

officers to do their paperwork, eat lunch, etc., and perform more traffic stops in areas where there are a lot of thefts from autos, auto thefts, burglaries, etc.

Attendees: stated that cars are still parking in the bike lane in front of the aquatic center on Tuesday and Thursday nights; asked MPD to address stopped and parked drivers on Nebraska Ave in front of American University; and thanked them for fliers on cars reminding residents not to leave valuables visible in cars. Commissioners stated that they have witnessed someone repeatedly selling drugs in Ft Bayard Park during the day and asked for parking enforcement in the afternoon rush hour at Wisconsin and Albemarle. Sgt. Bray can be contacted at adam.bray@dc.gov with any additional questions.

Discussion of and possible action (if community concerns are raised) regarding liquor license renewals for Cafe of India, Le Chat Noir, Olive Bistro, Pete's Apizza, Maggiano's, and De Carlo's

Commissioner Bender informed those in attendance that the ANC does not normally take action for liquor license renewals (as opposed to initial applications) unless there are complaints about an establishment, or the Commissioners are aware of problems with an establishment. Commissioner Bender then recused himself from any discussions regarding Maggiano's because he owns stock in the parent company.

An attendee raised issues with Café of India's operations (leaving the exhaust fan running all night, excessive noise and odors from the exhaust fan, and having overflowing dumpsters) he raised with the owner of the restaurant that have not been corrected. There were no concerns raised by those in attendance for the other businesses.

Commissioner Bender moved and Commissioner Hall seconded a motion to authorize Commissioner Bender to file a protest on behalf of the ANC regarding Café of India's ABRA license renewal if a negotiated settlement cannot be reached with the applicant. The motion was approved by a vote of 4-0-0.

Presentation on status DC PLUG program to underground certain power lines

Anthony Soriano with DDOT stated that the DC Plug program is an initiative to underground vulnerable distribution lines. The work is expected to start in May, at Western & Brandywine, 49th St between Brandywine & Chesapeake, and Fessenden between 44th and 45th and will expand out from there. They expect the project to last for about year.

Laisha Doherty with Pepco distributed a map of the areas affected. Information on the project can be found at <http://dcpluginfo.com>, questions can be sent to questions@dcpluginfo.com, or you may call 1-844-758-4146. Work will happen between 7 am and 7 pm and parking will be impacted.

Commissioners and attendees asked: how long parking will be impacted for on any given block; if they will be undergrounding all transformers; if the utility poles will remain up; if the conduits would remain accessible; what the lifespan of the equipment is; if communication lines could be added to the conduits that Pepco will be digging now; and asked about how this project effects new 5G technology.

Discussion of and possible vote on resolution regarding application by residents of 4347 Brandywine St NW to build an over-height fence in public space

The residents of the property, a corner lot, would like to build a 6-foot high fence around the backyard portion of their yard in the public space, two feet back from the sidewalk. Generally, fences in public space are limited to 42” high. The fence they would like to build would be fairly open and it would taper down to 42” at one corner of the lot so cars approaching the intersection of 44th St and the alley would have better visibility. They would like to have a feeling of privacy without blocking off the lot. There is a line of cedar trees, planted by a previous owner, on the property line that they contend is preventing them from putting the fence on their property.

An attendee stated that he finds six-foot fences intimidating and asked the Commission to oppose the application. Another attendee stated that he thought that this fence was more attractive than other possible fences and that the Commission should support the application.

Various Commissioners: stated that longstanding public space protections, including fence height limitations, help define DC’s green and open character; appreciated that they are seeking a permit while many neighbors don’t; thought this fence is more attractive than what could be built by right; noted that part of the fence is down to legal height and asked if there is any way to do the entire fence at 42”; and asked if they could move the fence to behind the cedars.

It appeared that a vote on a resolution would deadlock 2-2. The owners agreed to defer their hearing and try to come to a compromise with the Commission that would permit the Commission to support the fence.

