



## **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**

**March 15, 2018, 7:30 pm**

The meeting convened at about 7:41 PM. Commissioners Bender, Ehrhardt, and McHugh were in attendance. Commissioner Hall and Quinn arrived afterward.

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

There were no issues raised during open forum.

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

Lt Hill from the 2<sup>nd</sup> District provided an update on crime trends in the area over the last 30 days. There were armed robberies on the 4500 block of Albemarle St NW on February 10 and on the 4700 block of 41<sup>st</sup> St, NW on March 10, and a robbery on the 4000 block of Chesapeake St, NW on February 21. Hill stated that motor vehicle thefts are on the rise in the NW DC area and the stolen autos are being used in robberies around the city. Thefts from lockers at the Wilson Pool are also increasing. Hill stated the police department has changed their crimemap.dc.gov service. The new site can be found at <https://dcatlas.dcgis.dc.gov/crimecards>.

An attendee asked about opioid deaths in the area. Commissioners asked: about traffic enforcement in the neighborhood; for parking enforcement by the Wilson pool; additional questions regarding drug use in the area; about the formation of the mountain bike team; and for traffic enforcement at Jenifer and 44<sup>th</sup> St. Lt Hill reminded the audience that he can be reached at [alan.hill@dc.gov](mailto:alan.hill@dc.gov).

### **Presentation by Friends of Friendship Park about Turtle Park Day and possible vote on letter in support thereof**

Maria Creighton, representing Friends of Friendship Park stated that the Turtle Park Mayfair, a fundraiser for the park, will be held on Saturday, May 17 from 10 am to noon. The group would like to block off Van Ness St between the two segments of 45<sup>th</sup> St NW, directly in front of the park and are asking the ANC to support the street closure. Commissioner McHugh moved, and Commissioner Bender seconded a motion to approve a letter in support of the event. The motion was approved by a vote of 5-0-0.

### **Presentation by DC FEMS on the department’s “Right Care, Right Now” initiative**

Doug Buchanan, the DC FEMS Chief Information Officer and John Solars, The Deputy Chief of Operations presented details on the new Right Care, Right Now program. The program will transfer callers to the 911 system that have non-life threatening or non-serious injury calls to nurses. These nurses would be able to refer the callers to appropriate medical providers, make appointments with the providers, and, if necessary, arrange transportation services rather than providing expensive ambulance services to an emergency room. Initially, the program will be able to handle 65 patients per day for six months, at which point, the effectiveness of the program will be evaluated.

Attendees asked: to which clinics they would refer patients; where the clinics are located; and how the program would handle callers with private health insurance. Commissioners asked: the dispatch criteria and if the expected travel time to the clinics are factored into the referral decisions; about the types of injuries and illnesses that would be referred to the program by the 911 dispatchers; what the impetus for the program was; and whether this service duplicates services that should be provided by the health insurance companies the city contracts with.

### **Discussion of and possible vote on resolution regarding application by Tenley Gastropub for change of hours to serve alcohol**

No one was in attendance at the meeting to represent the Tenley Grill. Commissioner Ehrhardt stated that the Tenley Grill has been operating during lunchtime but does not have a license for lunchtime services. Ehrhardt drafted two resolutions in support of extending the service hours – one for a temporary, stipulated license that would allow them to operate on a temporary basis, starting March 16 and a second resolution in support of a permanent change to the license that will be considered by ABRA in April. Commissioners asked why, for years, no one noticed that their license did not cover lunchtime service.

Commissioner Ehrhardt moved, and Commissioner Hall seconded a motion to approve the two resolutions supporting the permanent changes to the hours of service and the temporary, stipulated license. The motion was approved 5-0.

