

PETITION OF THE KALORAMA CITIZENS ASSOCIATION TO EXTEND THE ADAMS MORGAN ABC LICENSE MORATORIUM FOR A 5 YEAR PERIOD

INTRODUCTION

This 4th day of March 2014, the Kalorama Citizens Association, PO Box 21311, Washington, DC 20009, hereby petitions the DC Alcoholic Beverage Control Board for a 5 year renewal of the Adams Morgan ABC License Moratorium, and the existing Regulations governing the Adams Morgan Moratorium Zone (AMMZ). These regulations are found at 23 DCMR 304.

The Kalorama Citizens Association (KCA) is a 501(c)(3) citizens association with standing under §§25-601(3)(A) and (B) to petition the Board for a moratorium as required under §25-351(b).

KCA approved a resolution to seek renewal of the existing moratorium at our September 19, 2013 meeting. That resolution can be found after the last page of this petition.

Because conditions concerning on-premise ABC licensing in the AMMZ are largely unchanged, and there is progress in the commercial areas towards a more diversified local business area, KCA sees no reason to change course at this time, and has resolved that the existing moratorium restrictions should stay in place.

MORATORIUM AREA

The area of the District to be covered by the moratorium is largely unchanged from the current (2008) area. It is the area 1,400 feet in all directions from the establishment Wok and Roll, 1801 Belmont Road, NW, located at the northwest corner of Belmont Road and 18th Street, NW. The 2008 moratorium was granted with Felix, 2406-08 18th Street, NW as the establishment that the measurements required under §25-352(b) were made from, because there was no functioning ABC establishment at 1801 Belmont in 2008. The original Adams Morgan Moratorium was granted in 2000. At that time, there was a different establishment located where Wok and Roll is now located, and that establishment and address were used as the basis for that first moratorium. As the street by street narrative remains the same, it is more precise to return the location on which the measurements will be based to 1801 Belmont Road.

Here is the street by street narrative requested by KCA, and required by §25-352(b): “The Adams Morgan Moratorium Zone is more specifically described as beginning at 18th Street and Vernon Street, NW; and proceeding on both sides of all streets, unless otherwise noted; West on Vernon Street to 19th Street; Northwest on 19th Street to Wyoming Avenue; Southwest on Wyoming Avenue to 20th Street; Northwest on 20th Street to Belmont Road; East on Belmont Road to 19th Street; Northwest on 19th Street to Biltmore Street; East on Biltmore Street to Cliffbourne Street; North on Cliffbourne Street to Calvert Street; East on Calvert Street to Lanier Place; Northeast on Lanier Place to Adams Mill Road; Southeast on Adams Mill Road to Columbia Road; Northeast on Columbia Road to Ontario Road; South on Ontario Road to Euclid Street; East on Euclid Street to 17th Street; South on 17th Street to Kalorama Road; Southwest on Kalorama Road to Ontario Road; South on Ontario Road to Florida Avenue; Southwest on

Florida Avenue to "U" Street; West on "U" Street (North side only); across 18th Street to the South corner of 18th and Vernon Streets, NW, Washington, DC.”

MINIMUM REQUIREMENTS TO SEEK MORATORIUM

The moratorium area requested is larger than a “section” (1,200 feet) at a 1,400 foot radius, but not so large as a “portion” (1,800 feet). §25-352(d)(2) requires that at least 6 establishments of the same class or 12 establishments of any class or combination of classes exist if the proposed area is a “section” to qualify for petitioning. With its total of 15 CT licenses, 57 CR licenses* and 1 DR license, including those suspended or in ABC Safekeeping, the AMMZ has over twice the number of CT’s required, over nine times the number of CR’s required, and 6 times the total required for a combination of license classes to qualify for petitioning.

*See attached ABRA Excel file enumerating the numbers of each license class located in the AMMZ.

CLASSES OF LICENSES FOR WHICH KCA SEEKS LIMITATION

The classes of licenses that KCA requests be covered by the moratorium are the following on-premise license classes:

- CR: Restaurant serving beer, wine and spirits;
- DR: Restaurant serving beer and wine;
- CT: Tavern serving beer, wine and spirits;**
- DT: Tavern serving beer and wine;***
- CN: Night Club serving beer, wine and spirits;
- DN: Night Club serving beer & wine;
- CX: Multipurpose facility, serving beer, wine and spirits;
- DX: Multipurpose facility, serving beer and wine.

**

*** There currently exists a cap of 10 on these license classes within the existing moratorium regulations (2008).

APPROPRIATENESS REQUIREMENTS

Detailed statement of the reasons that the moratorium is appropriate under at least 2 of the appropriateness standards set forth in Title 25.

Relevant appropriateness standards:
“§ 25-313. Appropriateness standard.

