



## **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

<https://anc3e.org>

### **RESOLUTION OF SUPPORT IN DDOT-374388**

#### **WHEREAS:**

1. 4912 Wisconsin LLC ("4912") is building a multi-story residential structure at 4912 Wisconsin Avenue, NW.
2. Much of the project is matter of right, but 4912 needs approval from the District Department of Transportation's ("DDOT") Public Space Committee ("PSC") for certain changes 4912 wants to make in public space. Chief among these are construction of bay windows and an areaway that project into public space.
3. ANC 3E was concerned that the bay windows and areaway would project farther than is typical into public space.
4. Additionally, ANC 3E was concerned that the public space under 4912's control in front of the areaway ("Patio Space") might be used in a manner that did not optimize benefit to the community and 4912.
5. In particular, ANC 3E seeks to foster a vibrant streetscape on Wisconsin Avenue, our main street. One public space use that serves that purpose is open air restaurant seating.
6. ANC 3E worked together with 4912 and the owner of a restaurant in the building next to it, Tartufo, to negotiate an agreement that will serve all these goals.
7. First, 4912 agrees to modify its application to PSC to seek 3 foot bay and areaway projections (it had sought 33% more than this, or 4 feet).<sup>1</sup>
8. Second, 4912 agrees to permit Tartufo to use the Patio Space for outdoor seating. Tartufo lacks open air space in front of its establishment, and cannot otherwise offer open air seating, which is a critical amenity for restaurants and their patrons during the pandemic.
9. The administrative path for Tartufo to use the Patio Space for outdoor seating is, unfortunately, complex. Pre-pandemic, restaurants were not able to use adjacent public space for outdoor seating. Through the end of February 2022, emergency regulations permit such use upon satisfaction of certain requirements.
10. ANC 3E understands that DDOT is actively considering extending or making permanent the ability for restaurants to use adjacent public space for outdoor seating.
11. ANC 3E supports such a change. Should it not occur, however, the agreement provides that the ANC and 4912 will work together to find an alternative use.

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<sup>1</sup> Although the ANC had initially sought a somewhat smaller areaway, 4912 has represented that the fire code requires a 3 foot minimum areaway, and on the strength of this representation the ANC agreed with the applicant to 3 feet.

**NOW THEREFORE BE IT RESOLVED:**

1. In light of the foregoing, and specifically in reliance on the promises made in the attached agreement between the ANC, 4912, and Tartufo's owner, ANC 3E supports the above-referenced application.

The resolution passed by a vote of 0-0-0 at a properly noticed meeting held on November 16, 2021, at which a quorum was present, with Commissioners Bender, Cohen, Hall, McHugh, and Quinn in attendance.

ANC 3E

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by Jonathan Bender  
Chairperson