



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Advisory Neighborhood Commission 2E

Regular Meeting Minutes

Monday, October 30th, 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 6:29 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 October 30th, 2017 Meeting Agenda

Chair Gibbons moved to adopt the October 30th, 2017 meeting agenda. Commissioner Roache seconded the motion, which was voted on and passed (VOTES: 7-0-0).

Approval of the ANC's October 2nd, 2017 Meeting Minutes

Chair Gibbons moved to approve the October 2nd, 2017 meeting minutes. Commissioner Murphy seconded the motion, which was voted on and passed (VOTES: 7-0-0).

Administrative

Public Safety and Police Report

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

Commissioner Solomon asked about MPD's preparations for the upcoming Halloween holiday. Sgt. Firehock said that MPD has quadrupled the size of the police force stationed in Georgetown for Halloween night. He said that MPD will be out in force on M Street NW.

Commissioner Palmer requested that MPD also monitor the residential portions of the neighborhood in addition to M Street NW during Halloween night, especially given all of the kids that will be out in the neighborhood.

A group of restaurant owners who were present said that they are concerned about the proliferation of food trucks on Thomas Jefferson Street NW. They said that the food trucks create a good deal of noise and take away customers from the brick and mortar restaurants in the neighborhood.

Sam Zimbabwe, the Chief Project Delivery Officer for the District Department of Transportation (DDOT), said that the ticketing of food trucks is handled by the Department of Public Works (DPW). He said that DDOT has worked with other agencies to create food truck zones across the city where food trucks are able to park. He said that he will follow up with DPW regarding the matter.

Approval of the ANC's FY 2017 Quarter 4 Financial Report

Chair Gibbons moved to approve the ANC's FY 2017 Quarter 4 financial report. Commissioner Murphy seconded the motion, which was voted on and passed (VOTES: 8-0-0).

Reaffirmation of Pro Bono Counsel in Zoning Issues Related to the Project at 3254 O Street NW

Chair Gibbons stated that Commissioner Murphy will continue to serve as the ANC's pro bono legal counsel for the zoning issues related to the project at 3254 O Street NW.

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 recently announced a new partnership with the app PulsePoint. He said that, as a result of the partnership, when local residents call 911, the 911 operator can let the caller know where the closest automated external defibrillator (AED) is located. He encouraged local residents to download the app, which he said can also let users know if someone near them needs CPR assistance.

Mr. Livingstone said that Mayor Bowser recently attended an event in Georgetown to launch the new Georgetown Main Street organization, and was also in Georgetown for the Friends of Book Hill Park's recent fundraiser.

Mr. Livingstone said that Melinda Bolling, the Director of the Department of Consumer and Regulatory Affairs (DCRA), will be attending the Burleith Citizens Association's (BCA) upcoming annual meeting to discuss the neighborhood's concerns regarding illegal construction and home-flipping.

Update from Councilmember Jack Evans' Office

Ruth Werner, a representative for Councilmember Jack Evans' Office, said that Councilmember Evans will also be attending the BCA's annual meeting.

Ms. Werner said that the DC Council's upcoming hearings include an oversight roundtable regarding DCRA's management of the vacant and blighted property management program. She added that on November 28th the DC Council's Committee on Health will be holding a hearing regarding proposed legislation that will permanently allow dogs to be present on restaurant patios if the respective restaurants choose to allow them.

Update from the Citizens Association of Georgetown

Bob vom Eigen, the President of the Citizens Association of Georgetown (CAG), said that CAG's recent gala was a great success. He added that over 300 people attended the gala.

Mr. vom Eigen said that CAG encourages local residents to submit any comments that they have regarding the West Heating Plant landmarking application to the Historic Preservation Review Board (HPRB).

Mr. vom Eigen said that CAG's next public meeting will take place on Wednesday, November 15th at 7:00 pm at the Duke Ellington School of the Arts, 3500 R Street NW.

Update from the Burleith Citizens Association

There was no updates regarding this matter.

Update from the Georgetown BID

Joe Sternlieb, the CEO and President of the Georgetown BID, said that the BID is in the process of carrying out a survey of Georgetown residents regarding retail options in the neighborhood. He encouraged local residents to fill out the survey. He added that there are gift card raffles for residents who complete the survey.

Mr. Sternlieb said that the BID's 4th Annual Georgetown GLOW event will take place from Friday, December 8th to Sunday, January 7th. He said that this year's event will feature nine light installations.

