

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

**November 3, 2008**

**Georgetown Visitation School, 35<sup>th</sup> and Volta Place, Heritage Room**

The meeting was called to order at 6:38 p.m. by Commissioner Solomon, Chair, with Commissioners Solomon, Lewis, Skelsey, Starrels, Birch and Eason present, constituting a quorum.

### **ADMINISTRATIVE**

#### ***Public Safety and Police Report***

Commissioner Lewis introduced the newly appointed Acting Commander of MPD's Second District Station, Matthew Klein. Commander Klein addressed the community and responded to questions about police matters. Statistics on recent public safety incidents are available at <http://crimemap.dc.gov/presentation/query.asp> There is also a Second District web site including crime information at [2D\\_mpd@yahoo.com](mailto:2D_mpd@yahoo.com).

#### ***Approval of Minutes***

The minutes for the meeting of ANC 2E held on September 30, 2008 were approved on a motion by Commissioner Eason (Starrels second) by a vote of 6-0.

#### ***Financial Report***

##### **Approval of Quarterly Reports for the 3<sup>rd</sup> and 4<sup>th</sup> Quarters of FY 2008**

Commissioner Solomon presented quarterly financial reports for the 3<sup>rd</sup> and 4<sup>th</sup> quarters of the Commission's Fiscal Year 2008 (April-June and July-September, 2008). After discussion, Commissioner Eason moved (Birch second) to approve the quarterly reports as presented. The motion passed by a vote of 6-0. The quarterly financial reports are on file in the Commission's office.

##### **Approval of a payment with respect to employment taxes**

Commissioner Solomon requested approval for a payment relating to employment taxes to the U.S. Treasury, Internal Revenue Service in the amount of \$3,151.45 and moved (Birch second) to adopt the following resolution, which passed by a vote of 6-0:

**ANC 2E approves and ratifies payment to the U.S. Treasury with respect to prior employment taxes' interest and penalties in the amount of \$3,151.45.**

#### ***Transportation Report***

Commissioner Starrels reminded the community that the ANC Transportation Committee meets and confers regularly with the District Department of Transportation and other District government officials about transportation-related issues of interest within ANC 2E and that community input and suggestions are welcome and encouraged.

Commissioner Lewis reminded the community about the usefulness of the 311 telephone number and the online service request center for reporting to DDOT matters in need of attention on public space. Commissioner Starrels noted that we welcome back from military service Mike Jelen, a senior engineer with the Department of Transportation with whom we work often and productively.

### **COMMUNITY COMMENT**

Christina Culver, a candidate for the Council of the District of Columbia, Ward 2, addressed the community and responded to questions.

Mary Lord, a candidate for the D.C. Board of Education, Ward 2, addressed the community and responded to questions.

Jane Levy, representing Cultural Tourism DC, addressed the community and discussed the African American Heritage Trail, including the proposed placement of two signs in Georgetown.

Linda Greenan, representing Georgetown University, announced that the University will be hosting a community planning meeting on Saturday, November 8, at Duke Ellington School, to discuss issues involved in preparing a Master Campus Plan for the decade beginning January 1, 2011.

A community member pointed out that WMATA is studying the D bus routes and suggested the community participate and urge Metro not to cut the service to Georgetown and Burleith provided by these routes. The WMATA web site for this study is [metrobussevaluation.com](http://metrobussevaluation.com).

### **NEW BUSINESS**

#### ***Special Items***

#### **Status Report on O and P Streets NW**

Commissioners Lewis, Starrels and Solomon reported on the continuing efforts of DDOT and the Federal Highway Administration to finish their analysis of historic preservation considerations and reach a conclusion about an acceptable reconstruction plan for O and P Streets west of Wisconsin Avenue. They reported that a DDOT-FHWA

recommendation on a reconstruction plan is at least 7 more months away, with a study only now being started of an additional alternative. They reported also that DDOT is considering how to prepare these deteriorating roadways for the coming winter, in the absence of a permanent reconstruction plan.

### ***ABC Issues***

Commissioner Starrels reported that Tackle Box and Johnny Rockets have purchased liquor licenses, which will lead in each case to review by ABRA and possible conditions or limitations relating to alcoholic beverage service. For Johnny Rockets, he reported that the Commission will look particularly closely at the hours the establishment is open compared with the hours approved for liquor service.

