

	<b>ADVISORY NEIGHBORHOOD COMMISSION 3C</b> <b>GOVERNMENT OF THE DISTRICT OF COLUMBIA</b> CATHEDRAL HEIGHTS • CLEVELAND PARK MASSACHUSETTS AVENUE HEIGHTS McLEAN GARDENS • WOODLEY PARK
<i>Single Member District Commissioners</i> 01-Lee Brian Reba * 02-Gwendolyn Bole * 03-David Valdez 04-Arthur Barkmann* 05-Margaret Siegel * 06-Carl Roller 07- Victor Silveira * 08-Catherine May * 09-Nancy MacWood	P.O. Box 4966 Washington, DC 20008 Website <a href="http://www.anc3c.org">http://www.anc3c.org</a> Email <a href="mailto:all@anc3c.org">all@anc3c.org</a>

**MINUTES**  
**Advisory Neighborhood Commission 3C**  
**January 19, 2015 Public Meeting**  
**Second District, MPD**  
**7:30PM**

**I. Establishment of Quorum:**

The Chair, Commissioner Roller, called the meeting to order at 7:34pm and announced that there was a quorum. All of the other 8 Commissioners were present.

**II. Verification of Notice** (Listserve: CP,WP, MAHCA, CAH, MG, OG, QH, Ward3DC, and NWC, Twitter):

The Secretary confirmed that notice of the meeting had been sent to 8 community listserve, published in the Northwest Current newspaper and put on Twitter.

**III. Agenda**

The Chair stated that the agenda item on 3515 Woodley Rd had been struck. Commissioner Siegel moved approval of agenda, which was adopted by voice vote.

<p>           I. Establishment of Quorum            II. Verification of Notice (Listserve: CP,WP, MAHCA, CAH, MG, OG, QH, Ward3DC, and NWC, Twitter)            III. Approval of Agenda            IV. Announcements            V. Community Forum            VI. Consent Calendar            Consideration of a DDOT Public Space application for a fence at <u>3100 Massachusetts Ave. NW</u> - British Embassy            VII. Commission Business            1. Resolution regarding Election of Officers for 2016-17            (Chair: Carl Roller; Vice-Chair: Catherine May; Secretary: Gwen Bole; Treasurer: Margaret Siegel).            2. Discussion with Mayor Bowser regarding ANC3C issues.            3. Consideration of a DDOT Public Space application for a fence at <u>2901 34th Street, NW</u> (aka 3333 Garfield St.)            4. Consideration of an HPRB application for backyard landscape at <u>3028 Newark St. NW</u>            5. Consideration of an HPRB application for garage raze and reconstruction at <u>3422 36th St. NW</u>            6. <del>Consideration of an HPRB application for rebuild of demolished house at <u>3515 Woodley Rd. NW</u></del>            7. Consideration of an application for <u>3097 Ordway St. NW</u>            8. Resolution regarding ANC3C 2016 Bonding and Security Fund Participation            9. Resolution regarding ANC3C 2016 Meeting Dates            VIII. Other Business            Secretary's Report: Approval of Minutes from the December 15, 2015 meeting            Treasurer's Report:            Administrative Issues:            SMD Reports:            Other:            IX. Adjournment         </p>
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#### **IV. Announcements**

Commissioner May announced a meeting on January 27th of Noise Free Air, a coalition of neighborhood groups advocating the reduction of air traffic noise.

#### **V. Community Forum** - No comments

#### **VI. Consent Calendar**

Resolution expressing no objection a DDOT Public Space application for a fence at 3100 Massachusetts AV NW, the British Embassy

Commissioner May moved approval and Resolution approved by voice vote.

### **ANC 3C Resolution No. 2016-001 Regarding DDOT Public Space Application for Security Gates for 3100 Massachusetts Avenue, NW**

Whereas the British Embassy, the owner of 3100 Massachusetts Avenue NW, has filed a Public Space Application (# 119858) for the construction of security gates in public space at the North and South entrance to the property on Observatory Circle NW, and

Whereas the owners have complied with the Office of Foreign Missions process for the approval of security fencing, and

Whereas, the applicants have modified the plans for the gates in response to ANC and city agency input to make them compatible with the style and height of the existing security fence, and

Whereas the applicants have protected and preserved the historic gates at the North Entrance,

Be It Therefore Resolved that ANC3C does not object to the application, and

Be It Further Resolved that the Chair, the Commissioner of ANC 3C08 or their designee is authorized to represent the Commission on this issue.

