



ADVISORY NEIGHBORHOOD COMMISSION 3E

TENLEYTOWN AMERICAN UNIVERSITY PARK FRIENDSHIP HEIGHTS
CHEVY CHASE WAKEFIELD FORT GAINES

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

Meeting Minutes

December 13, 2018, 7:30 pm

The meeting convened at 7:36 PM. Commissioners Bender, Ehrhardt, Hall, McHugh and Quinn were in attendance.

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

Attendees asked about the plans for the construction at the Steak ‘N Egg site; vandalism in the alley behind Pizza Boli’s; and about the status of DC leaf collection.

Jessica Wertheim, the Ward 3 Liaison to the Mayor’s Office of Community Relations announced that on January 1st the Department of Parks and Recreation (DPR) will host the FitDC Fresh Start 5K and that the deadline for open enrollment for DC Health Links insurance is December 15.

Presentation by 2nd District Police

Sgt. Bray from the 2nd District provided an update on crime for PSA 202. There were 66 crimes in the last 30 days, up 37 crimes over the same 30-day period last year, most of which are thefts from autos. MPD has dedicated three officers on each tour to investigate and prevent thefts from autos. He asked that people not leave items of value visible in the cars, not leave car doors unlocked, and not leave cars running with the keys in the autos. MPD has noticed that contractors’ vehicles are being targeted and has asked residents to remind contractors to lock their vehicles as well. There was one Assault with a Deadly Weapon (ADW) that was closed with an arrest, one robbery, one stolen vehicle that had been left running, and one burglary that was closed with an arrest warrant. Bray provided an update on the hit and run that occurred at Albemarle and Wisconsin in September. Unfortunately, the video cameras at Best Buy and Metro did not capture the incident.

Attendees asked: for traffic enforcement for cars traveling south-bound from River Rd onto Wisconsin as they go through the red light at the mid-block crosswalk between the Best Buy and Whole Foods; if pedestrians are required to wear reflective clothing at night; if any police cadets that are that are receiving mountain bicycle certification will be assigned to the 2nd District; for additional traffic safety studies at the intersection of Albemarle St. and Wisconsin Ave.; and traffic enforcement for vehicles that park in the bike lane during evening rush hour on Fort Drive by the Wilson Aquatic Center.

Commissioners asked: if a representative from DDOT could attend the next meeting to discuss safety issues at the intersection of Wisconsin and Albemarle; if trucks can park in the rush hour lane to complete deliveries during rush hour; for parking enforcement along Wisconsin Ave during rush hour; for recommendations for placement of additional lights in Ft Reno to help reduce crimes in the park; for police to patrol the alley in the block bordered by Chesapeake, 40th and 41st Streets as there have been reports of fights in the alley after school lets out; and what is best way to notify the police or city of parked cars during rush hour.

Sgt. Bray can be contacted at adam.bray@dc.gov with any additional questions.

Presentation regarding Tenley Tiger Run and possible vote on letter in support thereof

Debbie Lehigh, a Wilson High School parent, stated that the Tenley Tiger race will take place on Sunday, April 28 beginning at 9 am. The race is being sponsored by the Wilson Tiger Athletics and will help support the entire athletic program at the school. Ms. Lehigh described the route and mentioned city requires all vehicles be cleared off the route during the race. She asked for a letter of support from the ANC.

Attendees asked how much the race expected to raise this year; if the school considered combining the race with Janney Elementary School to save on expenses; if the school could move the race onto National Park Service (NPS) property so that they won't have to inconvenience neighbors by closing the streets and moving their vehicles; and if the race was required to have to have dump trucks block key intersections.

Commissioners asked whether homes along the race route receive advance notice of the event and road closures and were dismayed by the restrictions and financial burdens that the city imposes on the races.

Commissioner Bender asked Julia Washburn, Superintendent of Rock Creek Park, who was present for a later presentation, whether she might speak with Tenley Tiger representatives about problem they experienced with including park service property in the race route. Superintendent Washburn said she would be happy to meet with race representatives.

Commissioner Bender moved and Commissioner McHugh seconded a motion to approve a letter in support of the race. The motion was approved 5-0-0.

Discussion of and possible vote on amendment to settlement agreement for AMC Mazza theater to permit alcohol to be served in all theaters

Commissioner Bender stated that about 20 years ago, a settlement agreement was negotiated between the ANC, three neighbors and AMC that governs alcohol service at two of the seven theaters at the AMC Movie Theater in Mazza Gallerie. AMC would like to renegotiate the agreement to expand the alcohol service to all of the theaters and remove the age restrictions. If an agreement cannot be reached between the parties, AMC could request ABRA terminate the settlement agreement without the consent of the parties when their current license comes up for renewal in September 2019. Commissioner Bender has had a few meetings with two of the neighbors and Stephen O'Brien, attorney representing AMC.

