

Burden of Proof

ScratchDC is asking the board of zoning to grant special exception to the roof screening for the mechanical units at our production facility at 2619 Evarts St NE due to prohibitive cost. The approved screening (approved via permit number B1502808) is a standard louver system. When priced by the general contractor, this louver system created a great financial hardship that would cause significant delays to the opening or potentially prevent the opening altogether, by creating the need for additional fundraising. Additionally, the small businesses planning to lease the production spaces in the scratchDC factory would have to find alternate locations due to the delay, creating an additional burden for them as well as reducing planned and necessary operating income for the factory.

The proposed alternative is to simply replace the permitted louver system in kind with an alternate screen of the same height, length and width. The proposed screening will provide similar noise control and site limitation for the mechanical systems on the roof, while not adversely affecting the light and air of neighboring buildings. The proposed alternative screening is within scratch DC's budget and is harmonious with the general purpose and intent of the zoning regulations, specifically DC Municipal Regulation 11-411.3 as referenced in our Memorandum from Department of Zoning.

In the following pages, you will find background on the company, the building and need for relief, estimates for the standard louver system called for in the permit (from which scratchDC is requesting a special exception), followed by potential financially viable solutions that sufficiently suffice the regulations listed above. ScratchDC has devoted a great amount of time and effort into the BZA hearing process in hopes that our production facility, which has been years in the making, will finally come to fruition. ScratchDC has been unable to afford a zoning lawyer and has done all research, paperwork and supporting work in house.

Company Background and History

scratchDC (scratchLLC) was formed in August 2012 to help Washingtonians efficiently cook healthy, locally sourced meals. scratchDC creates daily dinner kits made up of locally sourced organic ingredients that are fully chopped, measured, marinated, packed with an amazing recipe and delivered to customers homes and offices ready to cook – saving customers the time, money and food so often wasted when making amazing meals at home.

Based on word of mouth and referrals generated by the high quality of their product, scratchDC quickly outgrew their original rented production facility and began looking for their own space. They encountered great difficulty in finding quality commercial kitchen space for rent in the city, so they set out to solve another problem that they and hundreds of other food startups encountered.

After almost a year of searching, scratchDC closed on 2619 Evarts St NE with plans to convert a run down warehouse and neighborhood blight into a bustling, modern commercial kitchen that will serve as home to over a dozen other DC based food startups.

Building, Construction and Need for Relief

2619 Evarts St NE (Lot 0004 in Square 4348, Zoned C-M-1) was purchased by scratch LLC on February 10th, 2014. Over the past year, scratch LLC has encountered innumerable unforeseen hurdles in permitting, construction, zoning and utilities that have required the company devote a great deal of their time, resources and effort to keep the project moving along, rather than growing their core business.

ScratchDC has invested in upgrading the buildings egresses along with electrical, gas and water services to bring the building up to code.

The final hurdle is screening for the rooftop mechanical equipment. The original permit application was submitted without any rooftop screening, based in large part to the fact that there are no sightlines to the mechanical equipment (see page 5-6) and the fact that every building in the neighborhood with rooftop equipment, including the WMATA bus depot at 2250 26th St NE, is unscreened.

In haste to lessen the permitting delays (a six month process in its own right), scratchDC's architect added a louver system to the permit drawings after comments from zoning requesting screening. ScratchDC was never consulted before the louvers were added, however the new louver system was approved and the permit was issued (Permit B1502808).

ScratchDC's general contractor contacted multiple companies to price out the louver system and the most cost effective estimate they could find pushed the price of the project to more than \$100,000 over budget. If faced with this additional cost on top of all the other unforeseen costs and delays in tenant revenue, scratchDC will have to abandon the project and give up over three years of hard work creating one of the city's "best new businesses".

The following screening solutions are presented as scratchDC's last-ditch attempt to continue building towards a dream of operating in the city where its founder grew up and where the company takes its name. All of the following screening options are within the company's budget and provide screening that is aesthetically harmonious.

ScratchDC has worked closely with Mr. Matthew Le Grant in the Department of Zoning, Ms. Harriett Broadie in the Department of Business Licensing and Ms. Patricia D'Antonio in the Department of Health to ensure that scratchDC and its tenants can operate as normal under a Temporary Certificate of Occupancy while the BZA hearing process takes place.