

Minutes for the Meeting of Advisory Neighborhood Commission 2E

August 30, 2005

Georgetown Visitation School, 35th and Volta Place, Heritage Room

The meeting was called to order at 6:41 PM by the Chair, Commissioner Solomon, with Commissioners Eason, Lever, Skelsey, and Clements present, constituting a quorum.

ADMINISTRATIVE

Minutes: The minutes of the June 28, 2005 meeting were unanimously approved as distributed by Commissioner Clements.

Financial Quarterly Report: The financial quarterly report for April, May, and June of 2005 was presented by the Treasurer, Commissioner Lever. Commissioner Lever noted that ANC 2E was owed three allotments from the District and that these would be coming soon. Commissioner Clements moved (Eason Second) to accept the financial quarterly report as distributed, which passed by a vote of 5-0.

COMMUNITY COMMENT

Police Report: Lt. Felicia Lucas of the Metropolitan Police Department was present to give the police report. She stated that burglaries and robberies had increased recently. The largest problem was unlocked doors between the hours of 10:00 PM and 5:00 AM. Also, many of the properties affected had door locks that were easily accessible if windows on the doors were broken. She reminded residents that locks need to remain out of reach from windows on doors. Lt. Lucas regretted that only two of the robbery cases had been closed. She closed by informing the community that greater attention was being paid to Washington Harbour, particularly since a DC radio station recently told listeners to flock to the area on a particular night.

Parking Issues in Georgetown: Al Wheeler presented the parking expansion plan designed by the Georgetown Kiwanis Club. The proposal calls for allowing residents with driveways of adequate width to be able to attain a permit to park in front of their own driveway. He informed the ANC that similar plans were instituted in other parts of the country, including Rehobeth Beach, Delaware. Patrick Clausen of 33rd Street asked whether or not the proposed number of spaces included only legal curb cuts. The question of the cost of towing was raised. Mr. Wheeler stated that the owner of the illegally parked car would bear the cost of this service. Commissioner Skelsey noted that homeowners in Georgetown might be more inclined to purchase additional cars, since they would be guaranteed more parking spaces. Victoria Rixey of Citizens Association of Georgetown asked if "sub-zones" had been considered. As this topic was for the Community Comment portion of the evening, no action was taken.

Introduction of Juanita Crabb and Taste of Georgetown: Juanita Crabb, the new Executive Director of the Georgetown BID, was introduced. Previously, she served twelve years as the mayor of Binghampton, New York. Ms. Crabb announced that the Taste of Georgetown event would be held on October 8th this year. Wisconsin Avenue south of M Street would be closed that day from 3:00 AM – 7:00 PM. Some Commissioners and residents raised questions as to the timing of the event and the expanded size of the event. The event would fall on the same days as the Tour of Hope bicycle race. Commissioner Eason moved (Clements Second) for the following which passed by a vote of 5-0:

ANC 2E enthusiastically supports plans for the Taste of Georgetown event, but is concerned about the length of the street closure. We request that the DCEMA Special Events task force look at ways to address this concern.

NEW BUSINESS

Special Items

Canal Road Street Light Upgrade: Karyn Leblanc of DDOT presented plans for a right hand turn light from Canal Road onto the Whitehurst Freeway. The north sidewalk on Canal Road, near the Exxon station, would be repaired. Also, the plans called for additional street lighting on the median. The proposed light design would be in a teardrop shape that would direct light down, to minimize light pollution. Construction would be done at night and would likely commence in January. Commissioner Lever moved (Solomon Second) for the following which passed by a vote of 5-0:

ANC 2E enthusiastically supports the proposed new lighting for the Canal Road renewed median between Whitehurst Freeway and Foxhall Road. The light upgrade will be more in keeping with historic Georgetown which we appreciate.

Tour of Hope Bicycle Race: Adina Glover presented plans for the Tour of Hope race, to be held October 8, 2005. The event raises money for cancer research. The proposal calls for a rolling street closure in DC from 10:30 AM – 11:30 AM, that includes Canal Road and the Whitehurst Freeway. Ms. Glover stated that riders who were not able to keep up with the group would be removed from the race. Commissioner Solomon moved (Lever Second) for the following which passed by a vote of 5-0:

ANC 2E approves the Tour of Hope scheduled for October 8 2005 as long as effective traffic control measures are in effect.

Italian Embassy Security Measures: Commissioner Eason asked if any neighbors were in attendance to comment on the proposed security planters at the Italian Embassy. No residents were in attendance or had comments on this matter. Commissioner Eason moved (Clements Second) for the following which passed by a vote of 5-0:

ANC 2E has no objection to the proposed plans.

Zoning and Planning

Consent Calendar for the Old Georgetown Board: Commissioner Clements moved (Solomon Second) to accept the consent calendar which passed by a vote of 5-0. The consent calendar contained the following projects:

OGB 05-229: 1607 28th St.

OGB 05-238: 3019 Orchard Lane

OGB 05-263: 2712 P St

OGB 05-264: 2700 P St.

