

**Government of the District of Columbia**  
**ADVISORY NEIGHBORHOOD COMMISSION 3F**  
*North Cleveland Park • Forest Hills • Tenleytown*

3F01 – Adam Tope, Chair  
3F02 – Shirley Adelstein  
3F03 – Mary Beth Ray  
3F04 – Sally Gresham  
3F05 – Andrea Molod, Secretary  
3F06 – Malachy Nugent, Treasurer  
3F07 – Patrick Jakopchek



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**Public Meeting – November 17, 2015**

Forest Hills of DC  
4901 Connecticut Avenue, NW  
Washington, DC 20008

**MINUTES**

ANC 3F convened its regular public meeting on Tuesday, November 17, 2015 at Forest Hills of DC, 4901 Connecticut Avenue, NW, Washington DC 20008. The meeting was duly advertised and open to the public.

Copies of resolutions approved are available at [www.anc3f.us](http://www.anc3f.us), and the livestream recording of the meeting is available at <http://new.livestream.com/anc-3f>. Times listed in parentheses indicate the point in the recording at which that item is discussed.

Commissioners Present:      Molod  
   Ray  
   Gresham  
   Jakopchek  
   Adelstein  
   Nugent  
   Tope

ITEM	VOTE	KEYWORDS
Commissioner Tope made a motion to approve the agenda with amendments.	7-0-0	
Commissioner Nugent made a motion to request DDOT table consideration of permits 116016 and 10210960 until the January 28, 2016 Public Space Committee hearing (or earlier upon mutual agreement of the Applicant and ANC 3F), recognizing the ongoing discussions between the Applicant and ANC about pedestrian safety, traffic flow, and consistency with the Van Ness Vision, noting that postponement has been mutually agreed between ANC 3F and the Applicant, and stressing that the original notification to ANC 3F postmarked October 26, 2015 only gave the ANC 18 business to review the application before the scheduled November hearing date rather	7-0-0	

than the 30 business days required.		
Commissioner Ray made a motion to draft a letter to DOEE regarding the issues with Soapstone Valley and getting proper e. coli testing for it.	7-0-0	
Commissioner Tope made a motion to authorize Commissioners Nugent and Ray to speak on behalf of the ANC at the Public Space Meeting regarding the Chick-Fil-A.	7-0-0	
Commissioner Nugent made a motion to approve the FY16 Budget as revised.	7-0-0	
Commissioner Nugent made a motion to approve the Quarter 4 Financial Report.	7-0-0	
Commissioner Tope made a motion to approve the minutes of the September and October 2015 meeting.	7-0-0	
Commissioner Tope made a motion to adjourn.	7-0-0	

Financial Update:                 \$121,600.00  
Call to Order:                     7:41 pm  
Adjournment:                     10:25 pm

**AGENDA ITEMS**

**1. Announcements / Open Forum (00:02:28)**

Ryan Hand ([Ryan.hand@dc.gov](mailto:Ryan.hand@dc.gov) /202-442-7619) wrote the Van Ness Commercial District Action Strategy Plan. It's on the [planning.dc.gov](http://planning.dc.gov) under the plans tab. They are in the public comment stage and are due December 14. Van Ness is rich with potential and they want to maintain the vibrant sidewalk. They would also like to tap into the commercial support with food and beverage anchors throughout the corridor.

Mike Matthews (Ward 3 Liaison for the mayor's office - [Michael.matthews@dc.gov](mailto:Michael.matthews@dc.gov)) - contact him if they are neglecting to do Leaf Collection at your house. Gresham said that all leaves east of Connecticut Avenue have not been picked up yet. He's looking for people to join the Snow Team for those who cannot shovel driveways or sidewalks themselves.

**2. Commissioner Announcements (00:10:06)**

Ray:

- Van Ness Main Street's won the Main Streets grant for \$200,000. They are the first in Ward 3.
- The next step for Van Ness Main Street's is to hire an Executive Director. The position has been posted online.

- Van Ness Main Street's met with WAMU to hold workshop on branding and membership.
- Congratulate Office of Planning and Ryan Hand for the Van Ness Action Strategy Plan.

Gresham:

- Park Van Ness Construction Project Update -

Construction activities for November/December 2015:

- Continue facade work floors 7-11
- Continue roof work
- Continue storefront installation floor 6
- Continue site demolition
- Continue site preparation for concrete, hardscape, soils/landscape
- Continue site utility installation in public space\*

\*The sidewalk will continue to be closed until December 31st as reported.

