

## **EASTERN MARKET COMMUNITY ADVISORY COMMITTEE RESPONSE**

DGS Request for Comment on 300 Block of 7<sup>th</sup> St. SE

September 19, 2017

The Eastern Market Community Advisory Committee is responding to a request from the Department of General Services for comment on the operations and use of the 300 block of 7<sup>th</sup> street SE. This is necessitated by the impending completion of the Hine development and the move of the flea markets to the space designated on the C street plaza. The need to provide a holistic approach to market activities on 7<sup>th</sup> street required EMCAC to consider the status of both blocks. As required by regulation EMCAC hereby submits its comments and recommendations regarding the operation use and status of the 200 and 300 blocks of 7<sup>th</sup> Street, SE. during Saturday and Sundays.

### **EMCAC REGULATORY RESPONSIBILITIES**

The Eastern Market Community Advisory Committee is charged in the Eastern Market legislation to review and comment on retailing on public property in the Eastern Market Special Use district. This charge can be found in Section 37-109:

*(a) In order to maintain the theme and character of Eastern Market, any District of Columbia agency having jurisdiction over public property, including, but not limited to, the property under the jurisdiction of the District of Columbia Public Schools and the Department of Recreation and Parks, in the **Eastern Market Special Use Area(1)** shall not permit retailing on such public property, except as generally is consistent with the activities at Eastern Market and with the prior written consent of the CPMO, after the **review and comment(2)** of the market manager and the EMCAC, except that any contracts in place on August 1, 1997, shall be exempt from the provisions of this subsection.*

(1) Definition of the "***The Eastern Market Special Use District***" as defined in Section 37-101 includes:

(A) Eastern Market Square, including the North Hall Plaza;

(B) The Capitol Hill Natatorium Plaza;

(C) The playground and parking lot of Hine Junior High School, as of December 24, 2013, until commencement of construction with respect to new development on the Hine Junior High School site;

(D) 7th Street, S.E., between North Carolina Avenue, S.E., and Pennsylvania Avenue, S.E., including the area between the curb and near edge of the sidewalk on both the east and west sides of the street and excluding the area between the property line and far edge of the sidewalk on both sides of the street;

(E) The new C Street, S.E., to be constructed between 7th and 8th Streets, S.E., including the area between the curb and near edge of the sidewalk on both the north and south sides of the street and excluding the area between the property line and the far edge of the sidewalk on both sides of the street; and

(F) Other privately owned or controlled lands or buildings that are directly adjacent to the area defined in subparagraphs (A), (B), (C), and (D) of this paragraph, each being subject to a lease or management agreement between the market manager and such owner or controlling entity, and for durations and under conditions defined in the lease or management agreements.

(13) "Eastern Market Square" means the area between the south curb of North Carolina Avenue, S.E., and the north curb of C Street, S.E., and between the west curb of 7th Street, S.E., and the building line with the Capitol Hill Natatorium.

(2) In the "*review and comment*" the Eastern Market Community Advisory Committee shall take into account:

- Preserving the historic character and atmosphere of Eastern Market and the Eastern Market Square;
- Community opinion; and
- The goal of Eastern Market economic self-sufficiency.

Section 37-104 of the market legislation states that "Eastern Market shall be operated primarily as an indoor urban fresh food market and an outdoor Farmers' Line, with a community arts center and public meeting space in the North Hall, with an arts and crafts market and a flea market on the North Plaza, and with compatible uses in the Center Hall"

As part of the review process Community opinion was solicited from several sources. It should be noted that a Special Executive Session was required in order to follow our bylaws and the lack of a timely request by DGS. EMCAC held two open meetings to receive community comment. The first was held on August 12 at 3 PM and the second on August 15 at 7PM.

A total of 54 people attended. In addition, 90 comments were received by e-mail between August 9 and August 21. Comments were received from the Eastern Market Merchants, Vendors from Eastern Market, and the Berman and Wright flea markets, Market Row Merchants, and representatives of Eastern Market Main Street and from the general public.

## BACKGROUND

There has been continuing controversy regarding initial closure of the 200 block of 7th street, which was then followed by the 300 block of 7th street. First, the 200 block was closed to accommodate vending activities that were displaced by re-construction after the fire from Eastern Market. This was continued after Eastern Market reopened.

Several years later the 300 block was closed to accommodate vendors displaced by construction of the Hine school development, who had been permitted to use the Hine School grounds since the 80's. It was agreed that once the Hine School development was completed the vendors would move onto the newly constructed 700 block of C Street, S.E. **With Hine completion nearing, a determination on the status and future use of the 300 block of 7th Street must be made.**

**In light of the dynamics of** traffic flow, accessibility of the market, street economy, interdependence of all businesses and public safety issues to name a few, EMCAC is taking an inclusive view and holistic approach to include both blocks in its review in order to provide comment and advice to DGS and DDOT.

### **EMSUA STREET INCOME, EXPENSES, AND PARKING STABILITY FACTORS**

Annually, the income from exhibitors and farmers line is budgeted at \$319,827 which is approximately 30% of the revenue income stream to Eastern Market. The annual income from permitting the 300 block to subcontractors is \$48,000 of which \$22,000 is paid to DDOT from DGS in public space rental fees. The total public space rental fee to DDOT is \$52,384 from both blocks and for parking spaces used on C Street beside the market.

Eastern Market currently has needs that are not being met. There is backlog of repair projects, an insufficient noncompetitive ad/promotional marketing budget and an immediate need for a comprehensive business plan for Eastern Market and the neighborhood services. The Market cannot afford to reduce its revenue stream, but **must** be funded to not only assist in the maintenance of building but provide the funds to assist the market in remaining competitive to other better funded neighborhood economies.