**Attested by**



**Carl Roller**

**Chair, on January 19, 2016**

*This resolution was approved by a voice vote on January 19, 2016 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.*

#### **VII. Commission Business**

1. Election of Officers: Commissioner Reba moved a Resolution to elect nominees for officers. The following officers were elected by voice vote for 2016: Chair, Carl Roller; Vice Chair, Catherine May; Secretary, Gwendolyn Bole; Treasurer, Margaret Siegel.

**ANC 3C Resolution No. 2016-002**  
**Regarding ANC3C Election of Officers for 2016-2017**

WHEREAS ANCs are required under DC law to elect officers at the first meeting of the calendar year:

THEREFORE BE IT RESOLVED that the following slate of officers for ANC3C are elected for calendar year 2016-17:

Chair: Carl Roller  
Vice-Chair: Catherine May  
Secretary: Gwendolyn Bole  
Treasurer: Margaret Siegel

BE IT FURTHER RESOLVED that the Chair of ANC3C or their designee is authorized to represent the Commission on this issue.

**Attested by**



**Carl Roller**  
Chair, on January 19, 2016

*This resolution was approved by a voice vote, on January 19, 2016 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.*

**2. Resolution for DDOT Public Space Application for 3333 Garfield St NW (formerly 2901 34th St NW)**

Commissioner May addressed the issue and moved a Resolution. Resolution adopted by voice vote.

**ANC 3C Resolution No. 2016-003**  
**Regarding DDOT Public Space Application for a Fence Greater Than 42” for**  
**3333 Garfield Street, NW**

Whereas the owners of 3333 Garfield St NW have filed a Public Space Application #119741 for a fence greater than 42 inches in public space, and

Whereas the owners recently applied to have the address of the house changed from 2901 34<sup>th</sup> St NW to 3333 Garfield St NW, and

Whereas the owners had obtained a permit (while 2901 34<sup>th</sup> St NW) for the replacement of a preexisting fence which was 7ft in height along the alley but that was not greater than 42 inches in height along the 34<sup>th</sup> St side of the property, and

Whereas the owners constructed a fence, not in compliance with the permit, that is 7 ft in height and located at the inner edge of the sidewalk along the north portion of the 34<sup>th</sup> St side of the property;

Be It Therefore Resolved that ANC3C does not object to the fence as proposed along the alley which maintains a height of 7 ft until it reaches a point 4 ft from the inner edge of the sidewalk provided the yellow pole is removed from the corner of the property, and

Be It Further Resolved that ANC3C does not support a fence as proposed along the 34<sup>th</sup> St side of the property and requests that in the event the fence as proposed is permitted that it be conditioned upon

- a) the removal of the walkway at the 34<sup>th</sup> St entrance to the house and its replacement and maintenance with sod and other plantings in public space consistent with the current plantings, and
- b) relocation and construction of a walkway on the Garfield side of the property, a portion of which would be in Public Space, and

Be It Further Resolved that ANC3C encourages the owners to work with DDOT to arrive at a treatment of the fence along 34<sup>th</sup> St NW that is consistent with Public Space requirements and any special requirements of the property, and

Be It Further Resolved that the Chair, the Commissioner of ANC3C08 or their designees be authorized to represent the Commission on this issue.

Attested by



**Carl Roller**

Chair, on January 19, 2016

*This resolution was approved by a voice vote on January 19, 2016 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.*

### **3. Resolution Regarding HPRB Application for Rear Yard Landscape at 3028 Newark St NW**

Commissioner MacWood introduced the architect, who described the plans. Commissioner MacWood moved a Resolution, which was adopted by voice vote.

