



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
**Advisory Neighborhood Commission 2E**

**Regular Meeting Minutes**

Monday, February 28th, 2022; 6:30 p.m.  
Online via Zoom

**Call to Order**

Commissioner Rick Murphy called the meeting to order at 6:32 pm. Commissioners Kishan Putta (2E01), Jenny Mitchell (2E02), Rick Murphy (2E03), Cimrun Srivastava (2E04), Lisa Palmer (2E05), Gwendolyn Lohse (2E06), and Elizabeth Miller (2E07) were present.

**Approval of the Agenda**

Approval of the ANC's February 28th, 2022 Meeting Agenda

Commissioner Palmer moved to approve the ANC's February 28th, 2022 meeting agenda. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 5-0-0).

Approval of the ANC's January 31st, 2022 Meeting Minutes

Commissioner Palmer moved to approve the ANC's January 31st, 2022 meeting minutes. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 5-0-0).

**Administrative**

Public Safety and Police Report

Lieutenant John Merzig, a representative for the Metropolitan Police Department's (MPD) Second District, gave an overview of the recent crime statistics for the neighborhood.

**Community Comment**

Update from Councilmember Brooke Pinto

Councilmember Brooke Pinto gave an update regarding her work on the DC Council.

Update from the Mayor's Office

Anna Noakes, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS), gave an update from the Mayor's Office.

Update from the District Department of Transportation

Donovan Boyd, the Ward 2 Community Engagement Specialist for the District Department of Transportation (DDOT), gave updates from the agency.

### Presentation by the Office of Campaign Finance

Belinda Perry, a representative for the Office of Campaign Finance (OCF), gave a presentation regarding the work of the office.

### Update from the Georgetown Ministry Center Regarding Emergency Housing Vouchers

Kelly Andreae, the Executive Director of the Georgetown Ministry Center (GMC), gave an update regarding emergency housing vouchers.

### Update from Washington Gas Regarding Billing

Monica West, a Stakeholder Engagement Manager for Washington Gas; Marcel Fortune, a Plant and Storage Manager for Washington Gas; and Marie Johns and Manny Geraldo, representatives for Washington Gas, gave an update regarding billing.

### Update from Pepco Regarding Billing

Donna Cooper, the Pepco Region President, and Linda Greenan, an External Affairs Manager for Pepco, gave the update regarding billing.

### Update Regarding Ward 2 ANC Redistricting

Monica Roache and Eric Langenbacher, members of the Ward 2 ANC Redistricting Task Force, gave an update regarding the ongoing Ward 2 ANC redistricting process.

### Update Regarding the Georgetown Transportation Access and Circulation Study

Chair Murphy gave an update regarding the Georgetown Transportation Access and Circulation Study.

## **New Business**

### Consideration of a Resolution Regarding the 2022 Rose Park Farmers Market

Commissioner Lohse moved to adopt a proposed resolution regarding the matter. Commissioner Palmer seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

ANC 2E supports the Friends of Rose Park's application to stage the 2022 Rose Park Farmers Market in Rose Park, located at 2609 Dumbarton Street NW.

In 2021, the Friends of Rose Park did an exemplary job of providing an outside, socially distanced market experience. Residents can shop for groceries, buy preprepared food, purchase items from small local businesses, and socialize with neighbors while enjoying fun special events like guest DJs. Moreover, the market may continue to offer residents the ability to receive COVID testing and flu vaccinations. The ANC fully supports this community building effort.

Consideration of a Resolution Regarding Pre-Planning by the Office of the Deputy Mayor for Health and Human Services, the Department of Behavioral Health, the National Park Service, and Nonprofits to Collaborate on Individuals Experiencing Homelessness as COVID Guidance Changes

Commissioner Lohse moved to adopt a proposed resolution regarding the matter. Commissioner Mitchell seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

ANC 2E is contacting you regarding the tragic rise of individuals who are experiencing homelessness in our neighborhood during COVID and to urge unique levels of collaboration around housing this population.

