

The Corner Forum

for the 1200 and 1300 blocks of E, the 400 and 500 blocks of 13th,
Duncan Place and Emerald Street NE

Issue #55
Sunday, Nov. 9, 2003
37¢ + 2¢ D.C. sales tax
<http://www.thecornerforum.org>

5 Chances to Speak Up

BY MARC BORBELY, 536 13TH ST. NE

The community will have five opportunities in the next two weeks to influence the future of the two stores on the 400 block of 13th Street — N-A Minit (421 13th St. NE) and Excello (419 13th St. NE). The first is a meeting tomorrow (Monday) night.

One question before residents is whether or not to file protests to N-A Minit's application to drop the ban on selling single-serving containers of alcohol that is attached to Excello's license, which N-A Minit intends to purchase. Such protests must be filed by Nov. 18.

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Broader Solution Needed

BY CHAD PRIEST, 1213 DUNCAN PL. NE

(Mr. Priest sent this letter by e-mail to an Excello protestants listserv. It is reprinted here with his permission.)

I think one of our problems has been our failure to pursue a strategy of engagement with the Lees that is unrelated to the liquor license itself. We allowed the Lees to take the initiative through their offer to buy out Excello and assume the license. Now the issue has been squarely faced around the prospect of either getting N-A-Minit with the license or Excello and N-A-Minit in some version of the status quo.

I do not think its too late to regain the upper hand here, but we have to be willing to acknowledge WHAT we want. I for one have been offended by reading some of the statements in both the Corner Forum and on this listserv about what the "proper" use of the Excello space should be. We don't want a liquor store because of alcohol, but we don't want a coin-operate laundry because of fears of more congregation. I am worried that

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Say: No Class A Wanted

BY JESSICA WARD, 1310 G ST. NE
Commissioner, ANC 6A06

(Ms. Ward represents the Corner Forum area north of the middle of E Street. This letter was circulated by e-mail on an Excello protestants listserv. In a separate e-mail, she urged the ANC to hire an attorney to represent protestants.)

Neighbors, we all need to stand up and sound off that we do not want a Class A [beer, wine and liquor] liquor store to remain in the neighborhood. Especially, with a new Sasha Bruce Carter School at 1375 E St. NE and more children walking about, we certainly do not want gang wars to continue on 13th Street NE!!

Go to your neighbors and tell them to call 311/911 for public drinking etc. Hand out flyers saying "NO Liquor Store & No Transfer" with phone numbers of your ANC Commissioners Michael Musante (mfm81472@yahoo.com or 548-2542) and Jessica Ward (Jward.anc@verizon.net or 396-3193), the Alcoholic Beverage Control (ABC) Board, 442-4423, and Ward 6 Council Member Sharon Ambrose. Commissioner Musante and Councilwoman Ambrose need to know you are firmly against the Class "A" store remaining in the neighborhood.

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Mrs. Lee: No Comment

Hyon Lee, who owns and operates N-A Minit (421 13th St. NE) with her husband, Sae Won Lee, declined to respond to the articles appearing in this issue, but she said she might comment again in next week's issue.

Simon Osnos, attorney for Sung Bang, who owns and operates Excello Liquors (419 13th St. NE), did not return a phone call offering an opportunity to comment. §

Both Stores of No Value

BY MIKE BEATTY, 1200 BLOCK OF DUNCAN

(Mr. Beatty sent this letter by e-mail to an Excello protestants listserv. It is reprinted here with his permission.)

I would like to share a few thoughts on the Excello/In a Minute protest. I tend to agree with Jessica Ward that we should fight the presence of a Class A liquor license on 13th St. NE. The presence of these stores has no value whatsoever to the community.

[Attorney Paul] Pascal/Lee's assertion [in the Oct. 26 Corner Forum] that selling singles was a "service" of some sort to low income customers is absurd on its face. Since when is feeding someone's addiction a service? Why should we "play ball" with people who come in from Maryland, take advantage of the most vulnerable members of the community, and then take their money and run back to Maryland?