## **ANC 3C Resolution No. 2016-004 Regarding HPRB Application for Rear Yard Landscape Proposal for 3028 Newark Street, NW**

Whereas, the owner of 3028 Newark St., which includes a contributing house in the Cleveland Park Historic District, is seeking Historic Preservation Review Board (HPRB) approval of a proposed rear yard landscaping proposal; and

Whereas, the proposal includes the construction of two terraces that will extend approximately 24 feet from the house and be supported on the west and south sides by 6 foot retaining walls with railings; and

Whereas, the rear yard is currently unusable due to the steep terrain and the absence of any constructed amenities; and

Whereas, the proposed landscaping would be visible to the adjoining neighbors and from Ross Place; and

Whereas, the applicant has shown the plans to all the potentially affected neighbors and has secured statements of no objection from all of them, except the neighbor to the west of the applicant's property, who has not responded to emails from both the applicant and the SMD commissioner:

Be It Resolved that ANC 3C does not object to the proposal but urges the HPRB to consider requiring more shrub plantings to soften the proposed 6-foot retaining walls and to avoid further erosion of the steep slope that in part is causing the need for retaining walls that exceed what would normally be allowed in the historic district; and

Be It Resolved that the Chair and Commissioner 3C09 are authorized to represent the commission on this matter.

Attested by



**Carl Roller**

**Chair, on January 19, 2016**

*This resolution was approved by a voice vote on January 19, 2016 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.*

**4. Resolution Regarding HPRB Application for Raze and Replacement of Garage and Driveway Expansion for 3422 36th St NW:**

Commissioner MacWood introduced the architect who described the plans. Commissioner MacWood commented that widening of driveway is consistent with other properties and would not reduce parking. She moved the Resolution and it was adopted by voice vote.

**ANC 3C Resolution No. 2016-005  
Regarding HPRB Application for Expanded Garage Replacement and Driveway  
Expansion for 3422 36<sup>th</sup> Street, NW**

Whereas the owner of 3422 36<sup>th</sup> St., a contributing property in the Cleveland Park Historic District, seeks approval from the Historic Preservation Review Board (HPRB) to demolish a garage, extend a new garage 4 feet in length, and widen the existing driveway by 2 feet; and

Whereas the garage is a prominent feature on the lot, but is simple in design, and has been assessed by the American Home Inspection Service as being unsafe because of significant deterioration; and

Whereas the applicant intends to rebuild the garage on the same footprint, consistent with the existing garage design and specs, with the exception of adding 4 feet to the rear of the garage; and

Whereas, the applicant proposes to widen the driveway from 7'6" to 9'6" by increasing the paved surface on the edge that borders the property's side yard between the house and garage, and this widening will result in centering the driveway with the garage; and

Whereas, the applicant has statements of no objection from the adjoining and rear neighbors:

Be It Resolved, that ANC 3C has no objection to the proposal, but notes that our position on demolishing the garage is based on the statement from the home inspector that it could not be repaired;

Be It Resolved that ANC 3C authorizes the Chair and Commissioner 3C09 to represent the commission on this matter.

Attested by



**Carl Roller**  
Chair, on January 19, 2016

*This resolution was approved by a voice vote on January 19, 2016 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.*

**5. Resolution Regarding BZA Application for Special Exception for Rear Addition to 3097 Ordway St NW:**

Commissioner Siegel introduced the issue of an application for lot occupancy increase of 44% which is over the 40% allowed. Commissioner Siegel moved the Resolution. Commissioner MacWood noted that the Zoning Administrator can grant up to 2% increase. The Resolution was adopted by voice vote.

**ANC 3C Resolution No. 2016-006**  
**Regarding BZA Application for Special Exception for Rear Addition to 3097**  
**Ordway Street, NW**

WHEREAS the owners of a residence at 3097 Ordway Street NW have filed for a special exception to build a one story rear addition, which would increase the property from thirty-three percent lot occupancy to forty-four percent lot occupancy,

WHEREAS, the applicant has stated that the need for an increase in lot occupancy is to build a large guest room and that the size room per lot occupancy restrictions would be smaller than they desire; and

WHEREAS, the ANC strives to maintain the openness of rear yards and the light, air, and privacy of residents who use rear yards for recreation, as well to preserve open green space between closely situated houses,

AND WHEREAS, the Planning and Zoning Committee of ANC3C has reviewed the plans and recommended that the owners modify their proposal so that the addition does not exceed lot occupancy requirements;

THEREFORE, BE IT RESOLVED that ANC 3C objects to the current proposal, and urges the owners to reconfigure their addition to meet the maximum lot occupancy requirements.