The COVID pandemic has been a traumatic period for many, but especially for the unhoused. ANC 2E has witnessed an increase in the number of unhoused individuals taking shelter in Georgetown's commercial area as well as the neighborhood's federal and city parklands. These public, outdoor areas are serving as bathrooms, kitchens, and bedrooms. It has become typical to see campfires burning in our parks due to warmth and cooking needs, and for the police to be contacted regarding an assault occurring on a street or in a park involving someone who is not only unhoused but is experiencing concerning behavioral health issues. Some neighbors with small children have begun to avoid sections of the parks or streets altogether.

Our parks, streets, and storefronts neither have the infrastructure nor the resources to serve these housing needs. They cannot properly serve as makeshift shelters for the unhoused, especially those with behavioral health issues. The public health and safety issues are significant for everyone involved, but specifically for the people who are unhoused. Our constituents have voiced strong concerns that beyond the safety and health risks, the current status is a human welfare issue.

After two years, the COVID pandemic appears to be morphing into something less emergency oriented and more endemic. It is ANC 2E's understanding that various policies and programs related to the unhoused have, and will, be changing in the coming months, including:

- Centers for Disease Control and Prevention (CDC) guidelines on encampments,
- DC's emergency housing voucher program for people who are unhoused, and
- DC's resources devoted to the unhoused who are experiencing behavioral health issues.

ANC 2E requests that your organizations do the following:

- Schedule a joint meeting with all relevant parties in our community on the current status of policies and programs related to the unhoused, successful methods that have been tested to reduce housing barriers, and any critical timeframes for housing to occur.
- Identify opportunities to issue joint communications on the concrete progress to house those who have been unhoused during COVID.

- Educate ANC 2E on how communities can help unhoused individuals who are suffering from behavioral health issues to receive proper medical care.
- Share how federal and city park resources can uniquely collaborate at this critical juncture when vouchers are available. Some of the parks in ANC 2E’s community are on land owned by the National Park Service (NPS), while others are on land that is owned by the city. Many of the federal parks are immediately adjacent to land owned by the city and vice versa. This complexity is a challenge.
- Attend ANC 2E’s April 2022 or May 2022 meeting to provide updates on your partnership efforts and how the ANC can assist your mission; time is of the essence.

Thank you for your consideration. ANC 2E looks forward to working with all your organizations on this human welfare issue.

Consideration of a Resolution Requesting DC Council Action Establishing Regulations for “Last-Mile” Warehouse or Distribution Facilities In or Near Residential or Mixed-Use Neighborhoods

Commissioner Palmer moved to adopt a proposed resolution regarding the matter. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

WHEREAS, last mile delivery services (LMDS), including GoPuff, are warehouse or distribution centers that customers order grocery and household items from and are brought to them by a team of drivers,

WHEREAS, LMDS are increasingly popular and offer a useful service to District residents,

WHEREAS, warehouses and distribution facilities storing the inventory for LMDS have opened in residential and mixed-use neighborhoods of the District of Columbia,

WHEREAS, the District of Columbia currently does not have a business classification, zoning, regulation, or enforcement for LMDS,

WHEREAS, residents of the District of Columbia in residential or mixed-use zones are not consulted in advance regarding the location or operation of such businesses opening near them,

WHEREAS, delivery drivers queued and awaiting assignment routinely disrupt the peace, order, and quiet of the neighborhood with litter; noise, including loud conversation or music; and obstructing traffic at all hours of the day and night,

WHEREAS, the operators of the facilities claim no responsibility for disruptions of peace, order, and quiet or conduct by their operation or their drivers, and

WHEREAS, neighborhoods in ANC 2E, ANC 2B (Dupont Circle), and ANC 6B (Capitol Hill) have been experiencing disruption to peace, order, and quiet from existing LMDS.

