

April 17, 2006

**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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I. CALL TO ORDER

Chair Nancy MacWood called to order Advisory Neighborhood Commission 3C (ANC3C's) regular monthly meeting for April 17, 2006 at 7:33 p.m. The meeting was held in the community room at the Second District Police Station, 3320 Idaho Avenue, NW, Washington, DC 20008. Other commissioners present included Bruce Beckner, Dia Black, Avram Fechter, Sheila Hogan, Catherine May, Trudy Reeves and Stephanie Zobay. Commissioner Deborah Jane Lindeman arrived at 7:50 p.m.

II. VERIFICATION OF NOTICE

Chair MacWood verified that the proper notice was published in the Northwest Current and posted on the Cleveland Park list serve, the Woodley Park list serve, and the ANC3C website.

III. ESTABLISHMENT OF QUORUM

At 7:33 p.m. Chair MacWood acknowledged that a quorum (at least five members of the commission) was present.

IV. APPROVAL OF AGENDA

Commissioner Hogan requested that two additional draft resolutions be added to the agenda, regarding Charter Schools in general and Christ Church's rental of space to the Washington Latin School. Chair MacWood moved for approval of the corrected agenda:

- A. Presentation and discussion of plans to renovate Hearst School Playground and Fields with representatives from the Hearst Council
- B. Consideration of 3 HPRB Applications
 - 1. 2661 Connecticut Avenue, NW: for a glass and steel canopy replacement for a canvas canopy above the door.
 - 2. 3610 Idaho Avenue, NW: for a rear and side addition and new dormers on the front façade.
 - 3. 2622 Garfield Street, NW: for a rear 2-story addition on a row house.
- C. Consideration of 4 draft resolutions:
 - 1. Consideration of a resolution to urge the relocation of the Washington National Zoo construction entrance.
 - 2. Consideration of a resolution relating the citing of a charter school at Massachusetts Avenue, NW and Idaho Avenue, NW.

3. Consideration of a resolution addressing the impact of charter schools on neighborhoods in Washington, DC.
4. Consideration of a resolution to support a funding application to the U.S. Department of Housing from Woodley House.

The amended agenda was unanimously approved 8-0.

V. ANNOUNCEMENTS

1. Chair MacWood announced that the deadline to apply for Medicare Part D is May 15, 2006. Paul Strauss will hold a community meeting for senior citizens to discuss this deadline and issues regarding the new prescription coverage. The meeting will be held at the ARC Boys and Girls Club, 1901 Mississippi Avenue, SE on Thursday, April 27, 2006, 12:30-2 pm. All are welcome but please RSVP to 1-866-507-4861 (toll free).
2. Chair MacWood announced Green DC Week. The Office of Clean City is hosting an Adopt-a-Block Program. If any organizations are interested in adopting a block to keep clean, information may be found on their website, www.cleancity.dc.gov or call (202) 724-8967.
3. Commissioner Reeves announced the Public Quarterly Meeting of the Sidwell Friends School. The meeting will be held Monday, May 22, 2006 at 7:30pm at a location to be announced. A representative from Hitt Construction Company will discuss the summer schedule involving 37th Street, NW.
4. Lt. Cusick, PSA 204 announced that PSA 204 has a new acting Commander. Inspector Andrew Solberg replaced Commander Contee, effective April 9, 2006. Commander Contee was transferred to Special Operations. Inspector Solberg comes to us as the previous Commander of the 1st District Substation. Lt. Cusick also announced that PSA 204 has identified 3 officers for vacant positions, which brings the total number of officers staffing 1st, 2nd, and 3rd Watch to 15. Chair MacWood inquired as to whether this filled all the vacancies. Lt. Cusick said PSA 204 should have 20 officers for a full complement.

Note: Commissioner Lindeman arrived at 7:50 p.m.

VI. PRESENTATION

Commissioner Beckner introduced Martha Black, Co-chair of the Hearst Recreation Advisory Council (“HRC”). Ms. Black elaborated on the history of the playground project.