(b) In determining the appropriateness of an establishment, the Board shall consider all relevant evidence of record, including:

(2) The effect of the establishment on peace, order, and quiet, including the noise and litter provisions set forth in §§ 25-725 and 25-726;

(3) The effect of the establishment upon residential parking needs and vehicular and pedestrian safety; and”

“§ 25-314. Additional considerations for new license application or transfer of a license to a new location.

(4) Whether issuance of the license would create or contribute to an overconcentration of licensed establishments which is likely to affect adversely the locality, section, or portion in which the establishment is located.”

KCA will show through testimony and evidence that the two appropriateness standards affected most by the conditions in Adams Morgan are the effect on peace, order and quiet, including noise and litter; and that of residential parking needs and vehicular and pedestrian safety.

KCA will also show through testimony and evidence that the “additional consideration for new license application”, as to whether issuance of any further on-premise licenses “would create or contribute to an overconcentration of licensed establishments” in the section of the AMMZ is invoked.

1. The effect of the establishment on peace, order, and quiet, including the noise and litter provisions set forth in §§25-725 and 25-726;

The issuance of additional on-premise ABC-licensed establishments in the AMMZ will adversely affect the peace, order, and quiet of the residents of this section of the city.

The Kalorama Citizens Association is concerned with quality of life issues and seeking protections for residents in balance with commercial concerns.

Virtually unchanged from the 2000 Census, when there were 16,433 people living in Adams Morgan, the 2010 US Census put Adams Morgan’s population at 16,435.

Roughly a rectangular shape, its many apartment buildings, co-ops, condominiums and large stock of three and four story row-houses make this one of the more densely populated sections of the city. Because so many people are living in such close quarters with each other it is all the more important to protect against disturbance of the peace, order and quiet as provided in ABC law.

It must be noted that the mixed use C-2-A and C-2-B zones, which contain all of the licenses currently inside the Adams Morgan Moratorium Zone, also contain many large residential apartment and condominium buildings in the 1600-1800 blocks of Columbia Road, and in the 2000-2300 blocks of 18th Street. One largely residential building on 18th Street has three CR licenses in it. Another on Columbia Road has a CR and a CT. The residents of these mixed use areas must be protected against further inappropriate ABC licensed expansion nearby, as many of the remaining non-ABC storefronts would be unsuitable locations for on-premise licensure, because they lack the necessary infrastructure such as any additional public parking, inadequate service alleys, loading zones and adequate sidewalk egress.

As of March 4, 2014, there are 73 Class C and D retailers (8 of which are in safekeeping) located within the Moratorium Zone. Taking the grouping of 73 as a whole, one begins to understand the cumulative effect that so many establishments bring to bear in such a small area.

The following are symptoms of the problems that the congregation of so many on-premise licenses in a relatively small area continues to bring to the community:

1. Litter from open, incompletely closed or overflowing restaurant/tavern dumpsters and the noise of the compactor trucks that empty them, including the noisy dumping of bottles.
 2. Rat infestation throughout the commercial and close-by residential areas of the neighborhood.
 3. Alleys partially blocked by private dumpsters on public space, making cleaning of the alley more difficult.
 4. The litter of pizza-by-the-slice food remains and paper plates, whole pizza boxes, napkins and aluminum foil from the pizza slice carryout joints, which is part of the "scene" that late-night revelers take part in. These are not only found on 18th Street and Columbia Road, but also throughout residential areas where visitors have parked. The litter is discarded as the users make their way back to their vehicles.
 5. The sound of the dull roar of the combination of patrons, traffic, people in the streets and establishment music noise can be heard from more than a block away. This has increased with the addition of numerous sidewalk cafes after the completion of the 18th Street Streetscape Project in 2012. The combined occupancies of the on-premise license-holders in the AMMZ is now over 7,000.
 6. Over-service of alcohol that leads to loud and abusive patrons, fighting and serious violent crime, as well as over-served patrons becoming victims of crime as they return to their vehicles.
 7. The consistent sound of police and emergency vehicle sirens responding to incident after incident related to the ABC establishments with greater frequency the later the time of day, especially on Friday and Saturday nights.
 8. The effect on public safety of over-served patrons who then drive while intoxicated.
 9. Quality of life disturbances and crimes, such as excessive noise from street musicians, public urination, destruction of property such as fences, tree-boxes and yard plantings;
- 2. The effect of the establishment upon residential parking needs and vehicular and pedestrian safety;**

Additional ABC licensed establishments will have a severely negative impact upon residential parking needs and vehicular and pedestrian safety.

Parking in the residential streets of Adams Morgan is inadequate to cope with the needs of its residents. A beautiful and varied housing stock of row-houses and mid-to-large apartment buildings and condominiums makes Adams Morgan an attractive place to live, along with its proximity to the downtown employment district. The eclectic nature of the commercial areas is also an attraction for many.

