and all that crew [inaudible 2:28:32]. But I'll just
15 say this to you, there are some changes coming and we
16 do -- at least I as a board member -- I can't speak for
17 the other board members -- know your neighbors. I know
18 how close these places are to you. I was here for the
19 Stadium hearings when Howard University -- people heard
20 that music across the river in Prince George's County.
21 So I can only imagine living right in the neighborhood
22 what you hear. And -- and that's not Washington D.C.

1 that I know and like. And so as a board member I vote
2 that knowing what you know and -- and knowing what we --
3 what we [inaudible 2:28:32]. I think the Chairman
4 mentioned earlier that I think this mayor is trying to
5 do her best to maybe put the Genie back in the bottle.
6 But we know the Genie is out, and it happened some years
7 ago. The city is going through some wonderful changes,
8 and like yourself I'm -- I'm waiting for it to come a
9 little further east in town, sort to see some of those
10 cranes and things and some of those wonderful buildings.
11 But at any rate, I as a board member hear what you're
12 saying and I can't vote about a moratorium today at this
13 particular hearing. But when the papers come in and we
14 get a chance to look at everything according to the law
15 as I mentioned earlier, whatever relief that this Board
16 can give you as my -- as my vote we'll try our best to
17 do that. Thank you, Mr. Chair.

18 CHAIRPERSON ANDERSON: Mr. Silverstein.

19 MR. SILVERSTEIN: Thank you, Mr. Chair. I'd
20 like to thank the members of this panel and the previous
21 panel. I think that you represent the best of D.C.,
22 young, old, black, white. We're all in it together and

1 we all care desperately that the quality of life is
2 maintained and that all have their dignity. I think
3 Mr. Malone put it well before that, you know, we've
4 turned down a couple of large applications, Pulse, Club
5 Illusions. But the issue there is can you mobilize
6 every time somebody puts something forward and come
7 and -- and fight it and bring these things, or is it a
8 better idea to have this one instrument that -- that
9 stops the applications and saves everyone time but on
10 the other hand may have some other adverse consequences
11 which we want to work on and eliminate if possible. You
12 know, even warehouse districts have their limits, and we
13 have to strike a balance between large clubs and other
14 uses. And I think that all of us are -- are looking at
15 that. Are there any things that you particular -- that
16 you folks would want out of the moratorium? Your
17 concern, do you have any with restaurants -- sit-down
18 restaurants, anything like that? The -- the question --
19 you know, somebody made a comment about restaurants with
20 entertainment endorsements. You want to -- you want to
21 talk to that issue. Because we don't want to eliminate
22 bad things while protecting you from -- we don't want to

1 eliminate good things while protecting you from things
2 that would disrupt your quality of life.

3 MR. HUBBARD: If -- if I might --

4 MR. SILVERSTEIN: Yes, sir.

5 MR. HUBBARD: -- I mean I think no one is
6 suggesting that we don't want sit-down restaurants or --
7 or properly sized venues. The one concern -- and I
8 believe this happened in the Pulse application -- is
9 folks applying masquerading as one thing when in fact
10 they're going to operate as something else. I remember
11 being at the ANC meeting, and I believe the gentleman --

12 MR. SILVERSTEIN: Please speak up a little
13 louder, sir.

14 MR. HUBBARD: Sorry. The gentleman I
15 believe who was applying for the Pulse license tried to
16 sell us an idea that it was going to be a pizza
17 restaurant. And -- and, you know, the questions came
18 and came and he talked about we're going to sell pizza
19 and he had the temerity to talk about it will help
20 people sober up after drinking all night. So the one
21 question I had for him -- I had two questions for him.
22 I asked him if he lived in D.C., he didn't. And number

1 two, I asked him what do you expect your revenue to be
2 from liquor sales? And that's what -- where -- where
3 the actual facts came in. And he said the vast majority
4 was going to be in liquor sales. So it just uncovered
5 this whole notion that pizza sales and a restaurant was
6 bologna. So legitimate venues if you have restaurants
7 that are going to be sized properly that are really
8 going to operate as restaurants, I think we're fine
9 with. But -- but not masquerading as a restaurant and
10 really operating as a club.

