

Minutes for the Meeting of Advisory Neighborhood Commission 2E

February 28, 2006
Georgetown Visitation School, 35th and Volta Place, Heritage Room

The meeting was called to order at 6:31 PM by the Chair, Commissioner Solomon, with Commissioners Eason, Lever, Moore, and Clements present, constituting a quorum.

ADMINISTRATIVE

Minutes: The minutes of the January 28, 2006 meeting were unanimously approved as distributed by Commissioner Clements.

Financial Quarterly Report: Commissioner Lever, the treasurer, presented the quarterly report for October through December 2005. Commissioner Clements moved (Solomon Second) to approve the quarterly report as distributed by Commissioner Lever, which passed by a vote of 5-0.

Additional Budget Expenditures: Commissioner Lever stated that the computer in the ANC 2E office was nearly a decade old and needed to be replaced. Commissioner Lever moved (Moore Second) to authorize the purchase of a new computer and printer from the best vendor for a total cost not to exceed \$1,400.00, which passed by a vote of 5-0. Commissioner Lever also announced that the ANC would be hiring a bookkeeper. Commissioner Lever moved (Moore Second) to authorize the expenditure of not more than \$40/hour for a bookkeeper, which passed by a vote of 5-0.

ANC 2E Grants: Commissioner Moore reminded the attendees that ANC 2E would be accepting grant applications until April 4, 2006. The applications would be considered at the May 2nd meeting.

Commissioner Skelsey arrived at this time.

COMMUNITY COMMENT

Police Report: Lt. Felicia Lucas of the Metropolitan Police Department delivered the police report for the month of February. She said that robberies had increased by one and burglaries had decreased by one compared to February 2005. She thanked residents for their increased vigilance in securing automobiles. She said the efforts had made a marked difference in theft from auto reports. Charles Steele of 1538 33rd Street asked for an update on the shooting on 33rd Street. Lt. Lucas says that she could not give details because the investigation was ongoing, but that the MPD gang unit had been contacted and that the victim was doing well. John Hopkins requested that MPD make an effort to be proactive rather than reactive. Lt. Lucas said that patrols in PSA 206 had been increased to 28 people on nights.

Georgetown Library Branch Renovation: Commissioner Skelsey stated that plans were still being discussed regarding the renovation of the library. Initially, the city had planned to patch existing problems, but now a total overhaul was likely. He encouraged residents to attend a meeting for community input on March 6th.

Hardy Middle School Update: No representative for Hardy Middle School was in attendance. Commissioner Solomon said that more meetings would occur to discuss truck traffic and vibration, two primary concerns during previous meetings.

New Traffic Signs on M Street and Wisconsin Avenue: Commissioner Lever and Karyn Leblanc presented examples of the new signage for the two busy streets. The overall goal of the changes was to reduce the overall number of signs as well as make them more readable when driving in heavy traffic.

Stop Work Order at 3251 Prospect Street: Ed Eames, a neighbor of Georgetown Court, stated that illegal work had been done on the third floor balcony level in the rear of the property. He said the owner was using an expired permit and the property had a bad history of illegal work. Subsequently, DCRA issued a stop work order. Bob Elliot, the owner of the property said that the permit had not expired and the stop work order now endangered the residents of the apartments. Commissioner Solomon moved (Lever Second) for the following which passed by a vote of 6-0:

ANC 2E implores DCRA to expedite the status of the Stop Work Order posted at 3251 Prospect Place. This issue needs to be resolved as the work is in limbo and could be dangerous to the community.

NEW BUSINESS

ABC Matters

Red Ginger Bistro (Application #74166): The chef and owner of the property presented his request for a substantial change to the liquor license to include spirits. He also stated that his application was incorrect; he would not be using a DJ, just live music performances. Several commissioners questioned whether or not he could request the change in a non-renewal year since a Voluntary Agreement existed. Many neighbors attended to comment on the request. The majority of the neighbors said that this area was too heavily residential for the change. One neighbor commented that the new owner was a vast improvement over the previous owner. Commissioner Lever moved (Skelsey Second) for the following which passed by a vote of 5-0 (Clements abstaining):

Whereas, this substantial change will: create disorder and noise and thereby adversely affect the peace, order, quietness and enjoyment of the residential neighborhood, including the several residences which border the restaurant; have an adverse impact on residential parking needs; adversely affect vehicular and

pedestrian safety in the neighborhood and, have a detrimental effect on property values.

