

The Dirty Dozen Reasons to Protest Wingstop
Zoning Case # 21438 406-8th Street, SE
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Barracks Row – The Downs and the Ups and the Downs again

The history of Barracks Row includes a heyday in the early 2000's. During that time period massive upgrades were done for the sidewalks, lighting, etc. It even won a national award for Great American Main Streets.

I lived here since 1981 and saw the initial deterioration and then renaissance of this historic Capitol Hill business row. In this letter I do not speak for the excellent group of neighbors working to negotiate several priority requirements in order to grant Wingstop a license to open. I speak for myself in the form of this proactive and preventive big picture analysis of the situation.

The Dirty Dozen Reasons to Protest Wingstop

I start my camera view with a wide angle perspective and then narrow in on the hows and the whys with a telephoto lens. I want to explore the safety and health outcomes of this high-output fried chicken chain in this location at 406 - 8th Street, SE next to Dunkin Donuts. In order to mitigate risks it is important to look at them and analyze them.

Why is it dangerous to the Eastern Market business and residential community?

Does it have potential to lower property values and leasability on Barracks Row?

Context - Glut of Fast Food Outlets already monopolizing the 400 block

Currently, there are a glut of Fast Food chicken and pizza carryouts at the entrance to the 400 block of Barracks Row by the Eastern Market Metro. If this entrance block is crowded and visually unappealing in its offerings - (beach town fare) diners will go to Pa Ave or 7 Street and not enter Barracks Row. This harms existing restaurants to the south in the 500 block, etc.

In this density of fast food, imagine adding this uber-busy Wingstop (they plan to serve 70 deliveries per hour and open until 3 am !!!) to the uncrowded side of the block on the east (Yes! Market and the Fire Station). It can effectively dam up the flow of people who are trying to support the currently active sit-down restaurants.

First - All about Wingstop

It is a massive corporate presence.

It has 3,000 carryout and delivery shops around the world

That is actually 500 more than Popeyes has.

At this location it will have –

pickup and carryout only – No Seating

tiny interior - about 14' wide by about 60' deep – about 850 square feet

no loading zone at front - new priority bus lanes bulb out

no emergency exit out the back - back wall of 406 is at the wall of 801 Pa Ave.

no alley access for trash (front door, left at the alley to “9-car Dumpster Train”)

no private property for a dumpster to sit on

no location for a grease container for pickup

no place for customers and drivers to pull in or wait inside

no room for safe non-cross-contaminating functions in narrow 850 s.f.

no Refrigerated Garbage Room, Refrigerator Freezer, Fryers, Counters, Bathroom

no garbage and grease removal out back to alley - crosses over prep food area

no way to prevent clothes, hands, shoes from carrying salmonella from garbage

Plus – a Chabad spiritual center with the Rabbi’s family leases the top 2 floors (wider - includes over top of the Dunkin Donuts). They conduct meetings with prayers and even a children’s camp.

And yes, Wingstop plans to serve 70 deliveries per hour ...

Oh, plus they want to be open in a residential abutting zone == 10:30 - 3:00 am!!

In contrast, most Wingstops in the US are –

single-story

standalone buildings

in strip malls

surrounded by parking lots

range from 1200-2000 square feet.

Which is where they are appropriate and much safer to operate on every level.

Zoning in MU-4 mixed residential is Incorrect for factory level fry cooking

Zoning of PDR - Production and Distribution is Appropriate

Its building size, neighbors, configuration, no back egress- not a match.

Wingstop operates at a factory level of activity

70 orders an hour - 15 hours a day.

They have picked the building in the wrong zone

This location is MU-4 - mixed use with residential sharing the block.

This type of operation should be in a PDR Zone - Production and Distribution.

Residential is steps away on E Street and some upstairs over businesses

What a train wreck.

DC Code Violations potentially caused by Wingstops Planned lease

This is a Shorter Alphabetical List of what follows

Backup Detailed Info is in the Dirty Dozen List below

Air Pollution

Exhaust duct empties in “Urban Canyon” - surrounded 3 sides

Even with PCU (Pollution Control Unit) - cannot suck this stagnant air even if toxins reduced back into fresh air vents and all surrounding windows above

It only reduces the PAHs, particulates, VOCs and other mutagenic and carcinogenic ingredients in the exhaust.