THEREFORE, BE IT RESOLVED that ANC 2E requests that Councilmember Pinto work with ANC 2E, ANC 2B, and their respective communities to develop and introduce

legislation to the DC Council that provides meaningful regulation and enforcement for LMDS in residential and mixed-use zones, including:

- Establishing a specific business classification for LMDS,
- Directing the Department of Consumer and Regulatory Affairs (DCRA) to establish an approval process for applicants similar to that of the Alcoholic Beverage Control (ABC) Board that requires public notice to residents and ANCs and provides an opportunity for communities to enter into agreements similar to settlement agreements that address neighborhood concerns and govern an operation's responsibilities and conduct,
- Directing DCRA to establish clear and timely enforcement, adjudication, and penalty imposition policies to resolve complaints from neighbors or other DC Government agencies without complicated or time-consuming complaint processes,
- Holding LMDS operators fully responsible and accountable for the conduct of their drivers and suppliers, whether direct employees, temporary workers, or contract workers, including for blocking traffic, parking, driveways, and alleys and the creation of untenable noise and litter on our community's streets and sidewalks,
- Requiring LMDS operators to maintain current records of drivers engaged by them, whether employees or contractors, and readily accessible logs of reported complaints or incidents involving their drivers, including of property damage or untoward conduct,
- Requiring that LMDS facilities:
  - Have adequate private loading and parking for employees and staging for drivers awaiting dispatch per zoning regulations,
  - Apply for and obtain zoning relief for a location if it does not satisfy zoning requirements,
  - Establish a traffic control plan satisfactory to residents, ANCs, and the District Department of Transportation (DDOT) and incorporate such plan into a jointly negotiated settlement agreement between the local ANC and the applicant,
  - Apply for and obtain permits from DDOT and/or the Public Space Committee to use designated on-street space for commercial pick-up and drop-off and driver queueing, subject to DDOT's regular processes,
  - Prohibit their employees and contractors from parking or standing in travel lanes, alleys, driveways, neighboring building entrances, or parking facilities, with the understanding that the city will issue penalties for engaging in prohibited behavior, and
- Specifying that zoning and public space accommodations and settlement agreements made for LMDS automatically sunset upon cessation of occupancy by the operator or an immediate successor maintaining the same type and scope of business. Any agreements related to operations of such business shall not automatically convey to a different business category.

Consideration of a Resolution Regarding ANC Testimony for the DC Council's Metropolitan Police Department Oversight and Budget Hearings

Commissioner Lohse moved to adopt a proposed resolution regarding the matter. Commissioner Palmer seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

The DC Council’s oversight and budget hearings for the Metropolitan Police Department (MPD) are accepting written testimony. ANC 2E appoints Commissioner Gwendolyn Lohse, the ANC’s liaison to MPD, to submit draft written testimony for consideration by her ANC 2E colleagues, who will determine whether to co-sign the testimony.

Consideration of a Resolution Asking DC Public Schools to Allow Hardy Middle School to Use the Playing Field at the Old Georgetown Day School on MacArthur Boulevard NW

Commissioner Putta moved to adopt a proposed resolution regarding the matter. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

WHEREAS, according to Hardy Middle School’s Parent Teacher Organization (PTO), the school’s sports programs are growing and very active but do not have a nearby quality playing field for the coming spring and fall sports seasons,

WHEREAS, the neighborhood’s Duke Ellington Field is not scheduled for renovation until after the fall sports season, and

WHEREAS, the former Georgetown Day School site on MacArthur Boulevard NW is the property of the DC Government, administered by the DC Public Schools (DCPS), and includes a playing field in good condition with a large parking lot.

THEREFORE, BE IT RESOLVED that ANC 2E requests that the DC Public Schools considers allowing Hardy Middle School teams to play on the MacArthur Boulevard NW field and to respond in writing by the end of March 2022.

**Alcoholic Beverage Control Board**

Application by Beirut Nights for a New Retailer’s Class “C” Restaurant License at 1025-1027 31st Street NW

Commissioner Palmer moved to adopt a proposed resolution regarding the matter. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

ANC 2E protests Beirut Nights’ application for a new Retailer’s Class “C” Restaurant license at 1025-1027 31st Street NW based on the adverse impact on the peace, order, and quiet of the neighborhood. The ANC agrees to drop the protest if and when an acceptable settlement agreement is signed by the applicant and ANC 2E.