For years they have ridden this community's downward spiral and profited from it the whole time. Now, when there is a chance of real progress being made in turning this area around, they seem to want to continue with the dysfunctional status quo.

They have made no efforts to help keep the drunks and drug dealers away. There have already been two voluntary agreements which have both been ignored by Excello.

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Welcome, Coleses!

BY LISA OLSON, 1214 E ST. NE

Welcome to the Rev. and Mrs. Neavelle (Anthony) Coles, who moved into their house on the 1200 block of E Street NE two weeks ago! §

A second question is whether or not to file protests to the renewal of the license N-A Minit currently holds. Such protests must be filed by Nov. 25.

Currently, Excello holds a Class A liquor license that allows it to sell beer, wine and liquor. Attached to that license is a Voluntary Agreement that, among other conditions, prohibits the sale of single-serving containers of alcoholic beverages and requires a daily street cleaning of the 400 block of 13th Street NE up to the alley adjacent to the store, as well as the entire length of Duncan Place, NE. The Agreement also requires Excello to keep two trash cans outside the store, for public use, request that loiterers “move on,” maintain “no loitering” signs, keep a log of calls made to the police regarding loitering or alcohol consumption, refuse to sell “go cups,” sell cups only in packaging containing forty or more such cups, install four spotlights outside the store that are turned on during hours of operation, not display signs on its front windows, refuse to sell products associated with illegal drug activity, and work with the community to prohibit sales of alcohol to minors.

Excello’s liquor license was up for renewal earlier this year. More than 30 residents (including me) who filed letters with the city in May in protest of that renewal are currently negotiating with Excello to see if their objections can be satisfied with a new Voluntary Agreement, or whether the city will have to hold a protest hearing on the renewal application.

Currently, N-A Minit holds a Class B liquor license that allows it to sell beer and wine. There is no Voluntary Agreement attached to N-A Minit’s liquor license.

N-A Minit has applied to transfer Excello’s Class A (beer, wine and liquor) license to N-A Minit’s current site (421 13th St. NE). If the transfer is approved, Excello would sell to N-A Minit its license as well as its actual store. N-A Minit would put in safekeeping the Class B (beer and wine) license that it currently owns, until it can sell that Class B license.

As part of the transfer, N-A Minit is requesting that the city drop the ban on the sales of singles and the requirement that the length of Duncan Place NE be cleaned daily — both of which are currently attached to Excello’s Class A license. Before the city can make these changes, N-A Minit must, by law, “demonstrate that the proposed change in the nature of operation is appropriate” for the neighborhood.

To determine appropriateness, the city must consider “all relevant evidence of record, including: (1) the effect of the establishment on real property values; (2) the effect of the establishment on peace, order, and quiet ...; (3) the effect of the establishment upon residential parking needs and vehicular and pedestrian safety; and (4) ... the licensee’s record of compliance” with D.C. law and regulations.

N-A Minit has also applied for a two-year renewal of its Class B license. The same definition of appropriateness applies to renewal applications.

The dates associated with the five opportunities for resi-

dents to speak out are tomorrow (Nov. 10), Nov. 13, Nov. 18 and Nov. 25.

Tomorrow (Nov. 10), Advisory Neighborhood Commissioner 6A05 Michael Musante (representing the Corner Forum area south of the middle of E Street NE) will be holding a meeting from 6:30 to 7:30 p.m. (see Calendar). By coming to the meeting, you can be part of the community discussion.

On Thursday evening (Nov. 13), the ANC will have to decide at its meeting (see Calendar for details) whether or not to file its own protest to N-A Minit’s two applications (the transfer and the renewal). Residents are given a few minutes to speak when the meeting starts, at 7 p.m. By speaking up, you can influence whether or not the Commission votes on the issue and, if it does so, how Commissioners vote.

Thursday night is also the deadline for submitting letters for next weekend’s Corner Forum. By submitting letters, you join in the community discussion on this and potentially influence what others think and do.