BE IT RESOLVED that the Chair and Commissioner representing ANC3C05 are authorized to represent the commission on this matter.

Attested by



**Carl Roller**

**Chair, on January 19, 2016**

*This resolution was approved by a voice vote on January 19, 2016 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.*

#### **6. ANC3C Bonding and Security Fund for 2016**

Commissioner Siegel noted that without participation in the fund ANC3C can't write checks and it costs \$25. She moved a Resolution for participation by ANC3C and it was adopted by voice vote.

**RESOLUTION**

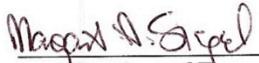
Advisory Neighborhood Commission 3C

Resolved that this Commission approves the ANC's participation in the Advisory Neighborhood Commission Security Fund and authorizes the Treasurer to pay the \$25 fee for the period January 1, 2016 through December 31, 2016. The Chairperson and Secretary are authorized to execute the attached agreement.

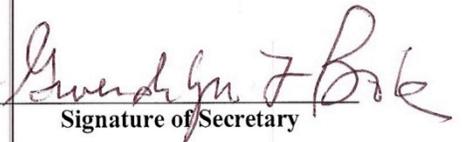
It is understood that: (1) the check for participation in the ANC Security Fund should be made payable to "ANC Security Fund," (2) the ANC is not considered a participant in the Fund until the ANC has received the acceptance section of the agreement which has been signed by the District of Columbia Auditor, and (3) the agreement will not be accepted by the Auditor until all required documents have been received by the Office of the Auditor. The required documents are:

- Resolution
- Agreement
- ANC Check
- Statement of Information - Chairperson
- Statement of Information - Treasurer
- Bank Survey
- Copy of Current Bank Signature Card

Resolution approved at public meeting held on: 1/19/16

  
Signature of Treasurer

  
Signature of Chairperson

  
Signature of Secretary

**7. Presentation of Honorable Mayor Muriel Bowser**

She noted that many members of her team were present.

Has been focused on economic development but also human services to bring more Washingtonians along.

Closed budget gap and has 100 million allotted for affordable housing.

Will or have presented to Council a number of plans:

- Plans to close DC General as homeless shelter by 2018 and create smaller, more humane facilities.
- Also focused on schools including buildings for which priorities must be set as have less to borrow and have focused on Junior and Senior high school students.
- For public safety, has focused on 5 Police Service Areas ("PSAs"). The program called Safer/Stronger. She wants more police on street and removal of illegal guns of those who have been convicted.

- Focusing on public transportation safety. Wants to send clear message that crimes of public transportation are different as are penalties.
- Wants to have ability to have community grants for security cameras with rebates for private institutions providing cameras.
- Over course of next year 2800 body-worn cameras will be provided for police.
- Focusing on Infrastructure. Alley-palooza 1 and 2 done last year. Hope to do 3 more this year.
- Vision Zero: goal is no pedestrian or cyclist will die on streets by 2020.

#### Questions by Commissioners:

*Commissioner Valdez* asked about Summer Youth Employment Program.

**Mayor:** Was expanded to age 24 participation. Targeting high risk youth.

*Commissioner MacWood* asked three questions about DCRA.

Although inspections are happening upon request, owners of non-conforming properties are getting permits from the Zoning Administrator without prior notice to the ANC. ANC has to file an appeal with BZA. Need 45 days advance notice.

Second: demolitions of contributing properties without notice or information, particularly 3515 Woodley Rd.

**Mayor:** As Councilmember she passed a law requiring conspicuous notice of any demolition. This is unacceptable.

Third: Re: blighted property.

**Mayor:** Needs to be made safe and secure by the city. She authored law to make sure tax bill was higher for owners of blighted property.

*Commissioner Barkman* asked if emergency housing will be set up before closing of DC General.

**Mayor:** Will need 260 units before closure. Some done sooner than others.

*Commission Silveira* asked three questions:

Recourse: If an ANC does not think great weight was given, there is no recourse. Will it be possible to have some form of recourse, such as arbitration, mediation, etc?