Discussion of and possible vote on resolution regarding special exception application by the residents of 5332 Belt Rd to build a deck

Diane Sullivan owns a semi-detached house and is seeking to add a semi-enclosed deck. Her deck will be the same size as the one the attached house currently has, about 18 feet wide and 12 feet deep. Commissioner Quinn stated that they are willing to remove a shed and concrete pad and plant a tree and add a rain barrel. The Sullivan’s have letters of support from 2 neighbors.

There were no comments from attendees or Commissioners. Commissioner Quinn moved, and Commissioner Hall seconded a motion to support the resolution in support of the deck. The motion was approved by a vote of 4-0-0.

Discussion of and possible vote on resolution regarding public space application by Georgetown Day School in connection with its expansion, including plans to reconfigure the intersection of 42nd and Ellicott Street and the area around it

As part of the construction of their new lower/middle school building, GDS plans on closing off the slip lane from southbound Wisconsin Ave onto 42nd St, building a parklet at the intersection of 42nd St/ Ellicott & Wisconsin, and installing a protected bikelane along 42nd St. DDOT originally wanted the fishhook to be 2-way with traffic heading northbound on 42nd St being forced to turn right onto Wisconsin Ave heading southbound. A resolution from the Commission’s last meeting asked DDOT to

eliminate the northbound lane on 42nd St between Davenport St and Wisconsin Ave because few cars would likely use it for its intended purpose, and to consider building a bike lane on that block of 42nd Street. DDOT agreed. GDS is working with TMS and UIP on furniture selection for the parklet. GDS will have its public space hearing in May.

Attendees: asked about how traffic would exit from the school and if will impact the neighborhood; asked if GDS could create a protected pedestrian path; asked who would take care of the parklet; asked why the city wants this; asked where the cycle track goes to; asked if they have a bike consultant helping GDS design the bike trail; thought that a bigger park would make the street safer; believed there will be less traffic in the area with this project; asked if the school's playground will be open to the public; liked the park; asked who will maintain the planters; and asked about the size of the café tables.

A Commissioner thought that Chesapeake St between Wisconsin Ave and 42nd St is a difficult street to drive through as it is a short street with parking lots on either side. A discussion occurred amongst the Commissioners as to what the Commissioners agreed to ask of DDOT at the last ANC3E meeting with regard to traffic flow, parking and bike lanes along 42nd St.

GDS will hold a town hall meeting in Wednesday April 17. Details for the project can be found at <http://www.GDS.org>.

Presentation by Valor Development of plans to file a PUD application to redevelop the former Superfresh site

Will Lansing provided an update to the neighborhood on the Ladybird project. The project was before the Zoning Commission (ZC) on March 11 as a design review. The ZC stated that they would like a text amendment to the statute as the language of the law does not specify how to calculate density under a design review. Rather than wait for the regulation to be amended, Valor has decided to file the application for their project as a Planned Unit Development (PUD). They will file on May 6. For this application, they have updated counts for the traffic study. They do not plan on updating the design of the building.

Attendees: asked if the design will be the same as presented before; asked for clarification on which lot or lots are considered under the PUD; asked what community benefits will be offered; did not think the supermarket was a benefit to the community; had concerns about pedestrian safety in the alley and the effects of additional traffic in the neighborhood; stated that there were more opponents than supporters; liked that the project would bring more homes and people to the neighborhood; would like more transparency for the process; asked if DDOT is requiring the alley improvements; thought that while the city needs more housing, but did not think this was the right area for this level of density; did not like that Wagshal's, Pitmaster's, DeCarlo's and the hair salon would have to move or close; asked if they would consider a Union Market type of facility rather than a supermarket; thought residents would want a walkable grocery store; didn't think that widening and improving the alley was an amenity; asked if Valor is providing a grocery store because they are contractually obligated to; asked why they aren't providing 50% Inclusionary Zoning; Stated that American University agreed to fewer parking spaces in exchange for the grocery store; and would like them to eliminate the commercial space and reduce the massing and height of the building.

