



# 3428 O Street, NW

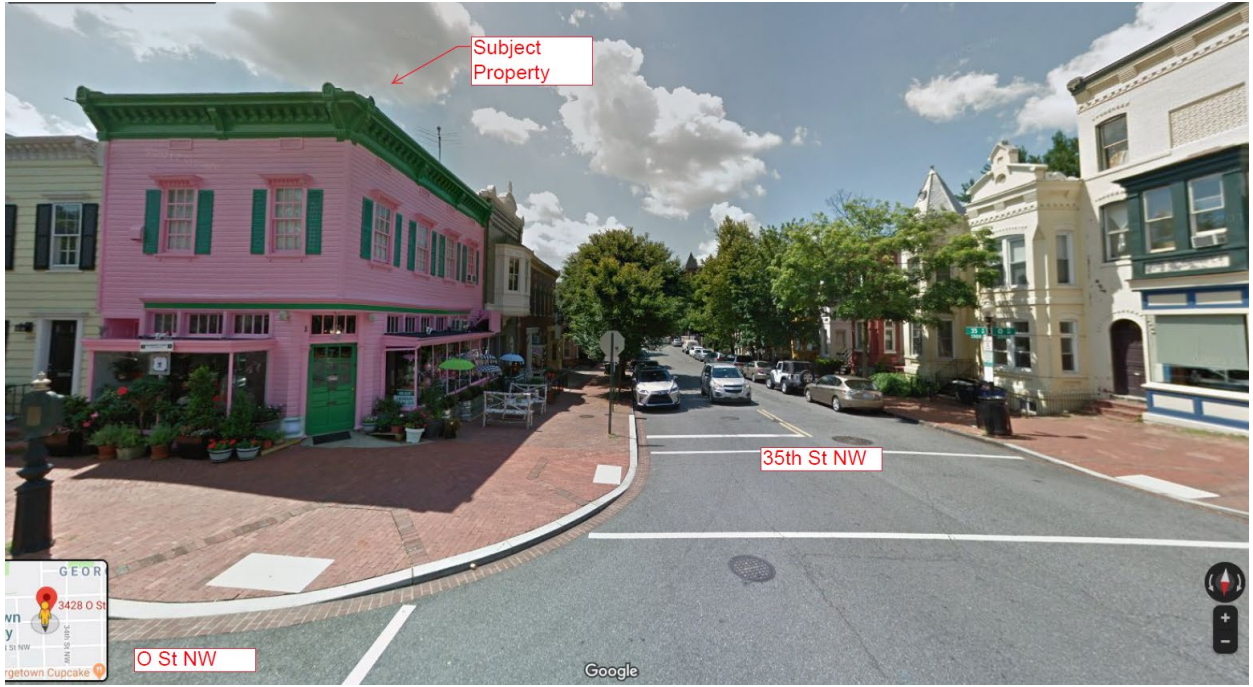
BZA APPLICATION NO. 20135

3428 O STREET, LLC

OCTOBER 30, 2019

Board of Zoning Adjustment  
District of Columbia  
CASE NO.20135  
EXHIBIT NO.71

