

Board of Zoning Adjustment
April 9, 2025
Case 19987A

Chairman Hill and Members of the BZA,

Thank you for holding a hearing on this request to remove a condition from your 2019 order for this property. Neighbors spent many hours working on conditions, and the Board spent a lot of time considering those requests. Yet conditions do not seem to be very effective for this establishment. And, unfortunately, the neighbors have had limited support from DC agencies to enforce the conditions.

Some of the conditions:

Trash and grease

Note that it was not only “trash” but also “grease” included in the conditions. (Exhibit 3)

Trash

10. The Applicant shall remove, trash, garbage, and **grease** from the property at least three times per week. The Applicant shall remove recycling at least once per week. All such removal shall occur during morning hours. The Applicant shall retain a private contractor for all such removal. The Applicant shall ensure that the contractor(s) shall not block traffic or impede traffic flow. All trash, garbage, grease, and recycling shall be stored in an internal location.

From Exhibit 61

52. - Neither the name nor A copy of the establishment's professional service contract is not provided at all approved waste servicing areas during the inspection. Cease and desist the use of oil for frying plantains and fish effective immediately.	2605.1
D.C. licensed trash or solid waste contractor: Republic	
D.C. licensed sewage & liquid waste transport contractor: Not Provided	

There have been numerous Department of Health inspections and until the Cease and Desist for the use of oil was issued in August 2024, there was never a name listed on the inspection reports under liquid contractor.

One can deduce that the residue neighbors complain about on the sidewalk is cooking oil which was disposed of in an improper manner.

And the dumpster has been on the sidewalk since before the restaurant opened.

From page 59 of the March 6, 2019, transcript.

9	Where did you say that the trash would be removed from?
10	MS. STEADMAN: Okay. So currently the trash would
11	be stored inside. And then the trash would be removed from
12	the side door on Randolph Place.
13	MEMBER HART: To the, to just the sidewalk?
14	MS. STEADMAN: No. It will be removed directly
15	to the trash truck.

The use of a trash compactor was mentioned several times during the hearing.

The DDOT report from the original case said that they had worked with the applicant for internal storage.

the BZA process. The Applicant has worked with DDOT and OP to revise the drawings submitted September 22, 2018 so that trash is stored in an internal location consistent with Public Space regulation. The Applicant should refer to Titles 11, 12A and 24 of the DCMR, DDOT's Design and

JAM DOUNG STYLE

1724 NORTH CAPITOL ST NW WASHINGTON, DC 20002

Ward: Ward 5 | Quad: NW

Type: Restaurant Total

- [Follow-up: Wednesday, September 11, 2024 \(HTML\)](#)
- [Follow-up: Wednesday, August 28, 2024 \(HTML\)](#)
- [Complaint: Thursday, August 15, 2024 \(HTML\)](#)
- [Complaint: Friday, February 23, 2024 \(HTML\)](#)
- [Complaint: Wednesday, January 31, 2024 \(HTML\)](#)
- [Complaint: Friday, August 25, 2023 \(HTML\)](#)
- [Follow-up: Friday, June 16, 2023 \(HTML\)](#)
- [Routine: Thursday, May 18, 2023 \(HTML\)](#)
- [Follow-up: Tuesday, March 28, 2023 \(HTML\)](#)
- [Complaint: Tuesday, March 21, 2023 \(HTML\)](#)
- [Complaint: Friday, December 16, 2022 \(HTML\)](#)
- [Complaint: Tuesday, December 06, 2022 \(HTML\)](#)
- [Complaint: Saturday, November 19, 2022 \(HTML\)](#)
- [Routine: Wednesday, November 09, 2022 \(HTML\)](#)
- [Complaint: Tuesday, February 23, 2021 \(HTML\)](#)
- [Follow-up: Thursday, January 21, 2021 \(HTML\)](#)
- [Preoperational: Wednesday, January 06, 2021 \(HTML\)](#)

Finally, on the inspection report for September 2024, a name was listed for a liquid waste contractor. Exhibit 62

D.C. licensed trash or solid waste contractor: <u>Republic</u>
D.C. licensed sewage & liquid waste transport contractor: <u>Mahoney</u>

If a corner store is not allowed by zoning regulations to have a dumpster, why should a restaurant, which required a variance to open, be allowed to have one?

