

**Minutes for the Meeting of
Advisory Neighborhood Commission 2E**

August 30, 2010
Georgetown Visitation School, 35th and Volta Place, Heritage Room

The meeting was called to order at 6:31 p.m. by Commissioner Lewis, Chair, with Commissioners Solomon, Lewis, Golds, Starrels, and Birch present, constituting a quorum.

Administrative

Approval of August 30 Agenda

The agenda for the August 30 ANC 2E public meeting was approved on a motion by Commissioner Solomon (Commissioner Birch seconded) by a vote of 5-0.

Approval of June 28 Meeting Minutes

The minutes for the meeting of ANC 2E held on June 28, 2010 were approved on a motion by Commissioner Solomon (Commissioner Birch seconded) by a vote of 5-0.

Commissioner Eason joined the meeting at this point.

Public Safety and Police Report

Lieutenant Hedgecock reported on public safety matters in the community, giving more details about a sexual assault on August 29. MPD is still seeking information related to the crime and asks that anyone with information contact them immediately. He noted that MPD has changed patrol tactics to help address this issue. Also, our PSA is experiencing a six percent reduction in crime year-to-date, which Lt. Hedgecock thought could be attributed to multiple reimbursable details in the community. Lieutenant Hedgecock also noted that there were three significant arrests this summer on the 3000 K Street where frequent armed robbers in Georgetown were caught after a chase. There have only been two robberies since those arrests. The Georgetown BID will be starting daytime reimbursable detail on September 6 to address graffiti, panhandling and other quality of life issues. Lieutenant Hedgecock and Commissioner Solomon responded to questions from Commissioners and community members.

Financial Report

Commissioner Solomon reported on ANC 2E's finances, noting that ANC 2E has about \$11,000 in the checking account and about \$9,000 in the savings account. ANC 2E is still waiting for reimbursement for the second fiscal quarter of 2010.

Commissioner Starrels moved to adopt the 3rd quarter financial report (Commissioner Birch seconded), which passed by a vote of 6-0.

Transportation Report

Commissioners Lewis and Starrels reported on transportation matters in the community, noting that left-turn signal at M Street NW and Wisconsin Avenue NW will be installed soon. They also noted that the streetlight rehab work is almost finished and noted the recent changing of the Blue Bus to a Circulator Bus.

New ANC Office E-mail

Commissioner Lewis announced that the new e-mail address for the ANC 2E office will be anc2e@dc.gov.

Community Comment

Community members made comments regarding pedestrian safety at the intersection of Wisconsin Avenue NW and P Street NW, which does not have a traffic signal.

New Business

Taste of Georgetown—October 9, 2010, 11AM – 4PM:

A representative (John Wiebenson) from Georgetown BID presented plans for their annual Taste of Georgetown event, including street closures, traffic control, and public safety.

No resolution was sought or passed related to this item on the agenda.

Commissioner Skelsey joined the meeting at this point.

Nation's Triathlon—September 12, 2010:

A representative from the Nation's Triathlon presented their plans for this year's event, including the proposed route and the associated street closures.

No resolution was moved or passed related to this item on the agenda.

Public space permit application for proposed sidewalk tables and chairs on Potomac Street at the side of Morso (fronting on 3277 M Street):

Representatives from Morso presented their plans to add sidewalk tables and chairs on Potomac Street NW. After discussion by commissioners and community members, Commissioner Starrels made the following motion (Commissioner Lewis seconded), which passed by a vote of 7-0:

ANC 2E objects to this use of public space for the proposed sidewalk tables and chairs on Potomac Street NW, for the restaurant fronting at 3277 M Street NW, because of the congested area, the proximity to residences, and issues of peace, order, quiet and pedestrian safety.

Possible left-turn lane for northbound traffic on 35th Street at Reservoir Road (would remove several parking spaces on 35th Street south of Reservoir):

A possible left-turn lane was discussed at the intersection of Reservoir Road NW and 35th Street NW. The addition of a left-turn lane would eliminate several parking spaces on both sides of 35th Street. After discussion by commissioners and community members, Commissioner Lewis made the following motion (Commissioner Solomon seconded), which passed by a vote of 7-0:

ANC 2E supports creating a left-turn lane for northbound traffic on 35th Street, N.W., that wants to turn westbound onto Reservoir Road, N.W. Currently northbound traffic on 35th Street often backs up at Reservoir Road because traffic that wants to go straight on 35th Street must wait behind traffic that is turning left. A dedicated left-turn lane could ease this condition. We appreciate that some parking spaces will be taken to create a left-turn lane and we will work with DDOT to see if some replacement parking spaces can be created in the neighborhood.

