



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Advisory Neighborhood Commission 2E

Regular Meeting Minutes

Monday, August 30th, 2021; 6:30 p.m.

Online via Zoom

Call to Order

Commissioner Rick Murphy called the meeting to order at 6:32 pm. Commissioners Kishan Putta (2E01), Jenny Mitchell (2E02), Rick Murphy (2E03), Lisa Palmer (2E05), Gwendolyn Lohse (2E06), and Elizabeth Miller (2E07) were present.

Approval of the Agenda

Approval of the ANC's August 30th, 2021 Meeting Agenda

Commissioner Palmer moved to approve the ANC's August 30th, 2021 meeting agenda. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 5-0-0).

Approval of the ANC's June 28th, 2021 Meeting Minutes

Commissioner Palmer moved to approve the ANC's June 28th, 2021 meeting minutes. Commissioner Mitchell seconded the motion, which was voted on and passed (VOTES: 5-0-0).

Election of the ANC's New Secretary and Treasurer

Commissioner Lohse moved to elect Commissioner Mitchell as the ANC's new Secretary. Commissioner Palmer seconded the motion, which was voted on and passed (VOTES: 5-0-0).

Commissioner Palmer moved to elect Commissioner Miller as the ANC's new Treasurer. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 5-0-0).

Administrative

Public Safety and Police Report

Lieutenant John Merzig, a representative for the Metropolitan Police Department's (MPD) Second District, gave an overview of the recent crime statistics for the neighborhood.

Approval of the ANC's FY 2021 Quarter 3 Financial Report

The Commission delayed consideration of this matter until a future ANC meeting.

Community Comment

Update from the Mayor's Office

Anna Noakes, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS), gave an update from the Mayor's Office.

Update from Councilmember Brooke Pinto's Office

Emmanuel Brantley, the Communications Director for Councilmember Brooke Pinto's Office, gave an update from the Councilmember's Office.

Presentation from DC Water Regarding the CSO 025/026 Sewer Separation Project

Amanda Zander, a Public Outreach Coordinator and Private Space Implementation Manager for DC Water, and Matthew Wolniak, a Traffic Engineer for DC Water, gave an update regarding the agency's CSO 025/026 Sewer Separation Project.

Presentation Regarding the District Department of Transportation's Notice of Intent for the Installation of Contraflow Bike Lanes on 2800-3100 Blocks of Dumbarton Street NW (NOI #21-196-PSD)

Will Handsfield, a Bicycle Program Specialist for the District Department of Transportation (DDOT), gave a presentation regarding DDOT's Notice of Intent for the installation of contraflow bike lanes on 2800-3100 blocks of Dumbarton Street NW.

Presentation from the District Department of Transportation on Changing N Street NW to One-Way and Adding a Contraflow Bike Lane from Wisconsin Avenue to 28th Street NW

Mr. Handsfield gave a presentation regarding the proposal for changing N Street NW to one-way and adding a contraflow bike lane from Wisconsin Avenue to 28th Street NW.

Report on the District Department of Transportation's New Visitor Parking Pass Program

Chair Murphy gave a report regarding DDOT's new Visitor Parking Pass Program.

Update from Georgetown Main Street

Rachel Shank, the Executive Director of Georgetown Main Street (GMS), gave an update from the organization.

Announcement of an Upcoming Community Meeting Regarding Ellington Field

Commissioner Putta gave an announcement regarding an upcoming Ellington Field community meeting.

Update Regarding Back to School and COVID Prevention Steps

Commissioner Putta gave an update regarding back to school and COVID prevention steps.

New Business

Consideration of a Resolution Regarding the Proposed Extension of the Georgetown BID's Widened Sidewalk Project Beyond December 31st, 2021

Chair Murphy moved to adopt a proposed resolution regarding the matter. Commissioner Palmer seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

In May and June of 2020, ANC 2E adopted resolutions in support of a proposal by the Georgetown Business Improvement District (BID) to implement a temporary pilot project intended to provide support during the COVID pandemic for businesses in the Georgetown neighborhood located on both M Street and Wisconsin Avenue NW. The concept proposed by the BID involved installation of platforms in the curb lanes of the two streets that would, among other things, facilitate social distancing by effectively widening Georgetown's sidewalks.

In order to proceed with the project, the BID applied for and obtained a permit allowing installation of the platforms in public space. ANC 2E's understanding is that the BID's public space permit will expire on December 31, 2021 and that the BID intends to apply for an extension. ANC 2E opposes extension of the permit in its current form.

