

2AMYS
NEAPOLITAN PIZZERIA
3715 MACOMB STREET
N. W. D. C. 20016
202 885 5700

2009 MAY 20 PM 2:09

Date: 5/20/2009

To: Zoning Commission for the District of Columbia

Case Number: 08-15

Dear Commissioner Hood:

I would like to take a moment to clarify a few issues that came up at the last commission hearing. First, I testified that no representatives from the Giant Development Team have contacted me at 2Amys. I would like to reiterate this. Mr. Heapes stated in rebuttal on May 4 that he has met me at at least two ANC meetings, as well as on other occasions. I have only attended one ANC meeting at which the Giant Development was discussed. At this meeting, I asked Mr. Heapes a few questions: how much new commercial space would be served by the Macomb Street Alley, what would become of the parking during construction, and what would be done to minimize the disturbance caused by the construction? Mr. Heapes told me the new commercial space would be small, only 20,000 square feet with very little truck traffic and that there were no plans for the parking lot or construction mitigation as of that time.

After I received my answer, I learned that Mr. Heapes had underestimated the amount of new commercial space, and that the actual amount was over 40,000 square feet. Once the ANC meeting was over, I introduced myself to Mr. Heapes and asked him why he had stated a size greatly less than the reality. He told me that he had just returned from his honeymoon, hadn't had much sleep, and hadn't remembered the size. He then told me we would have to work together to solve any problems with

ZONING COMMISSION
District of Columbia
CASE NO. 08-15
EXHIBIT NO. 247

trash and loading. This is the only time we have spoken, for no more than one minute, at my initiative, after an ANC meeting. Neither he, nor any other Giant representative has had any contact with me, before or since, other than a friendly hello at zoning meetings.

Mr. Heapes made a few other claims that are untrue. He said we received deliveries through the front door of 2Amys. The only delivery received through the front door is US mail and biweekly payroll. All other deliveries come through the side door, which is accessed from the alley. Mr. Heapes claimed we share purveyors with Giant. None of our many purveyors does business with Giant. He stated that it would be possible to schedule trash pickups. My trash service, Allied Waste, will not commit to anything more specific than "between the hours of 8:00 and 1:00." Believe me, I've tried to arrange a specific time. Mr. Heapes also said that it is possible for the restaurants to share vendors. Only a handful, perhaps 20%, of our vendors also delivers to Cactus Cantina, Café Deluxe, Sushi Sushi or Enology. We are not cookie-cutter restaurants. We all have our own food needs. Cactus Cantina doesn't receive four weekly farm deliveries from local farmers. We don't buy tortillas.

Last Thursday I approached a man sitting in a car in the alley. The car was marked "Traffic Study." I asked him what he was doing. He told me he was a subcontractor, hired to count trucks on Macomb Street. But didn't know who his actual client was. He said that so far he had counted 25 trucks making deliveries on Macomb Street -- 25 trucks for 2Amys, Sushi Sushi, Cactus Cantina, and Enology. I'm unsure whether he was able to count trucks delivering to Café Deluxe from where he was parked. Thursday is not a trash or recycling pickup day for 2Amys, and it is generally not as heavy a delivery day as Friday or Tuesday; and he had counted 25 trucks. With four or five new restaurants in the PUD, plus many other commercial occupants, I don't understand how Mr. Wells can claim only 8-16 trucks per day. To be clear, the person conducting the traffic survey said 25 trucks so far, not 25 truck "trips."

To further illustrate the difficulties involved with the alley I have enclosed a report from my trash company, providing dates on which the alley was blocked, preventing pickup. We have two pickups, one trash and one recycling, three times a week for a total of six visits per week. For the months of December 2008 through April 2009, or a period of 22 weeks, we should have had our trash picked up 132 times. As the blockage report

shows, they were unable to pickup 16 times because of other activity in the alley. These were cars dropping off dry cleaning, people at the consignment shop, washing machine repair guys from the apartment building, as well as delivery trucks. Approximately 13% of the time the Macomb Street Alley was blocked. If we had pickup service six days a week this would raise the rate to 26%. The Macomb Street alley is already overused. Certain deliveries also take quite a bit of time. Cactus Cantina receives a linen delivery through their back door three or four times a week that takes thirty minutes. What would happen to the alley during these times?

