



## **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**

**January 10, 2019, 7:30 pm**

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

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

Commissioner McHugh asked Jessica Wertheim, the Ward 3 Liaison to the Mayor’s Office of Community Relations, about the status of leaf collection.

Ms. Wertheim distributed letters from the Mayor to the Commissioners congratulating them on their reelection. Wertheim announced Mayor Bowser will provide her second term outlook at Gallaudet University on Monday, January 14 at 4 pm and the MLK Peace Walk and Parade will take place on January 21 at Anacostia Park starting at 11 am.

### **Presentation by 2<sup>nd</sup> District Police**

Sgt. Bray from the 2<sup>nd</sup> District provided an update on police activity and crime in PSA 202. He announced that Commander Gresham is retiring. Bray discussed the restructuring of the police districts; the size of the 2<sup>nd</sup> District increased with land added from the 4<sup>th</sup> District. To support the Vision Zero initiative, the District increased the fines for 14 traffic violations at the beginning of the year. He stated that Officer Steers and Lt Hill are working with District Taco and Seoul Spice to not have their delivery trucks block the right lane of Wisconsin Ave during rush hour. Bray stated that this month, the crime statistics are similar to those from last month but are up significantly from last year due to an increase in thefts and thefts from autos.

Attendees asked questions regarding: stop sign running enforcement and traffic enforcement cameras and thefts from autos. One attendee asked for traffic enforcement of cars parked in bus stops along Wisconsin Ave.

Commissioners asked: if Officer Santos was still assigned to traffic enforcement in PSA 202; when the increased fines for traffic violations will take effect; for traffic enforcement along Western Avenue near the Friendship Children’s Center where the speed limit is 15 MPH; if the 2<sup>nd</sup> District received more officers with the restructuring of the police districts; for the number of officers assigned to each PSA; about the use of decoys for to catch auto and package thieves; and for traffic enforcement at the

intersection of River Rd/Fessenden St/45<sup>th</sup> St in the morning.

Sgt. Bray can be contacted at [adam.bray@dc.gov](mailto:adam.bray@dc.gov) with any additional questions.

### **Presentation by DDOT regarding studies conducted on parts of Western Avenue**

George Branyan and Jim Sebastian with DDOT gave a presentation on improvements to Western Ave between 47<sup>th</sup> Street and Brandywine Street. In 2017 they sent a notice to neighbors that DC wanted to install sidewalks on the DC side of Western Avenue. Some residents were not supportive of the project and wanted the street resurfaced. As a result of the discussions they had with the neighbors and the Western Avenue Citizens Association, they resurfaced the street and have expanded the scope of the project to include traffic calming measures and pedestrian safety measures such as curb extensions and painted crosswalks in addition to installing sidewalks on the southern side of the street. Some residents and Commissioner Quinn had asked DDOT to include a bike lane along Western Ave. Branyan and Sebastian stated that installing a bike lane would require the removal of a parking lane between Westmoreland Circle and 47<sup>th</sup> Street.

An attendee asked DDOT if they can address the pedestrian crosswalks around Westmoreland Circle. One resident stated that a number of neighbors would like the safety measures but see no need for the crosswalks on the DC side of the street; he stated that people never walk along his street and none of the feeder streets have sidewalks. A representative of the Ward 3 Bicycling Advocates stated that they would like to have a bike lane and the proposed bulbouts (curb extensions) would eliminate the possibility of installing bike lanes in the future. One attendee stated that he supports the sidewalk because he would like to be able to walk along that street. Another attendee would like to see lighted signs alerting drivers to the pedestrian crosswalks.

Commissioners: asked if there are sidewalks on the Maryland side; asked if there was room for a bike lane if the parking lane was eliminated on the Maryland side of the street; noted that people don't walk along Western Avenue because there is nowhere to walk and they would like to have more walkable streets and connectivity; observed that the proposed sidewalk would allow people to walk to the Friendship Heights Metro; did not think that people should cross Western Ave to the MD side to get to a sidewalk; liked that the proposal minimized the burdens on the neighbors; would like to see 6-foot wide sidewalks the entire length of the project; asked if any trees would need to be removed; thanked them for connecting the bus stop to sidewalks; and stated that they would like to see a bike lane connect to the Capital Crescent trail as there are a lot of riders in the morning.

All commissioners expressed general support for installing sidewalks along that stretch of Western Avenue.

### **Discussion of and possible vote on resolution regarding proposal by Chevy Chase Pavilion to lease to medical offices, a use not permitted by its PUD**

Commissioner Quinn stated that the Commission received a copy of an administrative waiver from the Zoning Administrator to allow the owners of the Chevy Chase Pavilion turn their retail space into medical offices. The waiver has been provisionally granted and the Commission has 45 days to respond. Cynthia Giordano, counsel to the property owner, stated they thought this would be a fairly simple issue.

