

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

+ + + + +

PUBLIC HEARING

+ + + + +

TUESDAY

MAY 13, 2014

+ + + + +

The Regular Public Hearing
convened in the Jerrily R. Kress Memorial
Hearing Room, Room 220 South, 441 4th Street,
N.W., Washington, D.C., 20001, pursuant to
notice at 9:56 a.m., Lloyd Jordan, Chairperson,
presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

LLOYD JORDAN, Chairperson
JEFF HINKLE, Board Member (NCPC)
MARNIQUE HEATH, Board Member

ZONING COMMISSION MEMBER PRESENT:

ROBERT MILLER, Member

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY, Secretary
JOHN NYARKU, Zoning Specialist
STEPHEN VARGA, Zoning Specialist

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D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

MARY NAGELHOUT, ESQ.

OFFICE OF PLANNING STAFF PRESENT:

STEPHEN GYOR
STEPHEN MORDFIN
ARTHUR JACKSON
PAUL GOLDSTEIN

The transcript constitutes the minutes from the Public Hearing held on May 13, 2014.

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1 P-R-O-C-E-E-D-I-N-G-S

2 9:55 a.m.

3 CHAIRPERSON JORDAN: Okay. Let's
4 do this. Let's go to 754. I need to look at
5 those revised plans. That's going to take a
6 minute so let's go to 18750.

7 MR. MOY: 18754 of Brett Ledder.

8 CHAIRPERSON JORDAN: Okay.

9 MR. MOY: That would Application
10 18754.

11 CHAIRPERSON JORDAN: 18750. I'm
12 sorry.

13 MR. MOY: Oh, I'm sorry.

14 CHAIRPERSON JORDAN: 18750. I'm
15 sorry.

16 MR. MOY: Okay. So this would then
17 be 18750 of Abraham -- I'm not sure how to
18 pronounce this correctly -- Oonnoony.

19 CHAIRPERSON JORDAN: That's sounds
20 good.

21 MR. MOY: This is a special
22 exception to allow an accessory apartment under

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1 Subsection 202.10.

2 CHAIRPERSON JORDAN: Okay. The
3 parties for this case please come to the witness
4 table.

5 Please identify yourself.

6 MR. HETEM: Good morning. My name
7 is Rob Hetem. I'm representing Mr. and Mrs.
8 Oonnoony.

9 CHAIRPERSON JORDAN: And we have
10 that authorization for this?

11 MR. HETEM: Yes. I have a copy if
12 you don't.

13 CHAIRPERSON JORDAN: No, no.
14 We're good. We're good. I just didn't have it
15 in my notes. What is the last name for the
16 applicant?

17 MR. HETEM: Oonnoony.

18 CHAIRPERSON JORDAN: Oonnoony.

19 You were close. I mean, come on.
20 You did a good job there, Cliff. If you wanted
21 me to say it, it would be a whole other name.

22 This file, I believe, in my opinion,

1 is complete. I don't know if there is anything
2 that I need to hear from the applicant. I don't
3 know what other Board members need to hear.
4 It's supported by at least three or four
5 neighbors in support, as well as, I think, the
6 ANC supports this also.

7 MR. HETEM: We originally tried
8 contacting the local ANC a number of times. We
9 did not hear back from them. I came in to the
10 BZA officer maybe two weeks ago to check the
11 file and someone suggested that I try again.
12 That's when I did get through to Ms. Ursula
13 Higgins and I met with her. She was kind enough
14 to give her support.

15 CHAIRPERSON JORDAN: But there is
16 no letter from the ANC here. Okay.

17 Board, any questions on this
18 matter? Anybody got any issues with it? I
19 think the file is generally very complete and
20 appreciated.

21 We can proceed on or you can give
22 testimony but I would probably recommend that

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1 we proceed on.

2 MR. HETEM: Thank you.

3 CHAIRPERSON JORDAN: You started
4 to go down that dark alley already.

5 So we'll turn to the Office of
6 Planning.

7 Mr. Goldstein.

8 MR. GOLDSTEIN: Good morning. My
9 name is Paul Goldstein with the Office of
10 Planning. OP is supportive of the application
11 and I'm happy to take any questions you may
12 have.