But the things that make Adams Morgan a popular and interesting place to live or visit, also brings in additional competition for street parking in Adams Morgan's

Residential Parking Permit zones. These RPP plans limit out of zone parking to two hours for much of the day (until 8:30 pm) and are in effect throughout the residential parts of the neighborhood.

At the time of the 2008 moratorium hearing, in the whole of Adams Morgan, there were only 312 public metered spaces for cars on 18th Street, 17th Street, Adams Mill Road, Columbia Road, California Street, Florida Avenue and Kalorama Road, and a few of the other side streets. This number is now fewer as numerous parking spaces were lost to larger loading zones, crosswalks and crosswalk bump-outs in the 18th Street Streetscape construction. Also, on the east side of 18th Street, from Columbia south to California Street, the old parking arrangement was diagonal, which allowed more cars to be fitted in than the new parallel parking configuration.

There is one 3 level commercial garage with space for 249 vehicles a half block off the 2400 block of 18th Street, at the Lofts of Adams Morgan, and a smaller commercial garage located a few blocks to the south at 1711 Florida Avenue, which is slated for re-development, probably as condominiums.

When the Lofts parking was planned, it was hoped that this would have a significant effect towards easing the pressure on residential parking. But, instead of being substantially available for visitors to Adams Morgan, much of the parking has been given over to monthly residential contract parking, again putting the visitors in competition with residents for the very limited on-street parking.

Surface parking lots have all but disappeared with the building boom for condos, mostly in the Reed-Cooke (eastern) section of the neighborhood. The parking lots that many ABC licensees once claimed as available patron parking in their ABC license applications no longer exist. This loss of off-street parking has been one of the chief contributors to the disappearance of on-street parking throughout Adams Morgan.

The parking needs of the combined on-premise ABC establishments (over 7,000 ABC licensed seats inside the moratorium zone) and their employees put a heavy burden on neighborhood residents. It becomes very difficult to entertain friends and family when there is no place for them to park, particularly on the weekends. Residents think twice about doing ordinary errands or going out of the neighborhood socially if that requires driving, because of the difficulty of finding a parking space on their return. The area that is impacted by ABC licensees' need for parking is huge, stretching from 18th Street to as far away as 24th Street in the Sheridan-Kalorama neighborhood.

The center of Adams Morgan (18th Street and Columbia Road) is located roughly equidistant from the Dupont Circle and Woodley Park Metro Stations (both on the Red Line). Numerous major Metrobus routes (L-1, L-2, H-1, X-3 and 42, 90, 92, and 96) traverse Connecticut Avenue, Columbia Road and 18th Streets, respectively. Just a few blocks away, the S-1, S-2 and S-4 serve 16th Street on the eastern border of Adams Morgan. Additionally, the Woodley Park-McPherson Square Circulator route passes through Adams Morgan on Calvert Street, Adams Mill Road and Columbia Road. All of this public transportation is a critical part of the economic and social fabric of our community, but the majority of patrons for the on-premise establishments in Adams Morgan seem to arrive by car.

Specific negative impacts contributed to, or caused directly by ABC licensed establishments' need for parking:

A.) Significant traffic congestion, particularly Thursdays through Saturdays. On some Friday and Saturday nights, 18th Street and its feeder side streets between Florida Avenue north to Columbia Road become gridlocked. The Metropolitan Police Department (MPD) sometimes closes off sections of 18th Street, either between Florida and Columbia, or between Kalorama and Columbia. The traffic is then diverted, east and west. When this is done at Kalorama, the diversion is like rush hour through residential streets in the middle of the night. The closure allows Metrobus, Police, Fire and EMS vehicles to pass through 18th Street in a reasonable fashion, but in so doing puts a heavy burden on other parts of the residential neighborhood.

B.) When 18th Street is gridlocked and MPD is not able to respond to calls in a timely fashion, or at all, because of manpower problems, the congestion on 18th Street and some of the feeder streets, such as Kalorama Road and Belmont Road become a danger to public safety. An emergency vehicle caught in traffic on 18th Street cannot timely respond to public safety needs, either in connection with the many ABC establishments or to residents in their homes nearby.

C.) Alcohol and automobiles are a dangerous mixture. When they are combined with Adams Morgan's narrow and congested streets and sidewalks, filled with patrons of the many establishments, vehicular and pedestrian safety are put at serious risk as drivers, eager to park, search aggressively for anything that might be considered to be a parking place. The 18th Street Streetscape Project, completed in 2012, widened sidewalks and implemented some safety improvements, like shorter crossing distances at corners and a mid-block crossing between Belmont and Columbia on 18th. Much of the sidewalk space gained through the streetscape has been ceded back to ABC usage as numerous new sidewalk cafes have been licensed, so there are still instances of sidewalk gridlock on busy nights.

