



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

**c/o Lisner Home 5425 Western Avenue, NW Washington, DC 20015
www.anc3e.com**

Minutes of ANC 3E September 13, 2012 Meeting

The meeting convened at 7:34 pm. Commissioners Bender, Frumin, Quinn, and Serebin were present.

Presentation by 2nd District Police

PSA 202 Lieutenant Alan Hill reported that crime in PSA 202 was lower in all categories this month compared to the same period in 2011 with the exception of burglary. He noted a 60% reduction in violent crime and a 38% reduction in property crime for an overall crime reduction of 40%. For thefts from autos, the police have made contacts, stops and arrests, including arrests in PSA 201 at Chevy Chase Circle and PSA 203 on Reno Road. Lt. Hill reported two burglaries within the last 30 days and four this month, including a forced entry on Appleton Street, NW and semi-forced entries at a home on the 3700 block and another on the 3800 block of Alton Street, NW. He noted a trend in northwest DC neighborhoods where perpetrators are stealing flat screen TV's, laptops, and jewelry from homes. Two recent burglaries that did not fit into this category included a forced entry into an unattached garage, and an attempted burglary into an office building at 4500 Wisconsin Avenue, NW, in which a lock was destroyed but the perpetrator could not gain access to the property. While street crimes have been low this month, Lt. Hill said, there was one robbery on the 4500 block of Nebraska Avenue, NW, in which a juvenile, wearing a black ski mask, was arrested at the scene.

Consideration and vote on Lisner Home Zoo Day grant application

The commissioners voted unanimously to approve a grant of \$1,370.00 for the Lisner Home to support its Zoo Day event held on September 13, 2012.

Review of plans for and consideration of a letter in support of the Janney 5K Race

Jeff Davis made a brief presentation about the upcoming second annual Janney 5K Race, which will be held 9am, October 20, 2012. The course will be run in and around AU Park and Janney School. Some 600 to 700 people participated in last year's race; this year the race has attracted many sponsors. Proceeds from the funds raised go to support the Janney PTA. He encouraged residents to volunteer for the

event. The commissioners voted unanimously to approve a letter resolution in support of the Janney 5K Race.

Review of and potential vote on Pete's Apizza public space application

Commissioner Bender introduced the application, noting that Pete's Apizza at 4940 Wisconsin Ave, NW currently enjoys an open-air sidewalk café. The owners have applied for a public space permit to enclose and expand its outdoor café to allow patrons to eat outside for additional months of the year.

The owners of Pete's Apizza, Joel Mehr and Thomas Marr, explained that the current design for the enclosure calls for an awning that comes out from the building and extends to the sidewalk, with roll-down vinyl curtains that can be opened, and lights, fans and heaters. They said the restaurant frequently runs out of available seating in inclement weather. Their architect is currently working on the plans, they said, which will cost an estimated \$50,000; they have had an initial meeting with DDOT to get feedback. A public space review is scheduled in two weeks, they reported.

Commissioners asked a number of questions, including whether or not the enclosure would expand the number of seasons patrons can sit outside comfortably; if the enclosure adds more seats; if there will be planters; whether the awning can be retractable to create an open-air cafe during warmer months; whether the awning can be built so only half of it is permanent; and if the permanent structure could be taken down if needed. In particular, commissioners were concerned that a permanent enclosure would diminish the liveliness and vibrancy of the corner, and that the enclosure will be a permanent feature that will cut down on the use of what is currently public space. Pete's representatives agreed to a request by several commissioners that they further explore the possibility of an awning that could be removed during warmer months to permit the outdoor area to continue to address the street as well as it currently does during these months.

Commissioners voted unanimously to send a letter, in conjunction with the applicant, to request that the hearing before the public space commission be postponed pending further review and an agreement between the applicant and the commissioners.

Consideration of a public space application for 4825 43rd Street, NW for the installation of an over height wall in public space

John Berchert, owner of 4825 43rd St., NW, has applied for a public space permit that would allow him to build a metal fence extending to the sidewalk, approximately three feet into public space currently covered by grass. The new fence would replace an existing wood fence on the eastern edge of the property and extend on the north and west sides by the sidewalk into public space to enclose the rest of his yard. Mr. Berchert explained that the fence would contain a side yard to enclose his dogs, and that the fence would improve the corner, which, in his view, is currently rundown.

The enclosure would be made of a partial retaining stone wall, 30 inches high, with a 42-inch high open metal fence, with a combined height of 72 inches. The fence would be built along Ellicott and 43rd Streets.

An attendee said that neighbors who have also asked to build higher fences have had their requests turned down.

The commissioners expressed a number of concerns, including that the fence as planned will take over a large amount of public space; that the fence would extend beyond the property lines of neighboring homes; and whether the owner could offer the neighborhood any amenities, such as guaranteed landscaping improvements, in exchange for the use of public space.

Commissioners voted unanimously to send a letter, in conjunction with the applicant, to request that the hearing before the public space commission be postponed pending further review and an agreement between the applicant and the commissioners.

Consideration of and possible vote on a resolution relating to HPRB application for the Western Bus Garage

Jane Waldmann, a board member of the Tenleytown Historical Society (THS) noted that the THS had filed an application in 2005 to designate the Western Bus Garage at 5230 Wisconsin Avenue, NW, as a historic landmark. The application will be heard before the HPRB September 27, 2012. She said the garage is a one-story building and was built by a well-regarded architect, Arthur Heaton, who supervised the National Cathedral's construction for its first 10 years. The Western Bus Garage is representative of a period in the District's time and history and deserves landmark representation, she said.

Two attendees who live near the Western Bus Garage voiced their opposition to designating the site as a historic landmark. They said that the property is not particularly valuable and a historic designation would block any meaningful development in the area, which they say, is needed.