Application by M Street Entertainment, LLC for a Substantial Change to the Establishment’s Retailer’s Class “C” Restaurant License at 3123-3125 M Street NW

Commissioner Palmer moved to adopt a proposed resolution regarding the matter. Commissioner Mitchell seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

ANC 2E protests M Street Entertainment, LLC's application for a substantial change to the establishment's Retailer's Class "C" Restaurant license at 3123-3125 M Street NW based on the adverse impact on the peace, order, and quiet of the neighborhood. The ANC agrees to drop the protest if and when an acceptable settlement agreement is signed by the applicant and ANC 2E.

## **Zoning**

### **Board of Zoning Adjustment Application for a Special Exception from the Matter-of-Right Accessory Uses to Construct a Detached Two-Story Accessory Building with Top Floor Apartment in the Rear of a Two-Story Principal Dwelling Unit at 1963 39th Street NW**

Commissioner Putta moved to adopt a proposed resolution regarding the matter. Commissioner Srivastava seconded the motion, which was voted on and passed (VOTES: 4-1-0). The resolution reads as follows:

ANC 2E supports the use of accessory dwelling units (ADUs) that comply with the 2016 Zoning Regulations (the "code") to address the shortage of affordable housing in our city. The ANC asks the members of the Board of Zoning Adjustment (BZA) to consider the following issues when deciding whether to approve the application pending in BZA Case No. 20505:

1. Is the proposed new stand-alone structure an "accessory building" as defined in the code, and
2. Is the dwelling unit itself an "accessory apartment" as defined in the code.

If the project conforms with the code definitions, ANC 2E believes that the BZA should approve the project as it is located in Burleith, which is not a historic district where character and appearance are separately protected.

ANC 2E also recommends that BZA members examine the application's impacts on utilities and consider any impact to the bordering National Park Service (NPS) land, as these are issues that the ANC has heard about from neighbors.

### **Board of Zoning Adjustment Application for a Special Exception from the Matter-of-Right Uses Requirements to Permit a Fast Food Restaurant Use on the First Floor and Basement of an Existing, Attached, Three-Story with Basement Mixed Use Building at 1357 Wisconsin Avenue NW**

Chair Murphy moved to adopt a proposed resolution regarding the matter. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

ANC 2E supports the application for special exception relief submitted by Tai Chi Bubble Tea in Board of Zoning Adjustment (BZA) Case No. 20696 if the BZA's order approving the application includes the following conditions:

1. All trash will be stored inside the store at all times and not in the alley at the rear of the premises. Trash will be removed from the interior of the store through the front door of the store on Wisconsin Avenue NW for the purpose of pick-up by the

- applicant's commercial trash service. Trash containers will be placed in front of the store on Wisconsin Avenue NW early in the morning on pick up-days before the store opens in the morning and will not be allowed to remain outside after the store opens.
2. The store's operating hours will be from 11:00 am to 10:00 pm on Monday through Thursday; from 11:00 am to 11:00 pm on Friday and Saturday; and from 12:00 pm to 10:00 pm on Sunday.

### **Old Georgetown Board**

#### **SMD 2E06 - OG 22-051 (HPA 22-104) 2737 O Street, NW**

Commissioner Lohse moved to adopt a proposed resolution regarding the matter. Commissioner Palmer seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

ANC 2E has no comment regarding the applicant's proposal.

#### **SMD 2E06 - OG 22-083 (HPA 22-136) 3024 Q Street, NW**

Commissioner Lohse moved to adopt a proposed resolution regarding the matter. Commissioner Mitchell seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

ANC 2E does not typically support decks that will block the light and privacy of neighbors given the close quarters in Georgetown and the frequent use of gardens. The ANC encourages the applicant to consider a mechanical awning to cover the porch rather than an enclosed porch that will impact the neighbors on a permanent basis.

### **Adjournment**

Chair Murphy adjourned the meeting at 10:17 pm.