A representative of Tackle Box addressed the Commission to describe their operations and intentions. Commissioner Starrels reported that he and the Citizens Association of Georgetown will be reviewing the matter, with the goal of a voluntary agreement. After discussion by Commissioners and community members, Commissioner Starrels moved (Solomon second) to adopt the following resolution, which passed by a vote of 6-0:

ANC 2E protests the license for Tackle Box on the basis of concerns about peace, order and quiet, with a view toward further review by the Commission and the likelihood of a voluntary agreement at the Commission's December 2 meeting.

### ***Zoning and Planning***

#### **Application for special zoning exception to allow two principal buildings on a single record lot at 1645 31<sup>st</sup> Street, NW (the Williams-Addison House)**

Mark Teren, owner of the property at 1645 31<sup>st</sup> Street, NW, presented a proposal to seek a zoning exception from the Board of Zoning Adjustment and approval from the Historic Preservation Review Board to permit two principal buildings on the single record lot for that location. After discussion by Commissioners and community members, Commissioner Eason moved (Birch second) to adopt the following resolution, which passed by a vote of 6-0:

In Re: Application of Equity Appreciation Partners Capital Lund I, LLC, by and through Marc Teren, its agent, and Holland + Night, their counsel (the "Applicant"), with regard to the Applicant's applications to the Board of Zoning Adjustment and the Historic Preservation Review Board (the "Applications"), for relief necessary to erect two principal buildings on a single record lot (Square 1282, Record Lot 277), also known as 1645 31<sup>st</sup> Street, NW.

This matter came before Advisory Neighborhood Commission 2E at a public meeting held on November 3, 2008, duly noticed, and at which a quorum was

present throughout. The Applicant was afforded the opportunity to be heard, as well as interested citizens.

On consideration of the Applications by the Commission, it is RESOLVED:

1. The Commission objects in the strongest possible terms to the Applicant's requests for relief. The question of creating separate lots out of the existing historic landmark property to allow for constructing of additional dwelling units was the subject of numerous previous proceedings. The Mayor's Agent for Historic Preservation, after an exhaustive hearing, concluded that subdivision of the historic landmark property was inconsistent with applicable law. That decision, which was not appealed by the Applicant, is *res judicata*, and conclusively binding on the Applicant.
2. Furthermore, the Commission finds that access to the property from Avon Lane, a record public alley which is less than 30 feet wide, is in violation of the Alley Dwellings Act and the Zoning Regulations.
3. Furthermore, the Applicant would now propose separating the historic landmark house from the associated carriage house. The Commission concludes that such separation is inconsistent with the intent of the applicable historic preservation laws and the earlier decisions of the Mayor's Agent.
4. Commissioners Solomon, Starrels, Lewis, Lowenstein, Birch, Skelsey and Eason, or any of them, are hereby authorized to represent the Commission before the Board of Zoning Adjustment and the Historic Preservation Review Board, and to exercise any and all rights of the Commission to participate as a party in such proceedings as may be conducted by those agencies.

### **Office of Planning proposed revisions to zoning rules applicable to universities**

Revisions proposed by the D.C. Office of Planning to the zoning rules applicable to universities and other institutions were discussed. After discussion by Commissioners and community members, Commissioner Lewis moved (Eason second) to adopt the following resolution, which passed by a vote of 5-0:

ANC 2E, representing the communities of Georgetown, Burleith and Hillandale, appreciates the work of the Office of Planning in reviewing regulations relating to campus and institutional land uses in the District of Columbia.

We support the direction given in the Comprehensive Plan that the regulations "ensure" that such uses "are planned, designed, and managed in a way that minimizes objectionable impacts on adjacent communities."

We support the concept of developing a standard format for addressing a range of possible impacts of campus uses, as long as this includes addressing the full range of community issues and impacts. The impacts of Georgetown University on our community are very substantial, and it is crucial that the community have a full opportunity to identify and explore the impacts in detail in connection with a Campus Master Plan. Major impacts include, for example, the effects of off-campus student conduct, activities and housing; university expansion beyond boundaries and uses beyond boundaries, student and employee counts and caps; and management of traffic, parking, loading and university-provided transportation.