Frank Lewis from AMC stated they are planning a \$5m renovation of the movie theater that includes reducing the number of seats from 1492 to 890, installing luxury reclining seats in all theaters, adding food service at the seats, expanding the bathrooms, and the addition of a new bar with a small seating area. Many theaters in the area now have full alcohol service including the AMC theaters in Georgetown and the Uptown Theater. The renovation would include expanding the number of employees from 15 to 60. The present agreement requires AMC to provide validated parking for patrons of the two over-21 screens. Under the new proposal, they would provide validation to all attendees. Because all theaters would serve alcohol and admit all ages, Commissioner Bender would like to see them require wristbands for anyone who would like to purchase drinks and impose a one drink per person per trip limit. Nationally, Mr. Lewis said, they have a two drink per person per trip limit and patrons average 1.1 drinks per transaction. Mr. Lewis noted that they video tape all transactions and will turn the video into the police if they see someone making frequent repeat trips to purchase alcohol.

Attendees asked: what other theaters in the area do regarding parking validation; AMC to validate all parking to keep patrons from parking in the neighborhood; how the cost of the renovation would impact the price of ticket; if there will be an online reservation fee; for clarification on the number of employees; if there will be a change in the closing hours and times for liquor service; and asked them to not validate parking as the theater is above a metro and there are 15 bus lines within a block of the theater.

Various Commissioners: were concerned about the ticket prices increasing and the loss of the seats; did not think the Commission should limit the number of drinks to one per person per trip in the absence of evidence that there is an underage drinking problem; did not want them to validate parking; and what the policies are at other theaters.

Presentation by National Park Service regarding plans for Chesapeake House

Julia Washburn, Superintendent of Rock Creek Park stated that as part of a PUD negotiated by the Commission, a private developer will pay to substantially renovate the Chesapeake House, which sits at the corner of 41st St, Chesapeake St and Belt Road, and has been derelict for many years. The roof will be replaced in the next few weeks. A historic structure report is in draft format now and construction of the building can begin as soon as the report is finalized. They are open to suggestions from the community regarding the use of the building. One popular suggestion is a visitor center for the local area, Reno City and the Civil War defenses of Washington. They are also open to leasing the building for community use.

An attendee noted that there is a Reno City exhibit at Deal Middle School that is hidden in a classroom due to overcrowding at the school. Another asked when the building was built and what its original purpose was. Ms. Washburn offered to have the park historian present at a future meeting once their research into the building is completed.

Discussion of and possible vote on resolution regarding design review application by Valor Development for mixed-use redevelopment at former Superfresh site

Last year, the Commission voted on a resolution and Memorandum of Understanding (MOU) in support of a proposed mixed-use development at the former Superfresh site. The proposal went to the Zoning Commission (ZC) which determined that Valor miscalculated the inclusionary zoning requirements. In response, Valor presented a new proposal that reduces the height of the building without substantially reducing the actual (as opposed to zoning) square footage devoted to housing. Their next hearing with the ZC will be in January. Will Lansing with Valor Development stated that at the last meeting, there were questions about the enforcement plan for Residential Parking Permits (RPP) restrictions. Valor is committing to defining the program with DDOT representatives and the Commission two months before the building opening. Since the last meeting, Valor has agreed to a draft MOU that is similar to the one signed last year. One difference is that Valor has committed to work with one of the bike share companies to have a bike share dock installed at the site.

Commissioner Hall stated that there is a draft resolution and MOU that are similar to the ones agreed to last year. The resolution addresses the changes to the project (reduction to floor area and massing, increased size of the grocery store, the addition of the townhouses and the loss of Windom Walk). The MOU is updated to reflect the bike share station, the changes in affordable housing, and the contribution to the funding of the pork chop at the 49th St by the Exxon Station; there was also some changes to the wording around the RPP.

Attendees asked: for wording be added to the MOU regarding vibration control and use of the rooftop; for clarification on the proposed RPP parking enforcement plan; if the parking exclusion applies to visitor passes; about the circulation of trucks and buses around the block and through the alley; if DDOT is requiring 50-foot delivery trucks; how many truck deliveries are expected each day; if the ANC can ask to see the agreements between the shopping center, AU and Valor development; for more information on the transportation to Tenleytown (item 7 in the MOU); and if Valor can negotiate a formal agreement with AU to allow residents to ride the shuttle to the Metro. Attendees also expressed concern for pedestrian safety around the development. An attendee read a letter that expressed concern for many loose ends on the development. Another attendee urged the Commission to vote no on the project so that the developer and neighbors would be incentivized to work more closely together.