Georgetown Library, Bike Rack, Public Space Permit

Representatives from the Georgetown Public Library presented plans to add a bike rack at the new library that is opening this fall. After discussion by commissioners and community members, Commissioner Eason made the following motion (Commissioner Solomon seconded), which passed by a vote of 7-0:

ANC 2E does not object to the public space permit, provided that the Public Space Committee concludes the construction as proposed does not impede pedestrian traffic.

Zoning and Planning

3245 N Street, NW, William S. Langhorne, BZA Application No. 18104, Application for a variance from the limitation on the allowed number of stories to allow a fourth story addition to an existing one-family row dwelling (Hearing date Sept 21):

A representative from the property presented plans to add a fourth story to the single-family row house. After discussion by commissioners and community members, Commissioner Skelsey made the following motion (Commissioner Birch seconded), which passed by a vote of 7-0:

Given that the adjacent homes are four stories and that the existing three story home beneath is of relatively low floor-to-floor height we take no objection to the variance allowing an additional floor to this structure.

1440 Wisconsin Avenue, NW, Nabeel Audeh, BZA Application No. 18101, Application for a variance from the floor area ratio requirements and nonconforming structure requirements to expand an existing restaurant to all floors, (Hearing date Sept. 21):

A representative from the property presented plans to expand an existing restaurant to additional floors in the existing building. Two of the business's neighbors objected based on a lack of communication from the applicant, as well as concerns about trash and noise.

Relying on the applicant's commitment to request a continuance from the Board of Zoning Adjustment until after the Commission's October 4, 2010 meeting, this issue was deferred to a later date to allow for further community discussion and the opportunity to address the issues productively at the community level.

2900 K Street, NW, Kingdom of Sweden, BZA Application No. 18111, Application for a variance from the non-residential FAR limitations and special exception to convert the residential units to office use (Hearing date Oct. 5):

Representatives from the property presented plans to convert residential units to office use. After discussion by commissioners and community members, Commissioner Starrels made the following motion (Commissioner Birch seconded), which passed by a vote of 6-0 (Commissioner Eason out of the room):

ANC 2E has no objection to the Kingdom of Sweden's BZA Application 18111.

ABC Issues

Fred Moosally (Director of ABRA) spoke about the renewal of the Georgetown moratorium and the addition of seven new licenses. He also spoke about the changes to ABRA's policies regarding licenses in safekeeping, including the cancellation of two of these licenses.

Petition by "George" ABC licensee, 3251 Prospect Street, to terminate Voluntary Agreement:

No representatives from the establishment were present at the meeting. (The establishment's attorney was present for other matters but said he was not authorized to speak for the establishment at this meeting.) After discussion by commissioners and community members, Commissioner Starrels made the following motion (Commissioner Solomon seconded), which passed by a vote of 7-0:

ANC 2E opposes the request by Prospect Dining, LLC, trading as George, to terminate its voluntary agreement, on the grounds of peace, order and quiet and the effects on traffic and pedestrians. A termination cannot be justified by circumstances beyond the control of the applicant or by a change in the neighborhood, and a termination would have an adverse impact on the neighborhood.

Request to change moratorium to add "DX license" for "Brush and Blush":

Due to lack of representation from the establishment, this issue was deferred until the October 4 ANC 2E meeting.

Application for license by "Paul Bakery," License No. ABRA-084926, Sept. 27:

A representative (Andrew Klein) from Paul Bakery spoke about their establishment and the need for a liquor license. After discussion by commissioners and community members, it was determined that no resolution was needed regarding this establishment.

Application for license by "Zenobia Lounge", License No. ABRA-085003, Sept. 20:

A representative from Zenobia Lounge spoke about their establishment and their application for a liquor license. After discussion by commissioners and community members, Commissioner Starrels made the following motion (Commissioner Birch seconded), which passed by a vote of 7-0:

ANC 2E, at the moment, objects to the application for a liquor license because of problems with noise, peace, order and quiet. We hope to work out a voluntary agreement with the owners soon.

Application for license by “Hu’s Wear,” License No. ABRA-084908, Oct. 12:

Representatives from Hu’s Wear spoke about their establishment and their application for a liquor license. After discussion by commissioners and community members, Commissioner Starrels made the following motion (Commissioner Eason seconded), which passed by a vote of 7-0:

ANC 2E protests the application for a liquor license based on issues of peace, order, and quiet. We are committed to meeting with ownership to work out a voluntary agreement.