Whereas, additionally, on June of 2001, Red Ginger entered into a Voluntary Agreement (VA) with the community and the ANC2E, which strictly prohibits the activities the applicant is now seeking, as follows:

- 1.) No live entertainment, no dancing, no cover charge, and no drink specials, such as "happy hours";
- 2) Recorded light music only;
- 3) Maximum capacity of 50;
- 4) Absolutely no use of the rear outside patio; and
- 5) Patrons must leave the restaurant at the time of closing (Tues. – Thurs at 11:30 pm, Fri. & Sat. at 12:00 am, Sun at 10:00 pm). Note that the applicant seeks to have drinking and entertainment right up to the closing times, which means that patrons who come in just before closing will be served, and then will leave the restaurant in the early morning hours, not at closing time as required by the VA.

Whereas, under the new ABC regulation [Section 25-446 (d)] the substantial change request can not be reviewed until the applicant's license renewal period in 2007, as it impacts directly on the existing VA.

Furthermore, Red Ginger has not had any communications with community groups or the ANC2E, as would be expected with a standing current VA.

For all of the above reasons, ANC2E adamantly opposes the substantial change in the license of Red Ginger from "D" to "C", the addition of live entertainment and a disc jockey and all other associated requested changes.

Special Items

ANC2E Endorsement of Maria Delaney: Commissioner Solomon moved (Clements Second) for the following which passed by a vote of 6-0:

Whereas , Maria Delaney has been Director of ABRA since 2002.

Whereas, Ms. Delaney has done an excellent job in her duties as Director of ABRA and has assembled and managed a staff that has served ANC 2E and the District of Columbia as a whole in a most professional manner.

Therefore, be it resolved that Advisory Neighborhood Commission 2E enthusiastically supports the reappointment of Maria Delaney as Director of ABRA and respectfully calls upon the ABC Board to re-nominate her and upon the DC City Council to confirm her for that position.

Further resolved, that this resolution shall be communicated to the Chairman and Members of the ABC Board and the DC City Council Committee on Consumer and Regulatory Affairs.

ANC 2E Appreciation of Sugar's Location: Mr. Kim, the owner of the Sugar's business and his attorney stated that Mr. Kim would like to continue his lease and the business. He said that he had made substantial contributions to the actual building and enjoyed operating the business. Mr. Audeh, the owner of the property, said that he wished to develop the business himself. Additionally, he said he was invested in the community with Wisemiller's Deli and only wished to improve the property. He also said that he would not request a liquor license for the establishment. Jack Carlson, Mark Gammons, and several other neighbors stated that they hoped a mutually beneficial resolution could be reached. Commissioner Clements moved (Skelsey Second) for the following, which passed by a vote of 6-0:

ANC 2E would like to commemorate the eighty-nine years of significant contributions that Sugar's Campus Store has made to the Georgetown neighborhood. Since 1917, Sugar's has been an integral part of our community, always providing a warm cup of coffee and a welcoming atmosphere. Generations of Hoyas and other Georgetown residents have enjoyed countless meals at the diner counter with close friends. Businesses such as Sugar's give Georgetown the unique charm which brought so many of us to the area. ANC 2E sincerely hopes that Sugar's will continue to be a fixture in our community for many more years to come, and that the involved parties can find some way to make that happen.

