

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

2 10:39 a.m.

3 CHAIRPERSON ANDERSON: All right.

4 Good morning, everyone. We're now on the record.

5 Good morning, everyone. As Chairperson of the
6 Alcoholic Beverage Control Board for the District
7 of Columbia, I would like to welcome you to a
8 regularly scheduled meeting of the Alcoholic
9 Beverage Control Board today, September 30, 2020.

10 This meetings is being conducted
11 pursuant to guidance made available by the
12 District of Columbia's Office of Open Government
13 regarding electronic meetings held by public
14 bodies during the public health emergency.

15 Pursuant to this guidance, notice of
16 today's meeting was provided 48 hours in advance
17 of the, of the meeting on ABRA's website. I'm
18 sorry. I'm sorry about that. Yes. Well, you
19 know, 48 hours in advance of, in advance of
20 meeting on ABRA's website on the District's
21 central meeting calendar.

22 The notice includes the time, date,
23 agenda, and call and/or login information are for
24 public participation. The select electronic
25 meeting is being hosted by a WebEx account

1 provided by the District of Columbia government.

2 Please address any questions or
3 complaints to the OOG at opengovoffice@dc.gov.

4 Excuse me. My name is Donovan Anderson, and I'm
5 Chairman of the Board.

6 I would like to introduce the other
7 members of the Board who are also participating
8 electronically pursuant to Mayor's Order 2020054.
9 Please respond when I announce your name. Mr.
10 James Short?

11 MEMBER SHORT: Mr. James Short,
12 present.

13 CHAIRPERSON ANDERSON: Mr. Bobby Cato?
14 I'll come back to you, Mr. Cato. I see that
15 you're on, but I'm not seeing your video, and
16 you're being muted, so I will, I know that you're
17 there, because I can see that you have logged in,
18 Mr. Cato. All right. Ms. Rema Wahabzadah?

19 MEMBER WAHABZADAH: Rema Wahabzadah,
20 present.

21 CHAIRPERSON ANDERSON: Ms. Rafi
22 Crockett?

23 MEMBER CROCKETT: Rafi Crockett,
24 present.

25 CHAIRPERSON ANDERSON: Ms. Jeni

1 Hansen?

2 MEMBER HANSEN: Jeni Hansen, present.

3 CHAIRPERSON ANDERSON: Mr. Ed Grandis?

4 MEMBER GRANDIS: Ed Grandis, present.

5 CHAIRPERSON ANDERSON: The Board has,
6 although Mr. Cato has not responded, but I can
7 see that he has logged in, and he is
8 participating. So I believe that he should, his
9 video will appear shortly.

10 The Board, the Board, therefore, has
11 seven members in attendance for the conduct of
12 business today, and that constitutes a quorum.
13 Before we get underway with today's hearing
14 calendar, I need to make a few instructions very
15 clear so that the conduct of these hearings is
16 understood by everyone.

17 There are three cases scheduled for
18 the day, for today. Once your case is called, I
19 will take a moment for our IT specialist to
20 elevate the rights of each party to enable their
21 camera and microphone.

22 Then, and only then, will you have the
23 ability to enable your equipment. If your case
24 is not being heard, you will remain muted, and
25 your camera will be disabled.

1 At the conclusion of each case, the
2 parties will have the option to leave. If the
3 party chooses to stay, all cameras and
4 microphones for the concluded case will be
5 disabled.

6 Should you have any questions or
7 require technical assistance during the hearing,
8 please submit them using the question and answer
9 feature, or email Simone, S-I-M-O-N-E, dot,
10 Andrews, A-N-D-R-E-W-S, 2@dc.gov.

11 Our first order of business today, it
12 is a notice of proposed rulemaking by the Langdon
13 Park Moratorium. And so I'll ask Ms. Andrews to
14 elevate the parties for, who wish to testify in
15 the Langdon Park Moratorium hearing.

16 MS. ANDREWS: Mr. Montague, your
17 rights have been elevated.

18 CHAIRPERSON ANDERSON: All right. All
19 right. We are here today pursuant to D.C.
20 Official Code Section 25354 to conduct a public
21 hearing and receive testimony on a resolution
22 from Advisory Neighborhood Commission ANC 5C
23 concerning the renewal of the Langdon Park
24 Moratorium zone.

25 By way of background, the existing

1 moratorium was set to expire on July 27, 2020,
2 pursuant to 23 DCMR 307. The Board voted on July
3 15, 2020 to adopt emergency rules, and they were
4 published in the D.C. Register on August 28, 2020
5 at 67 DCMR 10402.

6 The emergency rules were necessary to
7 extend the existing moratorium for 120 days so
8 that the Board could, the Board could consider
9 the ANC's resolution and receive comment on the
10 future of the moratorium.

11 The emergency rule expires on November
12 15, 2020. On June 17, 2020, ANC 5C submitted a
13 properly adopted resolution requesting that,
14 number one, the Board increase the duration of
15 the moratorium from three years to five years,
16 number two, prohibit ABC license from expanding
17 their premises into adjoining properties and
18 lots, except for purpose of increasing their
19 onsite parking, and three, change the name of the
20 moratorium zone from Langdon Park Moratorium zone
21 to ANC 5C Moratorium.

