

Government of the District of Columbia
Advisory Neighborhood Commission
4C

P.O. Box 60847 Washington, D.C. 20039-0847
202-723-6670

4C01 - Robert Hendricks
1217 Jefferson Street, NW
Washington, DC 20011
(202) 305-1909

4C02 - Maureen Young
1520 Farragut Street, NW
Washington, DC 20011
(202) 882-9641

4C03 - Shawn Fenty
1213 Crittenden Street, NW
Washington, DC 20011
(202) 302-7654

4C04 - VACANT

4C05 - El-Berry Hamdy
4130 Georgia Avenue, NW
Washington, DC 20011
(202) 285-7708

4C06 - VACANT

4C07 - Sandra Butler-Truesdale
801 Varnum Street, NW
Washington, DC 20011
(202) 882-2600

Chairman
4C08 - Timothy Allen Jones
737 Rock Creek Church Rd, NW
Washington, DC 20010
(202) 722-0701

Secretary
4C09 - George H. Brown
416 Delafield Place, NW
Washington, DC 20011
(202) 829-3095

Treasurer
4C10 - John Walker-Turner, Sr
4111 Illinois Avenue, NW
Washington, DC 20011
(202) 422-5174

22 May,2002

RECEIVED
D.C. OFFICE OF ZONING
2002 JUN 10 PM 2:03

ANC4C/TAJ-004
Jerrily R. Kress, Director
Building and Land Regulation Administration
Office of Zoning
941 North Capitol St., N.W.(Suit 2000)
Washington, D.C. 20002

Dear: Jerrily Kress

In receipt of your Memorandum dated 1 April, 2002 with the attached Docket No. 16880; request for zoning relief from Endale Terefa, proprietor of Bless 7 to 9 Store, located at 434 Shepherd Street, N.W., Washington, D.C., 20011 (Lot 79, Sq. 3237).

The Advisory Neighborhood Commission 4C voted (unfavorable) in response to a protest for a Retail Grocery Deli as per the request. The contributing factors were; (1) criminal activity deemed injurious to the public welfare; (2) fostering of litter, loitering, excessive vehicular and pedestrian traffic and noise to the abutting properties, and (3) granting of a deli within a area zoned R4 is completely undesirable, along with the fact that the integrity of the neighborhood is already being challenged based on numbered sentences (1) and (2).

It is anticipated based on the above that the proprietor's ABC license will be challenged upon renewal. I'm confident that this matter will be resolved favorably and I look forward to your continued cooperation and mutual support.

Sincerely,

Timothy Allen Jones
Chairman, ANC-4C

TAJ/ghb

#23

cc: [redacted]
David Clark, Director - Consumer and Regulatory Affairs
Dan Tangherlini, Director - District Division of Transportation
Michael D. Johnson, Zoning Administrator - Building and Land Regulation Administration

Board of Zoning Adjustment
District of Columbia
CASE NO.16880
EXHIBIT NO.23

and I look forward to your continued cooperation. [illegible]

Sincerely,

Timothy Allen Jones
Chairman, ANC-4C

TAJ/ghb

cc: [redacted]
David Clark, Director - Consumer and Regulatory Affairs
Dan Tangherlini, Director - District Division of Transportation
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Case # 16880 The hearing/meeting for Advisory Neighborhood Commission 4C as it pertains to this matter was held Tuesday ~~March~~ May 14,2002 at the WMATA Community Room 14th and Decatur streets NW at 7:00pm

1. Proper notice was given
2. Five members constitute a quorum . Five members were present at said meeting.
3. The major issues and concerns about the application were littering, loitering and number of police calls made regarding said location.
4. The Advisory Neighborhood Commission 4C recommends that the zoning request for BZA Case NO. 16880 be rejected. We find the proposed use incompatible with the existing residential usage.
5. The vote on the motion to reject Case No. 16880 was 4 to 1

Timothy A. Jones ANC 4C08 and 4c Chair will represent the Commission

Should you need further information as to the commissions actions in regards to this matter I can be reached at (202) 722-0701

Timothy A. Jones
4C Chair

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16880

ADVISORY NEIGHBORHOOD COMMISSION 4C

GENERAL MEETING

MINUTES OF TUESDAY, MAY 14, 2002 **REGULAR MEETING, NO 5**

A regular meeting of the Advisory Neighborhood Commission 4C was held on Tuesday, May 14, 2002. The meeting was called to order by Commissioner Timothy A. Jones, Chairman, at approximately 7:10 p.m. in the WMATA Community Room, 14th & Decatur Street, N.W.

