

**ADVISORY NEIGHBORHOOD COMMISSION 3-C
GOVERNMENT OF THE DISTRICT OF COLUMBIA**

Cathedral Heights · Cleveland Park · Massachusetts Ave. Heights · McLean Gardens · Woodley Park

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Regular Monthly Meeting Minutes
September 20, 2004

I. CALL TO ORDER

Chair Nancy MacWood called to order Advisory Neighborhood Commission 3C (ANC 3C's) regular monthly meeting for September 20, 2004 at 7:36 p.m. The meeting was held in the auditorium at Washington International School, 3100 Macomb Street, NW, Washington, DC. Other commissioners present were Allen Hahn, Sheila Hogan, Sally MacDonald, Trudy Reeves and John Welsh.

II. VERIFICATION OF NOTICE

Chair MacWood verified that the proper notice was published in the *Northwest Current* and posted on the Cleveland Park listserv and ANC 3C web site.

III. ESTABLISHMENT OF QUORUM

Chair MacWood acknowledged that a quorum (at least five members of the commission) was not yet present at the start of the meeting, but that additional commissioners would be arriving later in the evening. She postponed all votes until a quorum was reached with the arrival of Commissioner Welsh at 8:56 p.m. Commissioner Hogan later arrived at 9:33 p.m.

IV. APPROVAL OF AGENDA

Chair MacWood added consideration of a liquor license for the Taste of India restaurant under commission business. She also added consideration of an HPRB application for 2919 Ordway Street NW. With those additions, the agenda was approved unanimously (4-0). Chair MacWood asked the four present commissioners – Allen Hahn, Sally MacDonald, and Trudy Reeves – to introduce themselves.

V. ANNOUNCEMENTS

- a. Chair MacWood announced that St. Alban's school was hosting a discussion of their development plans on Garfield Street at Pilgrim Gallery, 7th Floor of the Cathedral Building, on September 22 at 7:30 p.m.
- b. Chair MacWood asked if there were any announcements. Cleveland Park Community Association (CPCA) President George Idelson announced that CPCA would hold a forum on school board and ANC candidates at 6:30 p.m. on October 12 at the Cleveland Park Library.
- c. Chair MacWood announced a special meeting with ANC 3E regarding the Friendship Heights Upper Wisconsin Ave Corridor Study on September 28 at 7:30 p.m. at Georgetown Day School. She stated that the ANC might consider a resolution at October's monthly meeting, but that the special meeting would involve discussion only.
- d. Commissioner MacDonald announced that the annual Blessing of the Animals would be held at National Cathedral on October 4 at 5 p.m.

e. A community member announced that Giant Food Store would begin closing overnight in October.

f. Chair MacWood introduced John Bullock, the new District Department of Transportation (DDOT) Planner for Ward 3. Mr. Bullock introduced himself and gave an overview of his background. He stated that DDOT would be performing a traffic study on Wisconsin Ave in cooperation with the Office of Planning. He further stated that the Office of Planning was going to hold two public meetings in early October to discuss the plans for northern and southern Wisconsin Avenue. Commissioner Reeves asked how Wisconsin Avenue was divided. Mr. Bullock responded that it is divided at the ANC lines.

ANC 3C transportation committee co-chair Peter Espenscheid pointed out that the DDOT traffic study and the Office of Planning study use different boundaries for Upper Wisconsin Ave. Mr. Bullock responded that DDOT's study is supplementary and goes much further south. Chair MacWood said that ANC 3C recommended that DDOT actually do a study of the entire Wisconsin Avenue corridor because segmenting it could be misleading. ANC 3C also suggested that DDOT redo the Friendship Heights traffic study because buildout of the area wasn't anticipated at the time the study was conducted. Commissioner MacDonald also recommended that DDOT consider viewpoints of all residents, not just those concentrated along Wisconsin Avenue.

CPCA President George Idelson asked about the status of the lights and signage at 30th Street. Cleveland Park Historic Society President Lois Orr asked about the status of historic lights on Ordway Street. Chair MacWood said that DDOT has indicated that they will put historic lighting on Ordway when it's reconstructed, but that they have not yet said what they will look like.

