

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

ANC 3C Resolution No. 2015-016
Regarding DDOT Public Space Application to install a fence for the
Vatican Embassy, located at 3339 Massachusetts Avenue, NW

WHEREAS, the Apostolic Nunciature (AKA Vatican Embassy, Vatican Chancery, Holy See), the owner of the property at 3339 Massachusetts Avenue NW which is the location of the Vatican Chancery, has applied for a special exception for a 6’ perimeter metal picket fence to be located in public space with sliding electronic gates and repair and repaving of the curb cuts and driveway on Massachusetts Avenue NW and 34th St NW (Public Space #106852 and Foreign Mission BZA #19013), and

WHEREAS, the height of the proposed fence at 6’ will exceed the 42” height permitted by DC regulations, and

WHEREAS, the Vatican applied to and has received approval from the Office of Foreign Missions of the Department of State for the plans provided that the proposal complies with local building codes and regulations and will obtain all necessary permits from the Government of the District of Columbia, and

WHEREAS, the property is located within the Naval Observatory Tree and Slope Protection Overlay the purpose of which is, in part, to preserve and enhance the park-like setting of designated neighborhoods, the natural topography and mature trees to the maximum extent feasible in a residential neighborhood, and prevent significant adverse impact on adjacent open space and

WHEREAS, property owners must maintain property in public space in compliance with the district of Columbia Public Space regulations concerning height and design of fences, hedges and retaining walls, and

WHEREAS, this property contains 6 mature second row linden trees located in public space on the historic stretch of Embassy Row along Massachusetts Avenue, and

WHEREAS, ANC3C has heard comments from neighbors and from Restore Mass Ave, an organization dedicated to preserving the park-like views and sidewalk allés, objecting to the placement of a 6 foot fence in close proximity to the sidewalk on the grounds of pedestrian safety, impaired sight line, danger to the safety of the mature trees and disruption of the park-like setting of the Avenue, and

WHEREAS, the strip of land containing the tree boxes is only two feet deep in front of this property along its boarder with Massachusetts Ave and there is no parking lane which would offer protection to pedestrians form traffic along Mass Ave and were the fence to be placed right up against the side walk, it would create unsafe conditions for pedestrians and cyclists, and

WHEREAS, the intersection of Mass Ave and 34th Street is a busy intersection with heavy pedestrian traffic and location of the fence along the sidewalk would produce an unnecessary pedestrian danger,

WHEREAS, representatives of the Vatican Embassy, their arborist, neighbors, the ANC, and the arborist for Restore Mass Ave met on site to evaluate potential impact of the plans on the mature trees,

WHEREAS, the Vatican has proposed a tree protection plan designed by a certified arborist,

BE IT THEREFORE RESOLVED that ANC3C appreciates the efforts of the Vatican representatives to address neighborhood concerns,

BE IT FURTHER RESOLVED that ANC3C objects to the placement of any fence greater than 42” in the public space because it detracts from the park-like setting of the avenue, and

BE IT FURTHER RESOLVED that ANC3C strongly objects to a perimeter fence located along the sidewalk as inherently dangerous to pedestrians and,

BE IT FURTHER RESOLVED that notwithstanding these objections, ANC3C recognizes the current application as representing a significant improvement over the original proposal to locate a fence abutting the sidewalk, and can condition support for this proposal upon

- Fence along 34th Street will be located at a 4’ setback from the sidewalk and replace the existing chain link fence and the existing yews will remain to soften the aspect of the fence
- Fence along Mass Ave will be located no closer than 18” from the sidewalk and maintained with a grassy strip
- Gate set backs will be deep enough to accommodate security vehicles so that they will not obstruct the sidewalk
- Fence will not be lighted or otherwise embellished in such a manner as will increase the height of the fence
- All trenching for electrical power for the fences will take place within the paved area.
- The fence will be set back from the corner of the intersection in such a manner that the fence will no longer run along the side walk but will cut the corner at Mass and 34th running between the two lindens and creating a corner space that can be planted with low bushes to keep it from being used as an area where anyone could stand.
- The pedestrian gate will be set back 5’ from the sidewalk with a 3’ setback from the walkway on each side to create a more open approach to the gate.
- The arborist will supervise the location and sinking of all posts for the fence

BE IT FURTHER RESOLVED that the Chair, the Commissioner of ANC3C08 or their designee are authorized to represent the Commission on this matter.

Attested by

A handwritten signature in blue ink, appearing to read 'Carl Roller', written in a cursive style.

Carl Roller

Chair, on April 20, 2015

This resolution was approved by a voice vote, on April 20, 2015 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.