C of O

The upstairs double wide 2nd and 3rd floors that extend over Dunkin Donuts (formerly a separate building #408) have a weight count based on a certain number for group meetings with Rabbi. Adding a PCU plus add ons to reduce sound plus the weight of the technician puts an uneven load of 2000 lbs in the former 2nd floor bathroom. The ducts thru 2 floors would have to have openings to service and clean inside the Rabbi’s sacred space.

Electrical

The building was built in 1928 and has unknown electrical vintage. Former uses were pot shop and Beauty Supply for many years. The heavy electrical requirements of these fryers, refrigerated room for trash, dishwashers, refrigerators, PCU plus related add-ons is about 600 for the panel. Putting that level of strain on unknown vintage and condition wiring from earlier times puts the workers, Rabbi, barbershop at 404 and Maman Joon and Dunkin Donuts in jeopardy since they share attic party walls.

Fire Codes

No egress by door or window out back - completely trapped Any grease fire that flared would be in between the workers and the one narrow front door. These buildings are 100 years old as are their wooden rafters.

Rabbi Ceitlin has a fire escape on front in same corner as stairs to front but the fire would occur in the front and no open access out back. All these are flammable sources of ignition – fryers, hot grease if moved, grease collecting in ducts, clogged pcu etc. The PCU with 3-story duct to roof can separate at seams and grease seeps out and pools between the floor and ceiling which is a critical fire hazard.

Food Safety

Critical food code violations occur with cross contamination from garbage and grease collected and held in the back and removed through the front in tight corners with clothes, gloves and shoes transferring food borne bacteria.

Health Codes

Staff are required to wheel bins or drag bags of garbage from the refrigerated storage room in the back past the deep fry vats at 350 degrees all while breathing in the potential carbon monoxide and PAHs that damage lungs/cause lung cancer.

Loading

A high-volume delivery outlet requires a parking area, a back door, and a staging area. There is only the narrow front sidewalk - public right-of-way that would be obstructing passage of pedestrians, bus riders etc. In DC this could only occur in a PDR zone not a historic district of row houses and residents.

Mechanical

It is impossible to achieve safety in DC codes. There are no mechanical work-arounds that can make it work for all. The PCU exhaust must terminate at least 10' above adjoining grade which is 2 stories higher. It must not discharge within 10 feet of operable windows, lot lines or air intakes. Wingstop violates all of these regulations with its hazardous kitchen exhaust.

Noise

The PCU blower fans have a db level of about 75-80 (motorcycle) with silencers on both ends and springs and but can be as loud as 120 db – (nightclub band) - pain and dysfunction. The flood of delivery drivers onto the street until 3 am with their beepers or motorbikes and loud voices is ridiculous in residential zone

Plumbing

Continuous maintenance of PCU to prevent leaks of grease or stoppages and backups on 2nd floor in Rabbi's space and then up the 2-story ducts which cannot be hidden in walls because they need access for inspection and grease cleaning are too invasive to perform in a leased sacred space.

Rats

The scent of grease is like the Pied Piper of Hamelin drawing rats from near and far. If duct grease leak forms on the roof they will hang out there. Chicken grease regular diet tells female rat that food is regular and its safe to reproduce. This is a super stimulus for reproduction. One mother rat can make dozens of offspring a year and the young have grease to eat too. This effects all the neighbors.

Sewer

There are multiple constant sources of FATBERG blockages if the maintenance on the sink grease traps and grease filters is not consistent. Any single area missed because the mechanical cleaning and grease company could not find a place to park can result in a sewer backup for the connecting drains.

Smell

This is a foul odor that emanates inside and outside a high-volume fried chicken delivery factory service. The Rabbi who leases the upstairs 2 floors and double wide cannot under Jewish law perform prayers in the midst of foul odors. This violates his existing lease. None of the neighbors want this toxic exhaust and sticky grease outside or inside their homes.

Trash

Kept inside in refrigerated room and dragged out the front - ahead of time and sitting on street? At the time the grease company arrives? Do they walk through the food prep area to get the garbage in the back spreading the pathogens on their clothes, hands, gloves in the raw food zone?

Zoning

This is a PDR - Production Distribution Zone type of business that has no right to be cheek to jowl with residential community in MU-4. There is no staging area for food deliveries, no loading zone in front dedicated to them, no private property at all outdoors and they want to fill 1000 orders a day into the night.

Summation:

The entire proposed operation breaks multiple building and mechanical codes. They are a public nuisance and a liability on so many levels to themselves, their workers, their neighbors, passersby, – all of it is just plain ridiculous to be squished into this tiny spot that is architecturally unfit for function.