22 The Board will hear from Vice
23 Chairman, Jeremiah Montague, Jr., who is the only
24 witness who notified the agency regarding his
25 desire to speak to, on this matter. I will then

1 open the hearing to questions from the Board.

2 Mr. Montague, can you please identify
3 yourself for the record, and then you can begin
4 your testimony, please.

5 MR. MONTAGUE: My name is Jeremiah
6 Montague, Jr. I am the Vice Chair of ANC 5C, and
7 thank you for having me, and allowing me to speak
8 on this matter.

9 It has properly submitted a resolution
10 to the Board, and Chairman of the, of this
11 meeting has properly cited the three areas of our
12 concern, which were that we would request the
13 expansion of the period of the moratorium from
14 three years to five years, that we would like to
15 prohibit, or we request the prohibition of
16 expansion of clubs from, or applicants from one
17 space into another for, other than for the
18 purposes of improving their parking situation,
19 not for improving the, expanding their venue
20 opportunities.

21 And then, the third is the change in
22 the name, which would more properly reflect the
23 moratorium as being representative of ANC 5C, and
24 not localized to the Langdon Park Moratorium
25 zone, for which it covers.

1 CHAIRPERSON ANDERSON: Is that the, is
2 that the extent of your prepared statement?

3 MR. MONTAGUE: Yes, sir.

4 CHAIRPERSON ANDERSON: All right.
5 Well, then I have a couple of questions to ask
6 you. Why are you asking the Board to asking the
7 period? Well, why do you want us to renew the
8 moratorium? Why do you want that?

9 MR. MONTAGUE: We believe that the, as
10 does our communities that we represent, believe
11 that the moratorium zone serves us mostly well,
12 and that it contains some of the issues that we
13 have with parking, adverse impacts to quality of
14 life of nearby neighbors, and it also helps to
15 somewhat mitigate the issues of crime and noise
16 and trash, which result from uses of the
17 participants of these businesses.

18 With the exception of one, there's
19 been a recent advocacy, which I don't know what
20 the status of it is, which was a license at a
21 place called Karma Live, Karma DC Live Music,
22 which falls within, we believe, within the zone.

23 But the neighbors have severe impacts
24 because of parking in that area, when there's no
25 insufficient parking in the zone. It flows over

1 into their neighborhoods, and it's particularly
2 acute in the, along the Bladensburg Road, and
3 along Queens Chapel Road, along Channing, which
4 is across the railroad bridge.

5 And with that, there are opportunistic
6 crimes that occur when these close, clubs close.
7 If we extend the period of time the zoning grants
8 those neighbors a better opportunity for improved
9 quality of life, or at least mitigated quality of
10 life.

11 CHAIRPERSON ANDERSON: Mr. Montague,
12 I should've done this first. Can you please
13 spell your name for the record, please?

14 MR. MONTAGUE: No problem. First
15 name, Jeremiah, J-E-R-E-M-I-A-H. Last name,
16 Montague, M-O-N-T-A-G-U-E, Jr.

17 CHAIRPERSON ANDERSON: And again, your
18 position again, please?

19 (Pause.)

20 CHAIRPERSON ANDERSON: Your position,
21 please, sir?

22 (Pause.)

23 CHAIRPERSON ANDERSON: Can you hear
24 me, Mr. Montague?

25 (Pause.)

1 MR. MONTAGUE: Vice Chair, ANC 5C.

2 CHAIRPERSON ANDERSON: Okay. All
3 right. Thanks. All right.

4 MR. MONTAGUE: Sir, can you hear me?

5 CHAIRPERSON ANDERSON: Okay, thank you
6 very much. Now, yes, I can hear you. All right.

7 MR. MONTAGUE: Again --

8 CHAIRPERSON ANDERSON: Why is that you
9 want us to, normally, we would do moratoriums for
10 three years, or maybe we don't, we would not do a
11 moratorium in an area again, but why would you
12 want us to increase it, or to keep it in a, in
13 effect for five years rather than the three years
14 that we had put in place previously?

15 MR. MONTAGUE: I thought I had just
16 answered that question. But the three year
17 period --

18 CHAIRPERSON ANDERSON: Hold on one
19 minute, please. Am I the only one not hearing
20 Mr. Montague?

21 (Pause.)

22 MR. MONTAGUE: Am I being heard?

23 MEMBER CROCKETT: Yes.

24 CHAIRPERSON ANDERSON: I'm sorry. I

25 --

1 MEMBER CROCKETT: There's a lag, but
2 I'm able to hear him. But there's like a slight
3 lag between --

4 CHAIRPERSON ANDERSON: Okay. I was
5 just, I want to make sure I'm not the only person
6 who is having that problem. Okay. So there is
7 a, there is a delay, and maybe it's based on your
8 internet speed. So there's a delay in your
9 speech, Mr. Montague, so go ahead, please. Okay.

10 MR. MONTAGUE: Okay, sir. I
11 apologize. I am actually attending two meetings
12 simultaneously. It is what life is right now.
13 So I thought I had answered the question about
14 the extension to five years as opposed to three.