Commissioners: asked about the status of the MOMs grocery store; had concerns about the lack of amenities offered; would like them to put Windom Way or a narrower path back in for porosity; did not think the amenities are sufficient for a PUD; would like to see Valor include a shuttle to the Metro as part of the amenity package; asked if they could narrow Windom Way to accommodate the heritage tree; would like Valor to include more IZ; would like to see more porosity in the project; and stated that they thought there was a path forward for unanimity within the Commission.

Discussion of and possible vote on resolution to Zoning Commission seeking a hearing on Chevy Chase Pavilion application to convert majority of retail space in the Pavilion to medical office use

Commissioner Bender stated that when Chevy Chase Pavilion was built as a PUD, the developers described its promise to build three floors of retail shopping as a benefit to the community. The building owners state they have trouble keeping the retail space rented and the owners, Clarion Partners, have applied for a modification to the PUD to allow for most of the retail space to be converted to medical offices. Clarion hoped to obtain the change without a hearing. Commissioner Bender stated that he drafted a resolution opposing the change to the PUD without a hearing. The resolution notes, among other things, that the ANC has no way to determine based on the scant application materials whether Clarion's difficulty filling its retail space stems from asking commercially unreasonable rents.

Commissioner Bender moved, and Commissioner McHugh seconded a motion to support the resolution opposing the change in use without a hearing. The motion was approved by a vote of 4-0-0.

Discussion of and possible vote on resolution regarding the governance of DC Education and proposals to reform it

Commissioner McHugh requested this item be tabled to a later meeting.

Discussion of and possible vote on resolution regarding the need for fair and transparent DCPS funding and proposals to move to Student Based Budgeting methodology

Commissioner McHugh stated that this resolution asks DCPS use the methodology it uses to calculate funding for schools to allocate funding to schools. Some friendly changes were offered.

Commissioner McHugh moved, and Commissioner McHugh seconded a motion to approve the amended resolution. The motion was approved by a vote of 4-0-0.

Discussion of and possible vote on resolution regarding the need for transparency and accountability in DCPS budgeting especially in the budget petition process

Commissioner McHugh stated that this resolution was based on a letter the Commissioners wrote to Chancellor Ferebee last month. It requests DCPS provide information regarding budgeting, staffing and change requests to the budgets and the reasons why budget change petitions are approved or denied.

Commissioner Hall moved, and Commissioner Bender seconded a motion to support the resolution. The motion was approved by a vote of 4-0-0.

Discussion of and possible vote on signing a petition for DC to keep the Old Hardy School for public school purposes

Commissioner Hall stated that there is a petition to the DC Council to keep the Old Hardy School for public school purposes. The link to the petition can be found at <https://www.kohp.org>. Commissioner Bender moved and Commissioner Hall seconded a motion that ANC 3E sign the petition. The motion was approved by a vote of 4-0-0.

Discussion of and possible vote on writing a letter in support of MayFair

Commissioner McHugh stated that the Turtle Park Mayfair, a fundraiser for the park, will be held on Saturday, May 18. Commissioner McHugh moved, and Commissioner Hall seconded a motion to approve a letter in support of the event. The motion was approved by a vote of 4-0-0.

ANC Business

- Approval of March 2019 Meeting Minutes - Commissioner Bender moved, and Commissioner McHugh seconded a motion to approve the March 2019 Meeting Minutes. The motion was approved by a vote of 4-0-0.
- Approval of expenditures - Commissioner Quinn moved, and Commissioner Bender seconded a motion to approve payments of \$27.00 to FedEx Office for copying services and \$337.50 to Sherry Cohen for administrative support. The expenditures were approved by a vote of 4-0-0.

The meeting was adjourned by acclamation at 12:15 AM.