D.) During the daytime, deliveries to the many establishments cause disruption to the flow of traffic on 18th Street and Columbia Road. Huge tractor trailers from alcohol distributors and restaurant supply companies routinely double park, blocking traffic lanes and curbside parking alike. On the 1800 block of Columbia Road, where there is a central "turn lane" striped on the street, large trucks often use it to unload, obscuring oncoming traffic from pedestrians using three nearby crosswalks. One of these is at Belmont and Columbia, which provides access to Kalorama Park, and is heavily used by children and parents. A similar situation now exists in the center of 18th Street, in the central turn lane.

E.) During the busiest nights, legal parking is so scarce that fire hydrants, pedestrian crosswalks and Metrobus zones are routinely obstructed. Drivers park too close to

intersections, making cornering difficult. Illegal parking in alleys further endangers residents by blocking clear passageway for emergency vehicles. Private driveways and garages are often blocked.

F.) Valet parking concerns "dump" vehicles in the public alleys when they run out of spaces for which they have made a legal arrangement. These valets, who pick up in front of a small number of establishments, routinely block the right lane of traffic, crosswalks and Metrobus zones in carrying out their operations.

G.) Taxi cabs are a major additional source of traffic congestion, noise (from unthinking honking) and air pollution as they endlessly circle, seeking fares. On residential side streets, like Biltmore, Belmont, Kalorama and Wyoming, it is a common sight to see numerous empty taxis seeking to get onto 18th Street after midnight to pick up revelers.

APPROPRIATENESS REQUIREMENTS – ADDITIONAL CONSIDERATIONS

3. Issuance of further licenses would create or contribute to an overconcentration of licensed establishments which is likely to affect adversely the locality, section, or portion in which the establishment is located.

To quote from the Board's 2009 Final Rulemaking on the AMMZ, emphasis added: "..... the Board recognizes that the requested moratorium is only a partial solution to the current issues that exist due to *the significant over concentration of on- premises establishments in the Adams Morgan Moratorium Zone*. As such, it is important for the petitioners, licensees, residents, and other stakeholders to work together in exploring other possible solutions to alleviate this problem. During this five (5) year moratorium period, the Board believes that there are three additional issues worth examining. First, it might be helpful to *explore whether having a lower cap of on- premises establishments in the Adams Morgan Moratorium Zone, primarily restaurants, would be helpful in an effort to start reducing the current number of on-premise establishments that exist rather than simply maintaining the status quo*. For instance, the Georgetown historic district contains a cap of six (6) on the number of taverns and nightclubs. This cap was implemented to decrease rather than maintain the number of these establishments that exist over time. As such, *the Board would be willing to consider in two and one-half years, the halfway point of the moratorium, a request from the Petitioners to place a cap on the number of restaurant licenses that is intended to decrease during the moratorium period the number of these establishments located in the Adams Morgan Moratorium Zone.*"

The KCA took heed of the Board's 2009 advice. At around the half-way point in the 5 year moratorium, KCA passed a resolution seeking a reduction by attrition in the number of restaurant and tavern licenses within the AMMZ. The ideas were discussed at

two ANC 1C ABC Committee meetings in late 2011 and early 2012, but the community was focused on other issues at that time, so no action was taken.

A moratorium is a passive instrument. The one thing it is designed to do is to prevent problems from growing worse. But by preventing the issuance of further of the types of licenses that have proved problematic, a moratorium can help to allow other positive actions. In the case of Adams Morgan, the moratorium has prevented the issuance of further licenses that would have taken up commercial spaces that, due to the presence of the moratorium, were left open for other uses. The good news is that numerous non-ABC businesses have opened in locations that once housed on-premise ABC establishments. Though the ABC Code doesn't state this as an objective, it is a most welcome development for Adams Morgan residents and others who would like more opportunities to shop or receive services locally.

Here is a listing of the non-ABC businesses that have opened in (mostly) recent years, at least in part because a moratorium was in place and kept spaces open that might have otherwise become another on-premise ABC establishment.

1. **Sugar Daddies Bakery**, 2006 18th Street, formerly Bobby Lew's Saloon, CR;
2. **The Wise Owl Club Barber Shop**, 2010 18th Street, around 2000-01, a CR, the Epiphany was licensed to open there, but never did;
3. **Meeps Vintage Clothing**, 2104 18th Street;
4. **Crooked Beat Records**, 2116 18th Street, NW, at one point between 2004 and 2008 when CR licenses were allowed in the AMMZ, placards were placed on this location for an ABC CR to be called Marketo, but it never opened;
5. **Smash Records**, 2314 18th Street;
6. **Sweet Themez Bakery**, 2318 18th Street;
7. **Enchanted Nail Salon and Spa**, 2324 18th Street
8. **Violet**, 2439 18th Street, women's clothing boutique
9. **Sakuramen**, 2441 18th Street, successful Asian restaurant opened during moratorium, decided against pursuing license from safekeeping;
10. **Donburri**, 2438 18th Street, Japanese style rice bowl restaurant - no ABC in business plan;
11. **Jubilee Housing Adult Rehabilitation Home Business Office, including Life Assets, commercial credit union and more**, 2448 18th Street;
12. **Pho 14**, 1769 Columbia Road, Vietnamese style Pho restaurant, enjoying success with no ABC in business plan;
13. **Fed Ex**, 1808 Adams Mill Road, space was redeveloped during most recent moratorium period – might have become ABC use if no moratorium in place;
14. **Stroga Fitness Salon**, 1806 Adams Mill Road, space was redeveloped during most recent moratorium period – might have become ABC use if no moratorium in place;
15. **Starbucks**, 1801 Columbia Road, in the early 2000's was an ABC CR called Washington Grill Bread and Kabob, which quickly became a place where the restaurant morphed into a club with loud late night entertainment. When it failed, the moratorium kept the space available until Starbucks could fill it;
16. **Medstar Medical Group and Medstar Urgent Care**, 1805 Columbia Road, formerly Blockbuster Video, large ground floor space.

