



**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 ANC3E February 19, 2013 Meeting

The meeting convened at 7:36pm. Commissioners Bender, Frumin, Haile, Quinn, and Serebin were present.

Announcements / Open Forum – opportunity for members of the community to raise issues of concern or importance to the 3E neighborhood

An attendee commended the commissioners for putting an ending time to the commission meeting on the ANC3E web site calendar. A commissioner noted that the inclusion of an ending time was an error, but that the commission would nonetheless aspire to end the meeting not too long after the specified time.

Presentation by 2nd District Police

PSA 202 Lieutenant Alan Hill reported that from the period beginning January 1, 2013 to February 13, 2013 (or roughly 6 weeks) no sexual assaults or homicides have been reported in PSA 202. Four robberies were reported, one a bank robbery and three street robberies, primarily of iPhones by juveniles or young adults. A two-person team was arrested and since that time there have been no reported street robberies. A burglary on Reno Road, NW, that took place in August 2012 has resulted in a 12.5 year sentence for the perpetrator. However, Lt. Hill noted that burglaries are a continuing trend, with 8 burglaries on record from January 1, 2013 to the present. Montgomery County is reporting the same trend, he said. The latest trend is stealing jewelry from residences through forced entry into bedrooms, where jewelry is usually kept. Only the best pieces are stolen; jewelry boxes are not taken. Theft from autos remains an issue and police have stepped up enforcement along Military Road. Three simple assaults have been reported, primarily perpetrated by individuals who knew each other, as well as a case of shoplifting on the 5300 block of Wisconsin Avenue, NW, during which the storeowner intervened and was struck.

Lt. Hill also reviewed traffic enforcement efforts, including 10 citations for failure to stop at a stop sign by autos at 42nd and Yuma Streets, NW. At 42nd Street and Military Road, NW, officers reported 8 to 10 infractions per deployment.

An attendee asked if the police were aware of cars being rifled through when doors were accidentally left unlocked, as experienced by the attendee and reported on the

neighborhood listservs. Lt. Hill said theft from autos were common when doors are left unlocked and to always make sure to remove valuables from the car.

An attendee asked if iPhone thefts occurred during the day or night and Lt. Hill said both and noted that iPhones can be snatched out of the owner's hands.

A commissioner asked about police pedestrian safety enforcement and Lt. Hill responded that because of a change in crosswalk laws officers have been citing pedestrians as well as autos that enter the crosswalk against the red light.

Responding to a question by a commissioner, Lt. Hill said that if an auto is rifled through or tampered with the owner should call the police and file a report. He also encouraged residents to call the watch commander at 202.438.4421 (cell) if they have questions about police services.

Discussion of and possible vote on public space application for curb cut at 4201 River Road, NW

Commissioner Bender re-introduced the topic, which was discussed for the second time at last month's January 10, 2013 ANC 3E meeting. The developer of a new home currently under construction at 4201 River Road, NW is seeking permission to add a curb cut and driveway, and is also planning to build a large retaining wall at the property line. At the previous meetings neighbors had expressed concerns about the new construction and the height of the proposed retaining wall. Commissioner Bender presented a resolution that does not oppose the curb cut application based upon a voluntary agreement reached between the ANC, the developer and two neighbors bordering the property that would significantly reduce the burden the new development would impose on the neighbors.

Mr. Mohammad Sikder, owner of District Properties and the developer of the home at 4201 River Road, came to this meeting to talk with commissioners again about the construction plans and neighbors' concerns.

Commissioners asked Mr. Sikder whether the construction plans calls for brickwork for the driveway to extend across public space all the way to the sidewalk. After discussion with commissioners, Mr. Sidker agreed to reduce the amount of brickwork, but said he needed enough space in the driveway for a car to turn around. Commissioners noted that the vast number of driveways in the district do not have enough room to allow cars to turn around.

The issue of impermeable bricks was also discussed, and whether stormwater runoff would affect the retaining wall. An attendee noted that bricks could be installed in such a way as to be permeable.

An attendee suggested that the resolution be approved pending a site visit by the District Department of the Environment. A site visit by the River Smart Homes Program was also

suggested to determine how best to minimize storm water runoff.

The commissioners voted 4 to 1 to approve the voluntary agreement and resolution with a friendly amendment, with Commissioner Serebin opposed.

Discussion of and possible vote on resolution regarding turn movements on Wisconsin Avenue, NW

Commissioner Quinn introduced this resolution, explaining that right hand turn movements on red lights and illegal left turn movements in intersections along Wisconsin Avenue, NW endanger pedestrians' safety.