Pay particular attention to number 5. In the Dirty Dozen List below....

Neighbor Petitions RE: Wingstop – Hours and Toxic Industrial Exhaust

There are 3 different approaches to opposition to Wingstop in this location.

1. Well over 300 near neighbors have signed a petition against more fast food on Barracks Row. The names are to be presented to Ward 6 City Councilmember Charles Allen.
2. A sub group of these neighbors are also negotiating with the corporate lawyers for Wingstop to get them to install a Pollution Control Device (PCU)- to cut the known hazardous-to-health toxins and the foul odors and grease from the exhaust and to limit their hours to midnight and not 3 am.

Yet another approach is a straight-forward Protest for a Dirty Dozen Reasons

Others in the neighborhood like myself are seeing many more problems than the exhaust and the late hours. The PCU and the Hours of Operation are laudable efforts. But there are a full dozen issues that are harmful to Barracks Row businesses, neighbors and shoppers and diners that need exploring.

This article shares The Dirty Dozen side effects – the unintended consequences of adding Wingstop as the proverbial “straw that breaks the camels back.” for this historic row.

The Dirty Dozen Reasons to Protest a Wingstop at 406-8th Street SE

1. Emergency Services – A blocked Fire Station/EMT - Hurts us all

Currently, fast food delivery vehicles in the 400 block already block the fire station's driveways even leaving vehicles there. The engines and ambulances cannot get out their driveways and their abutting alley gets closed off.

This prevents rescue for people dying of a health crisis or a fire in a local family home or business. Seconds are critical, lives are lost and property is damaged if rescue vehicles cannot exit immediately.

Fire Station Captain Hershey wrote a powerful letter stating strong concerns about the potential increases in the blocking of their emergency vehicles from exiting from Wingstop's operation. Much more congestion of people and vehicles will result from the long wait times for pickup at Wingstop (they estimate 70 orders an hour). This situation is critical for all who live nearby.

2. Parking/Loading area – shrinks for all due to new Bus Priority Zones

During this same time period, the city has decided to narrow the traffic lanes on 8th Street SE for Barracks Row. This is intended to make the buses go faster. Go figure. But it negatively affects the block for businesses and walkers or drivers and the fire station.

There will be fewer spaces allotted for Parking or Loading for businesses. This is a critical problem since 406 - 8th is surrounded in the back on 3 sides by the giant sized 801 Pa Avenue SE – it is nearly twice as tall and forms a U shape around it.

So Wingstop requires front access for in-loading food and out-loading garbage and grease containers. They are prohibited by DC regulations from truck noise between 9 pm and 7 am.

They plan to be open until 3 am so this may still result in noise and disruption for people living nearby when they wheel garbage to an alley dumpster. It will likely terrify their workers if they send them to the dumpsters after midnight to do battle with the rats.

There are sidewalk bulb outs at the Pennsylvania Avenue corner and other areas along 8th Street removing parking spaces. The middle lane is the bus lane. The inside lane is for through traffic which is already crowded using two lanes. What is leftover is for parking/loading.

The context of the loss of driving lanes, parking spaces and loading zones in front of these businesses in order to hopefully speed up buses plays a consequential role when added to the rest of the issues listed next.

(Automated Camera Tickets are the proposed solution to help the buses)

These tickets are after the fact and they do not move people along the way a dedicated police officer would and has in the 1990's. It's the old saying - "I got a ticket already so I might as well stay here." thought process.

Cars and delivery vehicles will double park and idle and pollute;
or they will park illegally blocking the "speedy" buses,
or they will block the alley where trash trucks must access the 10 dumpsters;
or worst of all spread across the Fire Station driveways and their alley

Blocking the Fire station can cause worse injuries and even death for 911 callers.

3. Pedestrians – Stop Visiting - Smells, Noise, Crowding, No Parking

People visit Eastern Market Open Air Market from all over the world just a block away but likely look at 8th Street with its 2 large empty glass window store fronts on the two corners and they do not venture further with curiosity.

If 8th Street, SE stinks from Wingstop on top of the Popeyes smell and is crowded and littered with trash plus there is no place to park – general foot traffic drops off. Walkers are the lifeblood of the current sit down restaurants and stores in the 500-700 blocks.

Pedestrians are also already wary of the racing bike deliveries and scooters suddenly brushing past them on the sidewalks. More fast food means more Door Dashers dashing.

