



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Advisory Neighborhood Commission 2E

Representing the communities of Burleith, Georgetown, and Hillandale

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November 6, 2024

Mr. Frederick Hill
Chairperson
Board of Zoning Adjustment
441 4th Street NW, Suite 200
Washington, DC 20001
bzasubmissions@dc.gov

RE: 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)

Dear Chairperson Hill,

On November 4, 2024 ANC 2E held its regularly scheduled public meeting, which was properly noticed and attended by eight commissioners, constituting a quorum. At this meeting the Commission adopted the following resolution by a vote of (6-0-0) with regard to the above-referenced matter:

For several years this Board of Zoning Adjustment (BZA) case has been in process and there is still no definitive BZA ruling and Call Your Mother has been able to operate without a final determination that is desired by all. ANC 2E has spent considerable time, thought, and energy on the case, to the detriment of other areas of focus and community relations. With regard to the most recent BZA request on how best to accommodate this application:

On its October 23rd BZA hearing, the BZA suggested a new idea: an outside, removable, standing -only bar to accommodate dining by Call Your Mother's customers.

- Based on original community input from 4 plus years ago, the initial Order for this case states: "The Applicant (Call Your Mother) shall not provide any outdoor seating." ANC 2E does not think that this idea of a removable table or even any "sidewalk seating" is a solution to address the current situation.
- With regard to the "standing bar," the BZA gave the ANC *two working days* to review the proposed "bar" plan prior to the scheduled ANC meeting. This timing is unacceptable to ANC 2E no matter the topic or case.
- Should the Applicant and the BZA decide a "standing bar" will be formally proposed, ANC 2E will review the proposed Application when it is submitted to Public Space and the BZA.

COMMISSIONERS:

Kishan Putta, District 1 Topher Mathews, District 2 Paul Maysak, District 3
Joe Massaua, District 4 Mimsy Lindner, District 5 Gwendolyn Lohse, District 6
Daniel Chao, District 7 John DiPierri, District 8

On its October 23rd BZA hearing, the BZA also asked the applicant to address its trash storage as required by corner store trash management regulations.

- ANC 2E looks to the BZA to review, interpret and determine if Call Your Mother's trash "storage" meets legal guidelines and requirements. If the "storage" does not, the BZA must be clear on the exception being made to continue to operate as Call Your Mother has for the past 4 plus years given ANC 2E has other Corner Stores that could apply for the same exception and we are not interested in "loosening" regulations for trash storage at this or other similarly suited locations in ANC 2E

We also note that as of last week there is a new Owner of the property at 3428 O Street NW. ANC 2E expects the new owner to follow BZA filing requirements regarding this Application.

If the variance and special exception are granted, ANC 2E looks to the BZA to clarify the full set of conditions that Call Your Mother must operate under. There are two sets: the initial from June 2020 and the proposed from March 2024.

Commissioners Paul Maysak (2E03@anc.dc.gov) and Gwendolyn Lohse (2E06@anc.dc.gov) are the Commission's representatives in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gwendolyn Lohse", with a long horizontal flourish extending to the right.

Gwendolyn Lohse
Chair, ANC 2E