PRESENT

Five members of the Advisory Neighborhood Commission were present: Maureen Young (4C02), Shawn Fenty (4C03), Timothy A. Jones (4C08), George H. Brown (4C09) and John Walker-Turner, Sr. (4C10). These members constitute a quorum. (See Attachment #1)

ABSENT

Robert Hendricks (4C01), El-Berry Hamdy (4C05) and Sandra Butler-Truesdale (4C07).

MINUTES

The minutes of the Tuesday, March 12, 2002, were read and approved.

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2002 JUN 11 AM 11:12

TREASURES REPORT

Not given

COMMISSIONER REPORTS

Commissioners Timothy Jones (4C08) and George H. Brown(4C09) communicated that a demonstration by the D.C. Board of Elections and Ethics of the optical scan voting machines and the new ballot cards is being held on March 18, 2002 at First Baptist Church, and March 20, 2002 at Barnard Elementary School.

COMMUNITY ISSUES

Presentations were given by the following:

Igor Leshchiner, (WMATA- Project Manager, Office of Infrastructure Renewal Program) elaborated on the enclosing of the Decatur Street ramp for the WMATA North Bus Garage (14th & Decatur Street, N.W.). It was stated that a notice to proceed will be issued to the contractor (Pantech Construction Co.) this day of 11 May, 2002. That the original contract has specified a 450-day completion date from date of the notice to proceed.

The project in addition to the enclosure of the Decatur Street Ramp on all sides, will consist of installing mechanical devices, health and noise enclosures and the exhaust system. Work will begin in the middle of May of installing barriers (columns/enclosures) to lessen the impact on the neighborhood.

It was also stated by Mr. Leshchiner during a preconstruction meeting the contractor was informed that parking is not permitted in the neighborhood, only

Post-it® Fax Note 7671 Date 6-11-02 # of pages ▶
To Commr. Timothy A. Jones From
Co./Dept. Case #16880 Co.
Phone # Phone #
Fax # 202-727-6072 Fax #

BZA
Case No. 16880
Exhibit No.

within an assigned area inside of the garage. That the hours of work have been designated between 8:00 a.m.- 4:30 p.m. However, there is a clause within the contract that allows work to be done under an emergency (i.e meeting the 450-day completion schedule) up to 7:00 p.m. In addition if the contractor will full behind schedule based on whether conditions, which does not allow the contractor to work for several days, the contractor will notify WMATA a week in advance requesting to work on Saturdays.

Commissioner Shawn Fenty requested a copy of the contract. Mr. Leshchiner Stated that entire contracts are not normally distributed for public disclosure upon request. Items dealing with scheduling within the original contract can be discussed.

Copies of the contract schedule was distributed (See attachment #2). A question and answering session were initiated by the presenter and the participants.

The Demolition, Grading and Excavation activity was questioned; the concerns were that the activities were lump together, what kind of demolition will be done and how long will the activity be preformed. Mr. Thomas Liu (Pantech Construction) give his interpretation, that it applied to the ramp and that all necessary barriers will be in place to lessen the noise within the neighborhood. Mr. Lechchiner further addressed the concern with the statement "the main demolition work will be preformed within the building itself."

Mrs. Jacqueline R. Mitchell and residents were distressed and demonstrated an uneasiness about the possibility of demolition work and other activity being preformed on Saturday.

Mr. Liu indicated that Saturday and Sunday work would only be preformed as necessitated by the schedule.

Commissioner Turner questioned the validly of the law of working on Sunday. Mr. Leshchiner alluded to the fact that there is not a law confining persons not to work on Saturday and Sunday, only that work cannot begin before 9:00 a.m. and not after 11:00 p.m.

Mr. Liu stated that no noisy work would be performed on the weekend, Mrs. Mitchell stated that as long as she could not hear or smell him, she was fine.