Both the businesses and the residents do not want to see sit-down restaurants shut down from lack of customers.

4. Lease Costs – Corporate Owners Profit – Community loses

The glut of fast food in this block started because the regional private developers and non-DC investment groups who own the commercial buildings in the 400 block demand exorbitant lease amounts. They wait for big-pockets outsider corporate chains who will pay what they ask. This causes a negative impact on all of Barracks Row and the surrounding homes on 7th and 9th and E and G particularly.

So how much higher are these leasing rates than say - Old Town Alexandria?

Let's compare the rents these 400 block building owners demand on this block to those owners charge in Old Town Alexandria. In Alexandria (King Street etc.) the rates can be as low as the high \$30's to mid-\$50s per square foot category.

No wonder Alexandria still has genuine quirky stores and locally owned sit-down restaurants and fewer vacancies than here.

In contrast, in the 400 block of Barracks Row the lease costs are \$80-100 per square foot. PLUS most leases require that they pay Triple Net. This means the restaurant owner pays the building owners' taxes, building insurance, and maintenance. That boosts the amount by about \$15 more per s.f. which would average \$105 per s.f.

That more than doubles the cost in Old Town.

Result:

Because these owner groups have big pockets they can afford the losses of leaving a space idle for years waiting for the right mega-corp to come to sell their fast food. Some also get away with not having to pay the high DC tax rates charged for leaving buildings empty while they kick back and wait for their fish.

The tax regulations in DC raise the rate for vacant commercial property taxes to 2.5X higher than if occupied. Then that rate doubles to 5X higher if the building is blighted.

How do they escape these much higher taxes?

These commercial property owner groups avoid paying these taxes by claiming exemptions. Examples include that they are actively marketing or doing construction or they claim they are in a legal dispute just to gain time. If they lose to the city then their corporate lawyers appeal. These appeals are then defended by the city using guess who's tax dollars (ours) to pay the city attorneys.

These loopholes need an overhaul.

We need to REQUIRE – NO MORE FAST FOOD ON BARRACKS ROW!

5. Air – Industrial Toxic Exhaust – VOCs - mutagenic, carcinogenic

Unfiltered industrial exhaust from deep fried chicken is known to clog neighbors CAC units many of which are on roofs. Worse, though, these toxic cooking fumes with particulates can easily be drawn inside homes and businesses through the building's fresh air intakes.

Fried grease exhaust has ultra-serious health risks

Particulates lead to heart attacks and strokes. The lungs and heart are weakened by asthma and respiratory distress and reduced lung function. COPD risk is higher. Mutagenic damage to DNA comes from compounds like acrolein and PAHs and the PAHs lead to cancer

Regulations are impossible to follow - narrow space.

Building codes require that commercial cooking exhaust must discharge at least 10 feet from property lines. This is impossible because the storefront is only 14' wide.

Key Issue – Exhaust is trapped in “Urban Roof Canyon”

Wingstop would be sandwiched at street level between Maman Joon and Dunkin Donuts. But these short buildings (about 35 feet tall) are surrounded on 3 sides by the much bigger and taller U-shaped 801 Pennsylvania Avenue, SE. It is about 60' tall - thus the canyon effect.

801 Pennsylvania Avenue, SE includes Community Connections, the vacant Mason and Greens on the corner and Yes! Organic Market to the south. This much taller building creates a 3-sided trap where the grease exhaust is stuck below the level of winds and the exhaust fans are not strong enough to push the grease high enough to escape above these taller buildings.

This is called an “Urban Canyon.” It’s like smog in California valleys in canyons – it just sits. So stagnant air pockets of grease and toxins are trapped in a “toxic trap bowl” on the roofs from Maman Joon 404 to Dunkin Donuts also 406

Mechanical Impossibility for multiple reasons

The PCU has to draw the air 3 floors up to the roof and if extended to above the heights of the surrounding buildings and their windows – it would require extra in-line high velocity fans going 65 - 70 feet up in a metal conveyance with echoes for all the fan noise.

It would be

- a.) fighting gravity and the immense resistance of static pressure to try to push the air up against these forces
- b.) in-line booster fan in metal duct of high velocity in this canyon would be impossibly loud
- c.) the combination would create even more fire hazards, leaks of grease on roof
- d.) this would damage the roofs and create leaks
- e.) the remaining stagnant pooled air toxins would be sucked into the fresh air return vents of 801 Pennsylvania Avenue and all near neighbor buildings and windows.
- d.) and of course a 2- story duct in the sky would never be approved by Historic Preservation and others.