254 CORNER STORES

254.10

All storage of materials and trash shall occur within the building area devoted to the corner store. There shall be no external storage of materials or trash.

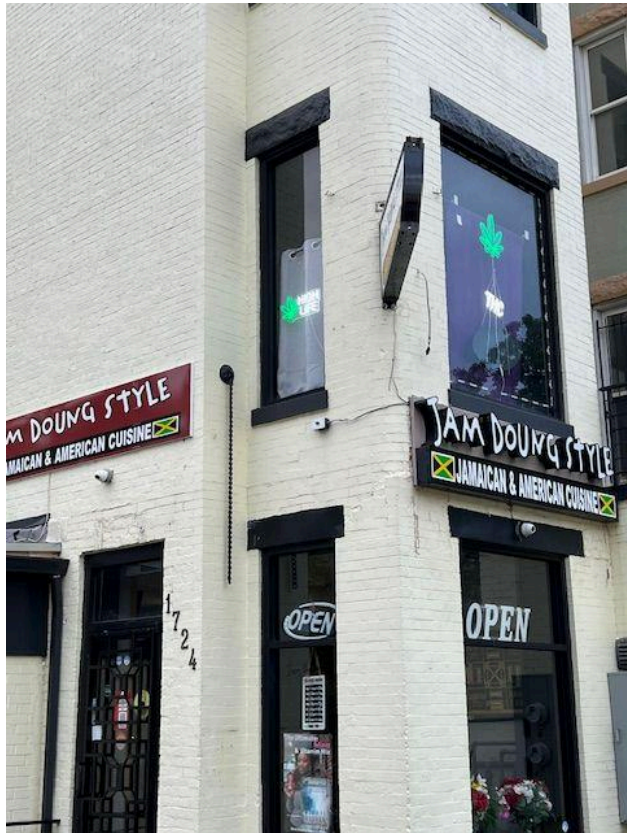
Signage

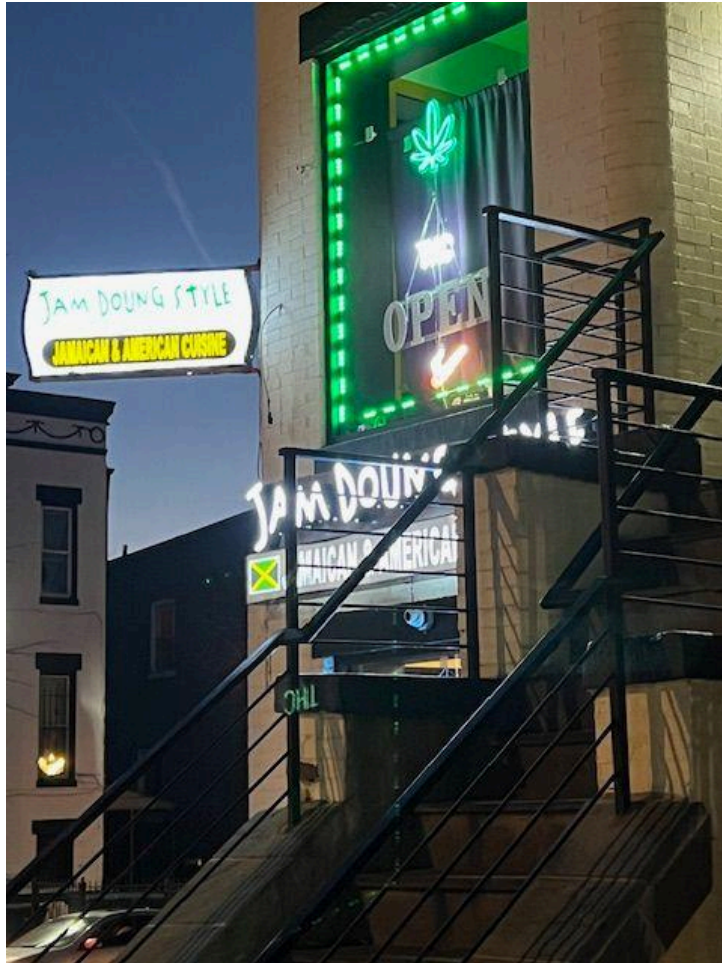
Signage

12. While signage shall be allowed on both Randolph Place and North Capitol Street, there shall be no external, illuminated signage on Randolph Place.