13 CHAIRPERSON JORDAN: You did a real
14 good job on your report and I appreciate it, Mr.
15 Goldstein.

16 Anybody on the Board have questions
17 for Mr. Goldstein?

18 Applicant, any questions of Mr.
19 Goldstein?

20 Then let's proceed on. Where's my
21 note? Do we have a letter from DDOT? I don't
22 know how I missed that.

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1 MR. MOY: No, sir.

2 CHAIRPERSON JORDAN: That's why
3 it's not in my note. I need to start putting
4 in my notes when DDOT has not submitted versus
5 when -- I just left it out. I'm like, "Where's
6 DDOT's letter?" I'm thinking, "Where's ANC?"
7 And it's not there because they didn't do one.
8 Okay.

9 Is there anyone here from ANC on
10 this case? Anyone from ANC-5B? Anyone here
11 from ANC-5B? All right. Anyone here wishing
12 to speak in support of this application?
13 Anyone wishing to speak in support? Anyone
14 wishing to speak in opposition?

15 We would normally turn back to the
16 applicant for rebuttal and closing but you can
17 see there is nothing to rebut and there is
18 nothing to close. I would move that we grant
19 the relief requested in 18750.

20 MEMBER HINKLE: Second.

21 CHAIRPERSON JORDAN: Motion made
22 and seconded. Discussion? All those in favor

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1 of the motion signify by saying aye.

2 BOARD MEMBERS: Aye.

3 CHAIRPERSON JORDAN: Those opposed
4 nay. The motion carries.

5 Mr. Moy.

6 MR. MOY: The staff would record
7 the vote as four to zero. This is on the motion
8 of Chairman Jordan to approve the application
9 for the relief requested. Seconding the
10 motion Mr. Hinkle. Also in support Ms. Heath
11 and Mr. Miller. No other member present. The
12 motion carries, sir.

13 CHAIRPERSON JORDAN: Thank you.
14 Summary.

15 MR. MOY: Thank you, sir.

16 CHAIRPERSON JORDAN: Thank you.

17 MR. HETEM: Thank you for your
18 time.

19 CHAIRPERSON JORDAN: Sorry to make
20 it so rough for you today.

21 752, please.

22 MR. MOY: Next application for

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1 Board testimony is Application No. 18752.
2 This is the application of Realty Ventures,
3 Inc. for a special exception for an accessory
4 parking lot under Section 214.

5 CHAIRPERSON JORDAN: Okay. Thank
6 you.

7 Please identify yourselves.

8 MR. KADLECEK: Good morning,
9 members of the Board. My name is Cary Kadlecek
10 from the law firm of Goulston and Storrs on
11 behalf of the applicant.

12 MR. ISEN: Richard Isen
13 representing the owners, one of them.

14 CHAIRPERSON JORDAN: Okay. We
15 need to stay there for one second. I'm trying
16 to understand who owns the property.

17 MR. ISEN: Isen Brothers, LLC.

18 CHAIRPERSON JORDAN: Isen
19 Brothers --

20 MR. ISEN: LLC.

21 CHAIRPERSON JORDAN: -- LLC. And
22 you are?

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1 MR. ISEN: I'm Richard Isen, one of
2 the three brothers.

3 CHAIRPERSON JORDAN: One of three
4 brothers. Now, the applicant is Realty
5 Ventures, Inc. Is that correct?

6 MR. ISEN: Yes, sir. That is a
7 management company that is owned by the --

8 CHAIRPERSON JORDAN: Okay. You
9 are the owner so you can talk about the relief
10 being requested, certainly, but I think
11 everything else in this document is by Realty
12 Ventures, or something. I think they are the
13 applicant so we need to --

14 MR. ISEN: I'm an official of --

15 CHAIRPERSON JORDAN: What we need
16 -- oh, of Realty Ventures?

17 MR. ISEN: Yes, sir.

18 CHAIRPERSON JORDAN: Oh, okay. So
19 you need to write yourself a letter from
20 yourself to yourself from Isen Brothers, LLC
21 authorizing Realty Ventures to file this
22 application.

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1 MR. ISEN: Yes, sir. It's been
2 that way for about 40 years, various members of
3 the family.

4 CHAIRPERSON JORDAN: I gotcha but
5 we just got to make sure our i's are dotted and
6 our t's are crossed.

7 MR. KADLECEK: We can submit that
8 letter.

9 CHAIRPERSON JORDAN: Submit that
10 for the file.

11 This is a matter that's been before
12 this Board several times over and over and over
13 again for the accessory parking lot. I don't
14 know if there's -- I mean, I haven't seen
15 anything negative about it. He has support of
16 everyone including the ANC and Office of
17 Planning with conditions. DDOT, no
18 objections.

