



GOVERNMENT OF THE DISTRICT OF COLUMBIA

## **Advisory Neighborhood Commission 2E**

### **Regular Meeting Minutes**

Wednesday, September 6th, 2017; 6:30 p.m.

Georgetown Visitation School, Heritage Room – 1524 35th Street NW

### **Call to Order**

Chair Joe Gibbons called the meeting to order at 6:30 pm. Commissioners Ed Solomon (2E01), Joe Gibbons (2E02), Rick Murphy (2E03), Mara Goldman (2E04), Lisa Palmer (2E05), Jim Wilcox (2E06), Monica Roache (2E07), and Zac Schroepfer (2E08) were present.

### **Approval of the Agenda**

#### **Approval of the ANC's September 6th, 2017 Public Meeting Agenda**

Chair Gibbons moved to approve the ANC's September 6th, 2017 meeting agenda. Commissioner Roache seconded the motion, which was voted on and passed (VOTES: 8-0-0).

#### **Approval of the ANC's August 9th, 2017 Special Meeting Minutes**

Chair Gibbons moved to approve the ANC's August 9th, 2017 special meeting minutes. Commissioner Wilcox seconded the motion, which was voted on and passed (VOTES: 8-0-0).

### **Administrative**

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

Captain Kelvin Cusick, a representative for the Metropolitan Police Department's (MPD) Second District, said that he has taken over the responsibilities of Captain David Sledge. He added that Lt. David Hutchinson has taken over the responsibilities of Lt. Gary Durand.

Captain Cusick gave an overview of the recent crime statistics for the neighborhood. He said that MPD has identified a suspect in the recent homicide that occurred on the 3500 block of Water Street NW. He said that a warrant has been issued for the suspect's arrest.

Chair Gibbons asked about the recent stabbing that occurred at the British International School. Captain Cusick said that the incident has been turned over to the U.S. State Department to prosecute.

Captain Cusick gave an overview of a recent incident that involved two individuals who drowned after jumping off of the Old Aqueduct Bridge.

### **Community Comment**

### Update from the Mayor's Office

Richard Livingstone, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS), said that Mayor Bowser has issued a strong statement regarding the President's recent decision on the Deferred Action for Childhood Arrivals (DACA) program. He said that the Mayor is encouraging Congress to pass the DREAM Act.

Mr. Livingstone gave an overview of DC's new Commercial Waste Compactor Grants Program. He said that the compactors are part of the Mayor's efforts to reduce the amount of rats in the city. He said that applications for the grant program have to be submitted by next Friday, September 15th.

### **Community Commendation**

#### Community Commendation for Metropolitan Police Department Officer Antonial Atkins

Chair Gibbons presented a Community Commendation to Metropolitan Police Department Officer Antonial Atkins for his service to the neighborhood.

### **Community Comment (Continued)**

#### Update from Councilmember Jack Evans' Office

Ruth Werner, a representative for Councilmember Jack Evans' office, said that the DC Council will soon be back in session. She said that the city's new fiscal year starts on October 1st.

#### Update from the Burleith Citizens Association

Eric Langenbacher, the President of the Burleith Citizens Association, said that the recent grand opening celebration for the Duke Ellington School of the Arts was a great success. He said that the school's community partnership group will soon be up and running.

Mr. Langenbacher gave an overview of the recent incident of anti-Semitic graffiti that was found in Burleith. He thanked city authorities for their quick response regarding the matter.

#### Update from the Georgetown BID

Joe Sternlieb, the President and CEO of the Georgetown BID, said that the BID's final movie series event will take place next Tuesday, September 12th at Georgetown Waterfront Park. He added that the BID's annual Taste of Georgetown event will take place on Sunday, September 24th from 11:00 am to 4:00 pm, on K Street NW between Thomas Jefferson Street and Wisconsin Avenue.

Mr. Sternlieb said that BID will soon be distributing a resident survey that will help the BID recruit more resident-serving retail establishments to the neighborhood. He added that a new water taxi service between Washington Harbour and the southwest waterfront will soon be launching.

### Update from the Georgetown Business Association

Commissioner Wilcox said that the Georgetown Business Association (GBA) is working hard to launch a Georgetown Main Streets organization.

### Announcement Regarding the InterFaith Conference of Metropolitan Washington's Upcoming Unity Walk on Sunday, September 10th

Chair Gibbons gave an overview of the InterFaith Conference of Metropolitan Washington's upcoming Unity Walk, which will take place on Sunday, September 10th and will begin at 1:30 pm at the Washington Hebrew Congregation, 3935 Macomb Street NW. He said that the walk brings together people of all faiths.

