

MINUTES
ADVISORY NEIGHBORHOOD COMMISSION 3F
NORTH CLEVELAND PARK, FOREST HILLS & TENLEYTOWN
PUBLIC MEETING

March 19, 2007
Capital Memorial Church
3150 Chesapeake Street, N.W.
Washington, D.C. 20008

1. CALL TO ORDER [7:39 PM]

Chair Wiss called the meeting to order and, finding Commissioners Daniel Klibanoff, Frank T. Winstead, Karen Perry, Cathy Wiss, Mital Gandhi, Jane Solomon, and Susan Banta present, declared a quorum.

2. AGENDA [7:40 PM]

Chair Wiss presented the meeting agenda and moved its adoption. Commissioner Gandhi seconded. With the permission of Potbelly Sandwich Works, Commissioner Perry moved to place the sidewalk café for its restaurant at 4400 Connecticut Avenue to the ANC agenda for April because Potbelly is not prepared to answer to questions the ANC has posed. The Public Space Committee has postponed consideration of this application to its April 23, 2007, meeting. The agenda as amended was adopted 7-0-0.

3. MINUTES [7:42]

Commissioner Solomon, who prepared the minutes of the January 17, 2007 meeting, moved their approval. This was seconded by Commissioner Gandhi and the minutes were approved, 5-1-1. Commissioner Winstead opposed and Commissioner Gandhi was not at the meeting therefore voted present.

Commissioner Wiss presented the minutes of the February 19, 2007 meeting and moved approval. This was seconded by Commissioner Banta and the minutes were approved 7-0-0.

4. ANNOUNCEMENTS [7:46 PM]

A. Announcements by Commissioners:

Commissioner Gandhi announced that DDOT has started the process to pave Davenport Street.

Commissioner Wiss and Ms. Kristen Barden, the Mayor's Outreach Coordinator for Ward 3 announced that Commander Solberg of the Second District, MPD, will be holding a town hall meeting on March 26, 2007 at 7 PM in St. Columba's Church, 4201 Albemarle Street. Chief Lanier has been invited to attend.

Commissioner Solomon announced a reminder of the Peoples' March on April 16, 2007 starting at 2:30 PM. The march will go from Freedom plaza up Pennsylvania and ending at the Reflective pool. For more information go to DC Vote's website.

B. Announcements by the Community:

Barbara Kogan of the 4500 block of Connecticut Avenue, N.W. announced that the Van Ness Giant has improved on a few things like not having spoiled milk on the shelf and there is a health food aisle not just healthy food in the foreign food aisle.

Donovan Morris of the Tenleytown Whole Foods Market announced that the store has applied for a liquor license to sell beer/wine. They are going to train sales staff on selling alcohol. This issue will be on the April agenda.

5. OPEN FORUM [7:54 PM]

Kristen Barden introduced herself. She is from the Mayor's office and is assigned to Ward 3 as the neighborhood outreach coordinator. Kristen's contact information is 202-727-2287 and Kristen.barden@dc.gov.

Allen Glennon of the 4400 block of Connecticut Ave lives next to the car wash and Burger King. He would like to resolve all the problems the car wash is causing. The line of cars waiting for the car wash blocks traffic on Connecticut Avenue, the right turn lane on Albemarle Street, the driveway into his building, and the alley behind the building. People get into fights about getting in line. In the past, the car wash agreed to station an employee on Connecticut Avenue to control the line, but they have not lived up to this agreement. Mr. Glennon asked for a uniformed officer outside to patrol the area.

Commissioner Perry stated that the ANC had an agreement with the car wash about this. Several years ago, Larry Brown of DDOT asked Javier, the owner, to reverse the traffic pattern for the car wash. Commissioner Wiss stated that this has been an ongoing issue and needs to be put on the agenda for next month.

Jeff Jennings of DDOT sent Cmdr. Solberg of the Second District MPD an e-mail asking for assistance. This is also a DDOT Public Space and DCRA issue.

Officer LoConte of PSA 203 said that MPD had just met with the car wash owner in response to numerous complaints. He will give \$100 tickets to standing vehicles during evening rush hour.

6. MPD SECOND DISTRICT REPORT [8:05 PM]

The police report was presented by Officer LoConte of PSA 203. Between February 17, 2007 and March 18, 2007, there were no robberies; one assault; no burglaries; four thefts; five thefts from auto; three property destruction (all were car windows smashed); and one fraud.

Commissioner Winstead questioned what police are doing about drivers using cell phones while driving. He feels this is increasing. Officer LoConte informed the commissioners

that police are ticketing violators. This is a high alert and police are aware this is an ongoing issue.

Commissioner Perry requests that the MPD AM shift attend the meeting and talk about traffic issues, not only the PM shift. She would like to see the PSA meeting report. The next meeting is March 22, 2007 at 6 PM. Commissioner Gandhi asked for all PSAs for 202, 203 and 204.

