



ADVISORY NEIGHBORHOOD COMMISSION 3E

TENLEYTOWN AMERICAN UNIVERSITY PARK FRIENDSHIP HEIGHTS
c/o Lisner-Louise-Dickson-Hurt Home 5425 Western Avenue, NW Washington, DC 20015
www.anc3e.org

RESOLUTION OF SUPPORT IN BZA #18839

WHEREAS:

1. 47th Avenue, LLC ("Developer") has applied for relief from certain parking requirements in connection with a proposed development project at 4700, 4702 and 4704 Wisconsin Avenue, N.W ("Project").
2. Osman & Joe's Steak n' Egg Kitchen ("Steak n' Egg"), an extremely popular but physically small restaurant, has occupied the lot at 4700 Wisconsin Ave. for many years.
3. The Project will include a four-story mixed use (residential and commercial) building.
4. Developer initially proposed to include about 6,000 square feet of retail space and only three parking spaces for both the residential and retail portions of the Project.
5. Several ANC 3E ("ANC") commissioners stated that they could consider supporting such a project only if Developer agreed to stringent measures to prevent residents from obtaining Residential Parking Permits ("RPP").
6. Last week, Developer contacted ANC members to say that it did not want to be bound by such measures, and instead wished to reduce the total retail area to about 3,000 square feet, and to provide 8 in-house parking spaces for residents, the number of spaces required for matter-of-right zoning. Some of the proposed spaces would be "compact car" spaces, slightly smaller than that required for matter-of-right zoning, thus requiring to Developer to seek zoning relief. Developer asserts, and the ANC is unable to gainsay, that peculiar and exceptional conditions of the site would make difficult to provide the full number of regulation-size spaces.
7. Additionally, Developer proposes to add no parking for the Project's commercial uses; three spaces would be required for matter-of-right zoning. Developer proposes to close a large curb cut, which will permit about three more curb spaces to enter the neighborhood inventory. On the other hand, Steak n' Egg patrons have sometimes parked in the mix of private and public space to which the current large curb cut leads. Thus, the ANC believes that, as a practical matter, there will be no net change in parking availability for commercial uses at the Project. That said, all pertinent spaces should now fully comply with the law, and, as noted below, Developer proposes to beautify public space around the Project.
8. The Project inherently benefits the community by providing additional housing options, including one or more affordable units, increasing the space available to a popular neighborhood restaurant, and providing a small additional retail space that could be used for a bistro or other modest commercial offering.
9. Moreover, Developer has entered into an agreement with the ANC providing, among other things, that: the project will, as a practical matter, exceed requirements for stormwater retention (inasmuch as Green Area Ratio requirements do not apply to public space, and Developer has committed to ensuring that all appurtenant non-parking public space will be permeable resulting in a net increase in the permeable area for the site as a whole, ie, private property and adjacent public space), and will include use of a green roof as well as pervious paving treatments in outdoor areas not

used for parking; Developer will beautify public space appurtenant to the Project, to include installation of a fountain; and, Developer will not lease commercial space for uses many community members have traditionally disfavored.

10. That some residential parking spaces are slightly smaller than regulation size is not likely to affect substantially attempts by tenants to park on neighborhood streets.

11. Steak n' Egg has operated for many years without generating complaints to current ANC members about undue burden imposed by patron parking on neighborhood streets. Although Steak n' Egg will have a larger space after the Project is complete, the establishment has done brisk business even when patrons have had to wait for tables. Thus, the larger space may not increase the number of total patrons so much as increase the number of patrons who will be seated at any given time.

12. The project does provide retail space for a small additional commercial establishment, however.

13. There may thus be an impact on neighborhood parking inventory associated with the Developer's proposal not to provide the 3 off-street parking spaces that would be required for matter-of-right zoning. We nonetheless believe such impact would be slight.

14. In light of the benefits that the Project as a whole would afford to the community and the slight likely impact of the parking relief sought, we believe the Developer's application in BZA #18839 is consistent with the general intent and purpose of the zoning regulations, and that granting it will not be of substantial detriment to the public good.

NOW THEREFORE BE IT RESOLVED:

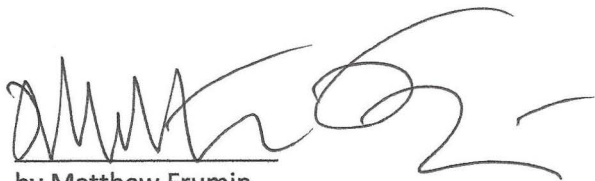
1. ANC 3E supports the above-referenced application in partial reliance upon the attached agreement.

2. ANC 3E and Developer respectfully ask the BZA to incorporate the provisions of the attached agreement, to the fullest extent possible, in any order regarding the application.

3. Additionally or in the alternative, ANC 3E respectfully asks the BZA, consistent with its decision in BZA #18706, to direct Developer to present the agreement to the Zoning Administrator in the form of conditions to be met prior to acquiring the certificate of occupancy on the property at issue.

The resolution passed by a vote of 4-0-0 at a properly noticed meeting held on October 9, 2014, at which a quorum was present, with Commissioners Bender, Frumin, Quinn, and Serebin in attendance.

ANC 3E

A handwritten signature in black ink, appearing to read 'Matthew Frumin', is written over a horizontal line.

by Matthew Frumin
Chairperson