Nov. 18 is the deadline for protests to the transfer of Excello’s license to N-A Minit (with the associated changes, dropping the ban on selling singles and a cleaning provision).

Nov. 25 is the deadline for protests to the renewal of the Class B license N-A Minit currently holds.

Protests can be filed by any group of five or more residents sharing common grounds for their protest, by an affected Advisory Neighborhood Commission or by a citizens association within the affected area. Protest letters should list grounds for objection and be sent to the D.C. Alcoholic Beverage Regulation Administration, Room 7100, 941 North Capitol St. NE, Washington, D.C. 20002.

If protests are filed, protestants and the applicant usually try to engage in negotiations to see if issues can be resolved through a Voluntary Agreement. §

Updates

TURKEY BOWL: Ellery Vaden, 1348 E St. NE, reports that he is waiting to hear back from the D.C. Department of Parks and Recreation about whether it will issue a permit to allow Kingsman Field to be opened on Thanksgiving for a football game (note: the location of Kingsman Field was incorrectly listed last week; it is between 13th and 14th Streets).

CORNER FORUM ACKNOWLEDGMENTS: The following people helped produce or distribute the Nov. 2 issue of the Corner Forum: Marc Borbely, 536 13th St. NE (editing); Tammi Cioffi, 536 13th St. NE (folding); Sharon Cochran, 1300 block of Emerald Street NE (planning, distributing); Libo Liu, 500 block of 14th Street NE (transcribing, photography). There are 83 households in the Corner Forum area that are subscribed to the newsletter (29 on E Street, 29 on Emerald Street, 18 on 13th Street, and 7 on Duncan Place). Thank you to all. §

SEND IN YOUR THOUGHTS, NEWS AND PHOTOS! — by phone (544-2447); by voicemail (517-9128); by e-mail (news@thecornerforum.org); or by mail (536 13th St. NE). TO SUBSCRIBE (\$10.17 including tax for 26 issues), call 544-2447 or drop off cash or a check to the address above.

some of our neighbors won't be happy until a Starbucks or a Gap store is installed where Excello once was.

What we really want, it seems, is for people to stop urinating on our houses, to stop dealing drugs outside the stores and to stop parking in such a way that you can't make a right turn out of Duncan Place for fear of your life. I think we all agree that the sales of single cans of beer is ONE factor in this mess, along with the general crappiness that results from having two liquor stores next to each other in a neighborhood with nothing else around. In the Corner Forum the Lees wrote an article asserting that they sold single cans of beer as a public service to people without much money.

I assume their lawyer wrote this seemingly clever line, but I thought it was offensive. The Lees are simply business people. They don't care about this community at all — and who can blame them? It's not in their financial interest to stop selling beer in single cans. Period. So what are we going to do?

I have proposed on several occasions that we regain the initiative by forming a community corporation and evaluating a number of options including 1) a purchase of the Excello property with rent profits going towards community improvement; 2) creation of a residential improvement district (modeled on the popular business improvement districts); 3) a joint venture with the Lees in the management of a new business at the Excello property.

The last time I recommended pursuit of something like this I was told that we shouldn't HAVE to do that — that the government should be responsive to our concerns and step in. I realize that most of us are in D.C. because of, or as a result of, the federal government. However, despite our inclinations to simply regulate away problems, this problem is not likely to go away through a voluntary agreement or other instrument. We need a broader, long-term solution, and I welcome any creative input regarding this. I hope it isn't too late to go about this problem on two fronts (one considering a challenge to the license transfer, which I think may be a bad idea, and the other trying to persuade the Lees that it is in their best interest to play ball). §

I Will Follow the Community

Commissioner Michael Musante (6A05), who represents the Corner Forum area south of the middle of E Street NE, submitted the following to the Corner Forum on Thursday, in response to a request for his position on N-A Minit/Excello.

BY MICHAEL MUSANTE

My position, as I have stated several times in several public meetings and to members of the 6A05 Single Member District, is as follows:

I, as an official protestant who represents a number of individuals and official representative of ANC 6A in the [Excello renewal protest], want to make sure that the facts of the situation are presented in a fair and honest manner.