OGB 05-246: 265-275, R St, Montrose Walk

3051 Avon Lane (BZA 17355): Revised plans were presented for the addition to the property. The new proposal asked for a total lot occupancy of 36%. Current lot occupancy is at 24%. Also, plans for to attach the non-conforming garage to the main structure of the house would make it conforming. The house that is currently ten and a half feet from the property line would touch the property line. Three of the five trustees of the neighboring Friendly Estate appeared in opposition to the plans. Al Friendly worried of loss of privacy on the tennis court, among other things. Bob Gabriel, the neighbor on the other side of the property supported the project. Commissioner Eason moved (Lever Second) for the following which passed by a vote of 5-0:

ANC 2E supports the request for a special exception to allow side additions to 3051 Avon Lane, not meeting the side yard requirements on the condition that the applicant remove the windows on the wall facing the property on the western side that would address the privacy issues that were brought to our attention.

1812 35th Street (BZA 17310): Commissioner Solomon explained the background behind this property and the request for higher lot occupancy status as a row house rather than a semi-detached house based on the existence of a trellis. Commissioner Eason moved (Lever Second) for the following which passed by a vote of 5-0:

Whereas, there is now pending before the Board of Zoning Adjustment of the District of Columbia (BZA) the appeal of Deidre O. Stancioff which is docketed as Appeal No. 17310; and,

Whereas, Advisory Neighborhood Commission 2E (ANC) is a party to that appeal as a matter-of-right; and,

Whereas, according to presently available information, the owner of 1812—35th Street, N.W. obtained building permits to enlarge an existing semi-detached dwelling. The improvements caused the property to have a lot occupancy in

excess for forty percent (40%). The addition also expanded a nonconforming side yard. Prior to construction, the owner of that property did not petition for special exception with the BZA or formally notify the ANC that the structure would be inconsistent with the lot occupancy and/or other zoning requirements for semi-detached dwellings in the R-3 district. Instead, the owner and/or the Department of Consumer and Regulatory Affairs (DCRA) added a trellis to the plans and, relying upon that trellis, treated the improved structure as a row dwelling. Ms. Stancioff's appeal challenges the issuance of the building permits by DCRA based on violations of the lot occupancy and side yard requirements for semi-detached dwellings in the R-3 districts. In part, Ms. Stancioff asserts that the addition of a trellis should not, as a matter-of-right, convert a semi-detached dwelling to a row dwelling; and,

Whereas, the ANC previously adopted a resolution in opposition to the special exception petition that was belatedly filed by the owner of 1812—35th Street, N.W.; and,

Whereas, at a public meeting held August 30, 2005, duly noticed, at which a quorum was present, the ANC considered this matter after providing an opportunity for the parties and the public to be heard.

Now, therefore, by Advisory Neighborhood Commission 2E, it is

Resolved, that the ANC supports the appeal of Deidre O. Stancioff for the following reasons:

1. The ANC is particularly troubled by the apparent circumvention of the special exception process. That process is intended to provide the ANC with timely notice and party status. When the owner proceeded without a petition for special exception, the ANC was effectively deprived of an opportunity to object to the construction before it was largely completed.
2. The ANC opposes DCRA's apparent reliance upon a trellis to reclassify a semi-detached dwelling into a row dwelling. The ANC does not believe that homeowners should be allowed to unilaterally reclassify their properties to row dwellings merely by adding largely cosmetic trellises or fences, pergolas, arbors and other lightweight structures.
3. The ANC opposes the improved structure at 1812—35th Street, N.W. due to its adverse impact upon the neighbors, including Ms. Stancioff, and the community.

Further resolved, that the ANC recommends a finding by the BZA that the issued building permits violated the zoning laws and regulations of the District of Columbia. The owner should be directed to modify the structure so that it complies with the lot occupancy and side yard requirements for semi-detached

dwellings in the R-3 District and otherwise complies with the BZA's denial of the owner's special exception petition.

Further resolved, that the ANC requests that the BZA give the "great weight" required by law to the views of the ANC.

Further resolved, that the Chair, and/or Commissioner Charles F. Eason, Jr., and/or any other Commissioner or individual authorized in writing by the Chair, are hereby authorized to present the report of the ANC and to generally represent and act for the ANC with respect to any and all matters related to this appeal.

Georgetown Waterfront Park: John Parsons and Sally Blumenthal of the National Parks Service presented revised plans for the Georgetown Waterfront Park. The new plans included a vastly different design for the three overlooks. Granite benches would be present at each of the overlooks with laser inscribed historic photos of Georgetown. Commissioner Skelsey observed that the benches could easily be used as skateboard ramps. Mr. Parsons replied that the issue had been taken into consideration and the NPS was currently exploring options to prevent skateboarding on the structures. Commissioner Solomon moved (Skelsey Second) for the following which passed by a vote of 5-0:

ANC 2E vigorously and enthusiastically supports the revised plans for the Georgetown Waterfront Park.