Parking is a legitimate and real concern for the South Hall merchants and EMSUA. Preserving the historic character of the Market is the first of the three listed obligations of EMCAC. This historic character is that of primarily a fresh food market with weekend arts and crafts outdoor vending. There has been an increase in outdoor vending over the years as vending space extended from primarily under the shed to also occupying the street. As with all fresh food markets, parking is critical. Crowds of people on the weekend do not necessarily equate to sales when you “count the bags” as one merchant observed. There must be a balance between those two which is why EMCAC recommends that market management establish and implement plans for improving the situation with parking.

In addition, there continues to be questions regarding the appropriate mix of sales activities at Eastern Market and that the legislation requires, “ Eastern Market shall be operated primarily

as an indoor urban fresh food market and an outdoor Farmers' Line, with a community arts center and public meeting space in the North Hall, with an arts and crafts market and a flea market on the North Plaza, and with compatible uses in the Center Hall", **EMCAC recommends that DGS hire an expert on public markets to produce a report that would advise on the appropriate mix and amount of activities that would fulfill that requirement.**

### **COMMUNITY OPINION**

All of the EMCAC comments and suggestions are a product of extensive community opinion and discussion. It should be noted that EMCAC is composed of representatives from the neighborhood, ANC, Mayor, Ward 6 Councilmember, Capitol Hill Restoration, CHAMPS Chamber of Commerce, EM South Hall merchants, arts and crafts vendors and farmers. Between extensive engagement with community members and EMCAC organization representatives the EMCAC views are forged.

Some tenants and several other community interests are clearly in favor of continuing to have both blocks closed. Minority dissent cited potential harm to the South Hall vendors and dilution to historic character of Eastern Market. Substantial majority cited the festival atmosphere, the ability to bring their children in strollers, meet their neighbors as an amenity that drew them to live in the neighborhood to begin with. The Eastern Market neighborhood has been voted one of the most walkable neighborhoods in the U.S.

Many comments were similar to this one, "Hello Ms. Scheeder, I'm contacting you to voice my support for keeping 7th Street between Pennsylvania and North Carolina Avenues closed to car traffic on weekends. I am a Capitol Hill resident, and a frequent shopper at Eastern Market and the surrounding businesses. I enjoy the vibrant pedestrian-only street on the weekends..... (

At the same time other residents have noted that they are part of an aging population in the neighborhood and shopping for groceries is now an activity when they need to use their automobile.

*(All EMCAC Comments & Meeting Minutes received to date are in ADDENDUM)*

Taking into consideration the above the Eastern Market Community Advisory Committee recommends the following:

### **COMMENT AND REVIEW**

***EMCAC advises that both blocks of 7th street remain closed on Saturdays and Sundays.***

EMCAC firmly states the future usage of the street in the 300 block of 7th Street is a critical element in the future success of the economic health and community benefit of the Eastern Market Special Use District. EMCAC is committed to usage that ensures community benefit/enjoyment, while complementing public safety, the vending markets on C Street/200 block 7th St, Eastern Market and the brick and mortar businesses.

While EMCAC supports the continued closing of 300 block of 7th Street on weekends, it is apparent that the past physical layout and vendors cannot continue and must be addressed once Hine development leases the commercial fronts facing 7th Street. Radical change will be introduced with the leasing of over 45,000sf of store frontage and new pedestrian sidewalks featuring multiple tree boxes, lighting and street fixtures. Additionally, new businesses will be utilizing sidewalk frontages for sidewalk café, dining, and customer service. This necessitates a total recalculation of not only issues of public safety, but a reexamination of how we best use the street for the community and the health of our neighborhood economy.

In light of this reality EMCAC calls upon DGS to determine a plan and Strategic Plan for the Eastern Market Special Use District by March 1.

To this end of developing a Strategic Plan and Immediate Action:

- EMCAC strongly recommends DGS consult not only with related community organizations, but with professional consultation in neighborhood economies and pedestrian street usage, public space, and public markets. Additionally, DGS should work closely and consult with the DCAR (licensing), DDOT (public space), MPD (Homeland and community safety) and Fire Department (Public Safety) and the DC Homeland Security and Emergency Management agency.
- EMCAC requests an In depth review of current DGS Vending Operations to insure "best practices"

***EMCAC also supports DGS proceeding to have the value of this public spaces assessed and no rents, permits or contracts for occupying that space should be done until the assessment is completed.*** The appraisal of space used for market activities should be looked at as a whole and not in 3 individual pieces. This information may be of value in stakeholder's deliberation and determination.

***EMCAC calls for Eastern Market management to immediately establish a validated parking location and explore establishing a delivery service and /or a pick up for South Hall merchant to alleviate issues arising out of lack of customer parking accessibility. Our support is contingent on the request.*** EMCAC agrees that the level of parking accessibility to the EMSU is a critical issue not only the EMSUA but to the surrounding neighborhood. . Parking is a real problem on the weekends at Eastern Market. Some of the community comments received support this. Some residents noted the substantial portion of the

neighborhood population who are aging in place and need automobiles to transport themselves and their packages The need for parking was also supported by a Market Row merchant in the first community meeting who also sells at Union Market and observed that Union Market would not be successful if it did not have the large parking lot. In addition, this is not a problem for new competitors like Trader Joes. **It is for this reason that EMCAC support for street closure is also contingent on Eastern market management establishing a validated parking location for Eastern market and exploring also a delivery service.**