

ANC 3E MEETING
Minutes of June 13, 2002

The meeting was called to order at 7:35 p.m. Commissioners Jill Diskan, Frank Gordon, and Leslie Quynn were present. Commissioner Tad DiBiase arrived at 7:50 p.m. Commissioner Chris McNamara was not present at the meeting.

Announcements:

Mr. Lowery distributed flyers to protest the proposed development at the Western corner of Wisconsin Avenue and Brandywine St, NW. He announced the "Coalition to Stop Tenleytown Over-Development (CSTO) website and asked residents to sign the petition opposing the project which can be found at www.maginata.com/brandywine or to contact him at stopibg@starpower.net with their concerns.

Mr. Tievsky announced that the Friendship-Tenleytown Citizens Association will host a Community-Wide Traffic Forum at the Tenley Library on June 18, 2002 at 7:15 p.m. Will DerMinassian, Associate Director, Traffic Services Administration, will speak on traffic issues in Friendship Heights, Tenleytown, American University, Cleveland Park, and North Cleveland Park.

ANC Business/Actions:

The commission voted unanimously to adopt the minutes of the May 2002 meeting and to approve the May 2002 Treasurer's Report.

The commission unanimously approved the following \$1000 grants to:

- Friends of Friendship Park - for equipment and supplies to aid the cheerleading program.
- Friends of Chevy Chase Park - for 2 pieces of playground equipment (a handicapped swing and curved balance beam), 3 picnic tables and to paint the cement area inside the playground.
- Chevy Chase Plaza - for a Hands-On Summer Program.
- The Janney Elementary School PTA - to replace the swings on the lower playground.
- Wisconsin Avenue Beautification Project - to landscape the area along Wisconsin Avenue from Tenley Circle to Fessenden Street with daffodils.
- Woodrow Wilson High School Crew Booster Club - to purchase a new set of eight oars.
- Tenleytown Historical Society - to document the history of the Methodist Cemetery.
- Elderbrook Artists Series - for a theatrical production of "Fiddler on the Roof".

The following checks were issued and approved at the (June 13, 2002) meeting:

Check # 1080 to Verizon in the amount of \$32.33

Check # 1081 to Kinkos in the amount of \$21.88
Check # 1082 to Polly King in the amount of \$262.50
Check # 1083 to Scolaworks in the amount of \$40.00
Check # 1084 to Barbara Edmonson in the amount of \$50.00

Check # 1085 to Tenleytown Historical Society in the amount of \$1,000
Check # 1086 to Friends of Chevy Chase Park in the amount of \$1,000
Check # 1087 to Chevy Chase Plaza in the amount of \$1,000
Check # 1088 to The Janney Elementary School PTA in the amount of \$1,000
Check # 1089 to Woodrow Wilson High School Crew Booster Club in the amount of \$1,000
Check # 1090 to Friends of Friendship Park in the amount of \$1,000
Check # 1091 to Wisconsin Avenue Beautification Project in the amount of \$1,000
Check # 1091 to Elderbrook Artists Series in the amount of \$1,000

Open Forum:

Mr. Freedman submitted a letter requesting that a discussion of the proposed development of the Washington Clinic site be placed on the July ANC agenda. He noted that Stonebridge Associates had applied for substantial zoning changes, which were not consistent with their original proposal. Chairperson Diskan announced that Stonebridge Associates were scheduled to make a presentation of the Washington Clinic site at the July 2002 meeting.

Mr. Eaton requested the installation of a four-way stop sign at 41st Street and Ellicot and the installation of a three-way stop sign at Belt and Ellicot Streets.

Mr. Lowery requested delivery vans be restricted from parking closer than fifty feet to residences.