19 Board, do you have any questions in
20 this case or on this matter seeing that it's
21 been before us probably since 1950 or
22 something.

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1 MR. KADLECEK: Earlier than that,
2 sir.

3 CHAIRPERSON JORDAN: Let's just
4 cover, Mr. Kadlecek, the conditions. I don't
5 know if you had a chance to discuss with OP the
6 various conditions.

7 MR. KADLECEK: We have. We've
8 reviewed the OP report and I've been in
9 communication with Mr. Mordfin. We agree to
10 all those conditions. In fact, with respect to
11 the last condition the Office of Planning
12 proposed, which is the landscape plan, we've
13 prepared that for submission to the record
14 today as well.

15 CHAIRPERSON JORDAN: Okay. Just
16 for No. 1, it should be approval shall be from
17 15 years from the date of the order. We deleted
18 No. 3. No. 2 is the parking spaces shall be
19 striped. No. 3, the previous one, has been
20 deleted.

21 No. 4, bumper stops shall be erected
22 and maintained for the protection of all the

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1 adjoining buildings. Nos. 5, 6, 7, and 8 have
2 been removed. No. 9, the applicant considers
3 adding -- I'll take another look at that.
4 That's not -- on No. 9 let me go to Planning.

5 Is this optional or is this
6 something we need to make mandatory?

7 MR. MORDFIN: This is optional
8 because they are not required to use pervious
9 surfaces, but since the last approval pervious
10 surfaces have been permitted so we just wanted
11 them to consider that as an option.

12 CHAIRPERSON JORDAN: Yeah, but
13 that's not a condition so we drop No. 9.

14 MEMBER MILLER: Mr. Chairman, on
15 that one I think we should have it that, "The
16 applicant shall have landscaping and pervious
17 materials should any repair work requiring the
18 removal of existing pavement become
19 necessary." They've done a landscaping plan.

20 CHAIRPERSON JORDAN: Okay. Let's
21 say that again so staff can get it down and so
22 that the applicant can hear it clearly.

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1 MEMBER MILLER: "The applicant
2 shall add landscaping and pervious materials
3 should any repair work requiring the removal of
4 the existing parking lot becomes necessary."

5 MR. KADLECEK: Just a question for
6 clarification on that. Do you mean if it's
7 like a patch or if it's the entire removal of
8 the parking lot surface because I think one of
9 the concerns we have is if it's a patch and you
10 put pervious surface in a patch, then it creates
11 water problems underneath so we don't have to
12 redig the entire lot to put in a patch of
13 pervious surface.

14 MR. ISEN: May I add something?
15 Probably three years ago, or four we dug out the
16 whole -- you know, we redid the whole parking
17 lot. We tore everything out, sublayers and
18 everything, because there's only so much you
19 can patch so we decided to go and -- it's fairly
20 recently been completely redone.

21 I don't know if the permeable
22 surfaces provision was in law at that point but

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1 we had a couple estimates and we honestly were
2 not aware of it but it's done so I don't expect
3 us to redo the whole thing any time soon.
4 That's why we're asking about patching.

5 MEMBER MILLER: Right. I meant if
6 it had to all be done.

7 MR. KADLECEK: I just want to make
8 sure that's clear in the conditions.

9 CHAIRPERSON JORDAN: So when and
10 where necessary.

11 MR. KADLECEK: Okay.

12 CHAIRPERSON JORDAN: When and
13 where necessary. I want to change the lead on
14 No. 9. It says, "The applicant shall add
15 landscaping." I'm trying to bring 9 and 10
16 together. No, we'll leave 10 separate.

17 So No. 10, "The applicant shall
18 submit a plan documenting the location of all
19 landscaping and fencing on the site."

20 MR. KADLECEK: Yes, Mr. Chair.
21 They have a plan apparently today which they are
22 submitting so I'm not sure if that's --

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1 CHAIRPERSON JORDAN: You mean an
2 additional one?

3 MR. KADLECEK: -- a condition that
4 we need.

5 CHAIRPERSON JORDAN: Okay. Do you
6 have the plan?

7 MR. KADLECEK: We do, yes.

8 CHAIRPERSON JORDAN: Okay. Let's
9 just submit it. Has OP seen it?

10 MR. MORDFIN: No, I have not.

11 CHAIRPERSON JORDAN: Okay. Why
12 don't you just submit it for the record and then
13 we'll just have it. We'll drop No. 10 since
14 we're already doing it.