After the facts, and I want to emphasize the word "facts," are presented to the community, however it decides to proceed is how I will act with regards to this matter. §

Lees Should Explore Upscale Model

MICHAEL E. HERMAN, 1300 BLOCK OF D STREET NE

I signed on as a protestant. I'm in "go-with-the-flow" mode right now, but I do have some thoughts on these events. I believe that N-A-Minit has been a much better neighborhood presence than Excello, based on my 23 years in the neighborhood. But, it boils down to a "lesser of 2 evils" situation. Perhaps I was naive at the time, but the bothersome alcohol consumption only transitioned into the much worse drug presence when the neighborhood began to chase away the drinkers. They dwindled, but were replaced by the much worse drug crowd. Unfortunately, what seemed to be a bad situation at the time has turned worse, and there is no way to make a reverse turn.

That said, in the present environment we are looking at a definite blighted area. I can understand that the Lees are unwilling to take a chance on a new business model and redo their store in a more upscale style. I am not a small business owner, so I cannot assess all of the risks and rewards of such a venture.

However, it seems to me that with the advent of Lovejoy Lofts, there would be a likely chance that a better mix of products and services would survive and prosper. I know people who walk to the 7-11 in the mornings for exercise and a cup of coffee. I'm not advocating a Starbucks, but the last time I had guests and wanted something to add to a late breakfast, the Twinkies and HoHos at N-A-Minit did not inspire me! I don't know zoning code, but the buildings' setbacks look like a great opportunity for a sidewalk cafe area, in the style of the Park Café over by Lincoln Park. I think the Lees are missing a great opportunity to make money and to work in a safer environment.

Regarding the transfer of the liquor license: once they have the Class-A in hand, what is to stop them from jettisoning all of their foods and sundries and turning the whole establishment into a dive-version of Schneiders, serving up only beer, wine, and hard liquor? What is to stop them from expanding into the Excello building and filling both sites with alcohol products? We are told that the Excello building would become some sort of other business. I have a hard time envisioning the sort of establishment that would feel comfortable setting up shop next door to N-A-Minit in its current state.

And then there is the horrible Pepco facility on the corner of 13th and D Streets which does nothing to improve the neighborhood either. Pepco's little island of industrial wasteland only further entrenches the shabbiness of what could be a vibrant commercial corner within walking distance of our community. Well, Pepco doesn't sell alcohol, but their contribution to blight is hardly any less than N-A-Minit and Excello. §

Yard Sale on Saturday

We are going to have a yard sale on Saturday, Nov. 15, from 9 a.m. to 3 p.m. at 1214 E St. NE. There will be household and kitchen items, clothes, kids' stuff and some furniture.

— LISA OLSON, 1214 E ST. NE, SUBMITTED BY VOICEMAIL §

Upcoming Events

Monday, November 10

Happy Birthday to Ellery Vaden, 1348 Emerald St. NE.

6:30-7:30 p.m. Excello/N-A Minit Liquor License Protests. By ANC 6A05 Commissioner Michael Musante. An open forum to discuss issues. With Mrs. Lee and her attorney, Paul Pascal. At Washington Community Fellowship, 907 Maryland Ave. NE, 543-1926.

Tuesday, November 11

Veterans Day. No school for D.C. Public Schools students.

Wednesday, November 12

6:30-9 p.m. Lovejoy Park Fundraiser. With Council Member Sharon Ambrose, light refreshments and jazz. At 22 Fourth St. NE. (See article in Oct. 26 Corner Forum.) RSVP to Anne Montgomery, 543-6845, or Richard Sundberg (1200 block of Duncan Place NE), 544-0761.

Thursday, November 13

7-9 p.m. ANC 6A Monthly Meeting. Preliminary agenda includes a discussion with the police department's Anne Grant (see story in Oct. 26 Corner Forum) of the new Police Service Area boundaries. At Miner Elementary School, Student Dining Room, 600 16th St. NE. Info, ANC 6A Chairman Joseph Fengler (6A02), 423-8868. <http://www.anc6a.org>.