Commissioners asked about the LEED certification process that Valor is agreeing to meet and for clarification on the IZ calculations and language in the MOU. Commissioners stated: they agreed about the pedestrian safety issues associated with the loss of Windom Way; they thought the MOMs Market was a benefit to the entire neighborhood; thought the project has improved with each iteration; would like to see parking extended to both sides of Yuma St; thought the project is lacking in pedestrian connectivity and public space criteria that a design review requires; would like to see Valor offer a dedicated shuttle to Tenleytown; was not happy with the loss of IZ; would like to see vibration monitoring and rooftop terrace use restrictions be incorporated into the Valor resolution; and would like Valor to commit to keep the community updated on the construction plans/status and be open to neighbors complaints/concerns.

Commissioner Hall moved, and Commissioner McHugh seconded a motion to support the resolution and the amended MOU. The motion was approved by a vote of 4-1-0 with Commissioner Bender opposing. Commissioner Bender said he was opposing primarily because Valor did not provide the shuttle to the Metro it had promised, fewer square feet of affordable housing were provided, the public space

and permeability provided were not adequate for a project subject to design review, and there was not a formal commitment provided to bring in a grocery store the neighborhood would appreciate.

Presentation by Donahoe Development about planned redevelopment at Fox 5 site, 5151 Wisconsin Avenue

Jad Donahoe with Donahoe Development gave an update to their plans for 5151 Wisconsin Ave, also known as the Fox 5 Building. The property currently consists of a 5-story office building, a 700-foot television tower and a 1.1-acre surface parking lot surrounded by a 8-foot high brick wall. Fox 5 will be vacating the property in 3 years.

Their current proposal would be a 6-story plus penthouse building that would be 70-feet high along Wisconsin Ave, that would step down to a 4-story apartment building and then 3-stories along 42nd Street (where the parking lot and brick wall currently are). The 42nd Street side of the building would look like duplexes and townhouses but would be apartments. The first-floor units would have their own entrances and open to the street. The project would have approximately 280 units. They would reduce the 4 curb cuts down to 2 and the project would have a 230-car parking garage below the street level. The community benefits Donahoe proposed include bringing a fresh building to Wisconsin Ave, bring 17,000 SF of retail at the ground level, 28 affordable housing units, allow for a restaurant with café seating along Wisconsin Ave, allow for 30-foot setbacks along Garrison, Harrison and 42nd Streets, a pocket park at the corner of Wisconsin and Harrison, and no RPP for residents. The current zoning is MU-4 along 2/3 of the property, the back third of the property is zoned R-2. They would seek a consolidated PUD and map amendment and ask for MU-5-A along Wisconsin Ave and Harrison St and RA-1 for the duplex building. He has spoken to other groups in the neighborhood and they would like to see a pizzeria, restaurant, or bakery in the space. Donahoe also owns the Rodman's Building. They would like to redevelop one of the two buildings but wouldn't want to develop them concurrently.

Attendees asked: if the land is level or slopes significantly; for clarification on the proposed parking garage; and if they did a matter-of-right project would they have to keep the parking lot and tower. Attendees stated that they want to see Rodman's stay in the neighborhood; the building, parking lot and wall is an eyesore and they are happy to see it redeveloped; would like to see the building redeveloped within the current MU-4 zoning and not have it up-zoned; thought this is an appropriate spot for redevelopment; are happy to see the pocket park as there is no green space in this area; would like to see entertainment options in that area; would like to see more density to support businesses in the neighborhood especially given the proximity to the Metro; would like to see retail other than restaurants and services; and thought this was a fairly modest proposal given the proximity to the Metro. Two attendees wanted to see a light added to the intersection of Wisconsin Ave and Garrison St while another did not want the light to discourage through traffic.

Commissioners were in favor of the project in principle. They asked: what the driver is to up-zone any property from a developers' point of view; and asked if the utilities are undergrounded around the property. Various Commissioners stated: that the neighborhood would benefit from affordable daycare; would like to see the pocket park activated to people would want to walk there; would like to see more affordable housing; thought they were being too modest on the Wisconsin Ave side and would support a larger project; encouraged them to fund green-space projects at Fessenden Park; would like to see a traffic light at Garrison St and possibly bulb-outs.

ANC Business

- Approval of November 2018 meeting minutes – Commissioner Hall moved, and Commissioner McHugh seconded a motion to approve the November 2018 Meeting Minutes. The motion was approved by a vote of 5-0-0.
- Approval of expenditures - Commissioner Quinn moved, and Commissioner Bender seconded a motion to approve payments of \$117.18 to FedEx Office for copying services; \$462.50 to Sherry Cohen for administrative support, and \$13.23 to Tom Quinn for stamps and envelopes. The expenditures were approved by a vote of 5-0-0.

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