- September 2002: HRC submitted a proposal to the DC Department of Parks and Recreation (“DPR”) and Councilmember Kathy Patterson’s office, outlining safety issues with respect to the upper field, fencing, and the tot lot. ANC3C passed a resolution to support the proposal at the September 2002 public meeting.
- May 2003: HRC meet with Mr. Neal Albert, Director of DPR, who surveyed the site. According to Ms. Black, Mr. Albert was very impressed with this beautiful site and the overwhelming need for major rejuvenations. He acknowledged that it would be a top priority Capital Improvement, noting that

the playground was a disgrace. He assured HRC that DPR was going to complete the renovations, and assured the community that would be enough money.

- August 2003: HRC meet with Marise Bellevue, DPR Landscape Architect to solicit ideas for the playground. The proposed plan was submitted to the community at their public meeting, and was voted to be inadequate and unusable.
- September 2003: Hurricane which damaged trees and the toddler swings.
- December 2003: Eddie Johnson, DPR, made concept design presentation at HCR meeting. Many concerns expressed by HCR regarding design.
- January 2004: Second HRC concept meeting, many problems still noted.
- February 2004: HRC meeting with DPR regarding plans and reiterating community wishes that the plan not include field lights, benches under the willow oaks, a sandbox, or a fence around the basketball courts, and encouraging tree protection.
- March 2004: Survey of Hearst School staff and students and abutting neighbors regarding what the community wants to see on the new playground. 48 responses received and tabulated results hand delivered to DPR.
- May 2004: Meeting at DPR with Lisa Franklin-Kelly, Head of Capital Projects, who noted that her agency had completed a review of all plans and commented that everything will get done. The playground has now been listed as a separate Phase II project. Note that there is still no proposed budget for the renovation.
- June 2004: Neal Albert leaves DPR for Mayors Office; Drew Becker is named new interim director at DPR.
- August 2004: Office of Capital Projects lengthy and specific outline of requirements for the upper field. First mention of playground to be resited on the basketball court.
- September 2004: HRC received a copy of the new plan, and emailed Linda Franklin-Kelly regarding the change of the preferred location of the playground site.
- October 2004: Phase I work begins.
- November 2004: HRC drafts recommendations for the full project as a resolution, which was submitted to ANC3C and ANC3F. HRC also goes to DPR to get final Phase I drawings. The Executive Committee reviews comments. There is no playground, but there is upper field fencing, upper field irrigation, and new basketball courts.
- December 2004: HRC, DPR, ANC3C, and ANC3F do a walk-through at the Hearst Construction site. According to Ms. Black, Drew Becker stated that the budget for Phase I and Phase II was \$800,000 and that DPR was not acting up to standards. There were 3 projects in Ward 3 that were way off track and the other 2 had been dealt with. Now it was time to deal with Hearst. Commissioner Wiss stressed the importance of maintaining the upper field; it should not be broken up. DPR should keep the playground and resite the basketball court.

At the December HRC meeting, Dave Ferula agrees to write a supplemental statement to DPR, ANC3C, and ANC3F regarding the playground site. HRC also received an email from D. Janifer that DPR is going to handle the playground work in-house, without assistance of The Temple Group, ("TTG"), and agency utilized by DPR, and responsible for hiring architects, contractors, and others associated with DPR projects. They intend to hire Lee and Associated and develop a design immediately.