I would have happily shared my input and expertise on the alley with the folks from Giant. I have been dealing with it for seven years. All they had to do was ask.

I have also spoken with my neighbors, the owner of Cactus Cantina, José Belanie, and the VP of operations at Café Deluxe, Kevin Wilcox. Neither has been contacted by any Giant representative to discuss the impact of the Giant development.

A PUD requires the Office of Planning to certify that there will be no adverse effects on local business. When I heard Ms Brown-Roberts state this at the April 6 Meeting I almost fell out of my chair. Therefore, two weeks ago, I contacted Councilmember Cheh's office to see if they could help me find out how the Office of Planning came to the conclusion that the PUD would have no adverse effect on local businesses. On Friday, May 8, I spoke with Chief of Staff Dave Zvenyach. He called me back on Monday, May 11, to tell me the Office of Planning told him that they had conducted no study. They don't have the resources to do so. "They just kind of made it up," he told me. When I asked if I could get something in writing from the Office of Planning, I received the enclosed email.

Hi David,

Here is our general Office response to inquiries about whether our position on the PUD takes into consideration the effect of redevelopment on the existing businesses:

Lease agreements are considered private contracts and OP is not involved in their negotiation as part of a PUD. OP analyzes PUDs against the Comprehensive Plan, Small Area Plan, Zoning regulations and the input

of other city agencies. The terms of a private contract or lease are not entered into the public record.

Thanks, Andrea

Andrea Limauro ☒ Ward 3 Community Planner

Neighborhood Planning ☒ Office of Planning

Phone: 202.442.7605 ☒ Fax: 202.442.7638

2000 14th Street, NW, 4th Floor (Reeves Center)

Washington, DC 20009

I have no idea what this email means, or how it pertains to my question. What I do know is, it's not the sort of thing they should be "making up." When my business declines because of the downsizing of available parking, will the D.C. Treasurer compensate my business, and find jobs for my laid-off employees?

I have one small request of the board, come to 2Amys at 7:00 one night, try to find a place to park, and sit in the front window. Watch the congestion on Macomb Street. See the families with their gear, and visualize them taking the bus to get here. Think what would happen with only 30 parking spaces to serve the neighborhood. Then think about what's really best. The pizza's on me.

Respectfully,

A handwritten signature in black ink, appearing to be 'Peter Pastan', with a stylized, cursive script.

Peter Pastan

TWO AMY'S PIZZA
3715 MACOMB ST NW
WASHINGTON, DC 20016-3868

3-0411-0131813

May 6, 2009

Container blockage history for Two Amy's Pizza.

04/29/09 Blocked at 10:05 am. Driver went by two times.
 blocked by a truck * MD tag 94P666 *
04/24/09 blocked by a truck unloading.
 blocked by truck unloading MD 424-950
04/24/09 2nd Attempt,
 blocked by truck tag 424-950 MD @ 10:30
02/20/09 blocked, by truck tg#646967Md.
02/17/09 blocked by black range rovertg#cv2458DC
02/16/09 blocked by black range rovertg#cv2458dc
02/02/09 blocked by van in alley, called four times, line busy.
01/16/09 blocked by Honda MD tags# 8830zs 9:57AM.
01/05/09 Driver made two attempts, blocked by truck tg#115247 MD.
12/31/09 Driver made two attempts blocked by vehicle MD tag #2cv950.
12/12/09 blocked Toyota truck VA tags# cv3671 10:00AM.
12/03/09 Driver made two attempts, blocked by white service truck, tg#tv76124.