



GOVERNMENT OF THE DISTRICT OF COLUMBIA

## **Advisory Neighborhood Commission 2E**

### **Regular Meeting Minutes**

Tuesday, September 3rd, 2024; 6:30 p.m.

In-Person: Georgetown Visitation Preparatory School, Second Floor Heritage Room  
Online via Zoom

### **Call to Order- 6:36 pm**

Chair Lohse called the meeting to order at 6:35 pm. Commissioners Kishan Putta (2E01), Topher Mathews (2E02), Paul Maysak (2E03), Joe Massaua (2E04), Mimsy Lindner (2E05), Gwendolyn Lohse (2E06), Daniel Chao (2E07), and John DiPierri (2E08) were present.

### **Approval of the Agenda - 6:36 pm**

#### **Approval of the ANC's September 3rd, 2024 Meeting Agenda - 6:36 pm**

Chair Lohse to approve the ANC's September 3rd, 2024 meeting agenda. Commissioner Massaua seconded the motion, which was voted on and passed (VOTES: 7-0-0).

#### **Approval of the ANC's July 1st, 2024 Meeting Minutes - 6:37 pm**

Chair Lohse moved to approve the ANC's July 1st, 2024 meeting minutes. Commissioner Massaua seconded the motion, which was voted on and passed (VOTES: 7-0-0).

### **Administrative- 6:37 pm**

#### **Public Safety and Police Report- 6:38 pm**

Lieutenant Merzig and St. Robinson provided an update from the Metropolitan Police Department. Lieutenant Merzig answered questions from Commissioners.

#### **Approval of the ANC 2E FY25 Budget- 6:53 pm**

Chair Lohse moved to approve the ANC's FY25 budget. Commissioner Lindner seconded the motion, which was voted on and passed (VOTES: 8-0-0).

### **Community Comment - 6:56 pm**

#### **Update from the Mayor's Office- 6:56 pm**

Tadia Abella, the Ward 2 Manager from the Mayor's Office of Community Relations and Services, gave an update. Tadia Abella answered questions from Commissioners and the community after presenting.

Update from Councilmember Brooke Pinto's Office- 7:20 pm

Brian Romanowski, Councilmember Brooke Pinto's Director of Community Relations, gave an update. Brian Romanowski answered questions from Commissioners and the community after presenting.

Update on MacArthur High School - 7:34 pm

Commissioner Putta provided an update on MacArthur High School.

Update from Georgetown Student Update -7:37 pm

Commissioner Massaua and Commissioner DiPierri provided an update on Georgetown University.

Update on 2900-2922 M St NW Construction- 7:40 pm

Chris Martin provided an update on the 2900-2922 M St NW project. Chris answered questions from the Commissioners.

Update on [Duke Ellington Field Meeting](#) on September 12th- 7:46 pm

Commissioner Putta provided an update on the Duke Ellington Field Meeting on September 12th.

Update on [Citizens Association of Georgetown Fundraiser](#) on September 20th and [Fall Concert in the Park](#) on October 6th- 7:50 pm

Brittany Saywer provided an update on the Citizens Association of Georgetown on September 30th and the Fall Concert in the Park on October 6th. Brittany answered questions from Commissioners.

Update on [Vision Zero Survey](#) due September 23rd- 7:55 pm

Commissioner Lohse provided an update on the Vision Zero Survey.

Update from Georgetown Main Street concerning [Art All Night](#) on September 27th- 7:56 pm

Rachel Shank provided an update on Art All Night on September 27th.

Update on [Georgetown Ministry Center Fundraiser](#) on October 8th- 8:05 pm

Kelly Ann Andreae provided an update on Georgetown Ministry Center Fundraiser. Kelly answered questions from Commissioners and residents.

Open Comment Period- 8:14 pm

Commissioners Chao and Massaua provided updates.