Lauren Holden with Clarion Partners said the PUD is 20+ years old and lately the interior retail space has been difficult to keep rented. They would like to be able to convert large portions of space currently used solely for retail to medical office building use. Commissioner Quinn stated that there have been many violations with the property and did not think they should be granted the waiver until the complaints are addressed. Jordan and Holden stated they had not heard any complaints about the property. Commissioners Quinn and Bender noted that the portion of the property the owners sought to rent for medical office use had been specifically designated during the PUD proceedings as retail space.

Attendees: stated that an urgent care clinic could benefit the neighborhood; could not believe that the owners and management have not heard about the ongoing complaints about the property specifically the noisy HVAC compressors on the roof; suggested they find a tenant that would encourage people to use the retail; asked about late night construction; stated that the property has illegal mechanical equipment and they have asked DCRA how zoning could ever have approved of this; were concerned about the loss of retail throughout DC urged them to try to get tenants back; stated that the compliance issues need to be dealt with before they move onto changing the property use; and asked for evidence that they have made concessions to rent to retailers.

Commissioners: questioned whether the space could be leased o retail for a lower rent than the management could receive from medical offices; stated there have been multiple violations and the property owners have made no attempt to return our calls or address the issues; stated that a PUD is a social contract and the representations the developer made in the PUD process about providing specified amounts of retail space did not appear to be something the Zoning Administrator could unilaterally abrogate; did not think physician's offices would be neighborhood serving considering all of the offices that are currently in Friendship Heights; asked if they file an amended application that protects the street frontage retail; asked for clarity on what portion of the building would be converted to medical offices; asked if this would require changes in code; asked about how the building ownership is structured; stated the neighborhood could use a dance studio and/or a day care center; noted that they have a crane scheduled to come on Saturday and the neighborhood did not receive any notice from the property management; asked the owners to let us know if the waiver request can be delayed while they address problems with their public space, three sets of illegal HVAC equipment, and issues with delivery trucks arriving during rush hour; stated that they would support the space that was occupied by Range being converted but maybe not a lower space; and worried that medical offices in the building would cause curbside parking issues similar to those in front of the Barlow building;

Friendly amendments were offered to the draft amendment and the Commission agreed to not file the resolution unless the Commission did not hear back from the applicant by January 18th that the Zoning Administrator will table the issue until February 28.

Commissioner Quinn moved, and Commissioner Bender seconded a motion to support the amended resolution opposing the medical offices at Chevy Chase Pavilion as condition. The motion was approved by a vote of 5-0-0.

**Discussion of and possible vote on resolution regarding DDOT proposal to add No Turn on Red restrictions at Van Ness and 39th Streets, NW, 42nd Street / Ellicott Street / Wisconsin Avenue, NW, and Albemarle and 42nd Streets, NW**

Commissioner Bender stated that the Commission received a Notice of Intent (NOI) from DDOT to add No Turn on Red signs to the three above listed intersections. Commissioner Quinn wrote a resolution in support of no turn on red restrictions in general but noted that two of these intersections already have no turn on red restrictions and stated that there are other intersections within ANC3E that need those restrictions. A friendly amendment was offered to authorize Commissioner Quinn to put together a list of higher priority intersections.

Commissioner Quinn moved, and Commissioner Bender seconded a motion to support the amended resolution. The motion was approved by a vote of 5-0-0.

### **Additional Items**

Commissioner McHugh asked to have the Commissioners representing ANC3E05 and ANC3E02 be the representatives to the AU Campus Plan Neighborhood partnership.

Commissioner McHugh moved, and Commissioner Bender seconded a motion to support the representation. The motion was approved by a vote of 5-0-0.

### **ANC Business**

- Approval of December 2018 meeting minutes - Commissioner Bender moved, and Commissioner Ehrhardt seconded a motion to approve the December 2018 Meeting Minutes. The motion was approved by a vote of 5-0-0.
- Approval of 2019 meeting schedule and officers - Commissioner Bender moved and Commissioner Quinn seconded a motion to have a draft meeting schedule for the Commission to meet on the second Thursday of each month. Commissioner Bender moved and Commissioner Quinn seconded a motion to retain the same slate of officers for 2018. Both motions passed by a vote of 5-0-0.
- Approval of security fund resolution - Commissioner Quinn moved and Commissioner Ehrhardt seconded a motion to approve the resolution. The motion was approved by a vote of 5-0-0.
- Approval of expenditures - Commissioner Quinn moved, and Commissioner Ehrhardt seconded a motion to approve payments of \$25 for the ANC Security Fund, \$18.20 to FedEx Office for copying services and \$390.50 to Sherry Cohen for administrative support. The expenditures were approved by a vote of 5-0-0.

The meeting was adjourned by acclamation at 11:06 AM.