ADVISORY NEIGHBORHOOD COMMISSION 3E

TENLEYTOWN AMERICAN UNIVERSITY PARK
FRIENDSHIP HEIGHTS
c/o Lisner Home 5425 Western Avenue, NW Washington, DC 20015

Minutes of ANC 3E November 18, 2010 Meeting

The meeting convened at 7:35 pm. Commissioners Jonathan Bender, Lucy Eldridge, Beverly Sklover, Sam Serebin and Matthew Frumin were present.

Announcements

Commissioner Bender announced that pursuant to the District Department of Transportation (DDOT) Livability Study there would be a community meeting at Janney Elementary School on November 29, 2010 to discuss possible recommendations for the area west of Wisconsin Avenue and north of Van Ness.

Commissioner Frumin applauded both the launch of the Tenleytown Heritage Trail and extension of aging-in-place service coverage by Northwest Neighbors Village (NWNV) to the ANC 3E area and noted that the ANC could be proud of its support to both.

Commissioner Sklover outlined the process of extending the aging-in-place coverage, the services provided by NWNV and the opportunities to provide volunteer assistance. She encouraged members of the community to take advantage of the services or contribute to them, noting that NWNV had only one employee and was otherwise an all-volunteer organization.

Open Forum

Peter Carlson of the 4900 block of Brandywine Street reported that he had made some progress on his efforts relating to DC WASA charges for impervious surfaces and that DC WASA had called that day to set up an appointment to examine the situation at his home.

Crime Report by 2nd District Police

Lt. Alan Hill reviewed the reported crimes in Police Service Area (PSA) 202 since the last ANC 3E meeting on October 14th. He noted that there were two violent crimes – both assaults, one involving a fight between two homeless men – compared to one violent crime – a robbery – in the same period in the previous year. He said that there were no robberies in PSA 202 in the period. He reported that burglaries were down compared to the previous year but with nine in 35 day period still seen as an issue. He indicated that some arrests related to burglaries had been made and those appeared to have resulted in a decrease – particularly forced entry burglaries – but that the 2nd District Police were still concerned. In addition, he reported that the car that had been carjacked on the 4400 block of Van Ness a few months back had been recovered but that the police had not yet found the perpetrators. Year-to-date, there have been 43 violent crimes this year compared to 40 in the same period last year and 434 property crimes so far this year compared to 550 in the same period last year. The one category of property crime up for the year is burglaries with 66 so far this year compared to 63 in the same period last year.

Agenda

Chevy Chase Park

Avon Wilson of the Office of Public Education Facilities Modernization (OPEFM) provided an update on the construction process for the Chevy Chase Park. He predicted that construction would be complete on all but the renovated field house by March 31, 2011 but that the field house would be completed in April 2011. Commissioner Eldridge asked if ongoing construction on the field house might result in children not being able to use the playground while the baseball field was open. She noted that such an outcome would exacerbate resentments in the neighborhood. Mr. Wilson said he hoped any remaining construction on the field house would not limit use of the playground but that safety would be the primary driver and that would turn on what work remained to be done.

Commissioner Sklover asked what the status was of potential improvements to the park that would make it an attractive multi-generational destination, particularly in light of its proximity to the Lisner Home. Department of Parks and Recreation (DPR) Director Aguirre said that such improvements were not part of the current plan but could be pursued at a later date.

A resident asked whether lights were contemplated for the tennis courts and the lights for the basketball courts would be turned back on. Director Aguirre said that new lights were not part of the current project but existing lights would be repaired and restored to use.

Director Aguirre then reviewed the open 'day two" issues. On parking and the timing of the lights, Director Aguirre indicated that DPR was amenable

to issuing a regulation imposing obligations on permit holders at Chevy Chase Park that would prohibit them from parking in the *cul de sac* at 41st Place, NW and limit the use of the lights to 9:00 pm. Such a regulation would then require notice and comment to amend.

Commissioner Eldridge asked if violation of the terms of the permit could result in a permit being pulled, could it also result in being put on a list of entities that would not be issued permits in the future. Director Aguirre said that it could.

Alison Richards and Bruce Cunningham of 41st Place expressed concern that such a requirement would not be enforced. Commissioner Frumin said that while it was unlikely that a permit would be pulled for one violation, if a pattern emerged, it could be and that if a pattern emerged the neighbors could alert DPR (and the ANC) who could give notice to the permit holder. He explained that the structure was intended to create incentives for compliance. Representatives of Capital City Little League (CCLL) said that having such a requirement in the permit would help them to enforce requirements that they as an institution would like to enforce and believe in and that they would alert their parents of the requirement and the consequences of non-compliance.

Commissioner Bender raised the idea that while CCLL had the capacity to enforce such an obligation, other potential users might not and that, therefore, before permits are issued to others there should be a notice and comment period. Director Aguirre said that while they could impose conditions on permitted users, they could not limit categories of potential users of a public facility in such a way. Commissioner Frumin noted that the

proposed regulation would get at this issue by authorizing pulling a permit (and potentially compromising the ability of a violator to get permits in the future) if there was non-compliance.

