

**ADVISORY NEIGHBORHOOD COMMISSION 3-C
GOVERNMENT OF THE DISTRICT OF COLUMBIA**

Cathedral heights · Cleveland Park · Massachusetts Ave. Heights · McLean Gardens · Woodley Park

**2737 DEVONSHIRE PLACE, NW
WASHINGTON, DC 20008
(202) 232-2232 FAX: (202) 232-0667
anc3cmail@gmail.com**

I. CALL TO ORDER

Chair Nancy MacWood called to order Advisory Neighborhood Commission 3C (ANC3C's) regular monthly meeting for March 20, 2006 at 7:34 p.m. The meeting was held in the community room at the Second District Police Station, 3320 Idaho Avenue, NW, Washington, DC 20008. Other commissioners present included Bruce Beckner, Dia Black, Avi Fechter, Sheila Hogan, Deborah Jane Lindeman, Catherine May, and Trudy Reeves. Commissioner Zobay arrived at 7:40 p.m.

II. VERIFICATION OF NOTICE

Chair MacWood verified that the proper notice was published in the Northwest Current and posted on the Cleveland Park list serve, the Woodley Park list serve, and the ANC3C website.

III. ESTABLISHMENT OF QUORUM

Chair MacWood acknowledged that a quorum (at least five members of the commission) was present.

IV. APPROVAL OF AGENDA

Commissioner Black announced that the application for a new front door canopy had been postponed and requested removal of the item from Commission Business. Chair MacWood moved for approval of the following corrected agenda:

- A. Consent Calendar: Denial of a Public Space Application from 3820-3826 Woodley Road, NW, for curb cuts and a circular driveway.
- B. Consideration of a Historic Preservation Review Board Application from 3500 Macomb Street for restoration of the front porch and construction of a 2-story addition to this corner house.
- C. Consideration of a Historic Preservation Review Board Application from 3510 Rodman Street, NW, for a 2-story addition.
- D. Consideration of a Historic Preservation Review Board Application from 3010 Ordway Street, NW, for front façade changes, including new windows and porch, and a rear 1-story addition.
- E. Consideration of a Grant Proposal from Woodley Park Community Association for landscape improvements to a pocket park located at Woodley Road, NW, and 29th Street, NW.
- F. Consideration of a resolution urging District Department of Transportation to install a countdown pedestrian signal at Wisconsin Avenue, NW, and Porter Street, NW.

Commissioner Black seconded the motion.

The agenda was unanimously approved 9-0.

II. ANNOUNCEMENTS

A. Chair MacWood introduced Lt. Kelvin Cusick, PSA 204. Lt. Cusick gave a brief overview of his duties in this position. Commission discussion included questions regarding parking enforcement and police presence. Commissioner Hogan inquired as to parking enforcement and Lt. Cusick acknowledged that parking complaints are a Priority 3 call. He commented that callers to the precinct should wait a reasonable amount of time for a response by the police on this low priority item. Repeat traffic offenders could be reported to Officer Baker, the Traffic Officer for PSA 204. Commissioner Reeves asked if the patrol officers, when leaving the station, could drive through McLean Gardens on their way to Wisconsin Avenue to demonstrate police presence in the area.

Community discussion related to parking tickets and Emergency No Parking sign postings. Signs posted less than 24 hours are illegal and anyone receiving a ticket should dispute the ticket via Traffic Adjudication. Commission comments indicated that signs needed to be posted 72 hours in advance. Chair MacWood indicated that the Emergency No Parking signs are disbursed by the police and that there should be a record of when the signs were issued.

Commissioner May made a motion to authorize the Chair to write a letter to Commander Contee urging him to hire new officers in order to raise the complement of officers in PSA 204 to normal levels. The motion was seconded by Commissioner Fechter.

The motion was unanimously approved by a vote of 9-0.

B. Chair MacWood announced that Diana Dykstra, PEPCO Representative and manager of PEPCO's E-Business was in attendance and had provided some literature for the community as well as some promotional items.

III. CONSENT CALENDAR

Public space application for 3820-3826 Woodley Road, NW for curb cuts and installation of a circular driveway:

Chair MacWood inquired if anyone was present at the meeting regarding this application. One community member stated that there were alleys on the South and East side of this large property, and the property owners were going to remove the house on the 3820 lot. Thus, a circular drive could come off the alleyways and this would result in no loss of on-street parking.