11 MS. ODUNSI: I don't know if I can answer
12 that. I -- I am kind of opposed to adding additional
13 restaurants with a entertainment license because you
14 already -- we already have entertainment. We have 7,000
15 patrons coming for entertainment. You don't need
16 additional entertainment in that corridor. That can
17 happen somewhere else. So it's just -- even if we had
18 smaller clubs 300, 400 patrons it just adds on, it just
19 keeps piling on to what is already there. And if you
20 don't have enough people to police these venues and
21 follow up if someone calls, you know, waking up their
22 child or something in the middle of the night, then it

1 doesn't help us at all. And it's not something -- you
2 know, we're not coming here saying oh, we need more
3 restaurants that have alcohol licenses in that area. We
4 don't. We don't need any -- any more of those. We
5 would like smaller restaurants, yes, but somewhere else.
6 And those -- like Kevin said earlier -- Kevin Malone
7 said earlier those buildings are huge, they're not for
8 small establishments.

9 MR. SILVERSTEIN: Well, the -- the big are,
10 but some could be renovated, redone, and there can
11 always be some smaller thing in there. And -- and we
12 want to make sure that we're -- we're doing the right
13 thing and that we're not eliminating good things while
14 we're protecting you from things that can damage your
15 quality of life. I think we've seen some of you here
16 before in -- in hearings.

17 MS. ODUNSI: Yes, you have.

18 MS. BUSHONG: Because of a -- a club.

19 MR. SILVERSTEIN: And in fact hopefully if
20 we -- you know, speaking only for myself here that maybe
21 we might be able to eliminate the need for you to come
22 here as often as you do.

1 MS. ODUNSI: I'd rather see you outside of
2 this room.

3 MR. SILVERSTEIN: Always a pleasure. No
4 further questions, Mr. Chairman. Thank you.

5 CHAIRPERSON ANDERSON: Any other questions
6 by any other board members? All right. Thank you for
7 your presentation, and you can sit in the audience. I
8 want to say some final words, but I want Mr. Malone to
9 come back up and if he has something that he wants to
10 add.

11 MR. SILVERSTEIN: Thank you all.

12 MR. MALONE: I was just simply raising my
13 hand to say that you've seen me here before. I've been
14 here almost every instance where the five clubs have had
15 come before this Board in some form or fashion. And,
16 Mr. Short, you mentioned the issue with Stadium Club.
17 And I -- and I have to be honest that I was disappointed
18 that this Board, despite all of the issues with Stadium,
19 their mismanagement, lying under oath in their fact
20 hearing -- fact finding hearing that this Board still
21 granted them a clean license, a fresh start with not --
22 you know, they got off with -- with impunity, nothing,

1 not so much as -- as requiring a community agreement.
2 And that's what this Board did. And so at every
3 instance where we're trying to make positive changes in
4 our community -- I have to be honest the comment that
5 you made to me that we need to lawyer up, I feel
6 disenfranchised because as citizens we're supposed to be
7 able to come down here and work with this body to
8 address some of the issues. I've had to take off work
9 today to be here and every other instance I've had to
10 come down here. I've spent hours here. When we were
11 here last time we stayed until 1 a.m. So this is not an
12 easy. I don't appreciate being told I need to get a
13 lawyer. Our community don't have the resources and the
14 capacity that some of the other affluent communities
15 have. That's why regular citizens get to come down
16 here. We're not lawyers, and yes, I made a mistake
17 because I misinterpreted that I needed to choose an
18 address from a licensed establishment. I made a
19 mistake. What I also care about is I care about my
20 neighbors who have testified before you today. I care
21 about our quality of life. I have worked with -- and I
22 have documentation of this. I have worked with Matt and