### **Discussion of and possible vote on resolution regarding public space application by Georgetown Day School to close one driveway and build another**

GDS has a hearing scheduled at the end of April with DDOT's Public Space Committee. Mark Stires presented the changes GDS would like to make to the curb cuts surrounding their property in conjunction with the construction of their new lower/middle school. The curb cuts on Davenport and Ellicott Streets will be rebuilt and remain in the same locations they are now. There is a curb cut on 42<sup>nd</sup> St by the WMATA chiller that will be removed. GDS plans to add a curb cut on River Rd that will lead to their new parking garage. Stires stated that the resolution they ask for today is to support the changes to the curb cuts only; they will be back at a later date to ask the Commission's support for additional public space plans. Those public space plans include the installation of a bike lane on 42<sup>nd</sup> St when they close off the slip lane from Wisconsin Ave onto 42<sup>nd</sup> St; the removal of 17 trees in public space that will be replaced with 30 new trees; and the replacement of the lights on the light poles with LEDs.

Attendees asked: what is being provided to the community in return for the public space use; who will be responsible for maintaining the landscaping; if any of the 17 trees being removed are heritage trees; if they could forward the plans to the community; and if they are putting blue light LEDs on the poles or warmer ones.

Commissioners asked: if they are installing bike racks or a Capital Bikeshare (CABI) station; about the locations of the bike racks; if GDS could meet with the Commissioners regarding the location of the CABI station and bike racks. After hearing about the scope of the items that were up for discussion in April, Commissioner Bender offered some amendments to the draft resolution.

Commissioner Bender moved, and Commissioner McHugh seconded a motion to approve the amended resolution supporting the changes to the curb cuts. The motion was approved 5-0.

### **Presentation of updated development proposal by Sunrise Senior Living at site of Wisconsin Ave Baptist Church**

Phil Kroskin, the Senior Vice President of Real Estate at Sunrise Senior Living and Carolyn Brown, an attorney with Donohue & Stearns, presented their latest plans for the Wisconsin Avenue Baptist Church site. They have been working to reduce the lot occupancy from their first two proposals which had 69% and 64% lot occupancies. At this meeting, they presented two sets of plans; the first occupies 59% of the lot and contains 85 units and the second which occupies 54% and contains 80 units. The footprints of these two sets of plans do not differ significantly in their proximity to the nearby homes especially those on 39<sup>th</sup> St. Kroskin stated that a smaller building would not be commercially viable. Both sets of plans would require three special exceptions (to allow for an assisted living facility on the site, to allow for fewer parking spaces than required, and for the height of the retaining wall) and two variances (to allow for a lot occupancy over 40% and to allow for four stories rather than the allowed three stories). Brown provided the reasoning and precedents that she believes would allow for Sunrise to obtain the exceptions and variances. Kroskin stated that per matter of right, the lot would only allow for 47 units with no church, but Sunrise needed at least 80-85 units in order for the project to be commercially viable. A church would be allowed to build up to 60% lot occupancy and the building would not exceed the height limits allowed per matter of right.

Attendees: noted that churches in DC don't generally build to the lot edges; asked if they were still planning to put living units above church; asked what would be in the steeple; supported the project and asked if Sunrise were not allowed to put the project in this location then where would a project like this go; asked about the price and affordability of the units; asked why they aren't building this in a commercial strip as opposed to an R-1-B lot; asked if there would be a limit on where the residents would come from; asked for clarification about the number of units needed to breakeven versus the number of units proposed in each plan; asked if the church and assisted living would be in separate spaces with separate entrances; supported moving the building as far away from the 39<sup>th</sup> St houses as possible; asked if they could shrink the footprint and go up another floor; stated that his mother lived and died at the Sunrise on Connecticut Ave and spoke positively of their experience; and asked the Commissioners what standards they use when considering the variances Sunrise is asking for.