17. **Solidcore Fitness**, 1840 Columbia Road, might have become restaurant if there were no moratorium in place.

COMPREHENSIVE PLAN

The quotations shown below are from the current version (2006) of the City's Comprehensive Plan, Chapter 20, Mid-City Area Elements, including amendments made and finalized on April 8, 2011. They are similar to previous iterations of the comprehensive plan for the 18th & Columbia Road area. These are the most recent amendments made to the Comprehensive plan.

“Planning and Development Priorities 2007

- i. Pedestrian safety, improved traffic operations, and parking management are all high priorities. Increased density within this already dense Planning Area creates busier streets—both for cars and for people..... Parking demand will continue to exceed supply in Adams Morgan and Mount Pleasant.

Policies and Actions

MC-1 General Policies

MC-1.1 Guiding Growth and Neighborhood Conservation 2008

Action MC-1.1.B: Overconcentration of Liquor-Licensed Establishments

Identify the potential for regulatory controls to address the problem of excessive concentrations of liquor-licensed establishments within the neighborhood commercial districts, particularly on 18th Street and Columbia Road. 2008.12

Policy MC-1.1.6: Mixed Use Districts

Encourage preservation of the housing located within Mid-City's commercially zoned areas. Within mixed use (commercial/residential) areas, such as Mount Pleasant Street and Columbia Road, encourage commercial uses that do not adversely impact the established residential uses. 2008.7

Policy MC-1.1.8: Traffic and Parking Management

Improve traffic circulation along major Mid-City arterial streets, with a priority on 14th Street, Georgia Avenue, U Street, 18th Street, Columbia Road, and Connecticut Avenue. Implement programs in these areas to improve bus circulation, improve pedestrian and bicyclist safety and ease of travel, and mitigate the effects of increased traffic on residential streets. 2008.9

Policy MC-2.4.2: Preference for Local-Serving Businesses

Enhance the local-serving, multi-cultural character of the 18th Street/Columbia Road business district. Encourage small businesses that meet the needs of local residents, rather than convenience stores, large-scale commercial uses, and concentrations of liquor-licensed establishments. Consistent with this policy, the conversion of restaurants to night clubs or taverns and the expansion of existing night clubs or taverns into adjacent

buildings should be discouraged. 2014.6”

Petitioner KCA respectfully requests that the Board apply these directives as the appropriate guideline for this area.

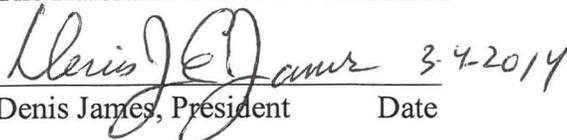
SUMMARY

Petitioner KCA believes that the present conditions in the Adams Morgan Moratorium Zone area, as detailed above (and as required by 23DCMR 303.3) justify a 5 year extension of the Moratorium. The Petitioners believe that the renewal of the Adams Morgan Moratorium Zone as proposed in these pages is necessary to prevent more significant adverse impacts on the "section" in which these establishments are located, as detailed above. The issuance of further licenses in the Zone would only exacerbate and make more severe the problems that already affect our neighborhood. But more importantly, there are signs of economic diversity that are at least in part due to the presence of the moratorium.

The KCA is of course aware that ANC 1C has acted to remove the restriction on the issuance of further restaurant licenses, CR and DR. This action would send the neighborhood back to the bad old days of the late 1990's leading up to the approval of the first license moratorium in 2000. It was clear that too many on-premise licenses had been issued. Wisely, the Board in 2008 suggested the institution of a lower numerical cap to be worked down to over time by attrition or through sanction. There is no reason now to change a 14 year policy and return to the same conditions that got us in this mess in the first place. Adams Morgan can't grow itself out of its licensing problems. We don't get to pick who applies for licensure. The long term reputation of Adams Morgan as a place where anything goes with lots of late night bar/club activity and entertainment continues to attract operators who want to run clubs under restaurant licenses. Please don't undo 14 years of slow, steady progress by allowing an unlimited number of new restaurant licenses, which is what the ANC 1C resolution would allow.