With regard to the morning off-leash pilot project, Director Aguirre stated that the Dog Park review committee had issued follow up questions to the dog group and expected responses shortly and that once those responses were received, the group would reconvene and make a decision on authorization of morning use of the field as an off-leash dog park. Commissioner Frumin pointed out that one theme that had come up over the course of the 27 months of discussion of this issue was that the regulated use by the dog group resulted in the field being cleaner than it might have been without their use. He explained that the reason for this benefit which had been previously acknowledged by CCLL representatives, was that rogue use of the field by dog owners was inevitable and the rogue users had caused problems in the past. The dog group, by contrast, cleaned up after their dogs and cleaned up after the rogue users in the process. Commissioner Frumin stated that the status quo – strengthened by formal approval – would result in the park being cleaner than it would be if the application was denied.

Commissioner Frumin indicated that if the things discussed at the meeting came to pass – an appropriate regulation governing the timing of the lights and parking in the *cul de sac* was enacted and approval of the morning off-leash pilot project, he would support the inclusion of lights at the field. Commissioner Bender asked if DPR could wait for ANC 3E action before proceeding to add lights. Director Aguirre said it could but noted, as DPR has in the past, that the infrastructure to allow for lights at some point in the future would be added now and perhaps in the coming weeks.

Presentation by Douglas Development Regarding Babe's Billiard Site

Paul Millstein of Douglas Development reported that Douglas Development had scaled back its plans for the Babes site. He explained that financing a project with significant density on the site had proven difficult given the challenges generally to securing financing compounded by the uncertainty and delay in seeking either a zoning map amendment or planned unit development (PUD) approval. As a consequence, he explained, Douglas Development planned to pursue a more modest three story building on the site that would be approximately 40 feet tall – slightly lower than the existing building to the north.

Millstien said that they hoped to put a restaurant on the ground floor with outdoor seating and quality retail on the first and second floors. He explained that they would be seeking BZA relief for such a building, including to allow for no onsite parking. He explained that they planned to put an internal loading dock but otherwise wanted the patrons of the businesses on the site to seek parking in existing, under-utilized nearby lots.

In response to questions, he indicated that Douglas Development had hoped to provide greater density on the site and had support from the City to do so, but that under the current economic situation that was not feasible. He said that under the circumstances it made the most sense to put the site back into use along the lines proposed. Commissioner Serebin noted that he was disappointed that the site would not get greater density but acknowledged that what was proposed was better than the current unused lot. Millstien and a number of members of the audience and on the Commission agreed.

Millstien indicated that Douglas Development planned to put together a general plan and BZA submission requesting any relevant zoning relief with the hope of filing in January 2011 and securing a hearing in February or March 2011. Commissioner Frumin indicated that once such a plan was developed and BZA filing made, ANC 3E would ask Douglas Development to return to present it and the ANC would either act at that meeting or a following one if time prior to any scheduled hearing permitted. The Commissioners and Millstien agreed that ideally there would be two such meetings – one at which a plan could be presented and another at which a resolution responding to any request for zoning relief could be considered and voted on. Millstien indicated that Douglas Development hoped to get full approval and permits by June 2011 and expected the building would take eight months to construct. He said they did not expect to seek tenants before construction and might not aggressively do so until the building was in the construction stage.

Petition for Speed Humps on 4900 Block of Brandywine

Vernon Holleman of the 4900 block of Brandywine explained that the residents of that block had petitioned DDOT to provide speed humps on their street. He noted that all of the residents on the block supported the petition given their shared concern about speeding cars. He explained that the 4900 block of Brandywine includes a long stretch with a downhill slope and that cars coming off of Western Avenue go very quickly on the street. He also noted that there are 18 children living on the block and that the speeding cars are a serious hazard to them.

Joan Bartlett of the 4900 block of Chesapeake expressed sympathy for the position of the people on Brandywine but said that adding speed humps on Brandywine would exacerbate traffic issues on Chesapeake and in an alley that is entered just south of Chesapeake off of Western.

Commissioner Serebin stressed the importance of a holistic approach to issues like this as opposed to solving them on a street-by-street basis. Commissioner Bender echoed that concern and made suggestions for how the issues regarding the alley might be resolved. Commissioner Frumin noted that there were also issues regarding the entry at Ellicott Street from Western Avenue that would need to be resolved. Commissioner Frumin pledged to contact DDOT to commence a discussion about how best to deal with the legitimate concerns raised by both the Brandywine Street residents and Ms. Bartlett of Chesapeake.

Application to Renew Alcoholic Beverage License for Club Cinema Mazza

Commissioner Frumin asked if there were any comments or objections relating to the application to renew the alcoholic beverage license for Club Cinema Mazza. Hearing no objections or comments from the public or Commissioners, the Commission took no action on this matter. Given the routine nature of such renewal applications, no action was considered tantamount to support for the application.

Grant Application for Wilson Crew

Commissioner Frumin moved approval of the grant to Wilson Crew Boosters. The grant was approved by a unanimous vote. Stephen McCreary

of Wilson Crew Boosters indicated that they would contact the ANC 3E Treasurer when they sought the check.

ANC Business

The October 2010 Treasurer's Report was unanimously approved.

The October 2010 Meeting Minutes were unanimously approved.

The Commission approved payment of Diana Winthop's invoice for $250.00 covering the period from the week ending October 14th through the weekend ending October 31st which was paid by check number 1280.

The meeting was adjourned at 9:45 pm

Respectfully submitted,

Matthew Frumin, Chair