Various Commissioners: stated they believed there is a need for senior housing at various price levels; stated liked the steeple; thought the proposed lot occupancy was too high; addressed the cost of assisted

living vs live-in care; stated that when the ANC is asked to vote to support variances and special exceptions, it asks the applicants to work with the neighbors, and although neighbors don't get a veto, the Commissioner who made the comment could not recall supporting a project requiring this much relief where neighbors were in opposition believed this project should be closer to 40% rather than 60% lot occupancy; did not feel comfortable with the 60-foot steeple with a mixed-use building below under it; asked if they approached the new owners of the Fannie Mae site to lease land; asked if there were other cases in DC of churches subdividing their lots; stated the cost of the units being too high argument did not resonate; asked neighbors to consider the alternative, of another church purchasing the site that would occupy 60% of the lot by right with full programming, would be more intrusive to the neighborhood; asked if an architect could come to their next presentation to explain how the building was designed; noted that the current building occupies less than 40% of the lot; noted that Commissioners swear to take into account the needs of the entire city not just their neighborhood when they are sworn in; thought that this is a favorable usage considering the alternatives; asked people to consider the lot occupancy vs the massing vs the proximity to the neighbors; asked Sunrise to adhere to the green requirements that commercial buildings need to adhere to; believed this project would be minimally intrusive on the neighborhood once it is completed; wondered if this is too much to put on the site when you combine the uses; and believed that the project should be closer to 40% lot occupancy.

#### **Discussion of and possible vote on resolution regarding signatory parties to zoning agreements.**

Commissioner McHugh stated that this idea came up about a year and a half ago when the Commission was excluded from a proceeding involving AU. Since then another proceeding arose where a group claimed to represent a geographic area, but many residents of that area had no knowledge of the group nor provided consent for the group to represent them. The Zoning Authority is supposed to ask the groups who they represent and approximately the number of people they represent.

Attendees: suggested that the Zoning Commission apply their standard uniformly and worried that the draft resolution will have a chilling effect on grass roots organizations; thought the "Be it Resolved" items were onerous and discriminatory; thought this was aimed at one particular group; stated there are informal groups that form around single issues and thought the rules laid out in the resolution would exclude too many people; noted that the party Commissioner McHugh referred to lied under oath; stated that it is important that groups claiming to represent citizens actually have a legitimate basis to make such claims; asked if the resolution is to make sure small groups don't make an outsize claim; thought that the Zoning Commission should be responsible for verifying claims made by groups; and agreed with the intent of the resolution but thought there should be a simpler way to get at the steps listed.

Various Commissioners: stated they support transparency and would like to see the steps simplified; did not believe the draft resolution was onerous or discriminatory; wondered if interested attendees could get together at an informal but public meeting to improve it in a way that most can agree with; supports the idea of cleaning up the resolution since no one would want to be represented without their knowledge; thought the resolution needs to move away from singling out one group; and noted that in Denver they have Registered Neighborhood Organizations that register each year and gain party status.

Commissioner McHugh said he would like to table the issue.

## **Discussion of and possible vote on resolution regarding legislation to phase out gas-powered leaf blowers**

Grif Johnson presented the reasons to phase out the gas-powered leaf blowers at the Commission's January meeting. Commissioner Bender drafted an amendment in support of the phase out as he agreed that gas leaf blowers are extremely polluting, very loud and the people who suffer the most from this are the users who are not usually in a position to speak up about them. The bill before the DC Council would phase out the leaf blowers over three years. The resolution before the Commission asks the Councilmember Mendelson to bring the bill to a committee hearing.

One attendee stated that the bill has been held up since 2016 and there is a petition on Change.org in support of the bill.

Various Commissioners: offered a friendly amendment; stated that they not support the resolution because there are other gas-powered lawn equipment that the bill did not cover, and this bill would increase the number of batteries used and create battery waste; stated that they thought gas-powered lawn equipment also are extremely polluting and also should be phased out.

Commissioner Bender moved, and Commissioner Quinn seconded a motion to approve the amended resolution supporting the phase-out of the blowers. The motion was approved 4-1 with Commissioner Ehrhardt opposing.

### **ANC Business**

- Approval of February 2018 meeting minutes - Commissioner Hall moved and Commissioner Bender seconded a motion to approve the February 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 \$362.50 to Sherry Cohen for administrative services, \$23.96 to FedEx for copying services and \$900 to Miler-Cox Mighty Little Webshop. The expenditures were approved 5-0-0.

The meeting was adjourned at approximately 11:39 PM by unanimous consent.