### Announcement of Community Meeting Regarding the District Department of Transportation's Francis Scott Key Bridge Architectural Lighting Project on Wednesday, September 27th

Chair Gibbons said that the District Department of Transportation (DDOT) is beginning to study a proposal to add architectural lighting underneath the Key Bridge. He said that DDOT will be holding a community meeting regarding the proposal on Wednesday, September 27th at 6:00 pm at the Georgetown Neighborhood Library, 3260 R Street NW.

### Announcement Regarding DC's LED Streetlight Conversion Project

Chair Gibbons said that the DC Street Light Task Force is seeking a moratorium on DDOT's installation of additional high-Kelvin LED streetlights across the city, and is also asking DDOT to install only 2,700 Kelvin LED streetlights moving forward. He added that it may be a good idea for DDOT to check whether the installation of LED streetlights is subject to Section 106 of the National Historic Preservation Act (NHPA).

### Announcement Regarding Possible Gas Emanating from Treeboxes in Georgetown

Chair Gibbons said that the ANC is studying the possibility of gas leaking into treeboxes in the neighborhood. He said there are currently no health or safety concerns related to this matter.

### Behind the Table: New Georgetown University On-Campus Dining Options

*This matter was moved to the ANC's regular October 2017 meeting.*

### **New Business**

### Consideration of a Resolution Regarding Safety and Parking Improvements to Water Street NW

Commissioner Solomon moved to adopt a proposed resolution regarding the matter. Commissioner Palmer seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

ANC 2E greatly appreciates the District Department of Transportation's efforts to address safety issues in the District of Columbia. We also support DDOT's efforts in working with District residents, leaders, and businesses.

As a result of three fatalities and numerous crimes, ANC 2E commissioners, community leaders, residents, and businesses have recently combined their efforts to address safety concerns on Water Street, west of 34th Street NW to the Capital Crescent Trail. To address community concerns, we urge DDOT to take the following actions:

1. Provide adequate lighting in this immediate area.
2. Manage the parking spaces on the north side of Water Street, west of 34th Street NW to the Capital Crescent Trail. Presently the spaces are free. We request that DDOT meter these spaces. At present there are approximately 20 to 25 cars parked in this area. Many of them appear to have been in this location for an extended period of time. Improving the appearance of this area would contribute to addressing the safety concerns of the community.

Notice of Intent Regarding the District Department of Transportation's Installation of Protected Bicycle Lanes on K Street and Water Street NW and Bicycle Lanes on Wisconsin Avenue NW

Commissioner Palmer moved to adopt a proposed resolution regarding the matter. Commissioner Murphy seconded the motion, which was voted on and passed (VOTES: 6-2-0). The resolution reads as follows:

ANC 2E supports the District Department of Transportation's recommendation to create order along Water Street and K Street NW and looks forward to a comprehensive, solutions-based evaluation of the traffic conditions in the area.

Based on the feedback from constituents, as well as significant study of the serious prevailing safety- and traffic-related concerns in the affected areas, ANC 2E supports Notice of Intent #17-67-PSD, provided that within six months of installation, DDOT, in partnership with ANC 2E and the Georgetown Business Improvement District, will objectively evaluate the conditions, with a particular focus on ensuring that the users of the roadway, including, but not limited to, cyclists and pedestrians, are being provided a safer environment for use than what currently exists, and that traffic operations have been improved. If such study proves otherwise, DDOT agrees to work closely with ANC 2E to either improve the conditions for the end users or to return the street to its original configuration.

Furthermore, as DDOT moves forward with the implementation of this proposal, ANC 2E requests that DDOT also move forward, on a parallel path, with evaluating the timing of the lights at 27th Street and K Street NW, with an eye towards draining K Street traffic more efficiently and quickly, particularly in light of concerns related to the reduction of lanes between Thomas Jefferson Street and 30th Street NW.

Discussion Regarding DC Council Bill B22-0092 – the “Short-term Rental Regulation and Affordable Housing Protection Act of 2017”

Chair Gibbons said that he met with Councilmember McDuffie's legislative director to discuss the proposed Short-term Rental Regulation and Affordable Housing Protection Act of 2017. He said that the ANC has multiple concerns with the proposed legislation and that the Commission will consider a resolution regarding the matter at a future ANC meeting.