15 All right. So with those
16 modifications -- I'll wait until Mr. Moy get
17 back to his seat.

18 MEMBER HINKLE: I mean, I don't
19 know if you want to keep a condition that says
20 that the applicant will maintain the
21 landscaping in accordance with the plan
22 submitted or something to that effect.

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1 CHAIRPERSON JORDAN: I think we
2 could add it to 9. "Applicant shall
3 landscape." Okay. So applicant shall add
4 landscaping and maintain landscaping in
5 keeping with the plan." We'll just add that to
6 No. 9.

7 All right. So No. 9 reads again,
8 "Applicant shall add landscaping and maintain
9 landscaping in keeping with the submitted plans
10 and/or when and where necessary have pervious
11 material applied."

12 Okay. Anything else? Are we
13 good? All right. With that -- we just did
14 Office of Planning -- is there anyone here from
15 ANC-3B? Anyone from ANC-3B? Anyone wishing
16 to speak in support of this application?
17 Anyone in support? Anyone in opposition?
18 Anyone in opposition?

19 Then we will close this case on the
20 record submitted. I move that we grant the
21 relief requested with the conditions as we've
22 discussed here today.

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1 MEMBER HINKLE: Second.

2 CHAIRPERSON JORDAN: Motion made
3 and seconded. Discussion, Board?

4 All in favor of the motion signify
5 by saying aye.

6 BOARD MEMBERS: Aye.

7 CHAIRPERSON JORDAN: Those opposed
8 nay. The motion carries.

9 Mr. Moy.

10 MR. MOY: Staff would record the
11 vote as four to zero. This is on the motion of
12 Chairman Jordan to approve the application for
13 the relief requested with conditions as cited.
14 Seconding the motion, Mr. Hinkle. Also in
15 support Ms. Heath and Mr. Miller. We have a
16 member not present today. The motion carries
17 four to zero.

18 CHAIRPERSON JORDAN: Thank you.
19 Summary order, please.

20 MR. MOY: Thank you, sir.

21 CHAIRPERSON JORDAN: Okay, 753,
22 please, Mr. Moy.

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1 MR. MOY: Application No. 18753 of
2 Robert Holland, et al. This is, Mr. Chairman,
3 a request for a special exception for an
4 accessory parking lot under Section 214.

5 CHAIRPERSON JORDAN: Just catching
6 myself up on my notes. As you know, the Board
7 reviews these cases well in advance of the
8 hearing and spends several hours in
9 preparation. I don't think we spend less than
10 a day on these things prior to the hearing for
11 everyone individually.

12 Would you please identify yourself?

13 MR. SULLIVAN: Thank you, Mr.
14 Chairman, members of the Board. My name is
15 Marty Sullivan with the law firm of Sullivan and
16 Barros on behalf of the property
17 owner/applicant.

18 MR. WEITZMAN: Robert Weitzman. I
19 operate the Chevy Chase Parking Lot
20 Association.

21 CHAIRPERSON JORDAN: Do we have
22 authorization in this file on this matter?

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1 MR. SULLIVAN: Yes, you have
2 authorization from Mr. Robert Holland. He's
3 one of the owners.

4 CHAIRPERSON JORDAN: Do we have
5 that?

6 PARTICIPANT: It's under Exhibit
7 11.

8 CHAIRPERSON JORDAN: Thank you.
9 This has received support from everybody
10 involved. ANC supports. OP supports the
11 conditions.

12 Is there -- does the Board have any
13 issues, anything we need to drill down for the
14 applicant?

15 Have you had a chance to review the
16 recommended conditions from the Office of
17 Planning, Mr. Sullivan?

18 MR. SULLIVAN: Yes, we have.
19 We're fine with those.

20 CHAIRPERSON JORDAN: And the
21 conditions were that approval would be for 10
22 years. Maximum number of spaces in the parking

1 facility shall be 41. No trash dumpsters shall
2 be located on the portion of the lot zoned
3 residential.

4 The parking lot landscaping shall
5 what? Shall be properly maintained or
6 replaced as needed. Snow and ice shall be
7 promptly removed from the parking lot.

8 Submission of a site plan to the case
9 records showing the parking lot configuration
10 for the referenced 41 parking spaces shall be
11 provided prior to the issuance of the
12 certificate of occupancy for the accessory lot.