Mr. Sternlieb said that the BID has been working with other BIDs across the city to start a conversation regarding the proposal for designated Uber and Lyft pick-up spots in commercial areas across the city.

Update from the Georgetown Business Association

Sonya Bernhardt, the President of the Georgetown Business Association (GBA), said that the new Georgetown Main Street organization will soon be choosing an executive director.

Update Regarding Community Concerns About Grace Street NW Conditions

The president of the 3210 Grace Street NW condominium board said that residents of the building are concerned about the possible addition of loading zones on Grace Street. She said that residents are concerned about how unlivable the conditions of the street currently are. She said that the possible addition of loading zones will create additional livability issues. She added that the condominium board is also requesting that the ANC not enter into a settlement agreement with the Wine Outlet regarding the establishment's current license application in order to allow the residents' protest of the application to move forward.

Update from the Department of Public Works

Sonya Street, a Ward 2 inspector for the Department of Public Works (DPW), said that new solid waste regulations are going into effect that ban the placement of certain types of electronics in the trash. She encouraged local residents to bring electronics to DPW's Fort Totten Transfer Station at 4900 John McCormack Drive NE for recycling.

New Business

Presentation Regarding LED Streetlights in the Neighborhood

Chair Gibbons said that he recently met with Rahmat Rasson and Cherwin Baga, electrical engineers for DDOT, to discuss the community's concerns regarding the high-temperature LED streetlights that DDOT has installed or is proposing to install in the neighborhood.

Chair Gibbons said that, as a result of the meeting, DDOT committed to replacing the 4,000 Kelvin LED streetlights on Volta Place NW with 3,000 Kelvin LED streetlights, as well as to install several 2,700 Kelvin LED streetlights on Volta Place so that community members can compare the 2,700 Kelvin bulbs and the 3,000 Kelvin bulbs. He added that DDOT also committed to coordinating with ANC 2E regarding the installation of additional LED streetlights in the neighborhood as proposed under the citywide Smart Lighting Project.

Mr. Baga said that DDOT has found that LED bulbs are the most effective and efficient type of lighting to use as part of the citywide Smart Lighting Project. He said that Volta Place will be the first location in DC to have 2,700 Kelvin LED streetlights.

Judah Gluckman, Deputy Director and Counsel for the Office of Public-Private Partnerships (OP3), gave an overview of the office's public-private partnership model. He said that, as part of the Smart Lighting Project, OP3 is committed to seeking feedback from ANCs and community groups across the city.

Consideration of Resolutions Regarding the Proposed Architectural Arch Lighting and Architectural Colored Lighting as Part of the Key Bridge Architectural Lighting Project

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

ANC 2E formally requests inclusion as a consulting party with regards to the Key Bridge Architectural Lighting Project, particularly in any memorandum of agreement (MOA) between the Federal Highway Administration and the consulting parties, which may consider adverse impacts of the lighting proposal, including, but not limited to, effects on historic structures and viewsheds, safety concerns, and concerns related to bird migration.

Commissioner Palmer moved to adopt a second 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:

The District Department of Transportation (DDOT), in coordination with the Federal Highway Administration, is proposing architectural lighting improvements to the Francis

Scott Key Bridge in order to enhance nighttime views and accentuate the bridge's unique architectural features, separate from the existing lights on the bridge surface. ANC 2E thanks DDOT for its comment deadline extension so that the ANC could provide a resolution regarding this opportunity.

While a specific concept design has not yet been presented and, therefore, ANC 2E cannot issue a resolution on concept design for this installation, ANC 2E remains aligned with Councilmember Evans, who requested in a letter dated October 3, 2017 to DDOT Acting Director Jeff Marootian that the option to occasionally program the lights to bathe the bridge in color be reinstated and that "the lights on the bridge be of a type that can be programmed with color."

Commissioner Palmer moved to adopt a third 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 prefers the installation of architectural lighting that would allow for maximum flexibility for lighting design options in the future as well as experimentation related to mitigating environmental feedback and potential adverse effects. With that being said, in terms of the white lighting schemes presented by the District Department of Transportation, ANC 2E generally prefers a lighting scheme which subtly accentuates the bridges attributes.