The installation of the platforms was always intended to be an experiment. In the view of ANC 2E, the experiment has been a partial failure and a partial success. Platforms used for dining have served to help restore the vibrancy of Georgetown's dining and entertainment scene. On the other hand, platforms adjacent to retail establishments are more often than not vacant. While sitting vacant, the public space occupied by the platforms cannot be used for needed customer parking or commercial deliveries. Moreover, the platforms cause other secondary negative impacts such as micro-mobility safety issues and disruption of traffic flow through Georgetown's commercial areas. In ANC 2E's opinion, it is not in the interest of the Georgetown community to exchange parking spaces that were always full for empty platforms that are seldom used by pedestrians.

For the above reasons, ANC 2E would oppose an application by the Georgetown BID to extend the public space permit that facilitated installation of the sidewalk widening platforms in its current form. ANC 2E would, however, be in favor of the continuing use of some of the platforms to support dining in our community subject to acceptable aesthetic and traffic management guidelines.

Consideration of a Resolution Demanding the Removal of Illegally Installed Porous Flexible Pavement Patches on Brick Sidewalks in the Georgetown Historic District

Chair Murphy moved to adopt a proposed resolution regarding the matter. Commissioner Miller seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

On March 23, 2021, without any prior consultation with either ANC 2E or the Old Georgetown Board (OGB), the District Department of Transportation (DDOT) announced its intention to use Porous Flexible Pavement (PFP) to repair brick sidewalks damaged by tree roots in the Georgetown Historic District. The announcement signaled an abrupt and unilateral end to DDOT's long-standing practice of cooperating with ANC 2E and the OGB when

making decisions that affect the appearance of the federally-protected Georgetown Historic District. Remarkably, DDOT's announcement of the policy change made no reference to the agency's obligation under the District of Columbia Municipal Regulations (DCMR) to use brick to repair sidewalks in Georgetown.

At public meetings held on March 30, 2021 and May 3, 2021, ANC 2E adopted resolutions urging DDOT to delay implementation of its plan to use PFP in Georgetown until there had been an opportunity to have a meaningful discussion among stakeholders of how best to maintain the safety, accessibility, and appearance of brick sidewalks in the Georgetown Historic District. DDOT refused to pause the project, and proceeded to replace the entire width of sections of brick sidewalks in the following four locations in Georgetown with PFP:

1. 2710 P Street NW,
2. on the north side of P Street NW, slightly east of the P Street and 30th Street NW intersection,
3. 3301 Dent Place NW, and
4. 1640 33rd Street NW.

On June 30, 2021, at a Zoom meeting convened by Councilmember Brooke Pinto, DDOT Acting Director Everett Lott agreed to provide copies of legal opinions discussing DDOT's obligations under the Old Georgetown Act and 24 DCMR Chapter 12 to Councilmember Pinto and authorized Councilmember Pinto to share the opinions with representatives of ANC 2E and the Citizens Association of Georgetown (CAG).

In mid-July, ANC 2E received a copy of a legal opinion authored by Deputy Attorney General Brian Flowers that had as its subject, "Does the District's replacement of sidewalk bricks in Georgetown with another material comply with 24 DCMR Chapter 12?" The opinion was dated seven days after the Zoom meeting convened by Councilmember Pinto and roughly 60 days after DDOT replaced four sections of brick sidewalks in Georgetown with PFP. In his opinion, Deputy Attorney General Flowers unambiguously advised DDOT that if the repair of a brick sidewalk in Georgetown (or in any of the other four historic districts identified in the regulation) covers the entire width of the sidewalk, DDOT is required by the regulation to use brick. In each of the four locations in Georgetown where DDOT used PFP to repair damaged brick, the repair covers the entire width of the sidewalk. DDOT has indisputably violated its own regulation.

By email addressed to Acting Director Lott dated July 22, 2021, ANC 2E noted the implications of the legal opinion provided by Deputy Attorney General Flowers, and respectfully requested removal of the illegally installed PFP patches. To date, Acting Director Lott has not responded to ANC 2E's request and the PFP patches have not been removed.

With the above as background, ANC 2E respectfully urges Mayor Muriel Bowser and Deputy Mayor for Operations and Infrastructure Lucinda Babers to direct DDOT to remove the PFP patches illegally installed in the Georgetown Historic District and to repair the four affected sections of sidewalk with brick.

Special Event Application for the Marine Corps Marathon on Sunday, October 31st, 2021

Commissioner Palmer moved to adopt a proposed resolution regarding the matter. Commissioner Miller seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

ANC 2E supports the Marine Corps Marathon's route through the ANC provided that:

1. There will be no amplified music or amplified voices prior to the first runners entering ANC 2E, which is expected to occur at approximately 7:57 am.
2. Emergency vehicles will have access to residents in ANC 2E at all times throughout the race.
3. A complete list of contact information, including key Marine Corps Marathon contacts and Metropolitan Police Department (MPD) Special Operations Division officers, will be provided to Commissioner Lisa Palmer at least 30 days prior to the event.
4. The closed streets will reopen within 30 minutes of the last runner exiting ANC 2E.
5. Efforts will be made to ensure the ability for automobiles to exit 30th Street NW and 31st Street NW throughout the duration of the race.
6. Marathon officials will closely coordinate with ANC 2E and MPD on traffic control efforts related to Phase 4 of DC Water's sewer separation activities along the route.