Special Event Application for the American Diabetes Association's Tour de Cure on Saturday, September 23rd

Commissioner Palmer moved to adopt a proposed resolution regarding the matter. Commissioner Murphy seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

After careful deliberation and meeting with the Mayor's Special Event Task Force Group, ANC 2E supports the special event application for the American Diabetes Association's Tour de Cure event on Saturday, September 23rd, provided that there will be no amplified music in Georgetown and that no residents will be denied entry to the block where their home is located.

Outdoor Music Permit Application for Long & Foster's Family Fun Day in Rose Park on Saturday, September 16th

*The Commission did not take any action regarding this matter.*

Resolution Regarding the Reinstatement of the Metrobus D6 Bus Stop at the Intersection of 35th Street and Reservoir Road NW

*The Commission did not take any action regarding this matter.*

Resolution Requesting the Installation of a Sidewalk on the North Side of the 3900 Block of Reservoir Road NW

Commissioner Solomon moved to adopt a proposed resolution regarding the matter. Chair Gibbons seconded the motion, which was voted on and passed (VOTES: 7-0-0). The resolution reads as follows:

ANC 2E requests that the District Department of Transportation construct a sidewalk on the north side of Reservoir Road, east of the French Embassy and west of 39th Street NW. The missing sidewalk has created a serious safety hazard for residents and visitors, as the situation forces them to walk on a busy arterial road.

ANC 2E also supports efforts by Ward 3 residents and ANC 3D commissions to have DDOT construct a sidewalk west of the French Embassy on Reservoir Road NW.

**Alcoholic Beverage Control Board**

Application by Café Divan for a Substantial Change to the Establishment's Retailer's Class "C" Restaurant License at 1834 Wisconsin Avenue NW to Add a Sidewalk Café Endorsement

Chair Gibbons moved to adopt a proposed resolution regarding the matter. Commissioner Solomon seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

WHEREAS, a sidewalk cafe endorsement allows for alcoholic beverages to be served or consumed on a sidewalk cafe located on public property.

WHEREAS, Café Divan has submitted a substantial change application to add a sidewalk cafe endorsement, with 12 seats along 34th Street NW, to the establishment's license,

WHEREAS, ANC 2E will only allow the seats to be located on 34th Street NW,

WHEREAS, ANC 2E acknowledges that Hardy Middle School is located across the street from the establishment,

WHEREAS, ANC 2E will act swiftly and decisively to seek fines and penalties if there is any disturbance to Hardy Middle School or the students at the school.

WHEREAS, ANC 2E has consulted with the signatories of the establishment's settlement agreement, the Citizens Association of Georgetown and the Burleith Citizens Association, regarding this substantial change application,

WHEREAS, ANC 2E has consulted with the Hardy Middle School, located across the street from the applicant, regarding this substantial change application,

WHEREAS, ANC 2E met with the residents of the contiguous townhouses and no objections were raised, and

WHEREAS, all the interested parties have no objection to the substantial change application.

THEREFORE, BE IT RESOLVED that ANC 2E supports Café Divan's substantial change application.

### **Zoning**

#### **Resolution Regarding Georgetown University's Proposed Amendment to their Campus Plan to Allow the "Green House" at 1233 37th Street NW to be Used for Academic/Administrative Purposes**

Commissioner Schroepfer moved to adopt a proposed resolution regarding the matter. Commissioner Solomon seconded the motion, which was voted on and passed (VOTES: 8-0-0). The resolution reads as follows:

ANC 2E has no objection to the requested modification of the 2017-2036 Georgetown University campus plan, changing the use of the "Green House" at 1233 37th Street NW from residential / campus life to academic / administrative purposes.

## **Commission of Fine Arts**

### **SMD 2E05 - OG 17-146 (HPA 17-263) 1051 29th Street, NW**

Commissioner Palmer moved to adopt a proposed resolution regarding the matter. Commissioner Roache seconded the motion, which was voted on and passed (VOTES: 6-0-1). The resolution reads as follows:

Acting in accordance with the resolutions adopted by ANC 2E on February 1, 2016 and April 3, 2017, ANC 2E takes no position with respect to whether demolition of the existing structure would be appropriate. However, in the event that demolition is approved, ANC 2E continues to support the latest conceptual design for the proposed West Heating Plant project.

Furthermore, ANC 2E greatly appreciates the U.S. Commission of Fine Arts' unanimous (7-0) vote in favor of the Adjaye / Olin scheme for the redevelopment of the West Heating Plant and, implicitly, their acknowledgement of ANC 2E and the Georgetown community's support for the project.

## **Old Georgetown Board**

### **SMD 2E02 - OG 17-291 (HPA 17-506) 3419 Q Street, NW**

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

ANC 2E supports the applicant's change to their application to specify the use of real wood for the window materials.