Petition submitted by:

The Kalorama Citizens Association

 3-4-2014
Denis James, President Date

KCA Resolution on Extending the Adams Morgan ABC License Moratorium

Whereas, at its November 2011 membership meeting, the KCA approved a resolution in response to the ABC Board's suggestion in its 2008 rulemaking approving the current Adams Morgan Moratorium Zone and Regulations, that the petitioners seek a reduction in the number of on-premise licenses as follows:

"First, it might be helpful to explore whether having a lower cap of on-premises establishments in the Adams Morgan Moratorium Zone, primarily restaurants, would be helpful in an effort to start reducing the current number of on-premise establishments that exist rather than simply maintaining the status quo. For instance, the Georgetown historic district contains a cap of six (6) on the number of taverns and nightclubs. This cap was implemented to decrease rather than maintain the number of these establishments that exist over time. As such, the Board would be willing to consider in two and one-half years, the halfway point of the moratorium, a request from the Petitioners to place a cap on the number of restaurant licenses that is intended to decrease during the moratorium period the number of these establishments located in the Adams Morgan Moratorium Zone."

Whereas, KCA's 2011 resolution was intended to initiate a neighborhood discussion at that time, which was around the half-way point of the moratorium as the ABC Board suggested, and

Whereas, ANC 1C's ABC & Public Safety Committee did discuss and listen to community comment on the issue in 2012, but there was no formal action taken, and

Whereas, KCA, now mindful of the expiration of the current moratorium in early 2014, wishes to clarify its intentions as to certain conditions to be sought in a renewed moratorium, and

Whereas be it resolved, to properly address the continuing problems of the effect of the current on-premise retailers within the Zone's effect on disturbance of the peace, order and quiet, including noise and litter, and the effects upon residential parking needs and vehicular and pedestrian safety, and the additional consideration of whether the current on-premise licenses within the Zone contribute to an overconcentration of licensed establishments which is likely to affect adversely the locality, section or portion in which they are located, the KCA members present and constituting a quorum do hereby vote in favor of the extension of the current conditions approved by the Board shown below, at a minimum:

“304 ADAMS MORGAN MORATORIUM ZONE

304.1 No new Retailer's License Class CR, CN, CT, CX, DR, DN, DT, or DX shall be issued for a period of five (5) years from the effective date of this section in the area that extends approximately fourteen (1400) hundred feet in all directions from the intersection of

18th Street and Belmont Road, N.W., Washington D.C. This area shall be known as the Adams Morgan Moratorium Zone.

304.2 The Adams Morgan Moratorium Zone is more specifically described as beginning at 18th Street and Vernon Street, NW ; and proceeding on both sides of all streets, unless otherwise noted; West on Vernon Street to 19th Street; Northwest on 19th Street to Wyoming Avenue; Southwest on Wyoming Avenue to 20th Street; Northwest on 20th Street to Belmont Road; East on Belmont Road to 19th Street; Northwest on 19th Street to Biltmore Street; East on Biltmore Street to Cliffbourne Street; North on Cliffbourne Street to Calvert Street; East on Calvert Street to Lanier Place; Northeast on Lanier Place to Adams Mill Road; Southeast on Adams Mill Road to Columbia Road; Northeast on Columbia Road to Ontario Road; South on Ontario Road to Euclid Street; East on Euclid Street to 17th Street; South on 17th Street to Kalorama Road; Southwest on Kalorama Road to Ontario Road; South on Ontario Road to Florida Avenue; Southwest on Florida Avenue to U Street; West on U Street (North side only); across 18th Street to the South corner of 18th and Vernon Streets, N.W., Washington D.C.

304.3 The following license classes shall be exempt from the Adams Morgan Moratorium Zone:

- (a) All hotels, whether present or future; and
- (b) Retailer's licenses Class A and B

304.4 The number of Retailer's licenses Class CT, CX, DT, or DX located within the Adams Morgan Moratorium Zone shall not exceed ten (10). The number of Retailer's licenses Class CN or DN shall not exceed zero (0). The holder of a Retailer's license Class CR or DR located within the Adams Morgan Moratorium Zone shall be prohibited from changing its license class except when the number of Retailer's licenses Class CT, CX, DT, or DX in the Adams Morgan Moratorium Zone is fewer than ten (10). Nothing in this subsection shall prohibit the Board from approving a change of license class application that was filed with the Board by the holder of a retailer's license Class CR or DR located within the Adams Morgan Moratorium Zone prior to August 2, 2006.