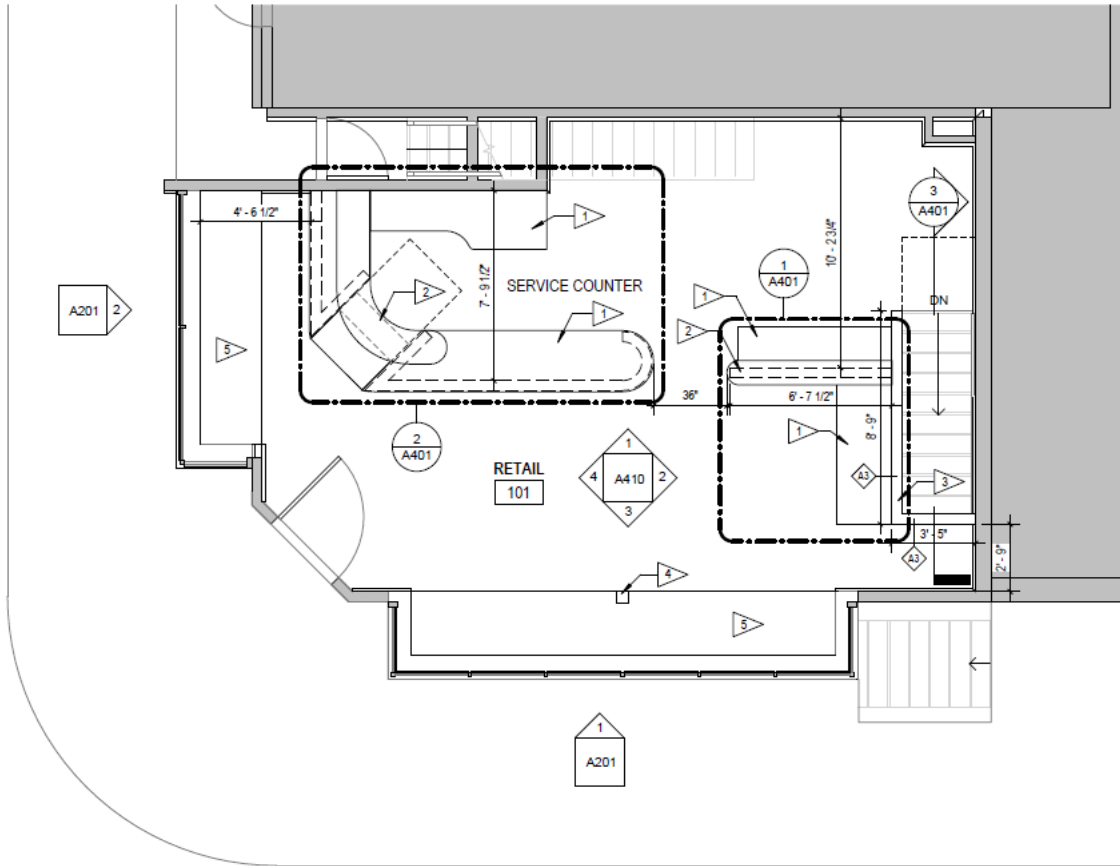
# Existing



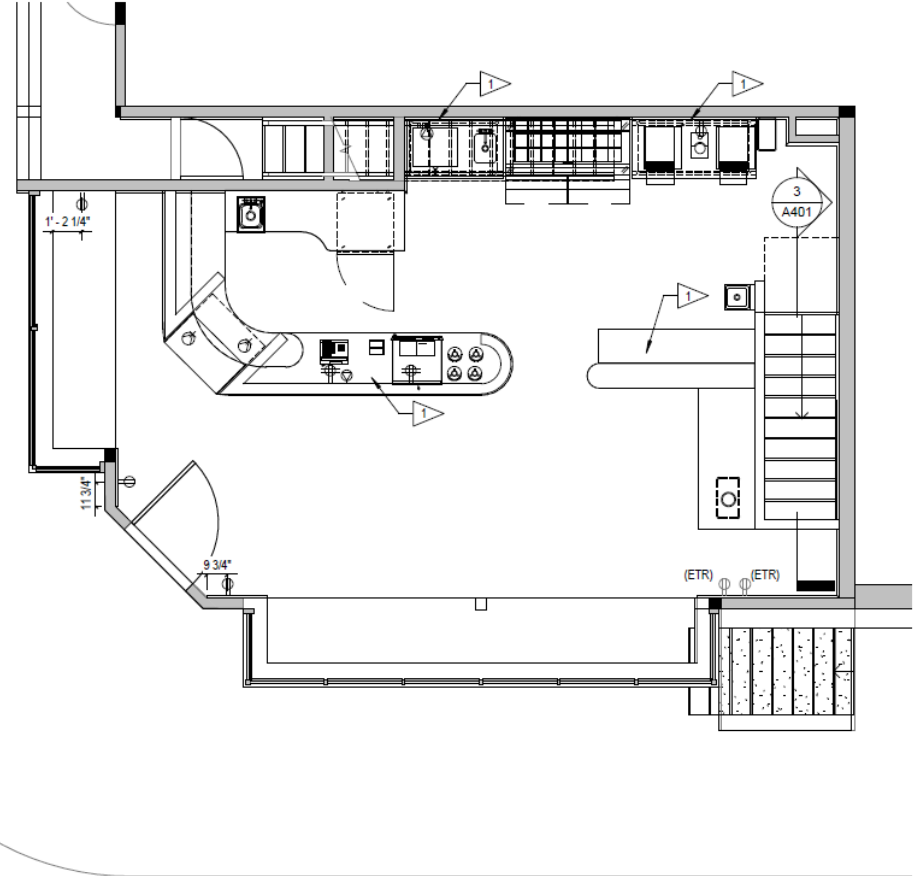
# Overview

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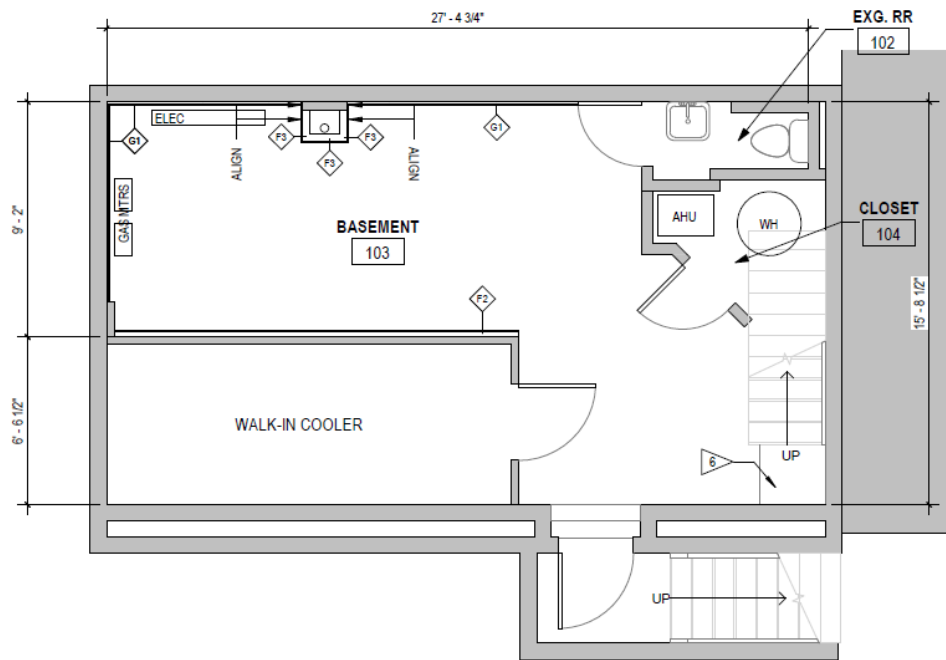
- Currently improved with an existing two-story building with retail use on the 1<sup>st</sup> floor and basement (identified as a flower shop - antique/gift shop) and a residential unit on the 2<sup>nd</sup> floor
- Applicant is proposing to convert an existing non-conforming use to another non-conforming use
- Accordingly, Applicant is requesting use variance relief from the R-Zone use requirements of U § 201 in order to use the basement and first floor of the Subject Property as the home of “Call Your Mother” (“CYM”) bagel shop
- CYM will have a mix of 15-20 full-time and part-time employees, total, and the proposed hours of operation are from 7AM to 3PM
- Office of Planning is recommending approval
- ANC supports



