

## BZA Case 21151

May 14, 2025

Chairman Hill and Members of the Board,

Please accept these additional comments in opposition to the zoning relief requested for 2324 North Capitol Street, NW, in the RF-1 zone.

### **Property Size and Use**

While I do not think it is the responsibility of the neighbors or the Office of Planning to provide alternative solutions to the applicant's lack of a business model that is appropriate for an RF-1 neighborhood, I feel I must respond after reading the latest applicant's statement. The applicant calls the property "exceedingly small" and "very small". OP has pointed out that there are alternative uses for this property. I would like to highlight that on North Capitol in Bloomingdale, a former corner store reopened as a coffee shop with prepared foods that has an arts focus. Creative Grounds - BZA Case 19623 - does not appear to be a larger building than other corner stores in Bloomingdale. Across the street from Creative Grounds is a former corner store property that was converted to all residential.

As for the area question, the corner stores in Bloomingdale that I looked at are all on smaller lots than the one in this case. (The coffee shop and condos mentioned above are larger lots but that is due to the unusual situation in Bloomingdale where a few east/west street properties own their front or side yards instead of those spaces being public space as is more common.)

### **ABCA**

While I did not participate in either of the ABCA hearings, my understanding is the applicant was not allowed to add liquor sales to the existing beer and license sales for Hillview Market. I would like to know how that presents a hardship if the applicant was still allowed to sell beer and wine and the space allowed in a corner store for alcoholic beverages is limited to 15%.

### **254.13(e)**

A maximum of fifteen percent (15%) of the gross floor area of the corner store located on the ground floor of the building may be devoted to the sale of alcohol for off-site consumption only when approved as a special exception.

### **Trash**

The applicant's statement in Exhibit 203 says that trash will be stored at the rear of the property. A corner store must store their trash inside. Another unquestionably increased impact to neighbors. (And what is the distance that must be maintained between table and trash storage, if trash is allowed outside?) Outside storage would also be steps from the front yard and side windows of 8 Bryant Street.

### **254.10**

All storage of materials and trash shall occur within the building area devoted to the corner store. There shall be no external storage of materials or trash.

### **Hours**

Any business that has hours longer than a corner store is allowed will increase impacts to the neighbors and the neighborhood. This is not debatable. And the increase in the number of clients would inherently increase impacts in many categories. (When I shop at Giant, I don't think I have ever seen 100 people there.)

(b) The use shall not operate between 9:00 p.m. and 7:00 a.m.;

### **Community Input**

\*The Bloomingdale Civic Association voted to oppose.

\*ANC5E had a 3 - 3 tie vote and has not submitted a report. The 3 Commissioners in support have a total of 15 years in the neighborhood. The 3 Commissioners in opposition have over 100 years combined in the neighborhood.

\*Many 200 footers have sent letters in opposition.

The letters of support do not address the zoning issues.

\*The Office of Planning report recommended denial.

### **Public Notice**

As of this writing in the afternoon of **May 12**, the applicant **has not changed the hearing date** on BZA placards from the April hearing date.

### Property condition

The applicant's statement continues to refer to the dilapidated condition of the property. There has been ongoing work for at least two and a half years. The permit for the apartment is more recent and there is still no sign of a permit application for the kitchen in the cellar.

Note the 2 dumpsters showing major renovation work in November 2022,,,



...and a photo of the interior from an October 2, 2022 tour the applicant gave to the previous 2 ANC SMD Commissioners.



**Hardship**

Why did the applicant purchase this property as DC was emerging from a year and a half of pandemic life? What was their plan? It is difficult to see what hardship the applicant may encounter by not operating a by-right business or being granted multiple areas of zoning relief, but it seems very clear that many neighbors will experience a diminished quality of life just living in their homes and neighborhood. Please do not transfer hardship from one property owner to many owners.

In conclusion, this is a self-certified application. The building plans shown in the exhibits are not accurate and not stamped by a licensed architect. The applicant has not met the requirements for variance relief from the regulations, not even special exception relief. Please deny this application.

Thank you.

Betsy McDaniel

Also, please excuse my comment in my previous letter stating that there was no DDOT report. It was in the case records, but it had been so long ago that I had forgotten.