Application for license by “Lapis,” License No. ABRA – 085260, Oct. 18:

Representatives from Lapis spoke about their establishment and their application for a liquor license. After discussion by commissioners and community members, Commissioner Starrels made the following motion (Commissioner Solomon seconded), which passed by a vote of 7-0:

ANC 2E objects to the application based on peace, order, and quiet with the stipulation that all parties will get together shortly to work out a voluntary agreement.

Application for license by “Midtown Café,” License No. ABRA – 085343, Oct. 18:

A representative (Andrew Klein) from Midtown Café spoke about their establishment and their application for a liquor license. After discussion by commissioners and community members, Commissioner Starrels made the following motion (Commissioner Birch seconded), which passed by a vote of 7-0:

ANC 2E objects to the liquor license application of Midtown Café based on issues of peace, order, and quiet. ANC 2E, along with CAG, will sit down with the applicant shortly to work on a voluntary agreement.

Voluntary Agreement amendments for Tony & Joes, Cabanas and Riverside Grille:

Representatives from Tony & Joes, Cabanas and Riverside Grille; CAG; and the Washington Harbor condominium association, together with Commissioner Starrels, presented a new voluntary agreement for each of the establishments (previously distributed to the Commissioners). After discussion by commissioners and community members,

Commissioner Starrels made the following motion (Commissioner Solomon seconded), which passed by a vote of 7-0:

ANC 2E supports the new voluntary agreement for 3050 K, LLC, trading as Cabanas as completed. ANC 2E therefore, with the adoption of the voluntary agreement as written, lifts its protest upon ABC Board approval of the voluntary agreement.

ANC 2E supports the new voluntary agreement for The Dancing Crab at Washington Harbour Limited Partnership, trading as Tony & Joe's Seafood Restaurant as completed. ANC 2E therefore, with the passage of the voluntary agreement as written, lifts its protest upon ABC Board approval of the voluntary agreement.

ANC 2E supports the new voluntary agreement for PPT Inc., trading as Riverside Grille as completed. ANC 2E therefore, with the passage of the voluntary agreement as written, lifts its protest upon ABC Board approval of the voluntary agreement.

Old Georgetown Board

With one exception, Commissioner Lewis recused himself from the consideration and vote with respect to all of the following items relating to the Old Georgetown Board on the ANC 2E agenda for this meeting. Commissioner Lewis did participate in the consideration and vote related to 1601 35th Street NW, which is located in his single-member district. Commissioner Birch chaired the meeting for consideration of the following OGB-related matters.

Regular Calendar

Public Projects

District Department of Transportation

1000 block of Wisconsin Avenue, NW, east side, 900 block of 30th Street, NW, west side, 3570 Prospect Street, NW, south side, Capital Bikeshare Program:

Representatives from the DDOT spoke about the design and locations of the Capital Bikeshare stations. After discussion by Commissioners and community members, Commissioner Lewis made the following motion (Commissioner Eason seconded) which passed by a vote of 6-1 (Commissioner Golds objecting):

ANC 2E continues to support the concept of bike sharing in the District of Columbia. With respect to the proposed location at 3570 Prospect Street NW, ANC 2E does not support a location there. We instead hope DDOT considers a bike-sharing location either on 37th Street NW, north of N Street NW or, by agreement with Georgetown University, on University property. We continue to support the other two locations identified by DDOT, in the 1000 block of Wisconsin Avenue and the 900 block of 30th Street NW.

Private Projects

1609 31st Street, NW, OG 10-211 (HPA 10-377), Residence, Permit:

Representatives from the property spoke about the addition of a fence and gate on the side yard. After discussion by Commissioners and community members focusing on neighbor objections to the design, Commissioner Eason made the following motion (Solomon seconded) which passed by a vote of 5-0 (Commissioner Starrels abstained):

ANC 2E regrets that the property owner commenced construction of the fence without review or permits, which would have entered the owner into discussions with the neighbors which would have eliminated controversy on the subject. We are aware that the neighbors believe that any fence should be five feet high. We ask that the OGB review the proposal with the concerns of neighbors and the fabric of the historic district in mind.

1687 32nd Street, NW, OG 10-231 (HPA 10-399), Residence, Concept:

Representatives from the property presented plans for a two-story rear addition. After discussion by Commissioners and community members, Commissioner Eason made the following motion (Commissioner Skelsey seconded) which passed by a vote of 6-0:

ANC 2E has no objection to the addition as proposed and described in the drawings submitted to us.

2913 Q Street, NW, OG 10-225 (HPA 10-393), Residence, Concept:

A representative from the property presented plans for a second-floor rear addition. After discussion by Commissioners and community members, Commissioner Eason made the following motion (Commissioner Solomon seconded) which passed by a vote of 6-0, with an amendment by Commissioner Birch to focus on specific modifications, which was agreed to without objection:

ANC 2E, having heard from the tenant/applicant and having received letters from three neighbors and having heard from the adjacent neighbor in opposition, suggests to the OGB that the project be modified so that extension is pulled back and that windows and balconies be moved in a way to avoid sightlines into the neighboring properties.