Consideration of a Resolution Regarding a Request for Additional District Department of Transportation Funding to Study the Proposed Rock Creek Bypass

Chair Gibbons 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:

WHEREAS, ANC 2E believes that the potential benefits of the proposed Rock Creek Bypass project include improved traffic flow between Rock Creek Parkway and Interstate 66; decreased traffic at the intersections of Rock Creek Parkway & Virginia Avenue and 27th Street & K Street NW; and more flexible use of the riverfront green-space between Virginia Avenue NW and the Roosevelt Bridge, so as to enhance pedestrian and bicycle access to the continuous riverfront park from Georgetown to the National Mall. Taken together, these improvements would be of enormous benefit to the entire city,

WHEREAS, ANC 2A, which serves the Foggy Bottom and West End neighborhoods, has the proposed Rock Creek Bypass project within its boundaries, and

WHEREAS, ANC 2A voted unanimously on October 18, 2017 to urge the District Department of Transportation to include the study of the proposed Rock Creek Bypass project in its final 2018-2022 Statewide Transportation Improvement Program and to secure \$500,000 to proceed with updating the 2003 Federal Highway Administration environmental impact assessment and feasibility study beginning in the next calendar year.

THEREFORE, BE IT RESOLVED that ANC 2E urges the District Department of Transportation to include the study of the proposed Rock Creek Bypass project in its final 2018-2022 Statewide Transportation Improvement Program and to secure \$500,000 to proceed with updating the 2003 Federal Highway Administration environmental impact assessment and feasibility study beginning in the next calendar year.

Consideration of a Resolution Regarding a Joint ANC Town Hall on the District Department of Transportation's Current Dockless Bikeshare Pilot Program

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

WHEREAS, there are currently five dockless bikeshare companies operating in DC: Mobike, LimeBike, Spin, Jump, and ofo,

WHEREAS, ANC 2E is concerned about the geofencing being used by each company and questions whether the geofencing successfully prevents the dockless bikes from littering our National Parks and the National Mall,

WHEREAS, the District Department of Transportation's dockless bikeshare pilot program is operating in all eight wards of the city and the ANC questions what the geographic distribution of the bikes is and whether the companies' rebalancing efforts are effective,

WHEREAS, DDOT's pilot program runs from September of 2017 to April of 2018 and ANC 2E is concerned about the agency's evaluations of the benefits and impacts of the program and the agency's development of appropriate regulations for a dockless bikeshare system,

WHEREAS, ANC 2E is concerned about the level of data access and transparency from the five companies that are being evaluated,

WHEREAS, ANC 2E is concerned about the evaluation of the dockless parking patterns and the effects of dockless bikes on public spaces, benches, and other public fixtures, as well as considerations for how inclement weather will affect where these bikes ultimately end up,

WHEREAS, ANC 2E respectfully asks DDOT to produce a full "midterm" report regarding the dockless bikeshare pilot program,

WHEREAS, ANC 2E is working with colleagues from ANC 2A and ANC 2B in order to gather more information on the dockless bikeshare pilot program, and

WHEREAS, DDOT's dockless bikeshare pilot program is a good example of how large programs can have an effect on multiple ANCs.

THEREFORE, BE IT RESOLVED that ANC 2E requests that the District Department of Transportation give a presentation regarding the above-mentioned concerns at a joint ANC 2E, ANC 2A, and ANC 2B town hall to be held before the end of 2017.

Presentation by Gottlieb Simon, Director of the Office of ANCs, Regarding the ANC Code of Conduct and DC Council Bill B22-0136 – the “Comprehensive Code of Conduct of the District of Columbia Establishment and BEGA Amendment Act of 2017”

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

ANC 2E is concerned that the “Comprehensive Code of Conduct of the District of Columbia Establishment and BEGA Amendment Act of 2017” (DC Council Bill B22-0136) might, if enacted, have the perverse effect of making it more difficult for Advisory Neighborhood Commissions to fulfill the role for which they were created. Many sections of the bill contain vague or highly subjective criteria and, in particular, the concept of conflict of interest included in the bill would extend beyond financial concerns to cover “personal interests,” which could make it difficult, if not impossible, for ANC commissioners to participate in organizations that benefit their communities and have goals that are completely aligned with the ANC they serve.

Therefore, ANC 2E encourages the DC Council to pay close attention to the effect that this legislation would have on the Advisory Neighborhood Commissions that have served the District well ever since Home Rule was achieved.

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

ANC 2E asks Chair Gibbons to appoint a committee of commissioners to review and analyze all the provisions of this bill and to provide recommendations to the full commission concerning this legislation in advance of our next public meeting, which takes place on December 4th of this year.