The resolution asks the District Department of Transportation (DDOT) to implement its recommendations first identified in the 2009 District of Columbia Pedestrian Master Plan and to give formal notice to the commission as to which provisions it intends to implement. The resolution also asks the Metropolitan Police Department (MPD) to increase its traffic enforcement in the Wisconsin Avenue corridor to help ensure pedestrian safety as well as help improve the safe and efficient flow of traffic.

An attendee commented that left hand turns at several locations along Wisconsin Avenue, NW, were problematic, including CVS Pharmacy, St. Ann's, Wash & Shine car wash, and Chevy Chase Pavilion.

Another attendee noted that traffic was particularly congested at the intersection of 42nd and Yuma Street, NW.

After discussion, the commissioners voted unanimously to support the resolution.

Discussion of and possible vote on a resolution related to conditions on Van Ness Street, NW

Commissioner Serebin introduced this resolution, explaining that cut-through traffic between Van Ness Street, NW and Massachusetts Avenue, NW, primarily by out of state commuters, creates serious safety issues because of traffic congestion, lengthy auto backups and repeated infractions including speeding, sideswiping and failure to stop. The resolution asks DDOT to study and implement a number of traffic calming measures to increase pedestrian safety along the street, including rush hour restrictions, improved crosswalks, signage, stop signs, and 4-way stops.

Resident Elisabeth Leamy presented a short video taken of eastbound traffic on Van Ness Street, NW, from Nebraska Avenue, during morning commuter traffic, documenting that a majority of cars had out of state licenses (out of 48 cars, 44 were from Maryland or Virginia). She also gave commissioners photos showing traffic congestion and pedestrian safety issues along the street. She said that many street signs were obscured, hidden or poorly designed, with the most egregious at the intersections of 45th and Van Ness Streets, NW, at the entrance to Turtle Park (Friendship Park), posing a safety hazard

to children and families. She catalogued numerous intersections that had safety issues caused by faded crosswalks or the lack of painted crosswalks along Van Ness, including 43rd, 44th, and 47th Streets, NW, as well as Nebraska and Massachusetts Avenues, NW. She reported that several intersections had confusing stop signs, some with two-way stops and others 4-way stops. She noted that while Van Ness is a no-through truck route trucks continue to travel the street, and speculated that they are traveling from Massachusetts Avenue to Wisconsin Avenue, NW.

More than 80% of households on Van Ness have signed a petition asking DDOT to study and implement the traffic calming measures, she said.

An attendee said that she walks her young daughter to National Presbyterian School and the lack of clearly marked crosswalks makes the trip terrifying. She asked if interim measures could be taken.

Commissioners discussed several issues related to the resolution, including an agreement with American University to calm traffic on 42nd Street; the difference between an artery and a collector road; how Van Ness is a straight east-west route between Wisconsin and Massachusetts Avenues; that commuter traffic is coming from River Road and Massachusetts Avenue from Maryland and Virginia; whether neighbors could use the 311 system; and the lack of parking along Van Ness, which could contribute to speeding and traffic.

Commissioners voted unanimously to approve the resolution with a friendly amendment.

Discussion of and possible vote on a resolution regarding Douglas Development's proposed amendments to its proffers and conditions for the Babe's project

Commissioner Bender introduced this resolution, which re-visits the topic of the memorandum of understanding (MOU) negotiated and agreed to by both the commissioners and Douglas Development in October 2012 for the Babe's redevelopment project on Wisconsin Avenue, NW. Following unanimous provisional approval of the project and the MOU by the Zoning Commission, Douglas development representatives revised the proffer in response to issues raised by the Office of the Attorney General (OAG). Commissioner Bender believed many of the revisions exceeded what was necessary to satisfy OAG concerns. He reported that after a additional lengthy discussions with Douglas Development and OAG, Douglas agreed to restore most of the disputed language to the amended proffers. Conditions that were restored concerned LEED certification, designating alternative beneficiaries, and undergrounding utilities, among others.

An attendee asked whether on page 10 of the MOU it was correctly 500 feet or 500 yards.

An attendee commented on procedural questions related to the amending of the proffer and the issue of privilege.

The commissioners voted unanimously to approve the resolution, with Commissioners Frumin and Haile abstaining.

ANC Business

• **Approval of January 2013 meeting minutes**

Commissioners voted unanimously to approve the January 2013 minutes.

• **Approval of December 2012 and January 2013 Treasurer's reports and 1st Quarter 2013 Treasurer's report**

Commissioners voted unanimously to approve December 2012 and January 2013 Treasurer's reports and 1st Quarter 2013 Treasurer's report.

• **Approval of expenditures**

Commissioners voted unanimously to approve expenditures: \$625.00 to Loren Stein for administrative services; \$78.00 to Wells Fargo bank for new checks.

The commission adjourned at 10:21pm.

Respectfully submitted,

Jonathan Bender, Chair