**Alcoholic Beverage and Cannabis Board – 8:16 pm**

Application by Georgetown Pantry for a Retailer’s Class “B” at 1515 Wisconsin Avenue NW (ABRA-129220)- 8:17 pm

Commissioner Lohse moved to adopt a proposed resolution regarding the matter. Commissioner DiPierri seconded the motion, which was voted on and passed (VOTES: 7-0-0). The resolution reads as follows:

ANC 2E protests Georgetown Pantry’s application for a new Retailer’s Class “B” license at 1515 Wisconsin Avenue NW based on the adverse impact on peace, order, and quiet of the neighborhood. The ANC agrees to withdraw the protest if and when a satisfactory settlement agreement is executed by the ANC and the applicant and presented to the Alcoholic Beverage and Cannabis (ABC) Board for approval.

ANC 2E authorizes Commissioner Paul Maysak to negotiate and execute a settlement agreement with the applicant. The ANC further authorizes Commissioner Maysak and/or ANC 2E Executive Director Anna Noakes to represent the ANC at all hearings concerning the matter.

Application by Arcay Chocolates for a Retailer’s Class “C” Tavern at 3211 O Street NW (ABRA-129115)- 8:22 pm

Commissioner Lohse moved to adopt a proposed resolution regarding the matter. Commissioner DiPierri seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

ANC 2E protests Arcay Chocolates' application for a new Retailer’s Class “C” Tavern license at 3211 O Street NW based on the adverse impact on peace, order, and quiet of the neighborhood. The ANC agrees to withdraw the protest if and when a satisfactory settlement agreement is executed by the ANC and the applicant and presented to the Alcoholic Beverage and Cannabis (ABC) Board for approval.

ANC 2E authorizes Commissioner Paul Maysak to negotiate and execute a settlement agreement with the applicant. The ANC further authorizes Commissioner Maysak and/or ANC 2E Executive Director Anna Noakes to represent the ANC at all hearings concerning the matter.

Application by GreySky Design & Consulting for Medical Cannabis Retailer at 3120 Grace St NW (ABRA- 127942)- 8:31 pm

Commissioner Lindner moved to adopt a proposed resolution regarding the matter. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

ANC 2E protests the new application of GreySky Design and Consulting, LLC to become a Medical Cannabis Retailer at 3210 Grace Street NW. This protest is based on the question of validity of location, as well as peace, order, and quiet of the neighborhood. The ANC is waiting for clarification from ABCA to see if the location qualifies under the law. The debate has to do with the proximity to Georgetown Montessori School which is located in Grace Church at 1041 Wisconsin Avenue NW.

Should this location be deemed appropriate, the ANC agrees to withdraw the protest if and when a satisfactory settlement agreement is executed by the ANC and the applicant and presented to the Alcoholic Beverage and Cannabis Board for Approval. ANC 2E wishes to reiterate to ABCA continued concerns regarding the number of Medical Cannabis retailers receiving licenses. As of this meeting, there is the potential of 5 in SMD 2E05. In a resolution passed by this ANC (dated: October 12, 2023), we requested a limited number of Medical Cannabis Retailers be approved for the area encompassed by 2E which includes all of Georgetown.

Furthermore, while there has been some progress in closing some unlicensed cannabis businesses there are still too many recreational stores that offer a “gift” of cannabis with a purchase of another item, such as a t-shirt or a sticker. ANC 2E once again voices concern regarding these and unlicensed businesses and hopes that ABCA will work harder and faster in assisting in the closing of these businesses.

ANC 2E authorizes Commissioner Mimsy Lindner to negotiate and execute a Settlement Agreement with the applicant. The ANC further authorizes Commissioner Lindner, ANC 2E Executive Director Anna Noakes, and ANC Chair Gwendolyn Lohse to represent the ANC at all hearings related to this matter.

### **Zoning- 8:50 pm**

**Board of Zoning Adjustment Application to operate a corner store on the first floor and basement of an existing mixed-use building in the R-3/GT zone at 3428 O Street, NW (BZA# 21157) (2E03)- 8:50 pm**

Commissioner Maysak moved to adopt a proposed resolution regarding the matter. Commissioner Massaua seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

Since 2019, ANC 2E has issued multiple public resolutions regarding the Board of Zoning Adjustments (BZA) relief being sought for 3428 O Street NW. The BZA applications for the property have primarily focused on two requests from the applicant who is leasing the property’s first floor and basement for its business: (1) to have a Corner Store (area variance) and (2) to have a Prepared Food Shop (special exception) at this property.