3040 M Street (OGB 05-260): The architect for Barney's of New York presented plans for the new store. The design included awnings, a blade sign with eight inch letters, and a lighting scheme similar to that of Barnes and Noble. Some Commissioners worried about the number of Barney's logos and also the blade sign. Commissioner Skelsey moved (Lever Second) for the following which passed by a vote of 5-0:

ANC 2E is appreciative of the overall understatement and elegance of the plans as presented for 3040 M in regard to the signage and awnings. We do have concerns about the blade sign and the excessive use of Barney's logo.

1519 Wisconsin Avenue (OGB 05-261): The architect for the project presented plans for a spa and retail store. The retail portion of the establishment would be in front and the spa would be in the rear. The design called for a new concrete block façade, larger windows, and a new placement for the door. The footprint of the building would be brought back to the original design of the building, as opposed to its current condition. Commissioner Skelsey moved (Clements Second) for the following which passed by a vote of 5-0:

ANC 2E has reservations over the loss of the cornice line at the ground floor level, plans for the extended vestibule space as well as the over all modernistic approach to the façade.

1237 Potomac Street (HPA 05-240): Nashville Peart, the owner of 1237 Potomac Street presented plans for changes to the rear of the property, including six foot French doors. A stop work order was currently in place after the rear wall of the property had been demolished without a permit. John Carroll, speaking for this parents (the neighbors to the south), stated that the original stop work order had been taken down and construction continued. Subsequently, another stop work order was issued. Mr. Peart stated that a person at HPRB, whose name he could not remember, had told him he could continue construction. Commissioner Skelsey noted that the plans given to the ANC were not detailed and it was completely unclear what the proposal called for. He suggested that Mr. Peart hire a more professional architect. Commissioner Skelsey moved (Clements Second) for the following which passed by a vote of 5-0:

ANC 2E strongly opposes the proposal based on the fact that two stop work orders were issued and also that the plans submitted were not at all detailed or appropriate.

3226 O Street (OGB 05-257): The architect for the Arthur residence presented revised plans for the addition to the house. The new plans called for an increase in square footage from 1000 – 1900 square feet. Total lot occupancy would be 31% after the addition. The kitchen that had been in the previous proposal had been removed. Mr. Aduzzi, the neighbor to the west opposed the design because of a sun roof on his back porch that would lose light due to the addition. Commissioner Skelsey asked if a different pitch to the roof would be a possibility, to reduce the light impact of the addition. Commissioner Skelsey moved (Eason Second) for the following which passed by a vote of 4-0 (Lever Abstaining):

ANC 2E supports the revised design for a two-story rear addition to 3226 O Street contingent upon reframing the pitch of the roof so as to minimize the loss of sunlight for the neighbor to the west.

3043 N Street (HPA 05-433): Plans were presented for a six foot addition to the rear of the property. Both neighboring houses extended farther than the proposed design. A letter of support from 3041 N Street was given to the ANC. The applicant informed the ANC that the other neighboring house, 3045 N Street, had just been sold. No neighbors were in attendance to oppose or support. Commissioner Lever moved (Solomon Second) to move the project to the consent calendar by a vote of 5-0.

3028 P Street (HPA 05-417): Douglass Rixey, the architect, presented plans to convert the second floor of the rear wing of the home and also to connect this wing to the main structure of the house. In addition, the roof would be raised to make the separate parts of the house more consistent. Mr. Rixey estimated that the house was originally built in the 1820s. The neighbors had been notified by mail in early July. Mr. Rixey was not sure if the owners had received a reply as they are currently out of town. Commissioner Solomon moved (Lever Second) for the following which passed by a vote of 5-0:

ANC2E reserves judgment on the property until we are apprised as to the neighbors' opinions on the design.

1349 28th Street (OGB 05-250): Plans were presented for an addition to the third floor of the home. The addition would house a new master suite. No neighbors were in attendance to oppose. Commissioner Eason moved (Lever Second) for the following which passed by a vote of 5-0:

ANC 2E supports the plans as presented for 1349 28th Street for a 3rd floor addition and appreciates the thoroughness of the presentation.

2712 P Street (PGB 05-263): The owner for the property presented plans for a new porch on the house. At the time of the ANC meeting, a stop work order was in place. When making approved cosmetic changes to the porch, it collapsed. The owner stated that the neighbor on the side of the porch did not live in the house most of the year, but that he would not have a problem with the porch. No evidence was presented in support of this statement. Commissioner Lever moved (Solomon Second) to move the project to the consent calendar which passed by a vote of 4-1 (Skelsey Opposing).

2819 P Street (OGB 05-253 & 256): Neither the owner nor the neighbors were in attendance to comment on the plans for the property. Commissioner Skelsey moved (Lever Second) for the following which passed by a vote of 5-0:

ANC 2E cannot support the plans as presented in light of no presentation.

At 10:55 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 5-0 vote.

Submitted for the Approval of ANC 2E,

Brett F. Clements
Secretary, ANC 2E