Commissioner Solomon inquired about reporting red light runners. Office LoConte advised Commissioner to call 311 and report it. It will be dispatched to on duty officers in the area.

7. Improvements to the School Crossing at Reno Road and Davenport Street, N.W.

Patrick Ogbeide of DDOT/TSA reported that on March 15, DDOT sent an engineer to observe traffic conditions from 8:30 am to 10:30 am. Many factors were found to contribute to the crossing problem on Reno and Davenport Street by Murch School, such as, parents are parking in a no standing zone on Davenport Street and walking children into the school; the crossing guard on duty does not enforce the law; and oncoming traffic does not listen to the crossing guard. DDOT talked with the school principal about these problems. DDOT recommends increasing police presence during school drop off and pick up.

Michael Kaiser of Grant Road west of Reno Road is very concerned about pedestrians crossing Reno and wants a traffic light like the one on 34th Street at John Eaton School. In the past few years Michael and his wife have recorded 23 incidences people not paying attention to the crossing guard. This affects 12 Murch students who live west of Reno Road and walk to school. Mr. Ogbeide stated that a traffic light at this intersection would have to meet federal “warrants”, which take into account the amount of traffic at a given intersection. At the moment getting an accurate count would be difficult because the reconstruction of Reno Road has reduced the traffic volume. The reconstruction will continue for some time. Commissioner Gandhi asked about the difference between a traffic light and flashing light. Commissioner Perry suggested sending a letter to police asking for effective enforcement, researching getting a light, and requiring parents to stop dropping children off in the middle of the street and leaving cars. Commissioner Solomon agreed with pursuing a stop light because this will take a significant amount of time.

Commissioner Banta asked Jennings for the Reno work plan, still waiting. Also, Commissioner Wiss asked for the DDOT engineer’s report that surveyed the school.

Commissioner Wiss moved to write a letter to police asking for police enforcement. This was seconded by Commissioner Perry. Letter 07-02 was passed 7-0-0. Commissioner Wiss will circulate letter around before signing. The letter will be sent to Solberg and Lt. Byron Hope.

8. Discussion with Bill Crews, Zoning Administration, DCRA [8:40PM]

Bill Crews, Zoning Administrator in DCRA, reported that he is still working on the question of the fraternity located in an R-1B zone in the 3900 block of Windom Place.

DCRA is working on the Kuri Brothers BZA appeal. This has been a 16 year battle. Mr. Crews is not sure why Kuri Brothers has not simply applied for a special exception, which is all that is needed in a C-3-A zone district.

DCRA has made many changes to improve its service. The DC Office of Tax and Revenue has funded a GIS system with maps and aerial photos of all structures in the city from 2004. Information from this system is being used for all permits. Information about how to draw up a plat and zoning of individual properties is now available on the web. At some point information on public space set backs will be available electronically. The new homeowners' center allows many homeowners to get permits on a single visit. The permit center is being reconstructed and restructured so as to have all the building disciplines together in one place.

Commissioner Winstead asked about the zoning implications of using a trellis to join two structures to make them "one building". There are different criteria depending on the zone district and the types of structures that are being connected. Before adding a trellis, a property owner should consult with DCRA.

Commissioner Perry asked about the PUD at 4401 Connecticut Avenue, which has not abided by its covenant to provide a meeting room for the community. Instead of the retail promised in this commercial building, it is being used by schools. Thirteen to 14 school buses park on Windom Place, blocking access to the loading dock for the Van Ness Giant and others who wish to use Windom Place.

Mr. Crews stated that DCRA issued a certificate of occupancy for the Edmund Burke School bridge over the public alley after discussions with Denise Wicktor of DDOT's Public Space Management Administration. He concurred with her rationale at the time and will ask her to convey it to the ANC.

Kuri Brothers is using all of the required parking spaces for tenants of the commercial building at 4215 – 4221 Connecticut Ave for its business. The ANC would like an investigation. Mr. Crews said that DCRA is now trying to put the number of required parking spaces on the certificate of occupancy so that everyone will know what it should be.

Commissioner Solomon asked what steps to take to know whether a permit is legal without burdening DCRA or the inspectors. Bill Crews stated that the permit should be posted on the property. If not, that is a violation. We can also find out by contacting Eric Rodger, the ANC liaison for DCRA, at Eric.Rodgers@dc.gov.

Commissioner Wiss asked about a house that has been built without the required survey of its foundation called a "wall check". Although no survey has been submitted to DCRA, the house is almost finished and the walls of the addition are not located where they are shown on the plat for the permit. She has complained, but DCRA has not followed through. Mr. Crews suggested she continue to complain.