- March 2005: Phase II concept drawings of three playground design are shown to ANC3F. Each plan showed the basketball court as part of Phase II, but HRC thought the basketball court project was in Phase I.
- April 2005: HRC presents the three Phase II plans to the community. Plan "C" was chosen by the community as being the one closest to meeting the needs of all the stakeholders.
- May 2005: Plan "C" is identified as costing \$1.2 million. DPR says there is not that much money available and the community needs to prioritize playground design elements. However, no hard dollar amounts are given to the community to work from.
- June 2005: no budget figures given to HRC by DPR. Commissioner Beckner agrees to set up a meeting with Ward 3 Councilmember Patterson's office to see if we can't move forward and build the remaining components. The total budget given is \$500,000.
- August 2005: Meeting takes place in Councilmember Patterson's office. According to DPR a "Must have" item includes an ornamental fence costing \$60 per linear foot. ANC3F Commissioner Kessler agreed to submit a priority list to LaNilta Farrier-Taylor at DPR. She will request value engineering and a redesign to include as many priority items as possible within the budget. The upper field fence and the basketball court, previously in Phase I, are now part of Phase II

ANC3F reviewed the Phase II final design value engineered plan for Hearst Recreation Center. It was a completely new concept plan. The cost was estimated at \$497,000 and did not include fencing of the upper field.

Martha Black and Linda Kommas testified at the Council Committee on Committee on Education, Libraries, and Recreation oversight hearings. They urged more internal control of spending with DPR and for greater Council oversight of overall spending. A no-bid system is not in the best interest of the community.

- March 2006: Latest iteration of the "preferred value engineered plan" now costs \$516,875. Fencing on 37th street was added as was a council circle.

Barbara Beelar, Co-chair of HRC, commented that the community spent 2 years to get a temporary fence that has since been cut, folded, and mutilated. In the 4 years of trying to get the Center renovated she has seen an enormous waste of taxpayer dollars and incompetence in DPR. They put in tables and benches, only to remove those months later. She added that DPR has not worked well within the community and we need help.

Dean Nielson, Parent and member of Hearst PTA stated that the community has become impatient with DPR promises and has put together a petition signed by 445 parents, children, teachers, and community members asking for immediate action on the playground. The petition was submitted to Chair MacWood.

Commission discussion began by Chair MacWood noting that the Hearst Recreation Center is listed in the DPR 5-year Master Plan as being in the worst condition of any park in the city. In addition it is the oldest park, dating back to 1870. Commissioner Reeves noted the difficulty in contacting DPR about parks, commenting that the Newark Street Park is in horrible condition and she has not been able to get anyone in DPR to answer phone calls.

Chair MacWood commented that even though there are only 2 project managers for the entire city, Hearst ought to be a priority. DPR spent considerably less money in Ward 3 than in any other Ward, and Ward 3 is still without a DPR pool, indoor or outdoor. Chair MacWood further commented that she had invited DPR to tonight's public meeting, but due to the holiday (Emancipation Day), they declined.

Commissioner Lindeman commented that we need parity for our part of the city and that children need a safe place to play. She acknowledged that it was appalling if DPR doesn't do something close to what was proposed.

Commissioner Kessler from ANC3F commented that there had been changes to the preferred plan as of last week, such as measures to reduce soil erosion, and the addition of sidewalks and fences. He said ANC3F would have a meeting regarding this matter in May, but that the real issue is that DPR appears to be saying that HRC must accept the modified plan or nothing, as no additional money is available.

Chair MacWood noted two points needing to be addressed. One is an accounting what happened to date and how the money has been spent. The second point is that we need to make sure that what is done is adequate and meets the community's needs, with sufficient funding.

Chair MacWood then introduced and read a resolution urging the Office of the Inspector General to do an inspection and review of the DPR's handling of the fiscal and management aspects of the Hearst project. The resolution received a second from Commissioner Lindeman. Commissioner Beckner questioned as to whether or not the resolution was going to achieve the necessary outcome, namely getting Hearst a new playground. He proposed he would follow up with a Freedom of Information Act request to get the details of the project and how it got off track. Chair MacWood noted that her resolution was not intended to negate the need for a separate resolution directed to the Council and urging additional funding for the Hearst project. Rather the objective of the resolution was to have the OIG use the Hearst experience to make recommendations to DPR for key operation changes so that there isn't a repeat of this experience in another part of the City.

