



Call Your Mother Deli

3301 Georgia Ave NW
Washington DC 20010

January 14, 2020

Re: Board of Zoning Adjustment, No. 20135; 3428 O Street NW
Testimony by Andrew Dana, co-owner of Call Your Mother Deli

Dear Members of the Board:

I submit this statement to highlight the evidence justifying a variance.

1. The variance allows a marginal change in our operation. Call Your Mother has already received permission to open as a retail bagel shop and will be selling bagels and toppings to its customers at the property. Granting the variance to allow Call Your Mother to operate as a prepared food shop will simply allow us to toast the bagels and spread on toppings to make sandwiches for our customers, rather than have customers toasting the bagels on site and making their own sandwiches.

2. The variance does not implicate the intent and purpose of the zoning regulation. The building easily meets the relevant distance requirement for a corner store if the relevant distance from the building to the nearest commercial zone is measured as one would walk or drive between the properties. The building failed that distance requirement only because the Zoning Administrator measured the distance as the crow flies. Also, Chris Matthews, who served on the subcommittee that rewrote the residential zoning rules, explained that the intent of the 750 rule was to keep the commercial activity on M Street and Wisconsin Avenue from encroaching down the side streets. The rule was never intended to restrict the historic commercial use of stores on corners elsewhere in the neighborhood. Mr. Matthews also noted that the one isolated commercial block on 36th Street that is within 750 feet of 3428 O Street is an anomaly.

3. The ANC and Office of Planning Support The Variance. A strong majority of the ANC voted 6 to 2 in support of the requested variance here. ANC Commissioner Rick Murphy who individually opposes the variance on principal

acknowledged that a majority of his constituents favor granting the variance. The Office of Planning also supports the variance.

4. Denying the variance will create a practical difficulty for the owner.

The requested variance will allow Call Your Mother to operate profitably by selling bagel sandwiches, which make up fifty-nine percent of our revenue. Otherwise, Call Your Mother is at risk of its revenues being inadequate to cover the rent, and the owner is at risk of having a failed tenant. The current owner explained that he is reliant on the rental income he can charge a commercial tenant. As the Board knows, many retail shops are failing all over Georgetown, and there is no guarantee the owner would be able to find a viable tenant. **See Exhibit A**

5. The building is in a very dense, urban area. The property is near Georgetown University, schools, churches, and other shops, as well as the main commercial strips of Georgetown. The building is also on a public bus line. The requested variance will not unduly change the fabric of the neighborhood.

6. The variance will not create a burden on the neighborhood. The difference between a retail store and prepared-food shop is negligible.

- Deliveries. Call Your Mother anticipates receiving fewer deliveries if it can prepare sandwiches on site, rather than have them prepared elsewhere and delivered fresh throughout the day. Deliveries will not be more burdensome than for the prior florist or other retail operations.
- Trash. Call Your Mother will have daily trash pick-up, and the trash will be stored in a receptacle indoors until picked up. The Park View ANC Commissioner described the area around Call Your Mother as cleaner than before we moved in.
- Rats. Call Your Mother agrees to weekly treatments by a rodent control professional, more than the monthly treatment required by the Board of Health. The Park View ANC Commissioner noted he had received no complaints regarding rats at Call Your Mother there.

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- Lines. As the Office of Planning noted, Call Your Mother has planned the O Street space to increase the efficient flow of customers. And, the shop will be open only from 7 a.m. to 3 p.m., so there will be no lines in the after-school and evening hours. Call Your Mother has demonstrated how a long line can snake back on itself on the wide sidewalk, allowing pedestrians to walk by.
 - Supervision. We have an extremely capable and experienced general manager to supervise operations in Georgetown to assure a smooth, clean operation.
 - We are not McDonalds or Chipotle. We are not allowed to cook. And the building is simply too small to accommodate the food preparation for such an operation, even if cooking was allowed.

7. We have agreed to these conditions.

- We will be open only 7 a.m. to 3 p.m.
- We will have weekly rat treatment.
- We will not play music outside the store, and have disconnected the florist's outdoor speakers.
- We will not serve alcohol.
- We will not have outside seating, unlike the florist.
- We will not partner with delivery services such as Uber Eats or Caviar.

In conclusion, we understand that some neighbors are disappointed that a florist is now becoming a bagel shop. But we will be selling bagels either way. We ask to be able to toast and top bagels for our customers. We will strive to be an attentive and thoughtful neighbor.

Respectfully submitted,

/s/ Andrew Dana

ANDREW DANA
Co-Owner of Call Your Mother Deli

Exhibit A

January 2, 2020

Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, DC 20001



To the Board of Zoning Adjustment:

My name is John Asadoorian and I am the principal at Asadoorian Solutions. I am a native Washingtonian and in 1986 became one of the first commercial real estate brokers to specialize in retail real estate in the city. My office is located in Georgetown and I have been one of the most active brokers leasing retail space in Georgetown.

My business entails representing property owners in marketing their properties and representing retail users in their search for properties. In the case at hand, I had the unique experience of representing both the property owner (the now deceased Michael McCann) and the tenant.

As to my relationship with Mike, I had been representing him for over 30 years on his retail real estate requirements and had been working with him over the course of the past year to find a suitable tenant to replace Greenworks.

As to my relationship with Andrew Dana, I have been representing him the past year on developing a strategy for the growth of Call Your Mother throughout the city.

During the past 12 months, Andrew and I looked at numerous locations that would be suitable for Call Your Mother. The average rent of spaces that we looked at in Georgetown on M and Wisconsin for suitable space was priced in the \$100-120 psf gross (after NNN) rent range. As these rents were not suitable for Call Your Mother's business model, I advised Andrew that we should keep searching and I presented the idea of Mike's property: 3428 O Street, NW Location. That being said, the rent that was agreed to is still significantly higher in this location than what a residential lease would be in the same space, or what Call Your Mother could have found in other parts of the city. Accordingly Call Your Mother is still paying a premium to be in Georgetown, but it is a premium that fits with his business model as compared to the locations we looked at on M and Wisconsin.

In marketing Mike's property, many potential businesses asked about the space and were interested in the space. My job was to help the owner of the building vet these businesses. It is not just interest in a lease, but long-term viability of the business that is important when a landlord is looking to fill a space. Typical commercial leases are 10 years and the cost of breaking a lease and having to find a new tenant are substantial. We had to find a viable long-term tenant, so the landlord could avoid missing out on rent and having to market the space again in the future. There is no way a retail shop could survive on the rent the location was asking in this retail environment. The only thing that could survive in this location is a prepared food shop or restaurant. This is what the market has repeatedly shown around the country, in Washington DC, and in Georgetown in particular.

Lastly, I advised Mike to take the deal with Call Your Mother, because there are not a lot of viable successful businesses looking to open in Georgetown. There are incredible amounts of empty storefronts in Georgetown. For a landlord to find a viable successful long-term tenant in this landscape is rare. I advised Michael McCann to take the deal with Call Your Mother because it represented a balance of the best use at the best terms for the property, with limited risk.

Very truly yours,
ASADOORIAN RETAIL SOLUTIONS

A handwritten signature in black ink, appearing to read 'John A. Asadoorian', with a stylized flourish at the end.

John A. Asadoorian