Run for Rigby: Ben Purcell presented plans for the second annual Run for Rigby in honor of Daniel Rigby, the Georgetown student who died in a fire last year. The race would be held on Sunday, April 23rd at 3:00 pm. Public streets affected would be the 3600 block of O Street, the 1200 and 1300 blocks of 36th Street, and the 3600 block of Prospect Street. Commissioner Clements moved (Moore Second) for the following which passed by a vote of 6-0:

ANC 2E supports the request for the 2nd Annual Run for Rigby on April 23rd, 2006. Additionally, we appreciate all efforts to improve the safety of housing in Georgetown through education, proper regulation, and community awareness. We hope this event will continue for years to come

Georgetown University Bond Application: The proposal for bonds was presented by Linda Greenan and David Rubenstein from Georgetown University. Commissioner Clements moved (Solomon Second) for the following which passed by a vote of 6-0:

ANC 2E has no objection to Georgetown University's request for the District to authorize up to \$320 million in bonds for capital expenditures, general maintenance, and the re-financing of other outstanding bonds.

Volta Park Day: Commissioner Lever moved (Moore Second) for the following which passed by a vote of 6-0:

ANC 2E endorses the request for Volta Park Day to be held on June 11, 2006 from noon to 4pm. This annual event has always been a great success and enjoyed by all who come. This ANC endorsement is to be sent to the Department of Parks and Recreation.

Zoning and Planning

3800 Reservoir Road (OGB 06-106): Regina Knox Woods and Mike Barrow of Georgetown University Medical Center presented plans for an oxygen tank storage facility. They said that the current tanks did not provide enough oxygen for the increased number of patients at the hospital. The Old Georgetown Board made a site visit. Commissioner Solomon moved (Clements Second) for the following which passed by a vote of 6-0:

ANC 2E has no objection to the proposed location of the oxygen farm as presented.

Consent Calendar: Commissioner Clements moved (Lever Second) to approve the consent calendar, which passed by a vote of 6-0. The consent calendar included the following projects:

OGB 06-105, 3213 P St.
OGB 06-100, 3333 P St.
OGB 06-078, 1514 34th St.
OGB 06-103, 2727 Q St.

3138 P Street (OGB 06-065): Dale Overmyer presented revised plans that moved the stairs from the side to the front, as initially submitted. The railing on the stairs would be cast iron. Neighbors to the side feared the underpinning that would be required to build the side stairs. Commissioner Clements expressed concern over the future possibility of a basement apartment. Commissioner Moore moved (Solomon Second) for the following which failed to gain a majority (Clements, Skelsey and Eason opposing; Lever abstaining):

The ANC2E, believing the neighbor on the east side of 3138 P Street has legitimate concerns about an entrance and steps being places at the east side of 3138 P Street due to the underpinning necessary and a potential for noise caused by such an entrance, resolves that the owners of 3138 P Street be allowed to place steps and the entrance to their basement at the front of the property. If a front entrance is not permitted by the appropriate agencies, the ANC would resolve that no basement entrance be allowed.

2915-17 O Street (OGB 06-092): Plans were presented to combine the house as well as add a third floor addition to the rear. The previous owner had already partially combined the properties. The ANC received letters of support from the neighbors. Commissioner Moore moved (Clements Second) for the following which passed by a vote of 6-0:

ANC 2E is in support of the plans as presented for 2915-2917 O Street

3030 M Street (OGB 06-009): Revised plans were presented for changes to the storefront. The signage on the front would not be applied to the glass. The signs were placed behind the glass. Commissioner Skelsey expressed concern over the size of the glass in the front. Commissioner Skelsey moved (Lever Second) for the following which passed by a vote of 6-0:

ANC 2E objects to the scale and proportion of the windows as proposed.

Commissioner Skelsey moved (Moore Second) for the following which passed by a vote of 6-0:

We also request that the air conditioners proposed for the roof of the building be adequately screened from the adjacent neighbors.

3040 M Street (OGB 06-054): Revised plans were presented for a third floor addition on the property. The new proposal was set back twice as far as the original. Additionally, the third floor would have a wooden deck. Several commissioner expressed concern over the height of the addition and its modern glass structure. Commisioner Skelsey read a motion submitted by Commissioner Starrels (Solomon Second) for the following which passed by a vote of 5-0 (Skelsey abstaining):

ANC 2E cannot support the addition of a 3rd floor at 3040 M Street as the proposed height is not in keeping with the historic fabric of M Street and the proposal would be disruptive to the sight lines from both M and Thomas Jefferson Streets.