Alcoholic Beverage Control Board

Application by Boeymonger for a Substantial Change to Add a Summer Garden Endorsement to the Establishment’s Retailer’s Class “D” Restaurant License at 3265 Prospect 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: 8-0-0). The resolution reads as follows:

ANC 2E protests the application by Boeymonger for the addition of a summer garden endorsement to ABRA License #102904 on the grounds that granting the application would negatively affect the peace, order, and quiet of the neighborhood.

ANC 2E hereby designates Commissioner Rick Murphy to represent the ANC in all matters pertaining to this protest. ANC 2E further designates Karen Cruse to represent the ANC in Commissioner Murphy's absence.

Consideration of Several Renewal Applications for Class "B" Licenses

The Commission did not take any action regarding this matter.

Public Space Committee

Public Space Application by EastBanc for Streetscape Improvements at 2715 Pennsylvania Avenue NW

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

EastBanc is the developer of a condominium project at 2715 Pennsylvania Avenue NW, across from the Four Seasons Hotel in Georgetown. The proposed building has been previously approved by ANC 2E. Public space site plans were developed for the site, which includes a parcel to the west of the proposed building that is currently controlled by the National Park Service. ANC 2E has been asked to comment on those plans by the Public Space Committee of the District Department of Transportation.

ANC 2E has been advised by EastBanc that, although the site plans for 2715 Pennsylvania Avenue NW have technically been set for consideration by the Public Space Committee in November, EastBanc continues to be in the process of revising the plans and is not ready for them to be considered by the ANC.

Therefore, ANC 2E requests that any rulings regarding the adequacy of the site plans for 2715 Pennsylvania Avenue NW be deferred by the Public Space Committee until after the revised plans are provided to the ANC and considered at a duly scheduled public meeting.

Public Space Application by the Georgetown BID for the Installation of a Bike Rack, Planters, Tables, and Chairs at 1025 33rd 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: 8-0-0). The resolution reads as follows:

ANC 2E supports the public space application by the Georgetown BID for the installation of planters, tables, and chairs at 1025 33rd Street NW and welcomes the thoughtful recapture of public space for use by the public.

Zoning

Board of Zoning Adjustment Application for a Special Exception from the Alley Lot Use Permissions to Permit the Use of an Existing Two-Story Alley Lot Building as a One-Family Dwelling at 3208 Volta Place NW

Commissioner Murphy moved to adopt a proposed resolution regarding the matter. Chair Gibbons 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 application for a special exception for this property.

Historic Preservation Review Board

Historic Preservation Review Board Applications for the West Heating Plant Project at 1051-1055 29th Street NW

Commissioner Palmer moved to adopt a proposed first resolution regarding the matter. Commissioner Murphy seconded the motion, which was voted on and passed (VOTES: 7-1-0). The resolution reads as follows:

In April of 2015, the Historic Preservation Review Board denied proposed landmark designation of the West Heating Plant on its merits and did not request that the nomination be forwarded to the National Register of Historic Places. Since that time, no new relevant evidence has been presented. Furthermore, as former Historic Preservation Review Board member Maria Casarella noted in her comments after the 2015 presentation for landmark status, "what we have here is a case for memorializing an ecological disaster." The community overwhelmingly agrees with this assessment and does not believe that the building should be landmarked.

The community also supports the U.S. Commission of Fine Arts' 2017 unanimous decision that the essence of the building can be preserved through a less literal and more bold design, as we see here today. ANC 2E respectfully requests that the Historic Preservation Review Board confirm its prior decision to not designate individual landmark status on our West Heating Plant.

Commissioner Palmer moved to adopt a proposed second resolution regarding the matter. Chair Gibbons seconded the motion, which was voted on and passed (VOTES: 7-1-0). The resolution reads as follows:

ANC 2E respects that it is the Mayor's Agent for Historic Preservation's decision to determine if demolition of this property is appropriate. That said, ANC 2E strongly believes that the development of this property into a residential property alongside the creation of a new public park is the only acceptable solution for the West Heating Plant, considering the urban planning, congestion, and parking issues which face ANC 2E05 specifically, and the Georgetown community more generally. We maintain that it is in the public's interest to bring this process to a conclusion – continuation of the status quo is not in the best interest of the Georgetown community.