304.5 Nothing in this section shall prohibit the Board from approving the transfer of ownership of a retailer's license Class CN, CT, CX, DN, DT, and DX within the Adams Morgan Moratorium Zone that was in effect or for which an application was pending prior to the effective date of this section, subject to the requirements of Title 25 of the D.C. Official Code and this title.

304.6 Nothing in this section shall prohibit the Board from approving the transfer of a license from a location within the Adams Morgan Moratorium Zone to a new location within the Adams Morgan Moratorium Zone.

304.7 A license holder outside the Adams Morgan Moratorium Zone shall not be permitted to transfer its license to a location within the Adams Morgan Moratorium Zone, unless exempt by section 304.3.

304.8 Nothing in this section shall prohibit a valid protest of any transfer or change of a license class.

304.9 The moratorium shall have a prospective effect and shall not apply to any license granted prior to the effective date of this section or to any application for licensure pending on the effective date of this section.

304.10 This section shall expire five (5) years after the date of publication of the notice of final rulemaking.”

And be it further resolved that the members present and constituting a quorum, also hereby empower KCA President Denis James, and the members of the Executive Committee to seek these conditions and any other conditions in a common neighborhood moratorium request that will further the goals of preventing the effects of the on-premise licenses within the moratorium zone from further degrading the peace, order and quiet and residential parking needs and vehicular and pedestrian safety in the Zone, or add to the overconcentration of on-premise licenses within the Zone.

Resolution approved at the September 19, 2013 membership meeting of the Kalorama Citizens Association.

License #	Trade Name	Status	LicenseType	Street #	Street Name	Street Type
ABRA-086012	The Blaguard	Open	Restaurant	2003	18TH	ST
ABRA-088303	Duplex Diner	Open	Restaurant	2004	18TH	ST
ABRA-091955	Hopeful, Inc.	Safekeeping	Restaurant	2006	18TH	ST
ABRA-081997	Jack Rose	Open	Restaurant	2007	18TH	ST
ABRA-020102	Awash	Open	Restaurant	2218	18TH	ST
ABRA-060448	Soussi	Open	Restaurant	2228	18TH	ST
ABRA-079577	Himalayan Heritage	Open	Restaurant	2305	18TH	ST
ABRA-082921	Muzette	Open	Restaurant	2305	18TH	ST
ABRA-072685	Las Canteras	Open	Restaurant	2307	18TH	ST
ABRA-076754	Pi	Open	Restaurant	2309	18TH	ST
	Spaghetti Garden Brass Monkey Peyote					
ABRA-010284	Roxanne	Open	Restaurant	2317	18th	ST
ABRA-024834	Columbia Station	Open	Restaurant	2325	18TH	ST
ABRA-060401	Carriage House Pub	Open	Restaurant	2333	18TH	ST
ABRA-020251	Little Fountain Cafe Inc	Open	Restaurant	2339	18TH	ST
ABRA-082430	Instant Noodles/Sultra Lounge	Open	Restaurant	2406	18TH	ST
ABRA-072529	Ventnor Sports Cafe	Open	Restaurant	2411	18TH	ST
ABRA-021784	New Orleans Cafe	Open	Restaurant	2412	18TH	ST
ABRA-086876	Bistro 18	Open	Restaurant	2420	18TH	ST
ABRA-078091	Black Squirrel	Open	Restaurant	2427	18TH	ST
ABRA-008658	La Fourchette	Open	Restaurant	2429	18TH	ST
ABRA-025982	Jyoti Foods Cuisine	Open	Restaurant	2433	18TH	ST
ABRA-007916	Meskerem Ethiopia Restaurant	Open	Restaurant	2434	18TH	ST
ABRA-086298	Libertine	Open	Restaurant	2435	18TH	ST
ABRA-060347	Meze	Open	Restaurant	2437	18TH	ST
	Millie's And Al's Ballances Columbia					
ABRA-000460	Restaurant	Open	Restaurant	2440	18TH	ST
ABRA-071023	Rumba Cafe	Open	Restaurant	2443	18TH	ST
ABRA-076693	Grand Central	Open	Restaurant	2447	18TH	ST
ABRA-060149	Romain's Table/The Diner	Open	Restaurant	2453	18TH	ST
ABRA-025781	Tryst	Open	Restaurant	2459	18TH	ST