2024 and Summer Dialog: In 2024, ANC 2E already issued two resolutions regarding this requested relief, [one on January 26th](#) seeking Council’s help, and [one on June 5th](#). On June 12th, the BZA held a public hearing to consider the applicant’s requests. Despite the hearing extending for multiple hours, the BZA decided to defer its decision until a later hearing, scheduled for September 25, 2024.

ANC Outreach: At the June 12th BZA hearing, the BZA requested ANC 2E to have discussions with the applicant regarding potential solutions to address the quality-of-life issues raised by opposing residents, with emphasis on addressing on use of resident stoops for customer seating given the lack of seating at the leased property for the applicant’s business model. An endless amount of time has been spent by the single member ANC representative and other ANC representatives on the topic with the applicant and surrounding neighbors.

Applicant Actions: The applicant has begun a new practice to retain staff who stand on the sidewalk during peak periods to monitor the activity of its patrons and, as needed, request that the patrons not loiter or eat on residents’ stoops or block public property while consuming food from their business. The applicant did attempt to negotiate to pay for designated seating for their customer at neighboring properties, however a deal to pay for designated seating was not reached. The applicant has also been focused on assigning staff to remove any trash in public areas and maintaining a written log specifically for surrounding neighbors’ concerns.

Positions of Surrounding Residents: With regard to the opposing and supporting neighbors, the positions of both groups have not changed. ANC 2E recognizes both the quality-of-life complaints and those who see the benefit of the business.

ANC Support for Area Variance (Corner Store): For BZA case #21157, ANC 2E provides a supplemental resolution to the BZA. ANC 2E supports the applicant’s request for an Area Variance to operate a corner store at this location.

Referring to the BZA for the Special Exception (Prepared Food): ANC 2E has no zoning expertise, or enforcement power. Our June 3rd ANC 2E resolution stated that the ANC could not at that time support the Special Exception request of the applicant. At this time, our ANC has a disagreement over the Special Exception. ANC 2E looks to the BZA to make a judgment regarding the Special Exception relief sought by this applicant.

If the Special Exception is granted, ANC 2E urges the BZA to impose conditions that address the concerns regarding adverse impacts to residential quality of life. ANC 2E welcomes ongoing dialog with the applicant on this and other matters.

### **Old Georgetown Board- 9:25 pm**

#### **2E05- CFA TBD at C&O Canal at the West Heating Plant- 9:25 pm**

Commissioner Lindner moved to adopt a proposed resolution regarding the matter. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

ANC 2E supports this project presented by NPS to connect Rock Creek Park to the West Heating Plant Park new path and site. This will allow for easier access for pedestrians and bikers alike. The proposed bridge is handsome and in keeping with other bridges in Georgetown. Similar metal rails and wooden paths can be seen at other bridges in the historic district.

NPS will install and maintain this bridge as it will be a park of the NPS system. NPS will monitor the construction of the Four Seasons residences and park and will be prepared to install the pedestrian bridge at the appropriate time.

ANC2E is pleased with this amenity for all who use the rock creek path and for those who will enjoy easy access to the West Heating Plant Park

ANC2E supports this Pedestrian Bridge as proposed by the National Park Service.

### **Zoning Continued- 9:34 pm**

Appeal from the decision made on November 9, 2023, by the Director of the District of Columbia Office of Zoning at 1423 Wisconsin Avenue NW, DeLorean 88 LLC (BZA #21107) (2E03)- 9:34 pm

Commissioner Lindner moved to adopt a proposed resolution regarding the matter. Commissioner DiPierri seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

This case involves the zoning status affecting a public elementary school that has operated in its location since the construction of the Curtis School in 1875 presently known as Hyde Addison Elementary School.