Second: Consultation: ANCs are given 30-45 days by agencies to comment, but there is no process by which an ANC may pose a formal question to an Agency, and receive a formal reply within a certain time frame.

Third: Notification: DDOT now has TOPS online system and other agencies will have their notification systems—each customized to the agencies but not customized to the ANCs. The current notification is Agency-Focused, but not ANC-focused. It will be very helpful and it will increase the quality of the communications and notification process if the ANCs can receive the notices on a web site customized to the ANCs.

**Mayor:** Committed to have executive agencies responsive to ANCs. Plan is for any Resolutions deserving great weight to be uploaded into central system so everyone can track. Can see response from agencies with a complete answer within a time frame. Regarding recourse, ANCs are public officials and as such don't sue or have mediation, and she will give thought to an appeal process.

*Commissioner May* asked about DCRA having sufficient inspectors. Primary problems are use of property in R-1-B neighborhoods. In her SMD, a house is being used for commercial purposes and another leased as office space.

Major problem where neighborhood input was ignored before issuance for non-conforming use.

**Mayor:** Need opinion about how Zoning Administrator is approaching requests on non-conforming usage.

Commissioner May: Need similar review of how residential property is allowed for commercial use. Now it's "don't ask permission, ask for forgiveness."

*Commissioner Reba* wanted to bring to the Mayors attention - the Condominium Owner Bill of Rights Amendment Act of 2015 that's being introduced by Councilmembers Anita Bonds and co-sponsored by Yvette Alexander and David Grosso. The bill requires mediation before a board may foreclose on an owner, however the Bill in its current form, weakens the ethical and fiduciary obligations of condo board officers and the association. The Bill does not address issues that impact the functionality of Associations in terms of collecting dues and dealing with off-site owners that operate their units as a business. In addition, while the Bill does not protect the fiduciary obligations of condo board officers in operating the association as a business, the Bill protects off-site owners who don't pay dues month after month - even though they collect their rental fee. These owners don't pay into the system, but benefit from upgrades and condo amenities. This Bill now creates additional steps to go after these particular owners who profit, but don't pay into the system.

Regarding Air BnBs - off-site owners rent out units through Air B&Bs and other off-site owners do not have their units registered with DCRA as rental units. The Bill as it stands does not address either issue. In addition, owners that have more than one unit, no longer have an investment property, but a commercial entity. These owners should be taxed at a different rate. Owner's that have illegal Air BnBs within associations are impacting The District's tourism industry and tax base.

**Mayor:** Mayor Bowser acknowledged the concerns and asked where the Bill was in the Council process and indicated she would look into the matter.

*Commissioner Siegel* thanked the Mayor for alley repair and fire station in her SMD. Have learned by happenstance that \$4.5 million in the budget may be for Cleveland Park. Would like to participate in project if formal way.

**John Healy** answered: Divided between three streetscapes throughout the district, not yet determined where will be or for what.

**Mayor:** There is money for business improvement demonstration project to seed businesses.

If Commissions want to weigh in on budget items, now is the time, as budget will be presented to Council in March.

*Commissioner Bole* asked where are people who are homeless in Ward 3 going for hypothermia shelter now that St. Luke's, which had 40 beds, is closed.

**Laura Zeilinger** responded: Additional capacity in Ward 1 and 24 hour hotline. Would like to find another church or other to provide beds in Ward 3.

*Tommy Wells, Director DDOE*, discussed the terms of the Mayor's proposed Pepco-Exelon Merger

### **Community Questions:**

*Woodley Park resident:* Three developments mean high end coming to neighborhood. Concern about green space and affordable housing and development by right.

**Mayor:** Much more development now which some neighborhoods oppose and others welcome. Will have symposium on this and will let people know when.

*Question about Comprehensive Plan: Response by team leader:* Final negotiations with consultants and initial roll-out in April. Eighteen month timeline. Will look at growth patterns. Have to accommodate those coming in but be able to recognize the City in 20 years.

*Will she introduce legislation to close the loophole on PACs?*

**Mayor:** Referring to no limit on how much a PAC can raise in a non-election year. Legislation has been introduced. PAC for her agenda was still limited to \$10,000 and contributions are disclosed.