1 and Ray who are great. At least we can engage with them
2 without having to come here and hold their feet to the
3 fire. I cannot say the same for the other clubs. I'm
4 not here to bash Echostage. I could bash Stadium, and
5 you know that. Okay. And I was just here with Bliss
6 and Stadium when they had incidents inside their club
7 and they tried to cover it up. I was here for that.
8 And all you all told them was to get a security plan and
9 retrain. That's not right. Because as you know when
10 those incidents happen inside the establishment, where
11 do they end? If someone gets stabbed inside the club,
12 where do they end? It ends in the neighborhood. And in
13 2014 we had drive by shootings. Now, I can't hold the
14 club owners responsible for that because it didn't
15 happen on their property, but that's what we're dealing
16 with. And I ask this Board to please work with me, and
17 I know that you are going to. But please work with us
18 because consider we already have large clubs and add a
19 Club Love, add a Fur, add a Ibiza and you are going to
20 have a nightmare in this city. And I'm not trying to
21 prevent nightlife, I'm not. But the difference between
22 our neighborhood and U Street, you have a smaller

1 footprint, right, a longer street, more ABC licenses,
2 more resources. We don't have that. And there's public
3 transportation options so there's a reduction on
4 traffic. You got one bus line on Bladensburg Road, one.
5 And you think people going to take the bus to get to the
6 club? No. If they're taking a taxi that's labelled
7 taxi, they get dropped off on the -- down the street
8 because they don't want to be seen getting out of a taxi
9 going to the club. They take a Uber now because you
10 don't have the stigma. I'm just -- I'm just -- I want
11 to make that clear that I want to be empowered to be
12 here today to advocate on behalf of my neighbors, and --
13 and I don't want to have to lawyer up because I don't
14 have the money for that. So wherever I've made a
15 mistake I ask this Board to please work with me and --
16 and don't simply deny my application because I
17 misinterpreted what's in your standards. I'm not asking
18 to you make decisions outside of what you can do in your
19 rules. I get that. Otherwise we wouldn't be here
20 today. But I also want you also to understand that like
21 Pulse we -- we don't have the capacity to -- to protest
22 every single application, and it's going to happen. We

1 have massive amounts of warehouses for sale. And I'm
2 sure you all saw in the newspaper a couple weeks ago
3 we're going to get a gun range on Queens Chapel Road.
4 And you can imagine how our hearts went to our feet when
5 we learned that's what we're going to get, a gun range
6 in our -- in our neighborhood. And next door to the gun
7 range is going to be another club and another club and
8 another club and another club if this Board continues to
9 approve Class C and D licenses.

10 So I want to, you know, I want to say thank
11 you for again working with me, but please don't make me
12 feel disenfranchised by saying I need to go get a lawyer
13 because I didn't understand the law. Because I made
14 a -- I made a mistake, I didn't choose a licensed
15 establishment. I -- I do want to amend that, and I hope
16 The Board will accept that verbally today and allow me
17 to follow up in writing to choose a licensed
18 establishment. And I did carefully lay out specific
19 streets where these warehouses are for sale. I've also
20 carefully laid out warehouses that are currently for
21 sale and for lease. There are lots of them. Some of
22 these warehouses provide parking for the current clubs.

1 So if you remove them and turn them into a licensed
2 establishment, then where are those cars going to park?
3 And I -- I detail all much that in here. So that's --
4 that's all I want to say.

5 CHAIRPERSON ANDERSON: Thank you. Yes,
6 Mr. Short.

7 MR. SHORT: Mr. Malone I hope you didn't
8 take everything I said out of context. There is a
9 process by which we have to function.

10 MR. MALONE: I understand that.

11 MR. SHORT: The Court of Appeals, when we
12 tell someone just because we feel like they should not
13 have an ABC license because of the testimony we get from
14 citizens like yourself, then the Court of Appeals
15 overturns what we do anyway. So we have to follow the
16 law. And again, I hope you didn't get offended by me
17 saying about a lawyer. I do know that George Washington
18 University has lawyers in the school who are quite good
19 in some cases, and -- and they do free work for
20 community organizations. But this -- and I'll just say
21 this also, again, I as a board member only have one vote
22 and I will say this, having been in this town for 70

1 years and a public safety official for 33 of those I do
2 feel your pain. And as far as the law is concerned as
3 much as I can do as a board member with my one vote I'm
4 going to do the best I can to make sure that the
5 citizens and the businesses have a fair shake when they
6 come before this Board.