Alcoholic Beverage Control Board

Request by Brasserie Liberté for an Amendment to the Establishment's Settlement Agreement Authorizing a 30% Increase in the Number of Permitted Interior Seats

Chair Murphy moved to adopt a proposed resolution regarding the matter. Commissioner Mitchell seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

Having considered the request of Brasserie Liberte' for an amendment to the settlement agreement between Georgetown Dining, Inc. t/a Chanterelle, the Citizens Association of Georgetown, and ANC 2E dated August 30, 2018 that would allow an increase of permitted inside capacity from 216 patrons to up to 280 patrons, ANC 2E finds the proposal to be generally acceptable, subject to terms and conditions to be negotiated. ANC 2E authorizes Commissioner Rick Murphy to negotiate and execute the proposed amendment to the settlement agreement.

Request by Afghania for a Stipulated License as Part of the Establishment's Class "D" License at 2811 M Street

Commissioner Lohse moved to adopt a proposed resolution regarding the matter. Commissioner Palmer seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

ANC 2E supports Afghania's stipulated license request for 2811 M Street NW. Afghania and the ANC are working towards a settlement agreement. The settlement agreement will be submitted for consideration at the Alcoholic Beverage Control (ABC) Board hearing addressing the stipulated license, or, if necessary, the ANC will protest the application and submit the settlement agreement for ABC Board consideration at that time.

Public Space Committee

Public Space Application by Keshet Israel Congregation of Georgetown for the Installation of Bollards at 2801 N Street NW

Commissioner Lohse moved to adopt a proposed resolution regarding the matter. Commissioner Miller seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

ANC 2E fully supports Keshet Israel Congregation of Georgetown’s public space application for the installation of bollards at 2801 N Street NW.

Zoning

Board of Zoning Adjustment Application for a Special Exception from the Minimum Rear Yard Requirements to Construct a Two-Story Rear Addition to an Existing Two-Story, Semi-Detached, Commercial Use Building at 1218 31st Street NW

Commissioner Palmer moved to adopt a proposed resolution regarding the matter. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 4-0-0). The resolution reads as follows:

ANC 2E supports the granting of a special exception from the minimum rear yard requirements to construct a two-story rear addition to an existing two-story, semi-detached, commercial use building at 1218 31st Street NW.

Old Georgetown Board

SMD 2E03 - OG 21-271 (HPA 21-475) 3208 Rear Volta Place, NW

Chair Murphy moved to adopt a proposed resolution regarding the matter. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

ANC 2E has reviewed the concept design proposal for 3208 Rear Volta Place NW. The ANC encourages the Old Georgetown Board to pay close attention to the amount of mass that is being added to the structure and the implications that it will have for the historic character of the surrounding residences.

SMD 2E05 - OG 21-270 (HPA 21-474) 3000 M Street, NW

Commissioner Palmer moved to adopt a proposed resolution regarding the matter. Commissioner Miller seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

ANC 2E is pleased to see that there is new work on this currently derelict and empty site and appreciates the episodic design of this project. While the ANC quite likes many of the elements of the plan, the ANC does ask the Old Georgetown Board to consider the following:

- ANC 2E believes that it is important to respect the scale of the buildings on M Street NW and asks the Old Georgetown Board to consider whether or not the height of the various elements of this application which are visible from M Street NW are appropriate in the historic district.
- ANC 2E would like to better understand the built environment for picking up and dropping off guests, noting that the block will likely become more congested as 30th Street NW is also slated as the location for a new visitor center supporting the historic neighborhood.
- ANC 2E is particularly concerned with queuing for pick up and drop off as that will entirely occur on the street where there is also expected to be the visitor center and its associated buses and other related traffic.
- ANC 2E has spoken to Georgetown Heritage and has reviewed the National Park Service's comments shared with the Old Georgetown Board which indicate that there is a difference of opinion on how the Mule Yard should be treated. This asset, though, belongs to the National Park Service. As such, the ANC requests that the Old Georgetown Board works with the applicant to ensure that their plans for this space are feasible.
- ANC 2E would like to move forward with plans for a roof deck carefully and strategically so as to not serve as a disruption to the neighborhood, appreciating that this level of design may come later.

ANC 2E hopes that these comments will help the applicant as it moves its plans forward; our neighborhood is eager to see a permanent solution for this important space, which has been a desolate and unused construction site for too many years already.