Commissioner Hogan stated that approval of curb cuts should not be the default if the ANC issued no comment. Public Space should require active approval by the ANC before curb cuts are granted. Commissioner Hogan read and moved her resolution. The resolution was seconded by Commissioner Lindeman, who then offered a friendly amendment to include the Public Spade Office as well as the Public Space Committee to require ANC approval for curb cuts. Commissioner Lindeman requested clarification from Jeff Jennings, Ward 3 Traffic Planner with DDOT, who was in attendance, as to the entities that

approve curb cuts. Mr. Jennings agreed that the Public Space Office should be added to the resolution.

Community concerns included whether curb cuts done “under the radar” of DDOT can be removed. Mr. Jennings responded that if research reveals an illegal permit for a curb cut, the contractor who made the cut would be asked to make the necessary repairs to reinstall the curbing. If the contractor fails to make the repairs, DDOT can make the repairs and bill the contractor for the work. Such information is under the guidance of Denise Wiktor, Public Space manager for the entire city. She handles the decisions as to whether an application needs an inter-agency review or whether the application is under the purview of the Public Space Office. Furthermore, the Office of Infrastructure Oversight (“OIO”) does patrol the city and observe projects that involve Public Space. Also, the permits are now being archived for review in the future. Commissioner Lindeman noted that, according to Lars Etzkorn, Administrator, Public Space Management Administration, non-approved applications are discarded.

Commissioner Fechter moved to call the question. The motion was seconded by Commissioner Black. Without objection the motion to call the question was approved. **The resolution was approved 9-0 by roll call vote as follows:**

Commissioner Beckner - yes
Commissioner Black – yes
Commissioner Fechter - yes
Commissioner Hogan – yes
Commissioner Lindeman - yes

Chair MacWood – yes
Commissioner May – yes
Commissioner Reeves – yes
Commissioner Zobay – yes.

IV. COMMUNITY FORUM

A. Kate Cullen, Representative for the Protestant Episcopal Cathedral Foundation (“PECF”) gave a brief overview of two upcoming landscape projects. The first project is the restoration of the Amphitheater as the final phase of the project to restore Olmstead Woods. The work will begin this month (March, 2006) and the duration will be through August or September 2006. Construction use is daylight hours only and the coordination of this project should have no parking impacts.

Chair MacWood inquired as to the use of excavation trucks. Ms. Cullen stated that there would be no excavation trucks, but there would be delivery trucks bringing in stone. The truck route would be such as to minimize trucks on residential streets.

The second project is construction of the Cornerstone Garden at St. Albans. The plan is to renovate the hillside by Gregory Court and introduce a type of memorial garden. Low stone walls and pathways would complete this outdoor “sanctuary” space. The construction will begin in late May, 2006 and will be completed by August or September 2006. Four or five deliveries are expected for this project.

Chair MacWood inquired as to whether PECF has HPRB approval for these projects. Ms. Cullen stated that they did.

Commissioner Hogan asked for a general construction update. Ms. Cullen stated that the underground garage project was on schedule and would be completed by December 2006. The first and second levels of concrete have been poured and the bus garage excavation is ongoing. After some complaints by Wisconsin Avenue neighbors the contractor agreed not to engage in noisy construction work before 9am on Saturdays.

Chair MacWood asked about the removal of two large trees at the corner of Woodley Road and Wisconsin Avenue and whether they would be replaced. Ms. Cullen stated that she was aware of the white oak on city property that was removed as it was diseased. PECF is not planning on replacing this tree. She is not aware of a second tree. Commissioner May inquired about tree planting on the Close, noting that 100 trees were planted last year and 200 are scheduled to be planted this year. Ms. Cullen stated that this was part of the Olmstead Wood restoration and any tree canopy over the parking garage will be a separate issue.

- B. Allen Hahn addressed the Commission regarding 2643 Connecticut Avenue. He stated that a new restaurant, Subway, was attempting to locate at this address. Aside from the noise, rats, and commercial traffic, Woodley Park does not need another restaurant.