ABRA-084505	Bossa Brazilian Bistro	Open	Restaurant	2463	18TH	ST
ABRA-085783	Wok and Roll Restaurant	Open	Restaurant	1801	BELMONT	RD
ABRA-060806	Churreria Madrid Restaurant	Open	Restaurant	2505	CHAMPLAIN	ST
ABRA-075479	Combination Restaurant	Open	Restaurant	1772	COLUMBIA	RD
ABRA-017452	Pasta Mia	Open	Restaurant	1790	COLUMBIA	RD
ABRA-007374	Mixtec	Open	Restaurant	1792	COLUMBIA	RD
ABRA-007053	Perry's Restaurant	Open	Restaurant	1811	COLUMBIA	RD
ABRA-087585	Taan	Open	Restaurant	1817	COLUMBIA	RD
ABRA-077276	Cashions Eat Place	Open	Restaurant	1819	COLUMBIA	RD
ABRA-060003	El Rincon	Open	Restaurant	1826	COLUMBIA	RD
ABRA-024197	Habana Village	Open	Restaurant	1834	COLUMBIA	RD
ABRA-075836	Napoleon	Open	Restaurant	1847	COLUMBIA	RD
ABRA-017199	The Grill From Ipanema	Open	Restaurant	1858	COLUMBIA	RD
ABRA-083573	Locolat LLC	Open	Restaurant	1781	Florida	AVE
ABRA-071179	El Tamarindo Adam Morgan	Open	Restaurant	1785	FLORIDA	AVE
ABRA-074433	Dahlak Restaurant	Open	Restaurant	1771	U	ST
ABRA-087902	Tangier Lounge	Open	Restaurant	2305	18TH	ST
ABRA-085865	Mintwood Place	Open	Restaurant	1813	COLUMBIA	RD
ABRA-060658	L'Enfant Cafe & Bar	Open	Restaurant	2000	18TH	ST
ABRA-076070	Casa Oaxaca	Open	Restaurant	2106	18TH	ST
ABRA-088283	Southern Hospitality	Open	Restaurant	1813	ADAMS MILL	RD
ABRA-083910	Slaviya	Safekeeping	Restaurant	2424	18TH	ST
	Formerly The Attic- trade name to be					
ABRA-086065	determined	Safekeeping	Restaurant	1841	COLUMBIA	RD
ABRA-091034	District Lounge and Grille	Safekeeping	Restaurant	2473	18TH	ST
ABRA-085236	Lautrec's	Safekeeping	Restaurant	2431	18TH	ST
ABRA-060338	Roxanne/Peyote	Safekeeping	Restaurant	2296	CHAMPLAIN	ST
ABRA-089545	Duchess & The Queen	Safekeeping	Restaurant	2102	18TH	RD
ABRA-086083	Legends	Safekeeping	Restaurant	1836	COLUMBIA	RD
ABRA-017006	Mr. Henry (Adams Morgan)	Safekeeping	Restaurant	1836	COLUMBIA	RD
ABRA-014272	Rendezvous Lounge	Open	Tavern	2226	18TH	ST
ABRA-000785	Dan's Cafe	Open	Tavern	2315	18TH	ST
ABRA-070823	Bourbon	Open	Tavern	2321	18TH	ST

ABRA-079996	The Town Tavern	Open	Tavern	2323	18TH	ST
ABRA-074503	Green Island Cafe/Heaven & Hell (The)	Open	Tavern	2327	18TH	ST
ABRA-025613	Pharmacy Bar	Open	Tavern	2337	18TH	ST
ABRA-086063	Mellow Mushroom	Open	Tavern	2436	18TH	ST
ABRA-077730	Club Timehri	Open	Tavern	2439	18TH	ST
ABRA-060475	The Reef	Open	Tavern	2442	18TH	ST
ABRA-026466	Bukom Cafe	Open	Tavern	2442	18TH	ST
ABRA-088119	DC Shenanigans	Open	Tavern	2450	18TH	ST
ABRA-025273	Madam's Organ	Open	Tavern	2461	18TH	ST
ABRA-088772	Smoke & Barrel	Open	Tavern	2471	18TH	ST
ABRA-019008	Bedrock Billiards	Open	Tavern	1841	COLUMBIA	RD
ABRA-091249	Federal Lounge	Safekeeping	Tavern	2477	18TH	ST
ABRA-082962	AM Wine Shoppe	Open	A	2122	18TH	ST
ABRA-072429	Ab Liquors	Open	A	1803	COLUMBIA	RD
ABRA-075977	First Vine	Open	A	1701	FLORIDA	AVE
ABRA-090659	Le Liquors	Pending	A	1776	COLUMBIA	RD
ABRA-005018	California Liquors	Safekeeping	A	2100	18TH	ST
ABRA-083118	Queen of the Moon, Inc.	Safekeeping	A	1815	COLUMBIA	RD
ABRA-074817	De Vinos	Open	B	2001	18TH	ST
ABRA-081683	Home Food Store	Open	B	2216	18TH	ST
ABRA-073973	North Sea Carry-out Restaurant	Open	B	2479	18TH	ST
ABRA-080584	Casa Lebrato	Open	B	1733	COLUMBIA	RD
ABRA-072708	Safeway	Open	B	1747	COLUMBIA	RD
ABRA-001751	Metro K Supermarket	Open	B	1864	COLUMBIA	RD
ABRA-073993	Harris Teeter	Open	B	1631	Kalorama	RD
ABRA-060011	Todito Grocery	Safekeeping	B	1813	COLUMBIA	RD