7 MR. MALONE: Thank you.

8 CHAIRPERSON ANDERSON: Yes, Ms. Miller.

9 MS. MILLER: I want to say that, you know, I
10 have your package before me. I'm sorry I didn't have it
11 before. But it looks incredibly comprehensive, and I'm
12 going to look at it really carefully. And I want to
13 commend you on it just from how it looks skimming
14 through it. And I just have a different opinion than
15 Mr. Short. I -- I'm a lawyer, and I -- I don't think
16 that you necessarily need a lawyer, but I didn't read
17 this yet. Even lawyers make mistakes. And if you're
18 working with the ABRA staff, I think that that's very
19 appropriate, you know.

20 MR. MALONE: Thank you.

21 MS. MILLER: You know, even ABRA staff makes
22 mistakes sometimes too. And -- and the reason that

1 almost every board member brought it up was because we
2 didn't want you to get knocked out on a technicality.
3 So, you know, we -- we do want that to be addressed the
4 way the statute says it should be addressed, and then --
5 you know, then we can deal with it. So I want to thank
6 you for your service.

7 MR. MALONE: Thank you. And, Mr. Chairman,
8 would it be appropriate at this time to verbally amend
9 the address?

10 CHAIRPERSON ANDERSON: That's why -- that's
11 why I gave you -- yeah.

12 MR. MALONE: Okay. So I would like to
13 verbally amend the address to 2122 24th Place, which is
14 Club Bliss' address.

15 MR. SILVERSTEIN: What's the address, 21 --

16 MR. MALONE: 2122 24th Place.

17 MR. SILVERSTEIN: Good.

18 MR. MALONE: And I -- I will work with Sarah
19 and the other resources so that you all have a map that
20 will cover the specific streets that we plan to target.
21 But if you look on Page 6 of the package at that top
22 paragraph here, it does lay out specific streets that

1 we -- we are focused on where there are large warehouses
2 available for sale or for rent. And I need to work with
3 your staff to amend the maps since we are changing the
4 central address to a ABC establishment. But I just
5 wanted to lay out that we have the specific streets, but
6 I need to amend in writing as well as provide you with
7 new maps of our target.

8 CHAIRPERSON ANDERSON: When do you believe
9 you can do that? When do you -- when do you think you
10 can provide that information?

11 MR. MALONE: So as early as I get the new
12 maps from your ABRA staff. I mean I can do them on my
13 own, but I think it speaks volumes when your own staff
14 can provide -- provide you with the GIS maps just so you
15 have some sort of assurance that the information is
16 accurate. Okay. So as -- as soon as --

17 CHAIRPERSON ANDERSON: Well, you -- you
18 don't have to. We'll -- we have the address. So
19 therefore, The Board is -- is -- we have enough
20 information in the sense of what it is that you're
21 seeking and we can -- as I said before what -- what I'd
22 read, it gives us certain options of what we can do once

1 you have told us what it is that you want us to do.

2 MR. MALONE: Okay.

3 CHAIRPERSON ANDERSON: So the address is
4 fine, and The Board will decide -- we'll -- we'll make
5 some type of determination what it's going to do. Do we
6 have any other questions by any other board members
7 before I close this hearing? I want to thank you and
8 your other board members, the ANC, and the civic
9 association for spending the time to come here and
10 testify today. And as I'd said to the -- and I'm bad
11 with names. So Ms. -- the lady with the hyphenated
12 name.