Commissioner Black added that Zoning Administrator Bill Crews issued a Stop Work order for Subway, but stated that there are reports of work continuing at the site. Chair MacWood stated that Mr. Crews sent an inspector to investigate after the first report of work continuing after the Stop Work Order was issued. The inspector did not find anyone working, but Mr. Crews will send another inspector out. In addition, Chair MacWood added that Mr. Crews remapped the Woodley Park Overlay zone to determine the correct restaurant measurement. Mr. Crews has not formally responded to the percentage of linear footage attributed to restaurants, but Chair MacWood expects the percentage cap will be exceeded.

Commissioner Lindeman noted that the proprietor of 2643 Connecticut Avenue has made his plight public with respect to the Stop Work Order. Commissioner Black added that the proprietor has hired an attorney to fight for them, and while it is a mistake on the part of DCRA to have issued the permit, the neighborhood should not have to suffer. Commissioner Lindeman also questioned whether a fine was levied on the proprietor for concealing the permit. She stated that she felt Subway was acting in bad faith. Commissioner Lindeman concluded the discussion by stating that inspectors can be sent to investigate ongoing work at odd hours by calling 727-6161.

V. COMMISSION BUSINESS

- A. *Consideration of a Historic Preservation Review Board Application for 3500 Macomb Street, NW, for restoration of front porch and a two-story rear addition to this corner house.*

Chair MacWood noted that the ANC interest in an HPRB application is the façade and how the addition complements the house and the historic district. A presentation was then made by the architect. Chair MacWood stated that she had

received confirmation from the impacted neighbors that they had seen the project plans. Chair MacWood moved that ANC3C has no objections to this project. The motion was seconded by Commissioner Beckner.

The motion was approved by a vote of 9-0

B. Consideration of a Historic Preservation Board Application for 3510 Rodman Street, NW, for a two story addition:

A presentation was made by the architect, Michael Fox. Mr. Fox also submitted letters from adjoining neighbors in favor of the project. Commissioner Beckner noted that there has been no comment made by the Cleveland Park Historical Society Architectural Review Committee (“ARC”). Mr. Fox responded that the ARC was concerned with the massing of the upper gable. In addition, he has been working with Anne Brockett at HPRB as HPRB would like the roof line of the addition lowered.

Chair MacWood asked about the interior height of the attic space as proposed. Mr. Fox responded it was 8’6” at the apex and then sloped under the dormer. Commissioner Beckner noted that the project did not make any changes to the front façade, and in his opinion, did not cross any architectural boundaries. Commissioner Beckner then read and moved a resolution in favor of this project. The motion was seconded by Commissioner Black.

The resolution was approved by a vote of 8-0-1 as follows:

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| Commissioner Beckner – yes | Chair MacWood – abstain |
| Commissioner Black - yes | Commissioner May - yes |
| Commissioner Fechter - yes | Commissioner Reeves – yes |
| Commissioner Hogan – yes | Commissioner Zobay – yes. |
| Commissioner Lindeman -yes | |

C. Consideration of a Historic Preservation Review Board Application for 3010 Ordway Street, NW for front façade changes, including new windows and porch, and a rear single story addition:

Steve Rabinowitz, owner, made the presentation to the Commission. Mr. Rabinowitz noted that the current application had been modified and did not include any changes to the front façade at this time. Chair MacWood inquired about the fences surrounding the property. Mr. Rabinowitz responded that the fence along the perimeter of the property would be replaced in kind, but lower in height. The fence along Ashley Terrace would be a mixture of a 6’ wooden fence and a 4’ chain link fence. The small fence in the front of the property would remain. Mr. Rabinowitz added he has documentation from the majority of the impacted neighbors approving the project. Other neighbors could not be reached.

Commissioner Beckner read and moved a resolution in favor of this project. The motion received a second from Commissioner Black.

The resolution was approved by a vote of 9-0 as follows:

- | | |
|-----------------------------------|-----------------------------------|
| Commissioner Beckner – yes | Commissioner Fechter - yes |
| Commissioner Black - yes | Commissioner Hogan – yes |

Commissioner Lindeman -yes
Chair MacWood – yes
Commissioner May - yes

Commissioner Reeves – yes
Commissioner Zobay – yes.