The zoning of the appellant's property is not at issue here. The reason the appellant is questioning the zoning of a public school building's lot is that the appellant's tenant cannot obtain a cannabis retailer's license so long as the Alcohol Beverage and Cannabis Board (ABCA) continues to recognize that the school is within 300 feet of appellant's property and no exception or temporary loophole applies. ANC 2E supports ABCA in rigorously enforcing this proximity rule of not allowing Cannabis retailers within 300 feet of schools.

ANC 2E believes that the lot in question (Square 1244 Lot 0854) has always been entirely zoned residential and that the Office of Zoning made no order, requirement, decision,

determination, or refusal when on November 9, 2023, the software used to operate the public facing DC Zoning Maps was updated. This update merely clarified the zoning status of a lot that has been used for educational purposes since the Ulysses S. Grant administration.

### **Old Georgetown Board Continued- 9:53 pm**

Multiple Single Member District Projects

OG 24-166 (HPA N/A) at Curb lane of M Street and Wisconsin Avenue, NW- 9:53 pm

Faith Broderick provided a quarterly update on behalf of the Business Improvement District (BID) on the curb lanes of M Street and Wisconsin Avenue NW.

Individual Single Member District Projects

2E02- OG 24-293 (HPA 24-370) at 3246 S Street, NW- 10:16 pm

Commissioner Mathews moved to adopt a proposed resolution regarding the matter. Commissioner Lindner seconded the motion, which was voted on and passed (VOTES: 7-0-0). The resolution reads as follows:

ANC 2E encourages the Old Georgetown Board to consider how the revised designs would impact the surrounding neighbors on S St., particularly the residents of 3250 S St., which is located immediately adjacent to the area of the 3246 S St. that would be raised under the new proposal. ANC 2E also asks that the Old Georgetown Board consider that while the structure is not a contributing structure to the historic district, it nonetheless represents an intact example of a distinct post-modern architectural style that may be worthy of protection as-is.

2E02- OG 24-332 (HPA 24-420) at 3327 Q Street, NW- 10:26 pm

Commissioner Mathews moved to adopt a proposed resolution regarding the matter. Commissioner Lindner seconded the motion, which was voted on and passed (VOTES: 7-0-0). The resolution reads as follows:

ANC 2E encourages the Old Georgetown Board to consider the following aspects of this new concept application:

- The building is currently under construction pursuant to another building permit that was approved by the Old Georgetown Board last year. It is unusual to submit such a material alteration to a construction project in the middle of its construction absent extenuating circumstances.
- The current application is substantially similar to designs that were initially proposed in 2021. The Board requested that the bulk of the addition be reduced for the final concept that was ultimately approved. ANC 2E requests that the OGB closely consider whether the new proposal does not present the same issues that concerned the Board in 2021.
- To that point, the new proposal would result in the new construction substantially exceeding the existing historic structure.

2E05- OG 24-298 (HPA 24-386) at 1031 31st Street, NW- 10:35 pm

Commissioner Lindner moved to adopt a proposed resolution regarding the matter. Commissioner DiPierri seconded the motion, which was voted on and passed (VOTES: 7-0-0). The resolution reads as follows:

ANC 2E is happy that this hotel construction continues to move forward, and that the developer is taking advantage of opportunities as they present themselves. ANC 2E supports the applicant incorporating a second townhouse (1031 31<sup>st</sup> Street NW) which is directly next to the townhouse

that is already part of the project (1029 31<sup>st</sup> Street NW). This second townhouse will provide another option for visitors. ANC 2E appreciates the applicant respecting the historic integrity of the townhouse at the same time incorporating it into the hotel. This hotel will be a major improvement to what exists in this space. ANC 2E will continue to work with the applicant as the project continues.

ANC 2E supports this townhouse addition to the project.

2E05- OG 24-191 (HPA 24-231) at 3000 M Street, NW - 10:41 pm

An update was provided about the project at 3000 M Street, NW.

**Adjournment- 10:50 pm**

Chair Lohse adjourned the meeting at 10:50 pm.