Ken Terzian of the 4400 block of 29th Street asked about the Forest Hills Tree and Slope Protection Overlay and the side yard requirement. Mr. Crews cannot offer advice until the

Zoning Commission has published the order in the case. The Urban Forestry Administration will be involved in permitting.

Commissioner Solomon asked about the impact of construction on an abutting property owner's trees. The Urban Forestry Bill protects trees from this sort of damage. People who have questions about their trees should talk to Earl Eutsler, arborist for Ward 3 with the Urban Forestry Administration.

9. Consideration of a request to DPR to address issues for the Wilson Pool Rebuild [9:30 PM]

Commissioner Wiss presented a resolution requesting that the Department of Parks and Recreation address certain planning issues in reconstructing Wilson Pool, such as zoning, parking, tree preservation, energy efficiency, and the effects of construction on Wilson High School. Bill Crews confirmed that the Department of Parks and Recreation must comply with zoning. Although the pool is being planned without onsite parking, zoning requires 48 parking spaces for the spectator seating alone. DPR can speed up the process by meeting with him now.

Patrick Ogbeide of DDOT stated that the Traffic Services Administration had met with DPR and reviewed a parking study for the pool, but found it to be incomplete. The pool will reduce the amount of parking available for teachers at Wilson High School. Wilson has asked for parking on the street, but DDOT does not provide street parking for teachers. Commissioner Perry is concerned that users of the pool will take up parking used by residents.

Commissioner Wiss proposed that a task force be set up to address parking management issues for general use of the pool and for special events. Commissioners suggested agencies that should be included on this task force.

Commissioner Perry wanted to add a clause in the Resolution about preserving the wetland/stream. Commissioner Perry would also like to add a bullet asking DPR to seriously consider issues raised by the public, to address these issues, and to return to the community with responses.

Commissioner Winstead recommended using geothermal energy to heat the building. UV filtration reduces chlorine by 40%.

Ken Slowinski of Palisades commented there has lack of public input. He suggested if community wants a state of the arts facility then go check out the Montgomery Recreation center. He points out some flaws in the design, i.e. there are only 8 showers compared to the 19 showers in the existing pool building. This could be a potential health issue. Also, the tunnel to the men's locker room is not convenient and is scary. He suggests that the guard booth be placed between the main pool and leisure pool. He suggested that required parking could be built under the locker rooms. Commissioner Wiss agreed to add a bullet to this effect.

Commissioner Wiss moved the resolution as amended. This was seconded by Commissioner Solomon. Resolution 07-07 passed 6-0-1. Commissioner Banta voted present.

10. ANC 3F participation on the DC Building Code Advisory Committee [10:21]

Commissioner Gandhi nominated Commissioner Klibanoff and Commissioner Solomon seconded. The vote passed 7-0-0. Commissioner Klibanoff accepts nomination and will serve on the committee.

10. Treasurer's Report [10:27 PM]

Commissioner Solomon asked for Commissioners to check for receipts from the Third Quarter of FY 2006. Lynard Barnum of the DC Auditor's Office says that some receipts are missing from Quarterly Reports submitted last year. The last deposit from the DC government for \$9,868.95 occurred during quarter ended September 2006. Petty Cash is empty. The proper procedure is to write a check to one of the commissioners and have them cash it and give the money back to petty cash. The amount should not exceed \$200.00 by law.

11. ANC Office Computer [10:35 PM]

Commissioner Gandhi agreed to reinstall Microsoft and other information that needs to be put back on the computer. If the reinstallation does not work then Commissioners will consider calling a computer service company.

13. REPORT ON SEEKING AN ADMINISTRATIVE ASSISTANT FOR THE ANC

Committee was unable to meet this month. The committee will meet with the IRS after they have drafted a job description. Commissioner Gandhi moved to engage Hollie Nelson for the April 18 meeting. Commissioner Perry seconded. The motion was approved 6-1-0, with Commissioner Winstead opposed. Hollie Nelson agreed to take minutes at the April 18 meeting.

14. CHANGE OF MEETING DATE FOR APRIL [10:59 PM]

Commissioner Wiss proposed the meeting that was changed from April 16 to April 17 needs to be changed again due to the Ward 3 democrat meeting and School Forum. Commissioners agreed after some discussion to change the April meeting date to April 18. Commissioner Perry moves to move the April meeting to April 18, Commissioner Solomon seconded. Motion passes 6-1-0 with Commissioner Winstead opposing.

15. ADJOURNMENT [Time: 11:05 PM]

Commissioner Gandhi moved to adjourn meeting, and Commissioner Banta seconded. The vote passed 6-0-1. Commissioner Winstead voted present.

These minutes were approved 4-1-1, with a quorum present, at a duly noticed public meeting of ANC 3F on May 21, 2007.

Respectfully submitted,

Susan Banta, Secretary