Saturday, November 15

8 a.m.- 4 p.m. Citizen Summit III. (Rescheduled from two weeks ago.) At Washington Convention Center, 801 Mount Vernon Pl. NW. Info, 1-800-980-9809. <http://www.citizensummit.dc.gov>.

9 a.m.-1 p.m. Charter School Startup Seminar Part 1. "For ... community members interested in learning about starting public charter schools." Part 2 on Nov. 22. At Nat'l Association of Independent Schools, 1620 L St. NW. Registration required, 387-0405 or daugherty@focus-d charter.org.

9 a.m. - 3 p.m. Yard Sale. "Household and kitchen items, clothes, kids' stuff and some furniture." At 1214 E St. NE.

10:30 a.m. D.C. Research: Using Local Genealogical Resources. By Char Bah, genealogist and historian. "Learn about D.C. area African-American and other genealogical sources — what they are, where they are, and how to use them." At Martin Luther King, Jr. Memorial Library, West Lobby, 2nd floor, 901 G St. NW. Info, 727-1213.

Future Events

Bike 101 Clinics. "Free semi-weekly clinics on the basics of bike maintenance. ... The Saturday sessions will be held at 8:30 a.m. and begin Nov. 29, 2003, while the Thursday sessions will be held at 7 p.m. and begin Dec. 4. Both will run through January. The clinics are free and will cover the basics of bike maintenance, including brake adjustment and repair, flat tire repair and more. Pre-registration is required." Capitol Hill Bikes, 544-4234. <http://capitolhillbikes.com/site/intro.cfm>.

— COMPILED BY SHARON COCHRAN, 1300 BLOCK OF EMERALD §

BY JESSICA WARD — (continued from page 1, column 2)

Make the call to the officials. Go to the merchants and tell them that public drinking is occurring outside their store and that they need to call the police with a description of the individuals. With the drug activity going on, the Merchants are NOT making the call to Police. They have to do their part and be responsible.

Also, write or call in a complaint on both ABC licenses (419 13th St. NE/Excello Liquors & 421 13th St. NE N-A-Minit) when one observes an incident like public drinking, suspicious activity/drug dealing inside or outside the stores, school age children in stores during school hours, or panhandling. Sound off to the Alcohol Beverage Regulation Administration and have an Investigator come out to the location. The main number to ABRA is 442-4423, fax is 727-9563/9685.

Get me some documentation, pictures, neighbor statements, anything that will "paint the picture" of what really is going on. Go to the public status hearings and see for yourself that the ABC Board is not getting the message of what the residents really want.

Your safety and even your property values depend on this Class A store license being revoked. I'm afraid the transfer of this Class A license to N-A-Minit will not get rid of the problem. §

BY MIKE BEATTY — (continued from page 1, column 3)

The Lees are different? I don't believe it. N-A Minit is an eyesore as much as Excello. The Lees could have already taken steps to clean up their space. I don't see that they've been a good corporate citizen.

There seems to be almost a sense of resignation that the liquor board will do nothing. If I'm not mistaken, there have been some new people appointed to the board. I'm not opposed to rolling the dice and seeing if there's a little backbone in the new members of the board.

It seems to me that, at its core, the problem is a lack of responsive government. The liquor board, the investigators, the police—none have been responsive to the concerns of the community. Instead of rolling over, we should get louder and more insistent.

The argument that we have no real say in what type of business occupies the Excello space, in the event that Excello goes away, is also false. Anything that negatively effects our quality of life and property values is open to challenge by us as a community. Why do you think Winter Company was so solicitous of our opinions on the redevelopment of Lovejoy School?

We have a lot more power than we realize. No, I don't want a laundromat. A dry cleaner would be OK, but I think that there is probably something else out there that's even better. This is happening in our own front yard.

We may not win on the first try, but most worthwhile things are not easy. §