

# Government of the District of Columbia

Advisory Neighborhood Commission 2C

## Special Emergency May 2024 Meeting Minutes

**DATE:** May 31, 2024

**ANC-2C COMMISSIONERS PRESENT:** Commissioner Michael Shankle, Commissioner Thomas Lee

**ANC-2C COMMISSIONERS ABSENT:**

### 1. CALL TO ORDER:

Commissioner Shankle called the meeting to order at 8:03 am over Zoom ([2024 May 31 ANC 2C Community Meeting \(youtube.com\)](#)).

### 2. ROLL CALL:

Three out of the three commissioners were present. There was one vacancy open.

### 3. APPROVAL OF AGENDA:

**MOTION:** Strauss motioned to approve the agenda. Seconded by Shankle. Approved unanimously. (Vote 3-0-0)

## ALCOHOLIC BEVERAGE AND CANNABIS LICENSING (ABCA)

- 1. Appeal of Alcohol Beverage and Cannabis Administration's Order No.: 2024-280, UND Necessities (t/a DC Smoke), Case No.: 24-PRO-00009, License No.: ABCA-126787, (Application for a New Medical Cannabis Business License), 717 D Street NW.**

Commissioner Shankle reported that the ANC protested the license of the applicant at 717 D Street due to being located directly across the street from Basis DC and two additional schools and daycare in close proximity. ABCA ruled against the ANC, indicating that the ANC had not properly demonstrated the case to them. The ANC continued to feel that ABCA incorrectly interpreted the law related to what it meant to be within 300 feet of the school. Commissioner Shankle stated that he did not believe the ABCA ruling was appropriate. There were 30 days to appeal the ruling to the DC courts. He stated he would like the ANC to agree to retain counsel to represent the ANC in an appeal and to agree to appeal the current ABCA ruling.

A community member asked when the ruling was. Commissioner Shankle reported that the ruling was sent to the ANC on May 2. The community member asked if there was an exemption that allowed the store to open within 300 feet of the store. Commissioner Shankle stated that during the transition period from unlicensed sticker stores to legal medical cannabis businesses, there was an exemption in commercial zones. Commissioner Shankle stated that he believed the purpose was to allow businesses to remain in the proximity, not move.

A community member asked who voted against it. Commissioner Shankle stated that the Alcohol Beverage Cannabis Administration Board, which issued the license, denied the ANC's protest. At the same time, Councilmember Pinto and Allen brought forth legislation to address the issue legislatively, but the City Council denied it at the time. A community member asked if anyone in Congress should know about the issue.

A community member stated that he supported the protest.

A community member stated that the ruling defied logic and appropriateness. It was asked if the ANC would forfeit the opportunity for a settlement agreement if the appeal did not go the ANC's way. Commissioner Shankle stated that with the protest, the process of working toward a settlement agreement had been passed. Some settlement terms were discussed, but the big issue was the location, and the applicant was not willing to change locations.

A community member stated that they did not believe the Board did not consider the weight that the ANC should have.

A community member asked if it was being suggested that the location would only be for medical marijuana. Commissioner Shankle stated that that was correct, but there were no guarantees.

A community member raised concerns about the close proximity to schools and the possible environmental trigger of asthma.

A community member asked what the deadline was. Commissioner Shankle reported it was May 31. A community member asked if it was just for cannabis. Commissioner Shankle confirmed it was only cannabis. He stated that they were in discussions with lawyers, and he was confident that they could file an appeal by the deadline.

A community member commented that a great deal of work had been put into the facility.

A community member asked if there would be a notification that the appeal was filed on time. Commissioner Shankle reported that they could notify everyone.

**MOTION:** Shankle moved that the ANC 2C appeal the ABCA ruling and retain legal counsel to represent ANC 2C in the appeal. Seconded by Strauss. (Vote 3-0-0)

Commissioner Shankle announced that on June 4 at 6 pm, ANC 2C and DDOT would be hosting a traffic planning discussion related to the Capital One Arena. DDOT would be creating a traffic and parking plan related to events and they were requesting feedback from the community.

Commissioner Shankle reported that the next full ANC meeting would be held on June 11 at 6 pm in the MLK library in room 401G.

## ADJOURNMENT

**MOTION:** Shankle motioned to Adjourn at 8:32 am. Seconded by Lee. (Vote 3-0-0)

The meeting was adjourned at 8:32 am.

**Minutes Submitted by:** Minutes Services

**Minutes Approved by:** Commission on 11 June 2024

**Next Meeting:** June 11, 2024, 6:00 pm. It will be a hybrid format.

Meetings will continue to be held on the second Tuesday of each month throughout 2024.

ANC Commissioners and Website

Michael Shankle [2C01@anc.dc.gov](mailto:2C01@anc.dc.gov)

Rebecca Strauss [2C02@anc.dc.gov](mailto:2C02@anc.dc.gov)

Thomas Lee [2C03@anc.dc.gov](mailto:2C03@anc.dc.gov)

Vacant, [2C04@anc.dc.gov](mailto:2C04@anc.dc.gov)

[www.anc2c.us](http://www.anc2c.us)

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