



District of Columbia Government
Advisory Neighborhood Commission 6A
P. O. Box 75115
Washington, DC 20013



July 12, 2013

Mr. Clifford Moy
Secretary of the Board of Zoning Adjustment
Board of Zoning Adjustment
441 Fourth Street, NW, Suite 210
Washington, DC 20001

Re: BZA Case No. 18591 (Spot on H, 1255 H Street, NE)

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D.C. OFFICE OF ZONING
2013 JUL 15 AM 8:48

Dear Mr. Moy,

At a regularly scheduled and properly¹ noticed monthly meeting on July 11, 2013, our Commission voted 8-0 (with 5 Commissioners required for a quorum) to support the applicant's request for variance relief pursuant to §3103.2 from the requirements for maximum floor area ratio (FAR) set forth at §771.2, the parking requirements set forth at §2101.1, and the loading facility requirements set forth at §2201.1.

The Commission supports granting the requested variances subject to certain conditions stated hereinafter. The ANC has found the strict application of the above-referenced zoning requirements would result in peculiar and exceptional practical difficulties and hardship to the applicant. Granting the requested relief, subject to the conditions below, will not result in substantial detriment to the public good or substantially impair the intent, purpose, and integrity of the zoning plan.

The ANC requests that the Board of Zoning Adjustment (BZA) set as conditions of the order the following:

- 1/. That space be set aside within the property boundaries to completely contain trash and recycling bins, ensuring no use of public space for trash containment;
- 2/. That a loading area be preserved at the back of the southern lot for the use of delivery vehicles;
- 3/. That the owner contract with a professional exterminator who will make monthly visits for the control of rodents; and

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC- 6A and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the *Hill Rag*

4/. That the third floor be placed at the rear of the southern lot, as shown on the plans, to provide sound mitigation.

In supporting a grant of the requested relief, the Commission specifically recognizes the benefit the applicant's business will provide for the community (serving as a laboratory residency for students undertaking culinary training under the executive chef/owner under the Careers through Culinary Arts Program (C-CAP)), as well as the sound mitigation efforts being undertaken by the applicant, including the enforcement of an 11:00 pm closing time and a prohibition against the playing of amplified music on the building's roof deck.

Please be advised that David Holmes, Andrew Hysell, and Daniel Golden are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at David.Holmes@anc.dc.gov.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "David Holmes", with a stylized flourish at the end.

David Holmes
Chair

Economic Impacts: The proximity of the applicant structure will without a doubt adversely impact the resale value of the adjacent residential property because the structure size overwhelms the residential property and it will create very negative environment impacts such as increased potential property damage (e.g., structural, etc.), noise, high levels of alley traffic, trash, and rodents. Properties values in the 700 block will decrease due to these changes which affect the desirability of the residential location.

Approving a variance from the off-street parking requirements under subsection 2101.1, and a variance from the loading requirements under subsection 2201.1, for a proposed restaurant in the HS-A/C-2-A District at premises 1255 H Street, N.E. (Square 1004, Lot 343) will have a negative impact.

Social Impacts: Beyond the immediate neighbors, most neighbors in Squares 1004, 1027, 1003 and 0982 will be shifted south and west to other streets due to the increased parking demand by this Applicant. There is already a great demand for parking with the over 30 bars and restaurants and many individuals shopping on the H Street corridor. The size and magnitude of this project affects our privacy and quality of life on an intimate level. There will be increased noise, insufficient parking, and significantly more local traffic.

5. *Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.*

In addition to the above mentioned answers, there is and will be continued structural damage to the adjacent resident due to commercial trucks hitting the house. Ice and snow will worsen this condition. Also, the darkness brought about by the closeness of the building creates a safety issue. Moreover, adding additional light to the structure will only create a negative impact to a wider area of neighbors.

6. *Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.*

The Linden Neighborhood Association and the interest of those closest to the Applicant believe that we have demonstrated in the previous responses why we should be granted Party Status. We welcome development and have been working toward various development projects for decades which includes the H Street Streetscape. Because the ANC proceeded without seeking neighborhood support or notification, we are left with no choice but to advocate for our own needs and best interests.