Commissioner Fechter noted that one of the key roadblocks has been no consistent project manager. He suggested tying any appropriated funds to performance so the money doesn't end up in DPR coffers. In addition, he stated that the resolution language should call on the DC Council to set aside funds and control mechanisms for appropriations in the amount of \$1.2 million, which would cover the cost of "Plan C" which was endorsed by the ANC.

Chair MacWood noted she would consider tabling the resolution if a stronger resolution was directed to the DC Council that requested specific funding levels for Hearst.

Chair MacWood tabled her resolution until the Council completes its budget decisions.

Cathy Wiss, Chair ANC3F, provided ANC3C a copy of her testimony at the Budget Hearing on the DC DPR, DC Council Committee on Education, Libraries, and Recreation, dated April 6, 2006. At this hearing, according to Commissioner Wiss, Councilmember Patterson said that she was looking for more money to fund the Hearst project.

Commissioner Beckner introduced consideration of a resolution on this matter and the motion was seconded by Commissioner Lindeman. Chair MacWood offered a friendly amendment that the resolution mention Hearst being the oldest recreation center in the City and one of the worst as evaluated by DPR. Commissioner Beckner accepted the amendment.

Dick Randall verbalized his concern for the status of the old stone house, located on the property, as this historical house had received recognition in a paper written by an American University student. The paper is under editorial review before being submitted to the Historical Preservation Office. Mr. Randall said he would make sure ANC3C received a copy of the final draft.

The resolution was approved by a vote of 9-0 as follows:

Commissioner Beckner – yes

Commissioner May – yes

Commissioner Black – yes

Chair MacWood – yes

Commissioner Fechter - yes

Commissioner Reeves – yes

Commissioner Hogan - yes

Commissioner Zobay - yes

Commissioner Lindeman - yes

VII. COMMUNITY FORUM

Chair MacWood asked if anyone wanted to address the commission under the Community Forum. Don Wassem addressed the Commission and stated his concern for the bills proposed by Councilmember Jim Graham's office regarding rent control. He noted that the city has approximately 100,000 renters and these are concentrated in Wards 1, 2 and 3. Mr. Wassem inquired whether it was the ANC's role to reach out to renters to get their input. Commissioner Lindeman said as Chair of the Consumer and Regulatory Affairs Committee for ANC3C, she would be happy to host a community forum, as the first reading of the bills will occur in two weeks. In addition, Commissioner Lindeman stated that she has not been silent on this issue, as she has testified at recent hearings on this matter and has passed resolutions on the bills. She further commented that it is the transient renters that do not care about the bills. Commissioner Fechter stated that the community would be surprised at the level of response the Council has received on this matter. The situation is not as bleak with respect to the activism among renters. Commissioner Fechter also encouraged Mr. Wassem to contact TENAC, the DC Tenants Advocate Coalition, and a city wide organization dedicated to tenant interests, rights, and support for rent control in DC. Chair MacWood concluded that ANC3C could

design a flyer advertising Commissioner Lindeman's proposed meeting to inform the community of the importance of these pending bills

VIII. COMMISSION BUSINESS

A. Consideration of an HPRB application for a glass and steel canopy to replace a canvas canopy above the door at 2661 Connecticut Avenue, NW:

Leon Chatelain, architect, made the presentation on behalf of Stanford in Washington. The application had been reviewed by the ANC3C Historic Preservation Committee. Commissioner Black introduced consideration of a resolution opposing this application on the grounds that the design was not compatible with the WP historic district. The motion received a second from Commissioner Lindeman.

The resolution was approved by a vote of 8-1 as follows:

Commissioner Beckner - yes	Commissioner May - yes
Commissioner Black - yes	Chair MacWood - yes
Commissioner Fechter - yes	Commissioner Reeves – yes
Commissioner Hogan - yes	Commissioner Zobay – no
Commissioner Lindeman – yes	

B. Consideration of an HPRB application for a rear and side addition and new dormers on the front façade for 3610 Idaho Avenue:

Steven Vanze, architect, made the presentation to the Commission. His presentation was restricted to the changes on the project since meeting with the Historic Preservation Review Board. Commissioner Beckner introduced a resolution supporting the revised application. The motion was seconded by Commissioner Fechter.