Commissioner Hahn raised his concerns about traffic on Connecticut Ave and the lack of response to complaints. A resident also asked about Cleveland Avenue cars being hit by speeding traffic. Chair MacWood replied that damage to parked cars has been a major issue in the neighborhood and that the ANC has brought the issue up with DDOT before, suggesting installation of triangle barriers. Mr. Bullock asked if a formal resolution was passed. Commissioner Reeves said that the ANC is hoping that DDOT will give formal recommendations to the ANC, at which point a resolution would be considered. Mr. Bullock said that a resolution would help. Commissioner MacDonald praised Mr. Bullock for making his presence known and working well with the commissioners. Chair MacWood thanked him for coming.

g. Chair MacWood introduced Commander Contee from MPD 2D. Commander Contee gave an overview of his background as a native Washingtonian and 14-year police veteran. Commander Contee listed his top priorities as: 1) reduction of crime; 2) traffic enforcement; and 3) customer service.

Commander Contee invited questions. Chair MacWood mentioned that the ANC had made suggestions to PSA Lieutenant Roger Roch about focus areas and wants to know if the MPD reports problem areas to DDOT to see if it can help. Commander Contee said that they do not, but agreed that both the police and the ANC should report statistics to DDOT. He said he would work with the PSA lieutenants to collaborate further with their community on neighborhood traffic enforcement.

Commissioner MacDonald noted that police officers used to attend Woodley Park Community Association meetings and asked whether it would be feasible for officers to begin that practice again at the ANC meetings. Commander Contee responded that he would be open to sending an officer to whichever community organization draws the largest constituent base, so as not to over-commit the officer. Commissioner MacDonald said that alternatively, the second district could submit something to put in the community newsletters. Commander Contee noted that MPD 2D has a regular meeting on the third Wednesday of every month to which the public is invited.

Various community members brought up additional questions and concerns. Chair MacWood thanked Commander Contee for coming and promised to stay in touch.

VI. COMMISSION BUSINESS

a. Chair MacWood introduced consideration of an Historic Preservation Review Board application for concept approval to develop Tregaron. Attorney Cynthia Giordano provided an overview of the application to build nine houses – two on Macomb and seven with access from Klinge Road. Chair MacWood moved a resolution opposing the development Commissioner MacDonald seconded. Chair MacWood introduced Friends of Tregaron President Bonnie LePard. Ms. LePard expressed her dismay that Tregaron’s current owners had not accepted a bid by a group of nonprofits to purchase the land and expressed the groups’ opposition to the current development plan. John Hoffman, a board member of Friends of Tregaron, concurred. After further discussion, Chair MacWood asked if Ms. Giordano had any comments. She said she did not. Commissioner MacDonald asked if the developers had re-priced the houses for sale since the last development plan. Ms. Giordano said they had not. Chair MacWood deferred consideration of the resolution pending a quorum.

When Commissioner Hogan arrived at 9:33 p.m., Chair MacWood moved for a vote on the Tregaron resolution. Commissioner Reeves seconded. Commissioner Welsh expressed concern with the resolution as drafted because it specifically barred infill. Chair MacWood pointed out that the gardens have immense historic value and should be preserved. Commissioner Welsh asked why the ANC has not told Washington International School that they cannot build additional buildings. Chair MacWood replied that the WIS buildings are on already developed areas of the property and that WIS has worked hard to come to an agreement with Friends of Tregaron to preserve the lands. After further discussion, **Resolution 2004-022 was approved by a vote of 6-0.**

b. Chair MacWood introduced Michael Jack, president and general manager of NBC 4, who provided an overview of the station’s Board of Zoning Administration special exception application to continue utilizing a second broadcast tower. Mr. Jack said that the station was seeking no change to the current special exception and that everything would stay the same as it had for the 10 years previous.