The regulations want the exhaust and intake to be at least 10' apart which is highly unlikely. So the dropped toxic air with grease sits over the “fresh air” intakes bringing the carcinogenic lung and heart damaging air inside the buildings.

PCU - is not the Panacea for these Problematic Situations

So can't it all be fixed with the use of a pricey PCU - Pollution Control Unit??

The sticky stank of grease clinging to clothes, hair, furniture of residents might be reduced by the PCU proposed for the second floor bathroom. Oddly, this bathroom seems to be part of the 2 floors above that are already leased to the Chabad for religious services with Rabbi Ceitlin.

These PCU units are extremely noisy with constant vibrations that can rumble through the rafters and walls. They are not "once and done". They have frequent maintenance requirements in order to not backup grease – ugh – through the floor into the main floor's Wingstop kitchen below.

The PCU requires contracts with licensed company for monthly maintenance and cleaning and repairs and licensed liquid waste haulers. Without a working PCU the toxic stew of grease, offensive stink and toxins would fill the 2-floor prayer space above it.

So there is no way this corporate entity can operate within the codes of DC.

6. Trash/Litter/Bones/Grease

Walking past Popeyes a few evenings back before 10pm there were about 20-30 items of large trash - bags, wrappers, cups and food debris in the tree box and a dozen feet to either side of it.

This trashifying also happens to the residents living on E Street SE and G Street who have to pick it all up each morning because even though it is trash caused by the fast food outlets, the Capitol Hill BID's Men in Blue do not include them in daily litter capture. And be careful, the chicken bones are also dangerous for dogs on walks.

7. Dumpsters – Open Decayed Dumpsters equal Rats in Public Space Alley

For these Barracks Row landlocked commercial buildings at 404/406 they have to carry their drippy greasy garbage out the front, down the sidewalk, past Yes! Market and the fire station, then left at the alley and halfway down the alley to the line of 9 rusted and open mostly unidentified dumpsters in the alley (aka "The Dumpster Train") beside the Metro Motors gas station.

This only adds to the rat food bonanza buffet. For evidence, look at the completely grease covered walkway to the alley behind the west side of 8th. . Or take a walk down these alleys at 2 am.

It is unclear that the Department of Public Space would even allow another dumpster even though they make \$200 a month for each.

These dumpsters are currently decayed and grossly unsanitary – rusted, broken and with bent and wide open lids. Among these cracked metal carcasses some remain un-named and un-claimed. Two are claimed by 417 - 8th Street. SE which is across the street on the west side and there appears to be no room in the alley for more dumpsters.

Wingstop claims it will set up an indoor refrigerated room for storing garbage and grease. Good idea? Maybe. Depends on how it is reinforced from rats. See TikTok Cringe video of rats cavorting the walls in Popeyes across the street.

https://www.reddit.com/r/TikTokCringe/comments/qkg0nb/rats_at_a_popeyes_in_dc/

The city needs to fine the businesses to force them to get new clean, closing dumpsters and not go home to the suburbs while the residents deal with their rats.

DC – *Summary of Regulations for Dumpsters*

They must be made of thick steel (at least 12 gauge)

They must have no cracks or gaps bigger than 1/4 of an inch anywhere

The lids must be of 16 gauge steel

The lids must be completely closed unless dumping or collecting

There must be no spilled waste or grease around the container

Grease must be stored in tight sealed metal drums 4' from vertical objects

There must be a commercial recycling program

Trash collection for commercials is 2X a week

Dumpsters in public space like alleys require public space permit (DDOT)

Fines range from \$200 first ticket to \$1,500 third ticket

Required posted info on the dumpster –

Identification of Business Name, Phone, Address
Identification of licensed hauler Name and Phone
Posted Commercial Pickup schedule - 2x a week

The current 9 dumpsters are currently violating most of the above regulations. They are rusted with holes in sides and bottom and top doors wide open. Grease surrounds them. If they had been ticketed and fined they would be gone but evidence indicates that they are not being regulated.

The city charges for dumpsters on public space at about \$200 a month each. Perhaps the money outweighs the public safety of placing them abutting an active gasoline filling station with vents, pumps and storage right beside them just waiting for a flicked cigarette to spark a fire.