1815 and 1825 Wisconsin Avenue, NW, OG 10-161 (HPA 10-289), Retail, Concept – revised design:

Representatives from the property presented revised plans for alterations to an existing building, as well as plans for the construction of a new building. After discussion by Commissioners and community members, Commissioner Birch made the following motion (Commissioner Solomon seconded) which passed by a vote of 6-0:

ANC 2E appreciates the approach to create a variety of storefronts to break up the visual aspect of the commercial space and to incorporate design aspects of the commercial district in Georgetown.

1855 Wisconsin Avenue, NW, OG 10-250 (HPA 10-418), Retail, Permit:

Representatives from the property presented plans for an internally-illuminated sign. After discussion by Commissioners and community members, Commissioner Eason made the following motion (Commissioner Solomon seconded) which passed by a vote of 6-0:

ANC 2E has no objection to the signage in option 1 as proposed by the applicant at 1855 Wisconsin Avenue, NW.

1855 Wisconsin Avenue, NW, OG 10-210 (HPA 10-375), Retail, Permit:

No representative from the store was present. After discussion by Commissioners and community members, Commissioner Eason made the following motion (Commissioner Starrels seconded) which passed by a vote of 6-0:

Having not seen a presentation, ANC 2E takes no position on the storefront alterations.

1665 Wisconsin Avenue, NW, OG 10-215 (HPA 10-384), Mixed-use commercial/residential, Permit/concept (for HPRB):

Representatives from the property presented plans for a two-story rear addition. After discussion by Commissioners and community members, Commissioner Lewis made the following motion (Commissioner Eason seconded) which passed by a vote of 7-0:

ANC 2E has concerns about the design and size of the proposed deck. The proposed two-level structure jutting out from the back of the building is not a form that fits into the Historic Georgetown environment. It also appears much too large in relation to the size of the building. At most, a much smaller, single-level deck along the side of the building might be appropriate.

Also, because this building has commercial zoning, a large two-level deck could be a venue for noisy late-hours activities in the future. Town-house size commercial buildings in Georgetown did not (and do not now) have such multi-level, oversize decks, and we urge the Board to rule consistently with that tradition.

1601 35th Street, NW, OG 10-241 (HPA 10-409), Residence, Permit:

Representatives from the property presented plans for a rear staircase, HVAC on roof and a terrace. After discussion by Commissioners and community members, Commissioner Lewis made the following motion (Commissioner Eason seconded) which passed by a vote of 7-0, with an amendment by Commissioner Birch which was agreed to without objection:

ANC 2E urges the Board to require that the recently installed, unpermitted metal stairs be removed and replaced with stairs of a design and materials consistent with the original stairs. This is a prominent corner house and the stairs are highly visible from Q Street NW. We have no objection to improvements to the front terrace that are consistent with the historic fabric of the neighborhood.

Commissioner Lewis also introduced the following resolution to alert the appropriate D.C. government agencies to the possibility that the developer-owner may seek to have this

property treated as two lots without applying for subdivision approval from HPRB (Commissioner Birch seconded), which passed by a vote of 7-0:

ANC 2E is authorized to alert District government agencies, including DCRA, HPO and HPRB, to be watchful for any attempt to treat this property as two separate lots without following procedures requiring any such separations to be considered by the Historic Preservation Review Board.

1306 36th Street, NW, OG 10-248 (HPA 10-416), Residence, Concept:

Representatives from the property presented plans for a two-story rear addition and a replacement front door. After discussion by Commissioners and community members, Commissioner Skelsey made the following motion (Commissioner Golds seconded) which passed by a vote of 5-1 (Commissioner Birch dissenting):

ANC 2E notes that the neighbors on each side of this property were only notified of this proposal on the day of this meeting. We strongly object to the lack of reasonable notice given to the affected neighbors and urge the applicant to refrain from proceeding with the process with the OGB until the neighbors have had time to adequately respond.

1411 36th Street, NW, OG 10-251 (HPA 10-419), Residence, Permit:

Representatives from the property presented plans to replace the garden stairs and landing. After discussion by Commissioners and community members, Commissioner Skelsey made the following motion (Commissioner Solomon seconded) which passed by a vote of 6-0:

ANC 2E understands the need to preserve the privacy of one's outdoor space. With regard to the project at 1411 36th Street NW to replace the garden stairs and landing, we note that an identical stair and landing has previously existed in the same location for many years and that the applicant has been willing to minimize the impact of the replacement landing on the adjacent neighbor's property.