SMD 2E05 - OG 21-284 (HPA 21-488) 3150 M Street, NW

The Commission did not take any action regarding this matter.

SMD 2E05 - OG 21-248 (HPA 21-452) 3223 M Street, NW

Commissioner Palmer moved to adopt a proposed resolution regarding the matter. Commissioner Mitchell seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

ANC 2E again notes its interest in protecting the scale of the buildings along M Street NW. The ANC asks the Old Georgetown Board to consider how visible the additional floor will be from M Street NW and if this addition is appropriate in the historic district.

SMD 2E05 - OG 21-275 (HPA 21-479) 3270 M Street, NW

Commissioner Palmer moved to adopt a proposed resolution regarding the matter. Commissioner Miller seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

ANC 2E generally supports adding windows to the back of the building overlooking the canal as it currently looks like a foreboding block on top of the historic canal. Furthermore, the faux windows appear generally odd. However, the ANC also asks the Old Georgetown Board

to consider that these windows will overlook the historic canal and to contemplate the precise design that will be most appropriate in that location.

In addition, ANC 2E notes that the Georgetown Park Condominium Association's board, which essentially shares this building with the applicant, has many important questions about elements that are not currently included in the plans. While many of these questions are outside of the scope of the Old Georgetown Board review, the ANC does ask the Board to consider the following:

- Where will residents enter the building? Can the applicant please clarify how this will occur relative to the existing condo association documentation?

ANC 2E also highly recommends that the applicant and the condominium association work together to address the important questions asked by the Georgetown Park Condominium Association's board in a memo shared with the Old Georgetown Board dated August 21, 2021.

SMD 2E05 - OG 21-285 (HPA 21-489) 3416 Prospect Street, NW

Commissioner Palmer moved to adopt a proposed resolution regarding the matter. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

ANC 2E supports the amended plans which take neighbor feedback into consideration. Specifically, the ANC supports the design which adjusts the south elevation façade such that it will be pulled back four feet to align with the adjacent existing third floor façade at 3414 Prospect Street NW.

SMD 2E06 - OG 21-276 (HPA 21-480) 1404 27th Street, NW

The Commission did not take any action regarding this matter.

SMD 2E06 - OG 21-272 (HPA 21-476) 1511 30th Street, NW

Commissioner Lohse moved to adopt a proposed resolution regarding the matter. Commissioner Miller seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

This applicant is proposing to add significant mass to an already large historic home. ANC 2E understands that the applicant has not met with the immediate neighbors, although the neighbors have asked for a meeting given the impact of this project to their home. Plans were just viewed by the neighbors within the last several days. The ANC also understands that the applicant sent the neighbors a requested light study just a few hours before this ANC meeting.

ANC 2E asks the applicant to resubmit a proposal to the ANC that has been discussed in good faith with the immediate neighbors. The ANC urges the Old Georgetown Board to consider the mass of this project, which will change the historic character of the neighbors' homes by greatly reducing the space between these historic homes.

SMD 2E06 - OG 21-238 (HPA 21-439) 2715 M Street, NW

The Commission did not take any action regarding this matter.

SMD 2E07 - OG 21-278 (HPA 21-482) 1688 31st Street, NW

Commissioner Miller moved to adopt a proposed resolution regarding the matter. Commissioner Palmer seconded the motion, which was voted on and passed (VOTES: 4-0-0). The resolution reads as follows:

ANC 2E has no comment on the architectural plans related to 1688 31st Street NW. The ANC is quite thankful that this important historic property will finally be restored and occupied by a family. The ANC would like to thank owners Ian Myers and Azali Kassum for their herculean efforts to reach out to neighbors and walk them through their project. The late August timing of the Old Georgetown Board meeting has made it hard for neighbors to review plans and ask questions. The ANC encourages Mr. Myers and Ms. Kassum to continue to be in contact with neighbors and to be available to answer questions and review plans.

SMD 2E07 - OG 21-249 (HPA 21-453) 3020 Dent Place, NW

The Commission did not take any action regarding this matter.

SMD 2E07 - OG 21-281 (HPA 21-485) 3300 Whitehaven Street, NW

Commissioner Miller moved to adopt a proposed resolution regarding the matter. Commissioner Lohse seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

ANC 2E would like to thank the developers of 3300 Whitehaven Street NW for their collaboration with neighboring properties, including the British International School of Washington and the Dumbarton Oaks Park Conservancy, and for their willingness to change and adapt their design to feedback. While the ANC has no feedback on the overall design, the ANC would like to note the proximity to Dumbarton Oaks Park Conservancy and impress upon all the importance of that magnificent green space and urge all to make sure light and air are maintained close to the adjoining properties.

Adjournment

Chair Murphy adjourned the meeting at 11:36 pm.