Like the U.S. Commission of Fine Arts, ANC 2E supports the idea of imagining a preservation scheme for the West Heating Plant which moves beyond preserving the building as is, but indeed respects the building's history, culture, and architectural values. The ANC believes that the design presented today by acclaimed architect David Adjaye and his team incorporates exciting technical innovation and excellent design, carefully marrying the past with the future of our community, conveying historic significance while not being shackled by it and frozen in time. We also note the Commission of Fine Arts' September 2017 unanimous approval for this project, particularly their request for bolder and less literal design — which is what we have here. As such, we believe that this design merits consideration under the category of exemplary architecture.

Furthermore, the community is absolutely delighted by the creation of a unique public park which links Rock Creek Park and the Georgetown waterfront and that no public funds will be required to fund or maintain the park. This is a tremendous benefit which the larger community has long desired. As such, we believe that this project provides unique community benefits to not only Georgetown residents but to all who visit Georgetown as well.

The ANC highlights the community's overwhelmingly strong support for the construction of this project as presented here today, and specifically our support based on qualifications related to exemplary architecture and community benefits. We also note our appreciation for the design team's plans to sensitively preserve the western façade, the perimeter foundation walls, and the site walls, despite the extensive challenges with the existing structure.

ANC 2E believes that it is time to move this portion of 29th Street NW from neglected to spectacular, and this project from a concept to a reality. We strongly support the transformation of the West Heating Plant from a dark and foreboding blight into a beautiful, innovative development with significant public benefits. We also look forward to the transformation of one of the key gateways into our community from decrepit and toxic to one that respects and reflects our history while simultaneously moving our community forward.

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

ANC 2E supports the applicant's request for a subdivision to consolidate the lots in order to facilitate the reconstruction of a multi-unit residential building on the site.

Historic Preservation Review Board Application by Clyde's Restaurant Group for the Subdivision / Combination of Lots and Buildings in Order to Obtain a Certificate of Occupancy at 1226-1234 36th Street NW

The Commission did not take any action regarding this matter.

Old Georgetown Board

C&O Canal

The Commission did not take any action regarding this matter.

SMD 2E02 - OG 18-024 (HPA 18-031) 3241 R Street, NW

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

WHEREAS, ANC 2E has contacted the northern contiguous property and no concerns were raised to date, and

WHEREAS, the Old Georgetown Board-submitted plans for permit review show the pool and pool house to be constructed close to the northern property line.

THEREFORE, BE IT RESOLVED that ANC 2E has no issues with Old Georgetown Board- submitted plans for permit review, including the installation of a pool and pool house.

SMD 2E02 - OG 17-357 (HPA 17-619) 1608 Wisconsin Avenue, NW

The Commission did not take any action regarding this matter.

SMD 2E02 - OG 18-002 (HPA 18-002) 1641 Wisconsin Avenue, NW

Chair Gibbons 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:

WHEREAS, the applicant has been serving our community with great food for over twenty years,

WHEREAS, the applicant was unaware of Department of Consumer and Regulatory Affairs regulations that had been violated,

WHEREAS, the applicant has immediately and proactively removed the violating signage,

WHEREAS, the applicant has demonstrated a willingness to work with ANC 2E to install the proper signage, and

WHEREAS, the applicant will undertake the installation of the proper signage as directed by the Old Georgetown Board.

THEREFORE, BE IT RESOLVED that ANC 2E fully supports the applicant's concept design and understands that this concept design is subject to modifications by the Old Georgetown Board.

SMD 2E06 - OG 18-019 (HPA 18-026) 2725 N 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: 8-0-0) The resolution reads as follows:

ANC 2E resolves that the Old Georgetown Board should pay careful attention to whether the applicant's permit application complies with the approvals as previously provided by the conceptual review.

SMD 2E07 - OG 17-295 (HPA 17-520) 2449 P Street, NW

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

ANC 2E cannot support the concept design for 2449 P Street NW for the following reasons:

First, the neighbors of the property were not properly notified of the proposed project per the Notice Requirements for Historic Properties Amendment Act of 2014,

Second, the ANC is concerned that the design, as presented, must use the neighbor's property in order to construct the concept design.

Third, the ANC has concerns regarding how the proposed landscaping may facilitate improper water run-off from the property.

Fourth, the ANC is concerned as to how the current concept design will impact the contiguous neighbor's back yard.

Lastly, the ANC is concerned regarding whether the proper zoning approvals exist for the proposed project.

Adjournment

Chair Gibbons adjourned the meeting at 9:05 pm.