Saul/Clark at the April 7th, 2015 Special Public Community meeting and per the current approved DDOT Traffic Control Plan. Per Richard Houghton, my Saul contact 'Clark is working diligently in the public space to meet the December 31 commitment to open a 6' pedestrian path; progress; however, is dependent on several factors, first and foremost (for exterior work of this type) the weather conditions from now until the end of the year.

In addition, Saul & Clark have encountered deteriorated Pepco infrastructure at the north end of the site, including a duct bank and several underground pull boxes. The condition of these structures is much worse than anticipated and the actual condition could not have been reasonably anticipated until excavation began in the affected areas. At the request of Pepco we are working with our utility contractor to repair and/or replace these structures. This work is affecting the overall schedule and flow of work in public space. Saul has requested a meeting with Matthew Marcou, Deputy Associate Director of the Public Space Regulation Administration and his staff to review the public space construction progress and plan the details and logistics in anticipation of the sidewalk re-opening.'

- Forest Hills Park Update

The Friends of Forest Hills Playground hosted their awesome Annual Halloween Party at the Forest Hills Park and Playground on Sunday, November 1st due to a rain cancellation on Sunday, October 25th. Fun was had by all!!!

- Murch Elementary School Renovation

DCPS and DGS continue to move forward on the design development phase of the modernization with their design consultant's team. The next SIT Team meeting is on Monday, November 23rd at 6 PM in the Media Room at Murch. The RFS (Request for Space) for swing space submitted by the owners of Intelsat and other locations reviewed by DGS will be discussed further at this meeting as well as updates on the selection progress of Design/Build Contractor and latest architectural design features.

Nugent: None

Tope: None

Jakopchek:

- The second official meeting of the Soapstone Melvin Hazen Committee occurred and the vision statement was created.

- The next meeting is Monday, December 14th at 7pm in the Conference Room at the Forest Hills of DC.
- Mulch & wood chips project with the Rock Creek Conservancy will take place at 10am on December 5<sup>th</sup>. Sign-up on the Rock Creek Conservancy's website.

Adelstein:

- 3F2 Community Meeting is December 1<sup>st</sup> at 7pm in Van Ness East.
- Thanks to Commissioner Ray and everyone for getting the Van Ness Main Streets grant.

Molod:

- Submitted oral and written testimony before the Public Services Commission expressing ANC3F's opposition to the Exelon/Pepco merger.
- Many sidewalks are needed based on a walk around the neighborhood and will be putting in requests soon.

### **3. Presentation by Tim Cox, CEO of Washington Home regarding the sale of their property to Sidwell Friends School (00:20:42)**

They have sold six acres to Sidwell Friends School. The 3 acres that the post office sits on will be retained by Washington Home as an annuity. They have 127 residents. 107 residents are still living there and they probably won't have a problem finding them space somewhere else. Sidwell gave them 14 months to find a new place for each of the residents, so they will be out by December 15, 2016. They are packing the vans for the residents and helping them move. Warm socks, slippers, robes, shawls, zip hoodies as gifts for the holidays are being accepted as donations for those who would like to help. Hospice will not end, just the nursing home side. Washington Home is the only in-house hospice in DC and will not move out of DC. They are talking with several groups in the area to see where they can relocate the inpatient unit. They need 10 beds for hospice. They also serve 120 people in their homes with hospice caregiver services for relief of the family member. The first step is to lease space somewhere else and they will consider a new free standing unit later.

### **4. Presentation by National Park Service and DC Historic Presentation Office regarding the application for the Rock Creek Valley National Register District Boundary Expansion (00:30:45)**

Joshua Torres ([Joshua\\_torres@nps.gov](mailto:Joshua_torres@nps.gov) - Cultural Resource Program Manager of Rock Creek) and Kim Williams (DC Historic Preservation Office): The National Park Service and DC Historic Preservation want to expand the boundaries of the Rock Creek National Historic District. This would expand the periods of significance, the boundaries of the National Historic district, and correct an error/oversight in the 1991 nomination. It includes Soapstone and Melvin Hazen Parks. The PowerPoint will be available to the ANC.

Discussion:

Ray: What does it mean to have this designation? Torres: This is only for the park and would not affect the homes connected with it. Q: So then why do this? A: It brings other resources to contribute to the park and allows administration by the National Park Service. This COULD be done without the HPRB. It won't affect the DC Water renovation of Soapstone Valley. It doesn't change any processes for conservation.