### **SMD 2E02 - OG 17-316 (HPA 17-544) 3241 R Street, NW**

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

ANC 2E supports the concept design based on the applicant's removal of the plans for the pool and the pool house from the application and the applicant's specification that the new driveway will be a permeable surface.

### **SMD 2E02 - OG 17-210 (HPA 17-351) 1601 Wisconsin Avenue, NW**

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

ANC 2E is concerned by the applicant's desire to seek permit review when this application should be for concept review. ANC 2E's community has endured these illegally-installed red LED lights for over five months. They have not been turned off and they have not been turned down.

The ANC has tried to work with the applicant to find a lower lumen strength that would be acceptable, but we could not achieve any consistency with the lower lumen strength. The applicant cannot lower the lumen strength. The ANC went out for a field test on June 26th and the technology failed to maintain a sustained lower lumen brightness or strength.

For that reason, ANC 2E opposes the applicant's desire for permit review as an incorrect classification because of the fact that the concept review also does not work. ANC 2E should be presented with an operable technology through concept review before moving to permit review.

Finally, ANC 2E finds that the submitted plans include photos that severely minimize or black-out the illegally installed red LED lights and should not be acceptable to the Old Georgetown Board. ANC 2E requests that the Old Georgetown Board asks the applicant to resubmit its application for concept review and to turn off the illegal red LED lights until the Old Georgetown Board process is completed.

ANC 2E does not support this permit review application to the Old Georgetown Board.

SMD 2E03 - OG 17-226 (HPA 17-368) 3149 O Street, NW

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

ANC 2E objects to the proposed concept design for 3149 O Street NW. The balconies that are proposed for (1) the front façade, including replacing two existing windows with doors, and (2) the rear façade, off the first and second floors, are new and simply not compatible with the historic neighborhood.

Finally, and more importantly, the applicant's proposal to install a large deck, which does not currently exist, off the rear façade of the third floor, overlooking the gardens of several homes to the east and north of this property, is simply inappropriate and unacceptable in our neighborhood.

SMD 2E03 - OG 17-277 (HPA 17-472) 3273 P Street, NW

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

ANC 2E is concerned that the adjacent neighbors have apparently not been consulted about the pending application for concept design. Nevertheless, ANC 2E notes that the

property appears to have been properly placarded. ANC 2E expresses no objection to the proposed concept design.

SMD 2E06 - OG 17-278 (HPA 17-473) 3030 Q Street, NW

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

ANC 2E has concerns regarding the application as filed. The proposal includes eliminating an existing deck at the rear of the property on one side of the house in order to build a new above-ground deck, 12 feet by 12 feet, at a different rear location. ANC 2E regularly raises concerns regarding the construction of new rear decks in Georgetown as being inconsistent with the historic fabric of Georgetown and as representing a potential source of noise that could be objectionable to adjacent neighbors. ANC 2E raises that same concern here for consideration by the Old Georgetown Board.

SMD 2E03 - OG 17-320 (HPA 17-548) 1351 Wisconsin Avenue, NW

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

ANC 2E applauds the applicant's efforts in finding a use for this historic building. ANC 2E has no objection to the signage to the extent of the two signs that are proposed to face the street. ANC 2E is concerned, however, about the signage on the north and south sides of the awning in that they could be viewed as the functional equivalent of blade signs and thus might present policy problems for the ANC in the future.

SMD 2E05 - OG 17-276 (HPA 17-471) 1022 29th Street, NW

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

ANC 2E does not support any proposal which takes windows all the way to the lot line, as we believe that this is both incongruous with other homes on the block and could lead to an unnecessary invasion of the privacy of neighbor homes. We leave the question of materiality to the Old Georgetown Board while recognizing that the improvements being presented are vastly better than current conditions.

ANC 2E is grateful that the applicant is working with an arborist to ensure care is taken relative to the backyard tree. However, ANC 2E does not support a roof deck for this proposed addition as we believe it will cause an invasion of privacy for those homeowners nearby, particularly considering the close quarters in which everyone is located.

SMD 2E05 - OG 17-288 (HPA 17-494) 3040 M Street, NW

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

Considering the incomplete project plans and lack of an ANC presentation, ANC 2E cannot support the current application.

SMD 2E05 - OG 17-313 (HPA 17-541) 3222 M Street, NW

*Commissioner Murphy recused himself from voting on this matter.*

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

ANC 2E applauds Jamestown for working to improve the outdoor conditions in and around the C&O Canal. ANC 2E does have concerns about light pollution down the line, post-interior build-out. Otherwise, we support the applicant's plans for moving forward on this matter.