Mr. Lechchiner give out telephone numbers for himself (202)731-6448) and Mr. Liu's (301-731-9960) for contact purposes in cases of contractual problems within the area.

The question of Air Quality Control and the status of an independent impact study requested previously was inquired about. Joan LeLacheur verified that an Air Quality environmental impact study had not been done and was not required.

Councilman Adrian Fenty elaborated on the request for an independent Assessment, that his office had made request to the Environmental Protection Agency (EPA) for recommendations of qualifying independent companies to perform the evaluation. That when received, those recommendations would be bought to a subsequent meeting of 4C03. In the hope that this will bring some type of resolution, not only to the construction concerns; but, is the environmental aspects emitting from the building suitable and not a health issue to the surrounding residents.

Lewis Wassel (16th Street Neighborhood Association) spoke on the "DC Main Street Program" that was established to revitalize neighborhood retail strips. Mr. Wassel alluded to the fact that upper 14th street has been overlook. However with the help of the Mocha hut, Decatur liquors, New York Deli and strong community support it can be put into the main steam of the Neighborhood Revitalization Program.
Recommendations to accomplish the neighborhood retail revitalization were that existing businesses needed to change their product line to better benefit their service area and that the forsow of the buildings needed to be upgraded.
The District of Columbia has appropriated $260,000.00 over a five year period, however the community organizations well have to but their resources together with the appropriations to make things work.
A 14th Street revitalization kick-off is being held June 1, 2002, (10:00 a.m.- 3:00 p.m.) at the La Liberta Restaurtaut (4622 14th Street, N.W.)

Kiesha Miller representative of the Randolph and Shepherd St. Block Association presented a petition and spoke in protest to the request for a Deli license of Mr. Endale Terefa, Bless 7 to 9 Store, located at 434 Shepherd Street, N.W., Washington, D.C., 20011 (Lot 79, Sq 3237). It was stated that the owner on several occasion demonstrated a lap of working with the community in eliminating littering, loitering, excessive vehicular, pedestrian traffic and noise to the abutting properties. It was also a probability that the owner is not honoring his current Class "C" license (selling to minors), that there has been three shootings within the past week and the area is heavily populated with drug traffic. Approval of such a request would only add to the existing problems.
After much discussion it was motion by Commissioner Shawn Fenty to support the petition of protest, that ANC - 4C stand in obsession to the request of Mr. Endale Terefa, proprietor of Bless 7 to 9 store. Seconded by Commissioner George H. Brown. (Motion Pasted, 4-1).

NEW BUSINESS

Tuwana Frierson requested information as to what can do done to eliminate, loitering, littering and the public telephones installed along the 4800 block of Georgia Ave., N.W. between Dealfield Place and Decatur Street. It was recommended that letters from Councilman Fenty's Office, Police Department and the ANC-4C/4D needed to be sent to the Public Service Commission requesting than to schedule a hearing in the removal of the telephones.
After much discussion on the loitering and littering issue, the final resolution was that the Cumminuity,Ward and ANC's need to take advantage of those DC Government agencies that have the authority to go on private property and shut those nuisance businesses and property owners down, as other have and are

doing.

Joyce Madgun (YOUR Community Center, Inc.) Requested a scholarship grant in the amount of $1000.00 for student field trips in the summer camp program. Starting date of June 21, 2002. The cost per student is $100.00 weekly for a 9 weeks. Mrs. Madgun was informed to write the grant to defer transportation cost and be specific as to how/who the money is being allocated too. Bring the Grant proposal back for the next meeting.

The resolution for the appointment of **Steve Leraris** as Advisory Neighborhood Commissioner for Single Member District 4CO4 was read and the appointment approved by unanimous vote.

OLD BUSINESS

Commissioner shawn Fenty elaborated on the Midnight Deli resolution, it was stated that the proprietor is agreeable to signing the document.

Commissioner Young brought up the issue that a check (grant) is due Macfarland Junior High School.

DISBURSEMENTS

$161.56 Refund to Commissioner George H.Brown Ck# 1957
$102.00 Security Fund Ck#1958

There being no further business, the meeting adjourned at 9:20 p.m.

George H. Brown, Secretary

Timothy A. Jones, Chairman