That is how Frager's Hardware burned down. Exploding a gas station could also include lost lives. This is abutting Fire Station property so they might be harmed as well.

The gasoline tanker trucks for this Distad's Metro Motors fill the underground vaults and volatile vapors are released right next to these dumpsters.

8. More Vermin - Rats, Mice, Roaches, Flies and Maggots

Because of the customer littering and the wide open rusted and broken lumbering 9 huge dumpsters in the alley behind the fire station (aka "The Dumpster Train") – the residents on E and on church and Hill Center at 9th Street behind will suffer more vermin proliferation - more in yards and more inside buildings and daily rounds of picking up the tossed trash.

The more the grease and smells in the air are spewed over the neighborhood the more rats follow their noses to set up residence in our sewer system and buildings. Workers dragging and dripping grease filters and grease containers across the sidewalk/alley only encourages more and more rats.

Remember the video of the rats cavorting inside of Popeyes across the street that went viral on TikTok??

9. Lost Parking/Pinch-point Traffic Jams/Citizen Injuries

With the combination of the “Speedy” bus diminishments to the block and the Wingstop additions of traffic (70 orders per hour til 3 am) - looking forward there are detrimental potentialities that are quite possible for the block.

a. Delivery vehicles for Wingstop will block the “Speedy” bus lanes. That means double parking and blocking the new and expensive-to-build bulb out for the “speedy” bus lanes. Or they might idle while waiting or double park on the side streets.

b. Customer cars picking up food will likely also take the nearly non-existent parking spaces on the residential side streets Or they will double park on 8th blocking the “speedy buses” from picking up passengers safely.

c. Delivery scooters and bikes will zip around in front of the buses as they currently do from the alley which also cuts off the fire engines as they try to leave for emergencies.

d. Residential parking on side streets will be blocked in by double parking and idling cars.

e. Residents returning home will circle the blocks for parking creating heavier traffic and pollution.

f. Pedestrian hazards emerge with crosswalks being used as loading zones for delivery drivers creating potential accidents for people with disabilities..

g. Delivery motorbikes will sometimes take the alternate route over the sidewalks terrifying seniors and parents coming out of Yes! Organic Market.

10. Noise – For residents above and businesses beside to N, S, and East

A PCU (Pollution Control Unit) is required and it is enormous (1500 lbs) and incredibly loud. The noise coming from its exhaust fan can be as loud as 120 db c This is comparable to a siren, chainsaw or rock concert.

To diminish this sound to closer to 80 db requires the use of PCU – one with thicker walls, a fan silencer, heavy-duty vibration isolators – springs to isolate sound and acoustic dampeners, and flexible duct connectors. The 80 db level is closer to that of a garbage disposal or a blender. Constant noise at this level can result in hearing loss.

The PCU will be running all day and most of the night in the reconfigured bathroom over the heads of the workers. This bathroom is in the leased space of the Chabad place of worship above on 2 floors.

Wingstop wants to stay open until 3 am. This is ridiculous in a residential zone.

People living in homes on E Street to the south will hear more partying and car parties until 3 am if Wingstop gets these hours..

They would hear people hanging out under their windows for half the night. Folks mingle with the bar people and have car parties and flirt or taunt or occasionally argue or shoot a gun.

There are recordings of the high volume boisterousness that already takes place into the wee hours keeping neighbors awake and grumpy from the crowds hanging out after the bars close.

This is NOT an industrial neighborhood. It is a historic district both for the businesses on Barracks Row and the neighbors in Eastern Market. Families live here.

11. Fire Dangers – elevated from Gun Fire and from Kitchen Grease fire

A. Gun fire:

In the past few months cars on 800 block of E were hit by bullets in the night and also Popeye's had gunfire inside its store. The very close proximity of these guns to the alley beside the Metro Motors gas station at 9 and Pa. puts the whole block in jeopardy.

Huge tanker trucks fill the station's underground tanks after midnight. A bullet in a gas tanker truck or the vertical vents for the underground tanks are potential for severe fire or even explosion. If vapors ignite, an underground vault can overpressurize and blow up manhole covers and even throw heavy equipment plus erupt with a massive fireball fed by the thousands of underground gallons of fuel.

B. Cooking Fire Hazards:

The building Wingstop wants to lease at 406-8th Street, SE is completely enclosed on 2 sides and the back. These are all part of 801 Pa, Ave, SE which is 20' taller at least. They have no second means of emergency egress on the back or side of the building.