The commissioners agreed that the claim on historicity is not strong; the potential negative impact of locking up the block to future development—which is located near Metro and adjacent to an important commercial corridor—should be avoided; and only the building's brick façade is worth preserving in future development.

The commissioners voted unanimously to approve a resolution opposing the designation of the Western Bus Garage as a historic landmark, with the addition of a friendly amendment.

Consideration of and potential vote on a resolution relating to American University Tenley Campus HPRB issues

Jorge Abud, Assistant Vice President for Facilities Development, presented an update of American University's plans for the Tenley Campus and the construction of the school's new law school at the corner of Yuma and Nebraska Streets, NW, as modified by the HPRB. Mr. Abud said that HPRB has designated the Tenley Campus as a historic district and has accepted modifications to plans to demolish the existing buildings. Capital Hall will be preserved with construction of two new wings at Nebraska and Yuma Streets. HPRB asked that they come back with additional details about building materials; the hearing is scheduled for September 27, 2012. He noted that the HPRB previously blocked plans to build fountains or any other inviting feature on the front lawn.

Commissioners discussed the modifications in the plans for the front lawn, as requested by the HPRB. The front lawn as currently designed will be bordered by a low retaining wall that is not leveled. The commissioners expressed the view that the front lawn area is not as integrated and accessible to the surrounding community and the Wisconsin Avenue corridor, as they would prefer. The commissioners agreed on several proposed improvements to the current plans, including widening the grand stairs to the front lawn to improve connectivity to Wisconsin Avenue; adding a sculpture or water feature on the front lawn as a community amenity; making the retaining wall flat topped to invite sitting and social gatherings; and adding tasteful lighting to the front lawn to make the area safer at night. Commissioners noted, and Mr. Abud confirmed, that AU was receptive to these proposed improvements, but believed that opposition from the State Historic Preservation Office obviated the possibility of proceeding with them.

A commissioner asked if additional bike racks would be installed and Mr. Abud responded that only 20% of the design is currently complete.

Commissioners voted unanimously to approve a resolution, with the addition of a friendly amendment, that does not object to the proposed concept plan for Tenley Campus on historic preservation grounds but asks that the University and the State Historic Preservation Office work closely with the University and other community stakeholders to maximize benefits to the community.

Consideration of and potential vote on a resolution relating to ABRA application for an outdoor license for Cafe India resolution

Commissioner Quinn introduced the resolution and a draft voluntary agreement he negotiated, noting that Café India is seeking permission from ABRA to extend its liquor license to serve liquor to its patrons at a planned outdoor café. A voluntary agreement was reached with the owners of Café India to address neighbors' concerns, specifically that deliveries will not be made outside of legally permissible hours; dumpsters will be cleaned at least once a month and that owners will

respond to neighbor's requests and the ANC for reasonable additional cleanings in the summer if necessary; owners will comply with ADA and DCRA zoning requirements with regards to disability access to the outdoor seating area; and owners have agreed to relocate the ventilation fan to the second floor and move it further away from residents' homes by October 15, 2012.

An attendee who lives next door to Café India thanked the commissioners and said he was satisfied with the agreement.

The commissioners voted unanimously to approve the application and voluntary agreement.

Presentation and discussion of plans for the Friendship Animal Hospital

Attorney Christopher H. Collins of Holland & Knight and Peter S. Glassman, director of Friendship Animal Hospital, presented the updated plans to expand the hospital by constructing a rear and second floor addition on the existing site and moving specialty services, including oncology and surgery, to the second floor to relieve crowding and pressure on the first floor, where the main hospital operates. The BZA hearing is scheduled for November 11, 2012, they said.

Mr. Collins re-iterated that the hospital will be requesting zoning relief to expand operations at its current site—details of which were first presented to the Commission at the April 2012 meeting.

Commissioners discussed the plans and made a number of recommendations, including re-visiting the feasibility of building a green roof and whether patient dogs could use the roof for walking and outside breaks. Dr. Glassman said that the roof's existing structure has a low bearing capacity and they currently have no plans to build a staircase to the roof. With no plans to build additional parking spaces, Commissioners reiterated their concern about parking needs for additional clients once the expansion is completed and asked Dr. Glassman to explore and create a plan for valet parking.

Commissioners asked the hospital's closest residential neighbor, Bruce Lowrey, who lives across the alley, to list his most pressing concerns. Mr. Lowrey's chief concerns included noise in the alley from trucks making deliveries and two parking spaces in the garage that back out into the alley and impact his house.

Commissioners encouraged Dr. Glassman to continue to work cooperatively with Mr. Lowrey to address his concerns and suggested that Dr. Glassman meet with Mr. Lowrey and the commissioners for an informal discussion before the October 11, 2012 meeting to help resolve any outstanding issues.

ANC Business

Approval of August 2012 minutes

Commissioners unanimously approved the August 2012 minutes.

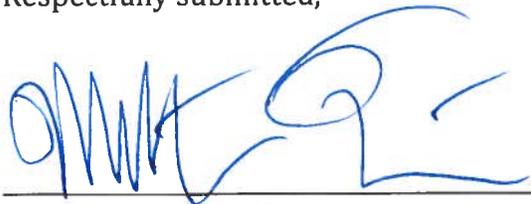
Approval of expenditures

Commissioners unanimously approved a raise for administrative assistant Loren Stein.

Commissioners unanimously approved expenditures: \$460.00 to Loren Stein for administrative services; \$52.09 to Federal Express; \$107.88 for web hosting; and a \$1,370.00 grant to the Lisner Home.

The commission adjourned at 10:26pm.

Respectfully submitted,



Matthew Frumin, Chair