We support second stage review in all but the most insignificant cases and we urge the Office of Planning to tighten its proposal to reflect this. Our community needs second stage review for at least two reasons: to evaluate and appreciate the full details and impact of the specific proposals; and as a key available enforcement mechanism to encourage and ensure continuing compliance with the overall Campus Master Plan. Second stage review would not impose a material burden on the university in our community, where detailed historic preservation review is required in all events for all proposed construction, regardless of size. We suggest that one possible way to accommodate our concerns could be that any new regulations on second stage review at a minimum retain the full range of current second stage review for any university or institution located in whole or in part in an area designated as a National Historic Landmark, as the Georgetown Historic District is designated. Finally, with regard to second stage review – having proposed tightening the Office of Planning’s recommendation – we note that we are opposed to the suggestions from the University Consortium that second stage review requirements be loosened still further. .

We urge that the regulations retain both student and faculty/employee counts, which are essential in designing effective and appropriate caps that protect the community. The presence and possible expansion of a large hospital on the Georgetown University campus is an additional reason to retain employee counts.

Finally, we do not support the suggestion by the University Consortium that certain targeted phrases favorable to universities be added to the regulations. Without adding numerous targeted phrases from other sources that are favorable to the surrounding community, the Consortium’s proposal could skew the regulations inappropriately.

On matters not discussed above, we reserve our position at this time.

## **Old Georgetown Board**

*No Action:*

During the meeting, at the request of Commissioner Eason and without objection, the following project was removed from the list of projects to be considered by ANC 2E and was placed instead on the list of projects that ANC 2E would not review at this time:

2500 Q Street, NW, Georgetown Gateway Condominiums, O.G. 09-006 (H.P. A. 09-010)

Commissioner Lewis recused himself from the consideration and vote on all of the following Consent Calendar and Regular Calendar items relating to the Old Georgetown Board on the ANC 2E agenda for this meeting.

***Consent Calendar:***

Commissioner Solomon moved (Birch second) to adopt the following resolution, which passed by a vote of 5-0:

ANC 2E refers the following project to the Old Georgetown Board without objection:

Rose Park and 2624 Dumbarton Street, NW, Cultural Tourism DC, African American Heritage Trail, Placement for two signs in Georgetown, O.G. 08-331 (H.P.A. 08-495)

At this point, Commissioner Solomon departed from the meeting.

***Regular Calendar:***

**National Park Service, C & O Canal National Historical Park / Georgetown Canoe Club:**

This project involves a chain link fence around storage areas used by the Georgetown Canoe Club at a location in the C & O Canal National Historic Park. After discussion by Commissioners and community members, Commissioner Starrels moved (Eason second) to adopt the following resolution, which passed by a vote of 3-0 (Skelsey not present):

ANC 2E has no objections to the plans as presented for dealing with the fence at the Georgetown Canoe Club.

**D.C. Public Schools, 3246 P Street, NW Hyde Elementary School:**

Permit plans were presented to approve an existing temporary trailer on the grounds of the Hyde School. After discussion by Commissioners and community members, Commissioner Starrels moved (Eason second) to adopt the following resolution, which passed by a vote of 3-0 (Skelsey not present):

ANC 2E has no objection to a permit for the temporary trailer as explained.

**Georgetown Branch Library, SMD 07, 3260 R Street, NW, O.G. 08-274 (H.P.A. 08-407):**

Revised concept plans were presented for repairs and alterations to the Georgetown Branch Library. After discussion by Commissioners and community members, Commissioner Skelsey moved (Birch second) to adopt the following resolution, which passed by a vote of 4-0:

ANC 2E is appreciative of the efforts of the D.C. Public Libraries and the architects to engage the community, yet we remain concerned that the community's primary desire for free and easy access to the community room during off hours as well as free access into and out of the library to and from the new terrace be delivered. Likewise, we would encourage the architects and the library to make as large a community room as possible available within the plan.