The fire station although practically next door cannot easily reach workers caught in the back of the building behind an oil vat fire or grease fire in the PCU..

So in addition to 406 having no private property for a dumpster or grease container to be picked up from – and no alley access to a potential dumpster – the workers and customers could be engulfed in a fast flame fire from a vat of deep boiling oil accidentally tipped in the tight quarters of a 14' wide building..

The local fire codes like NFPA 96 also mandate kitchen grease ducts must be enclosed in a fire-rated shaft (typically 1-2-hour fire-rated where they pass through to the roof.) Since grease solidifies inside the ductwork, the longer 3-story exhaust duct to the roof increases the fire hazard. It requires more frequent duct cleanings.

12. Sewer Backups – from a “FATBERG” blocking the shared sewer

Wingstop is planning to put a PCU in the upstairs bathroom indoors - it has a strong vibration potentially causing weakening of 10 year old rafters in a Victorian building or causing the foundation to develop structural issues from it.

PCUs are very heavy (1500 lbs) and they need extra non-Victorian era structural support. It requires strong water pressure to run the water filtration system that helps to clean the air. It requires frequent filter cleaning to not overflow grease into city sewer drains causing a FATBERG blockage for the buildings sharing that sewer line.

A PCU is not a panacea. Professional mechanical maintenance and cleaning would need to be required. It requires mechanical upkeep and workers with knowledge of the complexity of the operations of this machinery. The amount of upkeep and maintenance and the level of training and responsible behavior needed by the staff to prevent grease overflow is staggering.

Grease gets in drains from poor maintenance on PCU, filters, traps. Wingstop will be required to have grease traps under every sink, dishwasher and floor drain to catch and filter the grease from going down the drain.

There are specific containers for the sink and d/w grease to empty into and specific companies to come and get it and recycle it. Professional companies must be required in any agreement including the frequency of maintenance and pick ups of grease.

The water cannot simply dump the grease into the shared sewer drain. If it does it will create a FATBERG blocking the sewer for all the neighbors. A FATBERG would cause sewer backups in neighbors' basements and for businesses to have to close while DC Water removes it.

PCU - is valuable but does not work with these environmental factors
Wingstop is required to have this PCU to clear the toxins from the air but getting 1,500 pound object approximately 3' x 7 feet up narrow stairs around corner into bathroom constructed in 1928 is unlikely to be successful.

The space required to build it from modules carried up the stairs into the bathroom would require 8 x 10' space with room for human to do maintenance. Add in weight from human or 2 and also for water for water filtration and the vibrations against the 100-year-old rafters and that weight could be closer to 2,000 pounds.

They cannot use windows because they are too small and they can't use the roof because of freezing temperatures. A bathroom of that vintage is not likely to accommodate even 900 pounds. Add water for filtration of the PCU and the weight is 250 pounds higher plus the humans assembling and maintaining it. .

Oh and how will they even deliver or take care of it with no parking or loading or rear entrance?

12. Property Values Sink - Neighbors Suffer – Including existing Businesses, Landlords and Residents

If the curb appeal of Barracks Row is below par, then the whole Row suffers and then the neighborhood property values go down commercially and residentially for those in proximity.

This is the entrance to historic Barracks Row. It is already a glut of fast food pizza and chicken. It is already nationally infamous for the famous Popeye's video of the marauding rats climbing up the walls.

Then add a Wingstop to the currently walkable side of the street. It will deter many potential customers from passing through this gauntlet of congestion to go to a sit down restaurant or store to the south. It is joining with the other fast food to damage the whole row adding more crowding, more speeding Door Dash and too many wrappers and cups to have curb appeal.

These sit down restaurants in the blocks to the south have their own struggles already with not enough foot traffic from the Popeye's side of the street. If these local mom and pop restaurants fail then the whole Barracks Row area just degrades and the property values sink. It is unclear why commercial landlords do this to themselves...

How did this happen?? It's a combination of greedy, very high cost lease agreements placing an unreasonable square foot cost that does not match the value or the costs for upkeep of the building being leased. On top of \$50-70 per square foot for lowered foot traffic there is an charge they add on – an extra \$10-15 per square foot for sharing maintenance and taxes and fixing it up.

Dear Zoning –

Please follow the many regulations on the books that show this Wingstop plan would be in violation if allowed. Refuse to allow Wingstop in the location at 406 - 8th Street, SE Street, SE. to run roughshod over this peaceful Eastern Market community.