The resolution was approved by a vote of 9-0 as follows:

Commissioner Beckner - yes	Commissioner May - yes
Commissioner Black - yes	Chair MacWood - yes
Commissioner Fechter - yes	Commissioner Reeves – yes
Commissioner Hogan - yes	Commissioner Zobay - yes
Commissioner Lindeman – yes	

C. Consideration of an HPRB application for a rear 2-story addition on a row house:

C Kai Tong, of Hopkins and Porter Architecture Department, made the presentation to the Commission. Neighbors attached to the house on the west were in attendance and stated their objection to the project as the addition would block their light and restrict their view. Commissioner Lindeman introduced a resolution supporting this application on the grounds that the project complied with historic preservation review guidelines. The motion was seconded by Commissioner May.

The resolution was approved by a vote of 9-0 as follows:

Commissioner Beckner - yes	Commissioner Lindeman – yes
Commissioner Black - yes	Commissioner May - yes
Commissioner Fechter - yes	Chair MacWood - yes
Commissioner Hogan - yes	Commissioner Reeves – yes

Commissioner Zobay- yes

D. Consideration of a resolution to urge the relocation of the Washington national Zoo construction entrance:

David White, a resident living across the street from the project, was in attendance. He stated that Hawthorne Street, on which the construction entrance is currently located, is a very narrow street, and the construction vehicles are very large. In addition, the apartment building is only 23 feet from the construction site and residents have had to endure the stress of the construction project for 2 years. He stated that anything that the ANC could do to help would be appreciated. Commissioner Black introduced a resolution urging the Zoo to improve communication on construction activities and timelines. The motion was seconded by Commissioner Beckner.

The resolution was approved by a vote of 9-0 as follows:

- | | |
|------------------------------------|----------------------------------|
| Commissioner Beckner - yes | Commissioner May - yes |
| Commissioner Black - yes | Chair MacWood - yes |
| Commissioner Fechter - yes | Commissioner Reeves – yes |
| Commissioner Hogan - yes | Commissioner Zobay - yes |
| Commissioner Lindeman – yes | |

E. Consideration of a resolution addressing concerns related to siting a charter school at Massachusetts Avenue and Idaho Avenue:

F. consideration of a resolution addressing methods for addressing the impact of charter schools on neighborhoods in Washington, DC

Commissioner Hogan began the discussion by stating that this neighborhood has seen 2 charter schools and have been told that a third is planned to open next fall. She said that charter schools fall into a zoning void, as they are public school and not private schools which require a special exemption to locate in a residential neighborhood, but they are not governed by the DC Public School System and thus are not subject to the same review. Commissioner Lindeman noted that charter schools are often run by private entities, wither for-profit or non-profit, even though funded by taxpayer dollars. She explained that there are two separate chartering boards and they don't apply the same guidelines.

Commissioner Hogan moved sequentially the resolutions which were co-sponsored and seconded by Commissioner Lindeman. The Commission chose to discuss the second resolution first. An extensive debate ensued regarding the difference between a charter school locating in a residential neighborhood and public school locating in a residential neighborhood, as well as discussion on charter schools locating in underutilized DCPS facilities, or those previously used by DCPS. Several amendments were offered and accepted to delete some provisions and another amendment by the Chair to add a resolve section to state the ANC's support for charter schools locating in our area was accepted.

The resolution was approved by a vote of 7-1-1 as follows:

- | | |
|-----------------------------------|------------------------------------|
| Commissioner Beckner - yes | Commissioner Hogan - yes |
| Commissioner Black - yes | Commissioner Lindeman – yes |
| Commissioner Fechter - no | Commissioner May - abstain |

Chair MacWood - yes
Commissioner Reeves – yes

Commissioner Zobay - yes

The Commission moved on to the discussion of the more specific resolution regarding charter schools locating at Christ Church. Some amendments were offered and accepted and some were withdrawn after not being accepted as friendly amendments. Commissioner Fechter offered an amendment to strike a resolve section that asked the DC Office of Tax and Revenue to evaluate the tax status of Christ Church.