While the owners may have technically met with the condition about signage, they have not met the spirit of the condition.

The windows have been filled with lighting promoting THC products.





Since a burglary in June, they have covered up the second floor lighting.

Tuesday, June 25, 2024

The Metropolitan Police Department announces a man has been arrested for a burglary of a business in Northwest.

On Sunday, June 23, 2024, at approximately 3:24 a.m., the suspect forcibly entered an establishment in the 1700 block of North Capitol Street, Northwest. Once inside, the suspect took property then fled the scene.

On Tuesday, June 25, 2024, **40-year-old Anthony Black**⁴, of no fixed address, was arrested and charged with **Burglary Two**.

CCN: 24095680

Parking

The only adjustment to parking since the BZA hearing has been the installation of bollards at the corner to prevent people from parking in the space closest to the corner on Randolph Place at North Capitol.

Parking

6. **Prior to the issuance of a certificate of occupancy for the restaurant use,** the Applicant shall submit to DDOT a request to install bollards and/or apply street marking on the north side corner of Randolph Place, N.W. at North Capitol Street.
7. **Prior to the issuance of a certificate of occupancy for the restaurant use,** the Applicant shall submit to DDOT a request to designate one side of the Unit block of Randolph Place, N.W. as resident parking only from 2 p.m. to midnight on all days of the week.
8. **Prior to the issuance of a certificate of occupancy for the restaurant use,** the Applicant shall submit to DDOT a request to designate a loading zone with limited hours of 8 a.m. to 12 p.m.
9. **Prior to the issuance of a certificate of occupancy for the restaurant use,** the Applicant shall submit to DDOT a request to install a bike rack near the property.

The owners, customers and service people frequently park on the sidewalk, both in front of the building on the North Capitol side and on side on Randolph Place.

Customers and delivery trucks frequently park in the bus stop on North Capitol and in the alley off Randolph behind the restaurant, often blocking the sidewalk.

Vehicles will even double park on Randolph Place, blocking traffic.

I don't know how many times the trash trucks drove onto the sidewalk to empty the dumpsters, but the concrete sidewalk has been crushed. Of course, when the truck stops in the street on Randolph, it usually blocks both directions of traffic.



Now we are experiencing the new trend of moped delivery service. They park on the sidewalks and even on occasion, drive down the sidewalk. Recently, one drove onto the sidewalk at my end of the block and rode down the whole block on the sidewalk. Please note that all of this activity takes place on a very active sidewalk with a bus stop at the corner on North Capitol.

Rodents

The rat problem in our square was out of control last summer, the worst I have witnessed. Of course, there are other properties that contribute to the rat problem but it gets worse every year. I had DOH come out and do rat abatement in our alley. I caught 50 in traps last year and I am sure some of them had relatives at 1724 North Capitol.

Perhaps the trash shack has cut down on rats on their property, but an indoor trash compactor like they agreed to during the previous hearings, would solve more issues than the rats.

Unlicensed activities

The business has operated a “ganja spot” on the second floor (which was only granted by a variance to be a part of the restaurant). The NOI is at Exhibit 63.

I do not know if this part of the business is still in operation.

This is one of the pictures from the inspection.



Also, the business had produced bottled drinks, which received a Cease and Desist order from DOH in March 2023. Exhibit 62.

11. - Observed on-site made and packaged soft drink products in sealed plastic bottles stored inside refrigerators. (You are hereby ordered to Cease & Desist operation of packaging soft drink products in sealed bottles EFFECTIVE IMMEDIATELY. Please contact the main office to speak with an area supervisor at (202)535-2180 or email the area supervisor at food.safety@dc.gov for further direction).

Conclusion

Several of the neighbors who supported the BZA relief did so because they thought a sidewalk cafe would be nice. Now it seems like they will never be offering that.

It would be nice to feel like the hours and hours neighbors worked on conditions to mitigate problems created by the granting of a variance for a restaurant in RF-1 were not totally wasted.

Please do not approve the trash to remain on the sidewalk in public space. Corner store regulations do not allow it so why should a restaurant be allowed to have it. There should be some place inside the building to have a trash compactor.

If you should decide to approve, please note the conditions requested by ANC5E in Exhibit 18.

Thank you for your consideration.

Betsy McDaniel