15 To us, it certainly seemed logical,
16 and it would grant a greater relief to residents
17 impacted nearby.

18 CHAIRPERSON ANDERSON: All right.
19 Now, what, okay. Is, does Langdon Park, does
20 that cover the entire jurisdiction of ANC 5C, or
21 is the, or is it the same area, or is ANC 5C
22 larger than Langdon Park?

23 MR. MONTAGUE: ANC 5C is much larger
24 than simply Langdon Park. Langdon Park is simply
25 a subset of what is called Woodridge, Fort

1 Lincoln, and Gateway, and Brentwood.

2 So there are four, at least four or
3 five larger communities which are, constitute ANC
4 5C. So Langdon Park is simply just one area in
5 which the club activities, or the entertainment
6 venues primarily reside.

7 CHAIRPERSON ANDERSON: But are you
8 asking us to extend the moratorium zone, or just
9 change, because if by changing --

10 MR. MONTAGUE: No, no, no, no. No,
11 no. We, the current limits, boundary limits on
12 the existing moratorium zone are sufficient.

13 CHAIRPERSON ANDERSON: But wouldn't it
14 be so, how would, how would someone know, by
15 changing the name to ANC, to, by changing the
16 name to ANC 5C, how would someone know that this
17 is now in the moratorium for the entire ANC,
18 rather than just for the Langdon Park area?

19 MR. MONTAGUE: Ah, I understand. It,
20 the reason for the request arose from the
21 original, or origination of the moratorium
22 request, which was shepherded by the Langdon Park
23 Community Association, which is, falls with,
24 under ANC 5C, but since that group appears to be
25 inactive at the moment, and ANC 5C is largely

1 responsible for this moratorium zone, that's why
2 the request was made.

3 CHAIRPERSON ANDERSON: But if, but
4 whether or not, whether or not the, and this is a
5 question. This is just me asking you. So wasn't
6 that the Civic Association, the Langdon Park
7 Civic Association, whether or not they're active
8 or not, it's still Langdon Park, so would it,
9 would it, would it make a difference, would it
10 make a difference if we change the name?

11 So it's still, you're, the area that
12 you're, that the moratorium would cover, it would
13 be the Langdon Park area within ANC 5C. So
14 whether, I'm asking, so whether or not the Civic
15 Association is active or not, does it make a
16 difference?

17 MR. MONTAGUE: In the terms of what,
18 yes, as you just described it, the answer would
19 be no.

20 CHAIRPERSON ANDERSON: Okay. All
21 right. All right. Do we have any other
22 questions by any other Board Member to Mr.
23 Montague?

24 (Pause.)

25 CHAIRPERSON ANDERSON: All right. All

1 right. It doesn't appear that any of the Board
2 Members have any questions to ask. Do you know,
3 Mr. Montague, although no one else, Ms. Andrews,
4 is there anyone else on the line who would, who
5 is willing to testify for or against this
6 moratorium?

7 MS. ANDREWS: No.

8 CHAIRPERSON ANDERSON: No? All right.
9 Mr. Montague, are there any final words you want
10 to speak before I bring this hearing to a close?

11 MR. MONTAGUE: No. We respectfully
12 ask that the moratorium be continued, and that
13 our request be granted. The name change is just
14 an ask.

15 It's not a necessary condition for our
16 support, but we support the continuation of the
17 moratorium zone because it does provide a
18 substantial benefit to the community, and it also
19 serves to contain the, I guess what's becoming
20 close to the last club zone in the city.

21 So the benefits accrue both to those
22 businesses within, but more importantly, accrue
23 to the affected community, and I appreciate you
24 having me on this, for this hearing.

25 CHAIRPERSON ANDERSON: Mr. Montague,

1 I would like to thank you for taking the time
2 this morning, as you stated that you were doing
3 two meetings at the same time. So I'll say that
4 you did a good job in doing two meetings at the
5 same time.

6 MR. MONTAGUE: I've got my eye on the
7 other one right now.

8 CHAIRPERSON ANDERSON: So I would like
9 to thank you, and although you're the only one
10 who testified, but I know that there are other
11 members of the community who are very much
12 interested in continuing this moratorium, and the
13 Board will be taking this matter under
14 advisement. So thank you very much, sir, for
15 your participation today, and we'll take this
16 matter under advisement, okay?

17 MR. MONTAGUE: Thank you very much.

18 CHAIRPERSON ANDERSON: Thank you.
19 Have a great day then. All right, now. Bye-bye.
20 All right. We have, I think, a couple of minutes
21 before our next hearing, and I don't know, I
22 know, I think the next hearing is supposed to
23 start at 11:00, and it's six minutes to 11, and
24 so are the parties, are the parties for the 11:00
25 hearing, are, they're, okay.

1 The parties are on. So the parties
2 are on, so we can start. We can, I can call our
3 next case then. All right.

4 (Whereupon, the above-entitled matter
5 went off the record at 10:54 a.m.)

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In the matter of: Langdon Park Moratorium

Before: DCABRA

Date: 09-30-20

Place: teleconference

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