Chair MacWood explained that the second tower was approved as a replacement for the smaller tower in 1994 to compensate for changes in technology. They were also planning for a new building at the time. Now-Councilmember Mendelsson litigated the issue of whether the smaller tower should have been demolished. The case was remanded back to the BZA, who finally issued its order in 2004. ANC 3C’s planning and zoning committee met with NBC and found that most of the capacity is on the larger tower. The smaller tower is a revenue-generating activity. One of the things the ANC is concerned about is that the comprehensive plan urges that broadcast towers not be overdone in Ward 3. Chair MacWood said that the ANC is very interested in hearing what the community thinks and would like to have more time to consider the matter. Since the BZA hearing is not until October 26, the ANC will vote at the October 17 meeting. After additional comments and questions from community members, Chair MacWood thanked Mr. Jack for attending.

c. Chair MacWood moved that the commission have no objection to liquor licenses for Palena at 3529 Connecticut Ave NW and Cajun Grill at 2608 Connecticut Ave NW. Commissioner Hahn seconded. **The motion was approved by a unanimous vote of 6-0.**

d. Chair MacWood introduced consideration of a motion to approve a liquor license for the Taste of India restaurant at 2621 Connecticut Ave NW. Commissioner Hahn stated that he had sent a draft voluntary agreement to Taste of India requesting that it abide by the law on the books. Taste of India’s owners indicated to Commissioner Hahn that they are prepared to sign that agreement.

Commissioner Hahn moved to approve the license application for the Taste of India pursuant to the voluntary agreement. Commissioner Reeves seconded. A community member expressed concern about approving the application without a signed agreement in hand. Commissioner Hahn amended his motion to make it dependent on Taste of India signing the agreement. **The motion was approved unanimously by a vote of 6-0.**

VII. CONSENT CALENDAR

a. Chair MacWood moved for approval of the items on the evening's consent calendar. A neighbor to the property at 3501 Quebec St NW objected to the application for a three-foot retaining wall to replace an existing hedge. Commissioner Welsh explained the plan to the neighbor and said that the community had been notified by appropriate channels. The neighbor said she was not aware of the plan and is concerned about obscured visibility. Chair MacWood stated that she would take the matter off of the consent calendar and hold it over until October.

b. Chair MacWood moved the remaining consent calendar items. Commissioner MacDonald seconded. **The motion was unanimously approved by a vote of 5-0.**

VIII. COMMUNITY FORUM

a. Chair MacWood introduced consideration of an Historic Preservation Review Board application for a six-foot addition to a rowhouse at 2919 Ordway Street. She stated that the HPRB gave conceptual approval at its last meeting, but HPRB staff must complete details. Due to that approval, the ANC is not able to make any further recommendations on the project. Chair MacWood invited the applicant to make a statement. The applicant said he had discussed the matter with all of his neighbors. Invited neighbors to discuss the application and has worked with them on the matter. The applicant's neighbors raised their concerns. Commissioner MacDonald said she wasn't sure why the HPRB didn't defer consideration at the ANC's request in July. The applicant replied that Emily Paulus at HPRB told him that there were no historic issues with the project, which is why it remained on the HPRB consent calendar.

Commissioner Welsh moved to request reconsideration of the issue because the procedural process had been eclipsed by HPRB not fully considering the application. He proposed sending a letter to HPRB asking them to rescind the approval temporarily while the applicant, his neighbors, and the ANC try to come to some accommodation or agreement. Chair MacWood concurred. The applicant objected, stating that he had done his part and been patient with the process, but that his approval was granted properly and should stand. Chair MacWood stated that similar applications have been considered in the past and the ANC has found that the HPRB can consider back yard issues. She recommended that the ANC ask the HPRB to scrutinize this matter more closely. Commissioner Hogan suggested referencing similar applications in the ANC's letter to the HPRB. Commissioner Welsh moved to request that HPRB rehear the application and confirm the grounds for project approval. Commissioner Hahn seconded.

After further objections from the applicant, Commissioner Welsh asked whether Chair MacWood and he could simply pursue further discussions with the HPRB to find out why the HPRB didn't heed the ANC's request to delay consideration of the application. Commissioner Hogan stated that, as a matter of procedure, the ANC should have received an explanation when its requests are not accepted. Commissioner MacDonald concurred. Commissioner Welsh withdrawing his motion and stated that he and Chair MacWood would ascertain what happened and assure themselves that HPRB considered potential historic considerations and concluded that they were of no impact and that the neighbors' objections were unrelated to HPRB purview. He suggested to the applicant that construction not commence until Commissioner Welsh can report back with a resolution. Commissioner Hahn moved that the commission authorize Chair MacWood and Commissioner Welsh to contact HPRB staff regarding the application. Commissioner MacDonald seconded. **The motion was approved unanimously by a vote of 6-0.**