13 Representatives of the applicant
14 shall establish and maintain liaison with
15 ANC-3G to discuss problems that might arise in
16 connection with the operation of the lot.

17 Those are the conditions.
18 Anything else that I'm missing, anyone?

19 Mr. Miller.

20 MEMBER MILLER: Thank you, Mr.
21 Chairman. I noticed that the ANC had commented
22 on the snow and ice condition, Condition No. 5,

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1 snow and ice shall be promptly removed from the
2 parking lot.

3 The ANC commented that the adjacent
4 sidewalk on McKinley should also -- that should
5 also apply to the adjacent sidewalk on McKinley
6 Street. I assume the applicant has no
7 objection to that.

8 MR. SULLIVAN: No, we have no
9 objection to that.

10 CHAIRPERSON JORDAN: Okay. We'll
11 just add that to that condition.

12 Board, anything else with this
13 matter? Any questions? Okay.

14 Anything you want to add?

15 MR. SULLIVAN: No, thank you.

16 CHAIRPERSON JORDAN: Then we'll
17 turn to the Office of Planning if there is
18 anything in addition.

19 MR. JACKSON: Mr. Chairman, Arthur
20 Jackson, D.C. Office of Planning. We have
21 nothing to add and we support the application
22 as conditioned.

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1 CHAIRPERSON JORDAN: Thank you.
2 Is anyone here from ANC -- excuse
3 me.

4 Board, any questions of Mr.
5 Jackson?

6 Applicant, any questions of Mr.
7 Jackson?

8 MR. SULLIVAN: No, Mr. Chairman.

9 CHAIRPERSON JORDAN: Anyone here
10 from the Department of Transportation? We do
11 have a letter of no objection from the
12 Department of Transportation in support --
13 well, no objection to the application.

14 Do we have anyone here from ANC-3G?
15 ANC-3G? We do have a letter of support, as
16 indicated by Mr. Miller, who supports the
17 application with some additions to the
18 conditions which we just added.

19 Anyone here wishing to speak in
20 support of the application? Anyone in
21 support? Anyone in opposition? Anyone in
22 opposition? Then let's close the record based

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1 upon what we've already deduced up to today. I
2 would move that we grant the relief requested
3 with the conditions as specified today.

4 MEMBER HEATH: Second.

5 CHAIRPERSON JORDAN: Motion made
6 and seconded. Discussion? All those in favor
7 of the motion signify by saying aye.

8 BOARD MEMBERS: Aye.

9 CHAIRPERSON JORDAN: Those opposed
10 nay. The motion carries.

11 Mr. Moy.

12 MR. MOY: Staff would record the
13 vote as four to zero. This is on the motion of
14 Chairman Jordan to approve the application with
15 the conditions that the Board has recited.
16 Seconding the motion is Ms. Heath. Also in
17 support Mr. Miller, Mr. Hinkle. Board member
18 not present. The motion carries, Mr.
19 Chairman.

20 CHAIRPERSON JORDAN: Thank you.

21 Summary.

22 MR. SULLIVAN: Thank you.

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1 MR. MOY: Yes, sir. Thank you.

2 CHAIRPERSON JORDAN: One second.
3 Let's call -- recall 18751.

4 MR. MOY: Then 18751. That is the
5 application of Compass Coffee, request for a
6 special exception to permit a prepared food
7 (coffee) shop under Sections 712 and 721.3(t).

8 CHAIRPERSON JORDAN: All right.
9 This matter has been called once before today
10 and we actually rescheduled it to June 17th.

11 Let me first have you identify
12 yourselves. Make sure the microphone is on.
13 Push the button.

14 MR. SUAREZ: Good morning. My
15 name is Harrison Suarez. I'm one of the
16 co-founders of Compass Coffee.

17 MS. HUSTED: Good morning. My
18 name is Brit Husted. I'm the architect working
19 with Compass Coffee.

20 CHAIRPERSON JORDAN: Two things.
21 Were you here to be sworn this morning and did
22 you prepare your witness cards and give them to

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1 the court reporter?

2 MS. HUSTED: The witness cards,
3 yes. We were running a bit late this morning.
4 We apologize.

5 CHAIRPERSON JORDAN: So have you
6 given the witness cards to the court reporter?

7 MR. SUAREZ: No, sir, but I can
8 right now.

9 CHAIRPERSON JORDAN: Yes, please.
10 Then I'll need you to stand and take the -- be
11 sworn in.

12 (The witnesses were sworn.)