1601 28th Street (OGB 06-099): Plans were presented for a curb cut to add parking in the rear of the property with a two-car garage. This would not remove street parking because it is not allowed on this side of the street. Additionally, the proposal included plans to repair the brick wall around the rear yard and replace the wrought iron fence. The ANC received six letters of support for the property. Commissioner Eason moved (Clements Second) for the following which passed by a vote of 4-2 (Skelsey and Lever opposed):

ANC 2E has no objection to the proposed changes to the property as presented at 1601 28th Street.

3000 K Street (OGB 06-097): Plans were presented for additional outdoor seating at the Agraria restaurant. The restaurant would be owned by and sourced from family farmers.

The space formerly housed the Harbour Club. The proposal called for 55-56 outdoor seats of metal and wood. The total capacity would be 355. Commissioner Lever expressed concerns over the loss of pedestrian space. Commissioner Skelsey moved (Solomon Second) for the following which passed by a vote of 6-0:

ANC 2E offers cautious support for the project at this time due to our concern over the presence of significant outside seating. We request that the owners return to the ANC to review the plans at the schematic design stage.

3255 Prospect Street (OGB 06010): Plans were presented for the project on the current site of Dominos Pizza. The new plans featured a fifth floor that was taken back from the street slightly and a smaller northwest corner. There was no overall reduction in square footage. Many neighbors objected to the size and modern design of the project. No neighbors at the meeting supported the project. Commissioner Skelsey said that he would like more meetings with the neighbors. He also said that the property owner needed to be involved. Commissioner Skelsey moved (Solomon Second) for the following which passed by a vote of 6-0:

ANC 2E strongly opposes the proposal for 3255 Prospect Street as presented. The current design, five stories plus penthouse, and nearly 16,000 square feet, would dramatically alter the scale of Prospect Street, significantly intrude into the shared private open space within this residential block, and significantly add traffic to an already congested area and create a façade with an overlay commercial character. We implore the Old Georgetown Board to listen to the concerns of ANC 2E and to those in the larger community.

3238 Reservoir Road (06-095): The mother of the owner was present, but he was out of the country. Plans were presented for an additional to the garage on the second floor level. The footprint of the house would not be changed. The addition would cover several windows of the adjoining property. The neighbor strongly objected as his windows would now be set up against a brick wall. Commissioner Lever moved (Solomon Second) for the following which passed by a vote of 6-0:

ANC 2E does not support the proposal for 3238 Reservoir Road as presented and ask the applicant to withdraw the submission until the applicant has a better understanding of the concerns of the neighbors. This delay would give the opportunity for dialogue. With the current proposal there would be a loss of open space that would impact the unique view of Book Hill and a drastic loss of light, air, and privacy because of the window blockage that would occur to the neighbor on the west.

1624 Wisconsin Avenue: A representative for the property did not appear at the meeting. Commissioner Lever moved (Solomon Second) for the following which passed by a vote of 6-0:

The applicant for 1624 Wisconsin Avenue did not show up at our meeting therefore ANC 2E has no comments on the proposed awning and signage.

2727 Q Street (OGB 06-103): Commissioner Eason noted that he did not receive the plans for the property in time to review the project. Christian Zapatka, the designer, presented plans for a rear addition on the north side of the property. The addition would add a loft, a curved bay, and approximately 9,600 square feet. Commissioner Eason moved that the ANC refer to the OGB without comment, which failed to gain a majority. Commissioner Clements moved (Lever Second) that the project be moved to the consent calendar which passed by a vote of 5-0 (Eason abstaining).

At 10:14 PM, with no further matters on the agenda, Commissioner Clements moved (Lever Second) to adjourn this public session of ANC 2E. The motion passed with a 7-0 vote.

Submitted for the Approval of ANC 2E,

Brett F. Clements
Secretary, ANC 2E