**3700 O Street, NW, Georgetown University, O.G. 09-015 (H.P.A. 09-020):**

Concept plans were presented for an increase in the height of a smokestack for a power plant on the Georgetown University campus. After discussion by Commissioners and community members, Commissioner Skelsey moved (Birch second) to adopt the following resolution, which passed by a vote of 4-0:

Notwithstanding our concerns about environmental pollution, ANC 2E appreciates the need for the proposal in light of improving the environment of the adjacent dormitories but we remain concerned about the visual appearance of the smokestack with regard to its size and proportion.

**1420 27<sup>th</sup> Street, NW, O.G. 09-022 (H.P.A. 09-027):**

Permit plans were presented for alterations to a garage door for windows, a new door, and new openings at the rear. After discussion by Commissioners and community members, Commissioner Birch moved (Eason second) to adopt the following resolution, which passed by a vote of 4-0:

ANC 2E has no objection to the plans as presented for 1420 27<sup>th</sup> Street, NW.

**3017 O Street, NW:**

Permit plans (for OGB) and a proposed public space permit (for DDOT) were presented for an existing gate and pedestal at a driveway on P Street. After discussion by

Commissioners and community members, Commissioner Birch moved (Skelsey second) to adopt the following resolution, which passed by a vote of 3-0 (Eason not present):

ANC 2E is opposed to the existing installation of a communication pedestal at the rear of 3017 O Street and suggests the identification of substitute technology or unobtrusive location of whatever means are developed for the mechanics and communication required.

**1329 Wisconsin Avenue, NW, Easy Spirit – Bandolino, O.G. 08-337 (H.P.A. 09-510):**

Revised permit plans were presented for a sign and two projecting signs. After discussion by Commissioners and community members, Commissioner Birch moved (Skelsey second) to adopt the following resolution, which passed by a vote of 3-0 (Eason not present):

ANC 2E opposes the proposal for two projecting signs. They are neither necessary to identify a second-story business nor is the business located off the commercial thoroughfare.

**3249 M Street, NW, Pure Hospitality – Mad Butcher, O.G. 08-010 (H.P.A. 08-015):**

This project involves proposed demolition of a garage, a rear addition, alterations and dormers. After discussion by Commissioners and community members, Commissioner Starrels moved (Birch second) to adopt the following resolution, which passed by a vote of 3-0 (Eason not present):

ANC 2E appreciates the proposed design for the area fronting M Street. With regard to the second part of the project, the proposed demolition of the garage, the rear addition, alteration and dormers, we simply do not have enough information at this time to give an educated opinion on what is going to happen at the rear of the building. We would appreciate if the Old Georgetown Board could give special attention to the proposed demolition and construction at the rear of the building.

**3338 N Street, NW, O.G. 09-005 (H.P.A. 09-009):**

Concept plans were presented for a third floor addition. After discussion by Commissioners and community members, Commissioner Skelsey moved (Birch second) to adopt the following resolution, which passed by a vote of 3-0 (Eason not present):

ANC 2E appreciates the level of study and would encourage a scheme that has the least visual impact from the street.

**3251 Prospect Street, NW, Prospect Place, O.G. 08-327 (H.P.A. 08-491):**

Revised design plans were presented for a storefront and brick stairs to a bridge. After discussion by Commissioners and community members, Commissioner Starrels moved (Birch second) to adopt the following resolution, which passed by a vote of 3-0 (Eason not present):

ANC 2E has no objection to the stairs to the bridge. ANC 2E prefers Concept A for the window design.

**3251 Prospect Street, NW, Prospect Place, O.G. 09-016 (H.P.A. 09-021):**

Revised concept plans were presented for new window openings, with balconies at each level. After discussion by Commissioners and community members, Commissioner Starrels moved (Birch second) to adopt the following resolution, which passed by a vote of 3-0 (Eason not present):

ANC 2E will defer to the Old Georgetown Board on the balconies and windows but we note as strongly as possibly that this proposed project demonstrates why the ANC as well as the Old Georgetown Board needs the developer to present a master plan going forward and why it is unfair for us to be doing this piecemeal. We strongly urge the Old Georgetown Board to request such a master plan.

*At 9:55 p.m., with no further matters on the agenda, Commissioner Starrels moved (Lewis second) to adjourn this public session of ANC 2E. The motion passed unanimously.*

Submitted for the approval of ANC 2E,

Ron Lewis  
Secretary, ANC 2E