13 CHAIRPERSON JORDAN: Okay. Now,
14 we called this case this morning and I hear that
15 you were late. We actually moved this to
16 another date. We also note that there is no
17 affidavit of posting in this file. I
18 understand this has not been posted.

19 MR. SUAREZ: That is correct.

20 CHAIRPERSON JORDAN: So there's
21 nothing we can do with this matter that has not
22 been posted. You are required to do posting.

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1 You understand that?

2 MR. SUAREZ: Yes, sir. I
3 absolutely understand that. There's no
4 excuse. It's my first time and I made a
5 mistake.

6 CHAIRPERSON JORDAN: I understand.
7 It happens a lot. It's something that's easily
8 cured. You're just going to post it, put out
9 the notice, and then you're going to take
10 pictures of it. You are going to come in and
11 complete the affidavit and submit it before the
12 next hearing. Then we'll be ready to go.

13 MR. SUAREZ: I would ask is there
14 any way to make an exception in this instance?
15 We've been a very public new business. We've
16 gotten support from the ANC. They are local
17 neighbors to us.

18 CHAIRPERSON JORDAN: Did I miss
19 letters of support? Did I miss those?

20 MS. HUSTED: It should be in the
21 documents, the ANC letter.

22 CHAIRPERSON JORDAN: I have the ANC

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1 letter but I'm talking about neighbors.

2 MR. SUAREZ: I don't believe the
3 neighbors have written any letters, sir. They
4 have been with us the entire way visiting. We
5 have been giving them tours of ongoing
6 construction. The Washington Post has been
7 following us, sir. It's been a very, very
8 public procedure. I'm not sure if that helps
9 any.

10 CHAIRPERSON JORDAN: I read the
11 Washington Post and I didn't see it but what
12 does that say? It's up to the Board if the
13 Board wants to waive. I'm not set on waiving
14 but whatever the Board wants. If the Board
15 feels comfortable going forward.

16 Mr. Miller.

17 MEMBER MILLER: Are you -- what is
18 your schedule in terms of ready to open and all
19 that?

20 MR. SUAREZ: I anticipate that we
21 could be done by the end of this month, sir.
22 Within the next three weeks.

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1 CHAIRPERSON JORDAN: What do you
2 mean by done?

3 MR. SUAREZ: With construction,
4 sir.

5 CHAIRPERSON JORDAN: Okay. So
6 you're not ready to open anyway. And we set
7 this for hearing --

8 MR. MOY: The 17th of June, sir.

9 CHAIRPERSON JORDAN: About the
10 same time. I would rather err on the side of
11 being safe than not. So we set it for the 17th.
12 You're going to be another three weeks in
13 construction. Three weeks is what? Right
14 around the 1st of June.

15 Mr. Moy, let's take another look at
16 the docket and see if we can do this after --
17 they can get the posting today. Get it maybe
18 on the end of May docket?

19 MR. MOY: Okay. That would be
20 about right. Then we're looking at -- looking
21 at -- yeah, that's Memorial Day weekend so the
22 first hearing after that would be June 3rd, sir.

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1 CHAIRPERSON JORDAN: June 3rd.
2 And you're three weeks away so you're not going
3 to be starting before June 3rd anyway.

4 MR. SUAREZ: I don't believe so,
5 sir.

6 CHAIRPERSON JORDAN: Let's do
7 that. Let's put it on the June 3rd docket. I
8 don't think there's going to be any problems
9 with the requested relief.

10 While they are here, Board, if there
11 is anything they need to tighten up. I don't
12 see anything.

13 It's important that the
14 neighborhood and community have the proper
15 notice. I accept your representation but
16 let's just make sure we dot our i's and cross
17 the t's because it could be that one person --
18 just that one person who didn't read the
19 Washington Post or who didn't understand what
20 was going on.

21 Once they see the sign up they know
22 something serious is happening. I would just

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1 rather err on being safe and giving the citizens
2 notice. Let's move that to June 3rd was it?

3 MR. MOY: Yes, sir. If I may, sir,
4 so that the applicant is aware, the signage
5 should be up 15 days prior to June 3rd with an
6 affidavit of posting to this Board five days
7 before June 3rd.