D. Consideration of a Grant Application from Woodley Park Community Association for landscape improvements to a pocket park located at Woodley Road, NW and 29th Street, NW:

Martin Murray made the presentation to the Commission requesting \$2500, noting that Woodley Park Community Association has received approval from the Department of Parks and Recreation (“DPR”). Commissioner Reeves inquired why DPR was not funding this project, and noted that ANC3C cannot fund projects that DPR can fund themselves. Mr. Murray said that DPR was providing the benches and DPR has contracted with the city to maintain the parks. In addition, neighbors of the site have volunteered to help with the maintenance of the park.

Commissioner Fechter suggested that, while he is in favor of the application, perhaps the title of the park can be transferred to a non-profit land trust, making it clear to the DC Auditor that ANC3C was not providing funding for another government agency. He added that the City has let triangle parks go to waste. The potential of such parks to add value to surrounding homes via green spaces has not been harvested.

Chair MacWood noted that ANC3C has to have an accounting of the grant funds and asked if Mr. Murray would be the contact person and provide the documentation to ANC3C. Mr. Murray agreed to do so.

Commissioner Hogan inquired as to whether federal funds were available. She noted that Urban Forestry offers community grant funds, a pass-through program of the Federal Government overseen by Urban Forest Partnerships.

Commissioner Lindeman read and moved a resolution in favor of this application, and suggested ANC3C approve a grant for \$1500, while urging the Woodley Park Community Association to participate in the funding of the pocket park or seek other community sources. The motion received a second from Commissioner Black. Commissioner May offered a friendly amendment regarding the amount of the grant from ANC3C, noting that a change to a 50-50 split (\$1250 from ANC3C, \$1250 from the Woodley Park Community Association or other community sources) would demonstrate support from the neighborhood for the project. This amendment was accepted by Commissioner Lindeman.

Commissioner Fechter commented on the amount of volunteerism and the price this would have cost. Chair MacWood concluded saying that ANC3C cannot put a value on donations of labor, and that DPR should be valuing these parks.

The resolution was approved by a vote of 9-0 as follows:

Commissioner Beckner – yes
Commissioner Black - yes
Commissioner Fechter - yes
Commissioner Hogan – yes
Commissioner Lindeman -yes

Chair MacWood – yes
Commissioner May - yes
Commissioner Reeves – yes
Commissioner Zobay – yes.

E. *Consideration of a resolution urging the District Department of Transportation to install a countdown pedestrian signal at Wisconsin Avenue, NW and Porter Street, NW:*

Commissioner Reeves read and moved a resolution on this matter. The motion received a second from Commissioner Beckner.

The resolution was approved by a vote of 9-0 as follows:

Commissioner Beckner – yes
Commissioner Black - yes
Commissioner Fechter - yes
Commissioner Hogan – yes
Commissioner Lindeman -yes

Chair MacWood – yes
Commissioner May - yes
Commissioner Reeves – yes
Commissioner Zobay – yes.

VI. OFFICERS' REPORTS

- A. Commissioner Zobay made a motion to approve the December 2005 minutes. The motion received a second from Commissioner Fechter. Commissioner Lindeman offered two editing changes, which were accepted. **The motion was unanimously approved by a vote of 9-0.**
- B. Commissioner Zobay made a motion to approve the February 2006 minutes. The motion received a second from Commissioner Lindeman. Commissioner Lindeman offered two editing changes, which were accepted. **The motion was unanimously approved by a vote of 9-0.**

VII. COMMITTEE REPORTS

Consumer Affairs: Commissioner Lindeman announced that Councilmember Graham's office has moved on the Rent Control Bill cited in ANC3C Resolution 2005-065, and he will now hold new hearings on this matter. Commissioner Lindeman will testify at the hearings and again present the ANC3C resolution.

VIII. SINGLE MEMBER DISTRICT REPORTS:

ANC3C-02: Commissioner Lindeman reminded everyone about the public meeting she is sponsoring on March 30, 2006 regarding the JBG development of the Marriott Wardman park property, and encouraged all to attend to understand the issues. Public Space Manager Denise Wiktor will be in attendance as well.

ANC3C-05: Commissioner Beckner announced that NCRC has negotiated an agreement with the neighborhood.

ANC3C-09: Chair MacWood, along with Commissioner Beckner, will contact DPR with respect to the Hearst Playground issue.

IX. ADJOURNMENT

Commissioner Fechter moved to adjourn. Commissioner May seconded. By a unanimous vote of 9-0, the meeting adjourned at 9:58 pm on March 20, 2006.