The amendment to strike was approved by a vote of 7-1-1 as follows:

Commissioner Beckner - yes

Commissioner May - abstain

Commissioner Black - yes

Chair MacWood - yes

Commissioner Fechter - no

Commissioner Reeves – yes

Commissioner Hogan - yes

Commissioner Zobay yes

Commissioner Lindeman – yes

Prior to the vote on the resolution, the Chair indicated that she intended to vote against the resolution because she thought it would detract from the important issue raised in the first resolution on charters. Additional discussion centered on whether having an additional resolution that cited an example of a charter school in a residential area and listing the issues associated with that school would enhance or detract from the previous approved resolution. Commissioner Hogan tabled the resolution.

Commissioner Hogan then moved for reconsideration of the first resolution in order to delete some language that made reference to the tabled second resolution. Commissioner Fechter offered an amendment to establish a mechanism for some charter schools to recoup the cost of applying for a special exception as outlined in the resolution. The motion was not accepted by Commissioner Hogan as a friendly amendment and was put to a vote.

The amendment was approved by a vote of 4-2-3 as follows:

Commissioner Beckner - no

Commissioner May - abstain

Commissioner Black - yes

Chair MacWood - yes

Commissioner Fechter - yes

Commissioner Reeves – abstain

Commissioner Hogan - abstain

Commissioner Zobay - yes

Commissioner Lindeman – no

The amended resolution was reconsidered and approved by a vote of 7-1-1 as follows:

Commissioner Beckner - yes

Commissioner May - abstain

Commissioner Black - yes

Chair MacWood - yes

Commissioner Fechter - no

Commissioner Reeves – yes

Commissioner Hogan - yes

Commissioner Zobay - yes

Commissioner Lindeman –yes

G. Consideration of a resolution to support a funding application to the U.S. Department of Housing from Woodley House:

Commissioner Black introduced consideration of a resolution on this matter. The motion received a second from Commissioner Zobay.

The resolution was approved by a vote of 8-0 as follows:

Commissioner Beckner - yes

Commissioner May - yes

Commissioner Black - yes

Chair MacWood - yes

Commissioner Fechter - absent

Commissioner Reeves – yes

Commissioner Hogan - yes

Commissioner Zobay - yes

Commissioner Lindeman –yes

IX. OFFICERS REPORTS

A. Minutes from March 2006: Commissioner Zobay moved the March 20, 2006 minutes. The motion received a second from Commissioner Reeves.

Commissioners Reeves and Lindeman offered a few editing changes which were accepted. **The motion was approved unanimously by a vote of 9-0.**

B. Treasurer's Report: Commissioner Reeves stated that she was going to ask the DC Auditor about the procedures for the bank statement review process. In addition, Commissioner Reeves stated she had not received the letter from Woodley Park Community Association regarding notification that DPR did not have the funding to refurbish the triangle park located at Woodley Road and 29th Street. Commissioner Zobay said she would follow up.

X. SINGLE MEMBER DISTRICT REPORTS

ANC3C-02: Commissioner Lindeman stated she was going to ask Council members Graham and Patterson for their support of ANC3C in asking for a Large Tract Review for the JBG / Wardman Park Marriott Hotel Project. Chair MacWood has drafted a letter to Ellen McCarthy in the Office of Planning , asking for consideration of a Large Tract Review.

ANC3C-09: Commissioner May reported that there had been complaint made by neighbors regarding parking and management of the rental properties of St. Sophia's. She asked the neighbors to write to St. Sophia's and ANC3C outlining their complaints.

XI. ADJOURNMENT

Commissioner Fechter moved to adjourn. Commissioner Black seconded, and by a unanimous vote of 9-0, the meeting adjourned at 11:35 P.M. on April 17, 2006.