8 CHAIRPERSON JORDAN: You need to
9 pick up the signage before you leave here today
10 and when you get there put it up. Take plenty
11 of pictures and all that kind of stuff and then
12 come back and we'll be ready to go.

13 MR. SUAREZ: Thank you.

14 CHAIRPERSON JORDAN: 18754,
15 please.

16 MR. MOY: Okay. This 18754 is
17 Brett Ledder. For the record, this is as
18 advertised for a special exception under
19 Section 223, not meeting the lot size, lot
20 occupancy, rear yard and court, and
21 non-conforming structure provisions.

22 CHAIRPERSON JORDAN: Please

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1 identify yourself.

2 MR. LEDDER: My name is Brett
3 Ledder. I'm the owner of the property.

4 CHAIRPERSON JORDAN: This is where
5 you had somebody representing you and then you
6 pulled back the representation.

7 MR. LEDDER: Yeah, I ran out of
8 money. I couldn't pay him anymore.

9 CHAIRPERSON JORDAN: Okay.

10 MR. LEDDER: Tight ship.

11 CHAIRPERSON JORDAN: Let me take
12 this a little bit out of step and go to the
13 Office of Planning before I come back to you if
14 that is okay with you, Board. I want to make
15 sure that Mr. Gyor has had a chance to review
16 these plans. Your previous report was that you
17 had concerns about plans, etc.

18 MR. GYOR: Good morning, Mr.
19 Chairman and members of the Board. Stephen
20 Gyor with the Office of Planning. As you
21 mentioned, the applicant's initial submission
22 did not include plans and elevations sufficient

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1 to address the requested special exception.

2 However, the applicant has since
3 provided graphical representation which
4 sufficiently represents the proposed addition.
5 As we stated in our supplemental report, which
6 we filed yesterday, we support this application
7 and rest on the record. I'm available to
8 answer any questions.

9 CHAIRPERSON JORDAN: Ah, there it
10 is.

11 Board, any questions of Mr. Gyor?
12 Any questions for OP?

13 Does the applicant have any
14 questions of the Office of Planning?

15 All right. Then let's turn back to
16 the applicant. Does the Board have any
17 questions for this applicant? Good. All
18 right.

19 Department of Transportation. Do
20 we have a letter from them?

21 MR. MOY: No, sir.

22 CHAIRPERSON JORDAN: We do have a

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1 letter of support from ANC-1A who voted seven
2 to zero to support your application. We
3 certainly give great weight to that and Office
4 of Planning.

5 Is anyone here wishing to speak in
6 opposition -- excuse me, in support of this
7 application? Anyone in support? Anyone in
8 opposition?

9 All right. Then we would turn back
10 normally to the applicant but there's nothing
11 for you to rebut so we'll close the record. I
12 would move that we grant the relief in 18754
13 based upon the amended plans.

14 MEMBER HEATH: I'll second.

15 CHAIRPERSON JORDAN: Motion made
16 and seconded. Unreadiness or discussion?
17 All those in favor of the motion signify by
18 saying aye.

19 BOARD MEMBERS: Aye.

20 CHAIRPERSON JORDAN: Those opposed
21 nay. The motion carries.

22 Mr. Moy.

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1 MR. MOY: Staff would record the
2 vote as four to zero. This is on the motion of
3 Chairman Jordan to approve the application for
4 relief requested. Seconding is Ms. Heath.
5 Also in support Mr. Miller and Mr. Hinkle.

6 CHAIRPERSON JORDAN: Very good.
7 Summary order.

8 MR. MOY: Thank you, sir.

9 CHAIRPERSON JORDAN: And any other
10 business coming before the Board until 1:00
11 today?

12 MR. MOY: No, sir. Not from the
13 staff.

14 CHAIRPERSON JORDAN: All right.
15 Then we are -- are we adjourned or in recess?
16 We don't have a formal meeting this afternoon.
17 We'll adjourn this meeting. We're adjourned.

18 Just for the record, the Board is
19 going to its summer attire meaning that we're
20 relaxing the dress code. That means we can
21 wear Bermuda shorts, tanks tops. No, it
22 doesn't mean that but business casual dress.

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1 MR. MOY: The staff appreciates
2 that, Mr. Chairman.

3 CHAIRPERSON JORDAN: And the staff
4 can, too. Right. I was going to say you have
5 to wear shoes.

6 (Whereupon, at 10:29 a.m. the
7 hearing was adjourned.)

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