We have no objection to the proposal as submitted and we urge the neighbors to continue to work together to adjust the final configuration of the landing.

3056 M Street, NW, OG 10-232 (HPA 10-400), Commercial, Permit:

Representatives from the property presented plans for an existing sign and awning. After discussion by Commissioners and community members, Commissioner Birch made the following motion (Commissioner Solomon seconded) which passed by a vote of 5-0 (Commissioner Skelsey was out of the room):

ANC 2E moves that the awning consist only of the applicant's name in appropriate sized lettering, that the insignia be removed, that the decals on windows be removed, and that the new awning keep with the restrictions set forth by HPO.

3150 M Street, NW, OG 10-218 (HPA 10-388), Commercial, Permit/concept:

Representatives from the property presented plans for an awning and sign. After discussion by Commissioners and community members, Commissioner Starrels made the following motion (Commissioner Birch seconded) which passed by a vote of 5-0 (Commissioner Skelsey was out of the room):

ANC 2E appreciates the concept of the awnings. ANC 2E does want OGB to take a look at the awnings on the smaller windows to ensure that it does not mask historic fabric. ANC 2E has no objection to the awnings over the doors.

3307 M Street, NW, OG 10-236 (HPA 10-404), Commercial, Concept:

Representatives from the property presented plans to alter the storefront as well as add new signs. After discussion by Commissioners and community members, Commissioner Starrels made the following motion (Commissioner Birch seconded) which passed by a vote of 5-0 (Commissioner Skelsey was out of the room):

ANC 2E appreciates the concept, but we have an objection to the blade sign as exhibited, have concern about the sizing of the sign over the main entrance, the sizing of the sign for the parking and questions about the number of logos on the windows. ANC 2E appreciates the façade of the building as presented.

3338 M Street, NW, OG 10-227 (HPA 10-395), Commercial, Concept:

Representatives from the property presented plans for a back-lit sign for City Sports. After discussion by Commissioners and community members, Commissioner Starrels made the following motion (Commissioner Solomon seconded) which passed by a vote of 6-0:

ANC 2E has no objection to the concept as presented.

3221 Cherry Hill Lane, NW, OG 10-17 (HPA 10-305), Residence, Permit / concept:

Representatives from the property presented plans to alter the front and rear for new openings. After discussion by Commissioners and community members, Commissioner Starrels made the following motion (Commissioner Birch seconded) which passed by a vote of 6-0:

ANC 2E will lend cautious approval to the concept as presented. We would like OGB to pay special attention to the materials used so that they keep within the historic character of the neighboring house and the neighborhood as a whole.

3261 Prospect Street, NW, OG 10-207 (HPA 10-372), Commercial, Permit:

There was no presentation for this item on the agenda, and no resolution was offered.

3411 Prospect Street, NW, OG 10-230 (HPA 10-398), Residence, Concept:

Representatives from the property presented plans for a two-story rear addition, as well as a side addition and alterations to the garage. After discussion by Commissioners and community members, Commissioner Starrels made the following motion (Commissioner Birch seconded) which passed by a vote of 6-0:

ANC 2E objects to the scale and scope of the addition because of its many adverse effects on the neighboring property to the east and possible effects to the property to the west. ANC 2E thinks the property owners might want to examine something slightly more accommodating to the neighbors.

2707 N Street, NW, OG 10-234 (HPA 10-402), Residence, Concept:

Representatives from the property presented plans for a three-story rear addition. After discussion by Commissioners and community members, Commissioner Birch made the following motion (Commissioner Solomon seconded) which passed by a vote of 6-0:

ANC 2E has no objection to the applicant's desire to improve the rear of her house, but we ask that the OGB assess the plans being proposed in light of creating the smallest impact possible on the light, air and open feeling of the adjacent properties.

1525 Wisconsin Avenue, NW, OG 10-229 (HPA 10-397), Mixed-use retail/residential, Concept:

Representatives from the property presented plans for a two-story rear addition, new front and rear dormers, alterations to the storefront and replacement windows. After discussion by Commissioners and community members, Commissioner Birch made the following motion (Commissioner Solomon seconded) which passed by a vote of 6-0:

ANC 2E has no objection to the concept as proposed. We would however prefer retaining the muntins on the storefront window.

At 10:55 p.m., with no further matters on the agenda, Commissioner Lewis moved (Commissioner Golds seconded) to adjourn this public session of ANC 2E. The motion passed unanimously.

Submitted for the approval of ANC 2E,

Aaron Golds
Secretary, ANC 2E