**8. Resolution regarding 2016 ANC3C meeting dates**

Commissioner Roller moved the Resolution. Commissioner Siegel offered a friendly amendment that on the Monday two weeks prior to the full ANC3C meetings the Planning and Zoning Committees will meet unless a scheduled Monday is a holiday and then the P&Z meeting will be on the Tuesday following. Commissioner Roller accepted friendly amendment and Resolution was adopted.

**ANC 3C Resolution No. 2016-008  
Regarding ANC3C Public Meeting Calendar for 2016-2017**

WHEREAS ANCs are required under DC law to publish their public meeting calendar at the first meeting of the calendar year:

THEREFORE BE IT RESOLVED that the following ANC3C Public Meeting Calendar for 2016 is approved:

January 19  
February 16  
March 21  
April 18  
May 16  
June 20  
July 18  
September 19  
October 17  
November 21  
December 19

THEREFORE BE IT RESOLVED that the following ANC3C Planning and Zoning Meeting Calendar for 2016 is approved:

January 4  
February 1  
March 7  
April 4  
May 2  
June 6  
July 5  
September 6  
October 3  
November 7  
December 5

BE IT FURTHER RESOLVED that the Chair of ANC3C or their designee is authorized to represent the Commission on this issue.

Attested by



**Carl Roller**  
Chair, on January 19, 2016

*This resolution was approved by a voice vote, on January 19, 2016 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.*

Commissioner Roller made a motion to reserve rooms at MPD for Planning and Zoning Committee dates. Motion passed by voice vote.

### **VIII. Other Business**

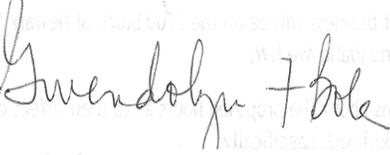
1. **Secretary's Report:** Commissioner Bole moved adoption of the December 15, 2015 minutes. Motion passed by voice vote.
2. **Treasurer's Report:** Commissioner Siegel stated that she will be filing all documents required for participation in the ANC Security Fund.
3. **Administrative Issues:** **The Chair, Commissioner Roller, thanked the Vice Chair, Commissioner May, for her leadership during his absence.** Commissioner Siegel will meet with Adam Thope, ANC3F, on the Sidwell Friends project, as impacting ANC3C.
4. **Single Member District reports:**
  - 01: 2649 Connecticut Av will be before Commission next month on an HPRB application.
  - 02: There was a community meeting on Wardman Tower last week with developer.
  - 04: Yes! Organic Market is a month behind schedule. He will be doing a walk-through of his SMD with Mike Matthews.
  - 05: Thanks to John Healy, there will be a meeting with Cheh's staff and the Deputy Mayor of Economic Development to discuss the 4.5 million Cleveland Park heard about indirectly. Still disputing parking space requests on 2924 Porter Street. There was a BZA hearing recently on this.
  - 06: Residents are gathering signatures for traffic calming on Porter and down Newark and 39th St. Final work being done on Cathedral Commons and then will be cleaning up bumps and curbs.
  - 09: Working on legal protection for 3515 Woodley Rd reconstruction. Will have meeting of Construction Management for Cathedral Commons in February and may disband. All issues thereafter will come to the ANC. Discussing with WMATA whether schedules could be altered on Woodley Rd to reduce traffic. Will ask DDOT to put up signage at exit of Cathedral Garage for left turn only for buses onto Wisconsin.

### **IX. Adjournment**

Commissioner Siegel made a motion to adjourn which passed by voice vote. Meeting was adjourned at 9:19pm.

**The next meeting of ANC3C is scheduled for Tuesday January 19, 2016, at 7:30pm in the MPD2D Community Room located at 3320 Idaho Avenue NW. Please check [anc3c.org](http://anc3c.org) for any updates.**

**Attested by**

A handwritten signature in cursive script that reads "Gwendolyn F. Bole". The signature is written in black ink on a white background.

**Gwen Bole**

**Secretary, on January 19, 2016**

*These minutes were approved by a voice vote on February 16, 2016 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.*