13 MR. MALONE: Ms. Smith.

14 CHAIRPERSON ANDERSON: Ms. Smith. And it is
15 my intent that when you come here that you will be heard
16 by The Board. You're not always going to -- going to --
17 The Board is not always going to vote in your favor, but
18 you will be heard. And everything that you state,
19 everything you testify, whatever decision we made -- we
20 make it will be taken in consideration. I -- I -- I
21 don't want anyone to ever come here as long as I'm chair
22 of this board and not feel that you're heard. I don't

1 want anyone to leave here mad because -- you can be mad
2 after the decision but not before the decision is made.
3 Because if you feel mad before the decision is made,
4 that tells me that you don't believe that you're being
5 heard by The Board. And I don't aware want anyone to
6 feel that way. And that is one of the charge that I
7 have in trying to make sure that the -- the
8 neighborhoods -- that people who come here to testify,
9 that they feel that they have been heard and whatever
10 decision that we make we will take their -- their
11 opinion in consideration. As a Board we have to balance
12 the neighborhood and the business. The neighborhood --
13 you live in the neighborhood. Unfortunately because
14 there are -- there are certain -- as you said the
15 warehouses are there so that brings a certain type of
16 audience.

17 MR. MALONE: Yes.

18 CHAIRPERSON ANDERSON: And so -- we're going
19 to try to make sure in a sense that whatever role we can
20 play to bring a proper balance between the neighborhood
21 and what's coming in your neighborhood.

22 MR. MALONE: Right. And just to -- to

1 reiterate that too. And I realize that we have to --
2 you have to consider the economic impact, right, because
3 it has to be a balance of business and -- and
4 residences. And that's why I -- you know, I -- I
5 continue to urge Council Member McDuffie to take the
6 Ward 5 Works Plan which just sits on the Office of
7 Planning website that shows what the area could look
8 like because of the warehouses. I have encouraged him
9 to introduce legislation to identify that as an
10 industrial park to bring in specific job opportunities,
11 jobs that would help support families who live in Ward 5
12 when we already have an unemployment rate in Ward 5 of 9
13 percent. And that is on a -- on a D.C. government
14 website. Right. So the plan is there. It's now time
15 for him to implement it and for the mayor to implement
16 it. But if it's just going to sit there and we're left
17 with this vulnerable section of warehouses open and
18 available for business without any stipulation of what
19 they could be, then we end up here. Because right now
20 it could be a club district. But if we take a look at
21 the Ward 5 Works which is on the Office of Planning's
22 website, it could be something beautiful and great and

1 provide jobs for families who live in Ward 5. We don't
2 have that right now.

3 And to suggest that a restaurant -- a
4 sit-down restaurant is going to come when they haven't
5 come in the last five, ten years it's unlikely. That
6 is -- those restaurants are going to go across New York
7 Avenue where Douglas Development is preparing that huge
8 triangle lot that was going to be a Wal-Mart. That's
9 where it's going to go. But when you've got companies
10 like DHL and Budweiser, distribution places, that's more
11 appropriate, right, because they're providing those
12 services all over the city. You got to think about
13 Budweiser and DHL and the Restaurant Depot who are
14 operating on V Street that are impacted. Because now
15 with more clubs mixed in between those distribution
16 centers you're now impacting them, and that's what's
17 happening.

18 Douglas Development -- just for your own
19 edification and knowledge Douglas Development has two
20 buildings on Queens Chapel Road, one directly next to
21 Echostage that they use as a parking facility and he
22 just bought the Briggs poultry packing plant that moved,

1 right? But we don't have any assurances of what Douglas
2 Development plans to do with those buildings. And I can
3 guarantee you with Waste Management trash transfer
4 station operating across the street from Echostage, even
5 if you suggest let's turn it into retail, apartments,
6 condos, or whatever, unless the city figure out how --
7 how to get rid of Waste Management trash transfer
8 station, again what restaurant would open next to that?
9 It's very unlikely.

10 And so I -- I just want to make sure that
11 you guys have a keen sense of the neighborhood. If --
12 if I could, you know, try to paint the picture for you
13 of what does this neighborhood look like, that's what it
14 looks like.

15 CHAIRPERSON ANDERSON: Again, I would like
16 to thank everyone for their participation this morning.
17 And if there -- if yourself or any of your neighbors
18 that would like to provide written comment, the record
19 will stay open until 4 p.m. on June 10th, 2016. And so
20 again thank you very much for appearing this morning.

21 MR. MALONE: Thanks.

22 CHAIRPERSON ANDERSON: And The Board is in

1 recess until 2 p.m. this afternoon. Thank you.

2 (Whereupon the above-entitled matter was
3 concluded.)

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