c. Commissioner Reeves moved consideration of a resolution requesting that the District Department of Transportation place flashing yellow lights on 37th Street near Sidwell Friends and Hearst schools. Commissioner Hahn seconded. **Resolution 2004-023 was approved by a unanimous vote of 6-0.**

d. Chair MacWood moved consideration of a letter to Congressman Mark Souder opposing his proposed legislation to repeal DC's gun laws. Commissioner Hogan seconded. George Idelson suggested tailoring the language to include the Congressman's constituents as possible affected parties. Chair MacWood added "workers" and "visitors" to District residents as the population at risk. **The motion was approved by a unanimous vote of 6-0.** Commissioner Welsh thanked Chair MacWood for addressing the issue.

e. Chair MacWood moved consideration of a letter to the DC Board of Elections and Ethics requesting implementation of additional measures to ensure that disabled residents have access to the polls. Commissioner Welsh seconded. **The motion was approved by a unanimous vote of 6-0.**

f. Commissioner Hahn moved consideration of a letter to the Klingle Corporation regarding payment of \$5,000 for tree planting in Woodley Park, as agreed to under the construction management plan between the Kennedy Warren residents, ANC 3C, and the Klingle Corporation. Commissioner Hahn stated that 30 trees would be planted beginning on November 14. Chair MacWood offered a friendly amendment that the letter include the cost of care and upkeep. Commissioner Hahn accepted the amendment and moved that the letter be approved as amended. Commissioner Reeves seconded. **The motion was approved by a unanimous vote of 6-0.**

IX. OFFICERS REPORTS

a. Commissioner Hahn moved consideration of the June minutes. Commissioner Reeves seconded. **The motion was approved by a unanimous vote of 6-0.**

b. Commissioner Hahn moved consideration of the July minutes. Commissioner Reeves seconded. Chair MacWood called for a roll call vote. **The motion was approved 3-0-3, with Chair MacWood, Commissioner Welsh, and Commissioner Hogan abstaining due to their absence from the July meeting.**

c. Commissioner Hahn introduced a resolution authorizing the expenditure of up to \$900 for a scanner for the ANC office and amending the budget accordingly. Commissioner Welsh seconded. After some discussion, Chair MacWood called the question. **Resolution 2004-024 was approved by a unanimous vote of 6-0.**

d. Chair MacWood introduced a resolution authorizing the expenditure of \$1500 to study the Giant store renovation and expansion. Commissioner Welsh asked if any of the suggestions that would come from the architect would influence Giant in any way. Chair MacWood replied that the drawings would be provided to government officials and local groups and she believes they will help advance the dialog among the various groups. Commissioner Welsh proposed a friendly amendment that the architect work with Giant regarding impact on its business. Chair MacWood chose not to accept the amendment, stating that she believes the architect would be limited by the current agreement. Commissioner Hogan proposed a friendly amendment that the resolution include a reference to the Congress for the New Urbanism or another organization that has done research on similar issues. Commissioner Welsh concurred. Chair MacWood pointed out that the purpose of hiring an architect is to facilitate the agreement between Giant, the Office of Planning, and CPCA.

Commissioner Hogan offered a friendly amendment that a copy of the resolution be sent to the Northwest Current and other publications to counteract the impression that the community is

opposing further development. Chair MacWood accepted the friendly amendment. Commissioner Reeves suggested inviting Giant to a future ANC meeting. Commissioner Hahn suggested that the drawings be applicable to potential future residents. Chair MacWood called the question and moved the resolution. Commissioner Hogan seconded. After some discussion, **Resolution 2004-025 was approved by a unanimous vote of 6-0.**

e. Commissioner Welsh moved approval of the fourth quarter budget. Commissioner Hahn seconded. After some discussion, **the motion was approved by a unanimous vote of 6-0.**

f. Commissioner MacDonald reported that resolution 2004-021 supporting creation of a new emergency services department has been used all over town as a template for other organizations to support the legislation.

X. ADJOURNMENT

Chair MacWood adjourned the meeting at 11:52 p.m. without objection.