SMD 2E05 - OG 17-318 (HPA 17-546) 3222 M Street, NW

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

The regulations under the General Standards for Signage 2504.7 of chapter 25 of "Standards for Signs, Awnings, Canopies, and Marquees" states: "Branding, color branding or overpowering visual effects that detract from or overwhelm the architecture or historic character of a building or district are not permitted." We believe that both the quantity and design of the banners being proposed here are in conflict with these General Standards.

Furthermore, the ANC does not generally support signage that can be interchanged – particularly when it can be changed quickly and without subsequent review – once installed, as no oversight on the design of such banners will be available to either the ANC or the Old Georgetown Board.

That said, ANC 2E appreciates the feedback from retailers, particularly from those who are located on the west side of the building, that wayfaring signage is not currently adequate. Residents in the building have also pointed out that they frequently have visitors in their building who are searching for commercial destinations but are unable to find the less-marked businesses.

As such, ANC 2E does not support the concept proposed here but recommends that the applicant further consider a signage package to support the commercial entities which

will better fit into the size and scale typically seen in historically-designated communities like Georgetown.

SMD 2E05 - OG 17-322 (HPA 17-550) 3100 South Street, NW

*The Commission did not take any action regarding this matter.*

SMD 2E05 - OG 17-319 (HPA 17-577) 1044 Wisconsin Avenue, NW

*Commissioner Palmer recused herself from voting on this matter.*

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

ANC 2E is proud to support this application for permit review. The applicant is removing a black asphalt surface and is installing a green space. The applicant is providing our community with a desirable viewshed. The applicant will keep the green space landscaped and open to the public.

ANC 2E finds that the material choices are appropriate as they are seamless and do not overpower the existing building. They will not distract from the green open space. ANC 2E commends the applicant for creating a discreet trash area. This trash area will have state-of-the-art compacting technology that will allow our community to enjoy the open space. As an aside, Sweetgreen is participating in Mayor Bowser's Commercial Waste Compactor Grant Program.

ANC 2E strongly supports this application for permit review to the Old Georgetown Board.

SMD 2E05 - OG 17-245 (HPA 17-440) 1222 Wisconsin Avenue, NW

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

ANC 2E is disappointed that the applicant did not attend tonight's meeting, particularly since so many of our community's applicants have chosen to share their time and resources with us, voluntarily, for projects which are often significantly smaller in scale than this particular project. As a result, ANC 2E is not able to ask questions of the applicant related to its updated concept application.

Nonetheless, we have reviewed the plans and appreciate the applicant's work in updating their application. We would like to ensure that the size of the Wawa lettering on the windows is within the standards set forth by the Old Georgetown Board. Furthermore, ANC 2E will not support window advertising and/or any additional covering of the many windows of this building, including that which is proposed currently on Prospect Street NW.

ANC 2E continues to request that additional and ample trash receptacles be installed within an appropriate radius of the store to contain grab and go consumer generated trash and did not see this on the revised application. ANC 2E requests a fenestration analysis to ensure that the overall lighting plan for the building is consistent with a historic district throughout all day parts, particularly considering the plans for this business to be open 24/7.

Additionally, as put forward in our motion on June 29th, ANC 2E and our constituents believe that this location is an iconic corner in a historic community. In accordance with the applicant's business model, we imagine that the applicant will have significant and frequent loading and unloading needs. ANC 2E would like to better understand the procedures for these processes, particularly related to the effect of frequent deliveries on the pavers in front of the building and any effect on the wear and tear of the stockroom door design.

Additionally, Georgetown already experiences significant traffic congestion and noise related to commercial deliveries throughout the week. ANC 2E would like assurances that the loading and unloading plan will be developed in concert with District Department of Transportation regulations and will not cause undue additional noise and congestion in this historic yet extremely congested neighborhood, nor will it generally damage the streetscape of this architecturally important block in Georgetown.

#### SMD 2E06 - OG 17-328 (HPA 17-558) 2712 Dumbarton Street, NW

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

ANC 2E cannot judge the application on its merits because there was an incomplete presentation by the applicant.

#### **Administrative (Continued)**

##### Approval of the ANC's FY 2018 Budget

Peter Sacco, the ANC's Executive Director, gave an overview of the ANC's proposed FY 2018 budget. He said that, per DC regulations, the Commission should vote on the budget during the ANC's regular October 2017 meeting.

#### **Adjournment**

Chair Gibbons adjourned the meeting at 10:50 pm.