

**ADVISORY NEIGHBORHOOD COMMISSION 3E**  
**TENLEYTOWN • AMERICAN UNIVERSITY PARK • FRIENDSHIP**  
**HEIGHTS**

Lisner-Louise-Dickson-Hurt Home  
5425 Western Avenue NW, Washington DC 20015

**Resolution Regarding Commerce Bank's May 2008 Public Space Permit**  
**Application (Tracking # PA 38256/23977)**

**WHEREAS**, Commerce Bank (Donovan Properties LLC.) intends to construct a drive-thru bank at the southeast corner of Wisconsin Avenue and Ellicott Street, NW. A drive-thru bank is not consistent with our vision for upper Wisconsin Avenue. We are disappointed—and surprised—that the District of Columbia would support such an endeavor. The drive-thru bank is a suburban model that not only makes no sense for this site, but is at odds with our vision of a more vibrant, pedestrian friendly neighborhood that embraces the concept of transit oriented development.

**WHEREAS**, the District Department of Transportation (DDOT), by cover memo dated June 3, 2008, forwarded to the ANC Commerce Bank's most recent public space permit application dated May 2008 (Tracking # PA 38256/23977) and has asked that we respond with any concerns we might have regarding the proposed construction. The proposal seeks to construct two curb cuts—one on Wisconsin Avenue through which customers can enter or exit the property and one on Ellicott Street that would be used solely for exiting traffic. The current proposal also offers 15 parking spaces, nine more than what is required under the applicable zoning laws. In addition, the plans reflect the Bank's design to erect a landscaped screen between the property and the adjacent alley that runs along the east side of the lot.

**WHEREAS**, the Bank initially had expressed its desire to use the adjacent alley as an entry point for the drive-thru. The most recent proposal currently under consideration no longer seeks to use the alley in this manner. This resolution is premised on the Bank's abandonment of the use of the alley for accessing the property.

**WHEREAS**, notwithstanding our objections to the concept of a drive-thru, ANC 3E has no objection to a construction plan that can incorporate the

ANC's specific concerns. If the Bank and DDOT can agree to the following conditions, then ANC 3E will not oppose the current permit application dated May 2008:

1. The Bank agrees to install a "No Right Turn" sign at the Ellicott Street exit so that commercial traffic properly will be diverted away from the residential neighborhood and back on to the commercial strip along Wisconsin Avenue.
2. The District of Columbia agrees to release the covenant granted to it by the property owner, which covenant allowed DC to widen the alley by three feet along the east side of the Commerce Bank lot. As the alley will not be used as an entry to the bank's drive-thru, as once proposed, the covenant is no longer necessary. If the covenant is released, and control of the property is granted back to the property owner, then Commerce Bank can erect a larger screen along the east side of the lot in order to provide an adequate buffer between the commercial enterprise and the adjacent homes. Once the covenant is released, Commerce Bank agrees to construct a brick wall (as high as the law will allow), accompanied by landscaping to run the entire length of the eastern property line.
3. DDOT agrees that it will support the concurrent building application submitted by Commerce Bank only if it can make a determination that no Bank queuing will spill out onto Wisconsin Avenue. DDOT will forward such a finding in writing to the ANC before signing off on the building permit.
4. In the event the queuing lines do spill out into Wisconsin Avenue, Commerce Bank will exercise reasonable efforts to work with the neighborhood and the District to abate such a problem as quickly as possible.
5. Commerce Bank will meet with Tom Hall, the neighbor who lives across the street from the proposed construction, to explore ways to minimize the intrusion of commercial traffic lights on his property, including, perhaps, planting some landscaped screening.

**THEREFORE BE IT RESOLVED** that ANC 3E does not oppose the current public space permit application submitted by Commerce Bank as long as the following conditions, spelled out in full above and summarized below, are met:

1. The Bank agrees to install a “No Right Turn” sign at the Ellicott Street exit;
2. The District of Columbia agrees to release the covenant granting it the right to widen the alley, and Commerce Bank agrees to erect a screen comprised of a brick wall (as high as the law will allow), accompanied by landscaping to run the entire length of the eastern property line;
3. DDOT agrees to provide ANC 3E, in writing, with a determination that Commerce Bank’s plan will not result in traffic queuing onto Wisconsin Avenue;
4. Commerce Bank will exercise reasonable efforts to solve traffic problems related to queuing on Wisconsin Avenue;
5. Commerce Bank will meet with neighbor Tom Hall to explore means of mitigating the impact of the Bank’s activity to his property.

ANC 3E approved this resolution at its regularly convened meeting on September 11, 2008 which was properly noticed and at which a quorum was present. The resolution was approved by a vote of 3 to 0. Commissioners, Lucy Eldridge, Anne Sullivan and Matt Frumin were present.

  
\_\_\_\_\_  
Lucy Eldridge, Vice-Chair, ANC 3E