Presentation of Spring 2002 grant awards:

The commission voted unanimously to approve the following \$1000 grants:

- Friends of Friendship Park - for equipment and supplies to aid the cheerleading program.
- Friends of Chevy Chase Park - for 2 pieces of playground equipment (a handicapped swing and curved balance beam) 3 picnic tables and to paint the cement area inside the playground.
- Chevy Chase Plaza - for a Hands-On Summer Program
- The Janney Elementary School PTA - to replace the swings on the lower playground.
- Wisconsin Avenue Beautification Project - to landscape the area along Wisconsin Avenue from Tenley Circle to Fessenden Street with daffodils.
- Woodrow Wilson High School Crew Booster Club - to purchase a new set of eight oars.
- Tenleytown Historical Society - to document the history of the Methodist Cemetery.
- Elderbrook Artists Series - for a theatrical production of "Fiddler on the Roof".

Presentation of 2nd District Police:

Lt. Carter of the 2nd District Police gave the crime update for the neighborhood and distributed the monthly PSA 202 Newsletter.

Discussion and Update of Georgetown Day School:

Peter Branch, the head of Georgetown Day School, addressed the following issues, which had been discussed at the March 2002 meeting:

1) The alley at 43rd Street and Ellicot:

In order to prevent basement flooding of the houses that backed onto the alley caused by collecting dirt and debris, the school had hired a civil engineer to look at the area. As a result the District had agreed to pave an “alley apron” which will solve the drainage problems and the school will pay to adjust the fencing to allow water to flow more easily.

2) Student Parking:

In order to abide by the policy outlined in the school’s handbook, and to live up to the agreement of on-site student parking which was made between the school and the BZA, Georgetown Day School has instigated the following:

- Each student must now register his or her car with the school.
- The school will promote car pools by rewarding students with on-site parking.
- The school will subsidize metro fares for non-DC residents.
- The school will lease off-campus parking for students with hardships that require them to drive to school.
- A letter will be sent to the parents of each student quoting the school’s policy of on-site only parking.
- Students and parents will be notified of the parking regulations now in place.
- The school will hire someone to patrol surrounding streets to take note of policy offenders.
- Students who break the policy will be fined and/ or suspended.

Mr. Branch emphasized the school’s willingness to work with neighbors to iron out the tensions which have grown as a result of students parking on residential streets and stressed the importance of Georgetown Day as a community school. He also noted that the issue has been brought before both the school’s board and the school’s administration.

Commissioner DiBiase asked the expected student enrollment for the following year. Mr. Branch stated that it was the school’s intention to enroll four hundred and fifty students. Commissioner DiBiase commented that the school was violating BZA regulations by enrolling forty more students than regulations allowed and that the school should apply for a zoning variance.

A resident commented that the school had made little effort in the past to curb student parking. Mr. Branch responded that the issue had only recently been brought to his attention. Both Mr. Branch and Commissioner DiBiase encouraged residents to e-mail them with their concerns. Mr. Branch may be contacted at: Tel: 295-6120 or pbranch@gds.org and Commissioner DiBiase at: Thomas.Dibiase@usdoj.gov

Request for a 4-way stop sign at 46th and Chesapeake Streets:

Karen Rosenthal spoke on behalf on the residents of 46th and Chesapeake Streets and referred to a positive response to their request for a 4-way stop sign from Councilwoman Kathy Patterson. Commissioner Gordon presented a resolution proposed by Commissioner McNamara. Commissioner Gordon moved to support the resolution for a 4-way stop sign at 46th and Chesapeake streets. Commissioner DiBiase seconded the motion and it was approved unanimously.

Discussion and vote on the Round Table application for the renewal of their liquor license:

Prior to the discussion, Chairperson Diskan noted ANC 3E had a case pending before the ABC board protesting the Round Table.

Mr. Shiraz, one of the owners of the Round Table, spoke on behalf of the restaurant and reported that they had made several changes at the request of the neighborhood. Patio hours had been cut back as well as the hours of private parties. The restaurant had improved the menu, which now offers Italian food. Future plans include the remodeling of the outside of the building, renaming the restaurant and the installation of a piano bar to replace the existing traditional bar on the lower level.