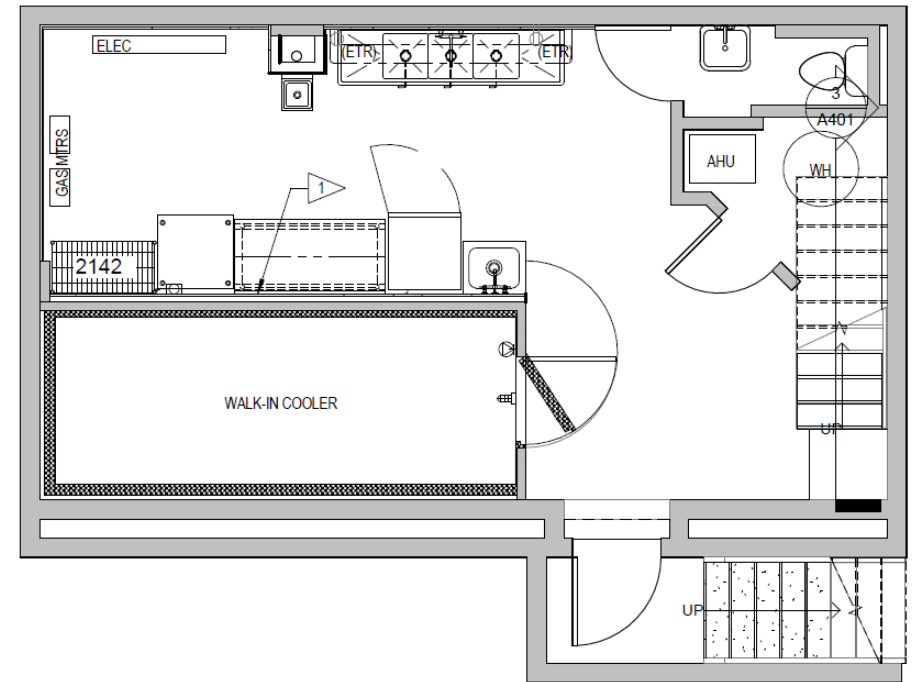
2 FIRST FLOOR PLAN  
A102 1/4" = 1'-0"



2 FIRST FLOOR - TD&E  
A104 1/4" = 1'-0"



1 BASEMENT FLOOR PLAN  
 A102 1/4" = 1'-0"



1 BASEMENT - TD&E  
 A104 1/4" = 1'-0"

# Use Requirements of Subtitle U § 201

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*(1) The property is affected by exceptional size, shape or topography or other extraordinary or exceptional situation or conditions*

- Property is faced with exceptional conditions relating to its existing (and historical) configuration as a commercial use and its very small size
- First floor and basement have always been used for commercial purposes and have never been used for any residential purposes
- Building is not configured for residential purposes as it has large shop windows and a corner entrance

# Use Requirements of Subtitle U § 201

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*(2) The owner would encounter an undue hardship if the zoning regulations were strictly applied;*

- The existing first floor and basement have always been used for commercial purposes
- The existing first floor features, including large shop windows and a corner entrance are not conducive to residential use
- Use of the Building as a single-family dwelling (the only matter-of-right residential use) is not feasible as it would require extensive renovation in order to create a marketable floor plan, if possible at all.
- Any such major renovation would like run into historic preservation and OGB issues.

# Use Requirements of Subtitle U § 201

*(3) The variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.*

- ANC 2E submitted a resolution in support
- The tenant, “Call Your Mother Deli,” (“CYM”) already has an existing location on Georgia Avenue
- CYM has a proven track record of giving back to the neighborhood in which it is located (raised over \$10,000 for local charities, sponsored local block parties, sponsored neighborhood trash pick-ups, and taught cooking classes at local schools)
- CYM will have daily private trash pickups, weekly pest control contracts, and daily deliveries around 6am of products from the main store



# Use Requirements of Subtitle U § 201

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*(3) The variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.*

- In order to mitigate issues with potential lines and foot traffic in front of the Building, CYM is switching the point of sale to a new supplier which will allow them to take orders faster and move the line faster
- Kitchen and menu are being adjusted to increase the speed of ordering
- As there is no seating area, patrons will not be encouraged to stay in front of CYM after they've received their orders

# Conclusion

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- The Office of Planning is recommending approval
- ANC voted in support
- Letters in support from neighbors
- The Application safely meets the use requirements of Subtitle U § 202