Ms. Dell, a resident of Ellicott Street spoke on behalf of her neighborhood and asked ANC 3E not to support the renewal of a liquor license for the Round Table. Ms. Dell explained that the 1998 Voluntary Agreement between the neighborhood and the Round Table, which addressed the problems of the restaurant in the immediate neighborhood, has not worked. Public drunkenness, urination, vomiting, the slamming of car doors, and the gunning of car engines have continued despite a period of mediation and a protest hearing. Ms. Dell also explained that neighbors had requested that the Round Table cut back their hours and that the restaurant had rejected their request. The bar currently closes at 3:00 a.m. on weekends and at 2:00 a.m. during the week.

Commissioner Gordon asked Mr. Shiraz if the restaurant would reconsider the neighbors' request to close the bar earlier. Mr. Shiraz explained that the owners were attempting to establish a better restaurant and once they received the expected additional revenue from the improved dining room, they would be able to close the bar earlier.

Chairperson Diskan moved to oppose the renewal of a liquor license for the Round Table and Bar. Commissioner DiBiase seconded the motion and it was approved unanimously.

Discussion and vote on application for liquor license by Ruby Tuesday's at 4200 Wisconsin Avenue NW.

John Farmer, legal representative for Ruby Tuesday's, asked ANC 3E to support the issuance of a stipulated ABRA license with a summer garden for Ruby Tuesday, Inc located at 4200 Wisconsin Avenue. Ruby Tuesday, Inc has applied for a license to serve alcoholic beverages at

the restaurant in the summer garden and would like to open business immediately and prior to the scheduled Roll Call date of July 24, 2002.

Henry Guyot represented residents in the immediate area surrounding Ruby Tuesday. Areas of particular concern are excessive noise, light, and both automobile and foot traffic. Mr. Guyot also mentioned that the restaurant provides no off-street parking for its patrons and parking for residents of the community has become extremely difficult during dinner hours.

Commissioner Gordon read a proposed Memorandum of Understanding (“MOU”) between Ruby Tuesday, Inc and ANC 3E. The MOU proposed that:

1. Ruby Tuesday, Inc will provide parking in accordance with the terms of their lease.
2. Ruby Tuesday, Inc. will operate from the hours of 11:00 a.m. to 11:00 p.m. Monday through Friday, 11:00 a.m. to 12 midnight on Saturday, and 11:00 a.m. to 10:00 p.m. on Sunday in both the main restaurant and in the summer garden.
3. Ruby Tuesday, Inc will have no live entertainment and no exterior speakers in the restaurant or in the summer garden.
4. Ruby Tuesday, Inc will work with ANC 3E to assure that the restaurant with summer garden will operate in a manner compatible with the neighborhood at all times.
5. ANC 3E support the ABRA application and join with Ruby Tuesday, Inc. in requesting the Alcoholic Beverage Regulation Administration issue a stipulated license allowing the restaurant with summer garden located at 4200 Wisconsin Avenue, NW to operate fully prior to its scheduled Roll Call date.

The proposal was amended to include that Ruby Tuesday, Inc. will provide free parking for its patrons during business hours and that Ruby Tuesday, Inc. will work with ANC 3F upon redistricting to assure that the restaurant with summer garden will operate in a manner compatible with the neighborhood. Commissioner Gordon moved to support the MOU between ANC 3E and Ruby Tuesday, Inc. Commissioner DiBiase seconded the motion, as amended, and it was approved unanimously.

Discussion of resolution requesting the Mayor’s appointment of an Advisory Committee on the selection of the DC Fire Chief.

Commissioner DiBiase proposed a resolution supporting the creation of the Mayor’s Advisory Committee to advise the Mayor on the appointment of cabinet level officials. The resolution was prompted by the expected appointment of a new Fire Chief and the possibility of appointing other cabinet-level officials in the coming months. Commissioner DiBiase commented on the skills and experience of the ANCs and members of the community germane to the duties of cabinet-level officials and that consulting with the community on these appointments could prevent future failures. The resolution proposed that the Mayor form an advisory committee, which would include ANC Commissioners with the requisite experience to assist him in the selection of the new Fire Chief and other cabinet-level officials. Commissioner DiBiase moved to support the resolution. Commissioner Gordon seconded the motion and it was approved unanimously.

There being no further business the meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Tad DiBiase