Ray: Would this delay the plans to renovate Soapstone now? A: This designation would not add to that review process and the plans are already in place to review Soapstone whether designated or not.

Molod: Does the ownership of owned land in DC change? A: No, those areas will continue to be maintained by DDOT.

Jakopchek: Is there any increases in responsibilities for the ANC related to this? A: No, not really.

From the public: How will the addition of post-World War II facilities (Carter Baron and the Nature Center, for example) affect the modernization of those structures? A: It will have to be reviewed anyway. Follow up: Could it be torn down, for instance, to renovate? A: Probably not, but they would want to make an upgrade to the structures.

Topo: Does the National Park Service and DC HPRB need the ANC's input? A: Yes, they would like a letter of support before the 4th Thursday of January.

## **5. Presentation of a Grant Application from Friends of Pierce Mill (01:00:13)**

Steve Dryden (Program Manager of Pierce Mill): They began renovation in 2011. It is grinding grain now and they continue hosting students and groups to tour it. The entire system is run by water power. They want the grant to continue the restoration of the mill. Oliver Evans created it in the 18<sup>th</sup> century. To get the grain elevator and the barrel hoist system working again it would cost \$3000, so that is what they are asking from the ANC. They will have to work on the wench and heavy ropes that have to carry the grain barrels up to the top. The grant will help them complete the project by March 31, 2016.

## **6. Discussion about and resolution to request postponement of the DDOT Public Space Committee's discussion of public space applications for a Chick-Fil-A at 4422 Connecticut Ave NW (1:10:22)**

John Martinez of Corporate Chick-fil-A, Mike Birkland of Bohler Engineering (Civil Engineer) and Jeff Utz of Goulston & Storrs (Zoning Attorney) spoke on behalf of the modernization and upgrade of the "Burger King" property to become a Chick-Fil-A. They will maintain the two existing curb cuts and the sidewalk café.

Mike Birkland from Bohler Engineering (civil engineer for the project) plans to narrow the northern driveway to 14 feet to DDOT's standard and it would only allow one car at a time. They plan to soften the streetscape with 10 foot landscaping strip (green linear strip like the Park Van Ness Plan suggests) with street café. This will encourage street activity. Also the addition of the sidewalk cafe will bring people out onto street.

John Martinez is the Development Manager for Chick-Fil-A. He explained that the Traffic mitigation report includes a dual lane for the drive thru (allows 14 cars of stacking). He also said that there would be a covering for part of the drive thru, and that the building will be LEED certified green and would include drainage enhancements. Mr. Martinez also said that they do have a traffic engineer from Grove Slate, but they were unable to attend. He said that so far there are no specific traffic problems identified with this location, but they will continue to look and mitigate any issues. Mr. Martinez further said that Chick-Fil-A has a commitment to the local community. Each store is run by an operator (franchisee), who will get involved with the local community. They will hire local, but the operator is not chosen for this location yet. He explained also that the sidewalk patio will be leveled off, about 1 foot down. They will be spending \$3 million to modernize. The store will be open 6:30am-10pm Monday-Saturday. The

drive-thru would be about 55% of their business. There will be some breakfast traffic, but mostly lunch and dinner.

Commissioner Discussion:

Gresham asked them to consider more than 1 tree in the area between the curb cuts. They said that should not be a problem.

Nugent said that all of this only emphasizes that we need more time for discussions with them. He asked for a delay for a time (a month) to get comments before the public space hearing and wanted to know if they would be willing to delay further.

Ray said that a one month delay probably won't be enough because of the holidays. They wanted to request delay at least until January. They are not opposed to delay, but want to be sure conversations continue to occur.

Ray asks to do away with drive-thru because it is a dinosaur. Bushes would be below driver window. She does not think the drive thru is consistent with the Van Ness Vision. She asked them to consider eliminating the drive thru altogether.

Adelstein heard they are looking at other alternatives for the drive-thru like using the back alley. They did look at other options, but chose not to explore those. They are willing to look at other options if something can address all of their concerns and help their business.

Jakopchek said that our community is diverse and the comments by the CEO are not consistent with that. They said the CEO's comments do not represent the Chick-Fil-A policy or culture. Each operator makes individual decisions and they do have women and non-Baptist employees and operators.

Tope mentioned that the car wash always has problems with back up of traffic from there. They at times have 35 cars stacked into the car wash. How will traffic back-ups onto Connecticut Avenue be managed? The car wash has a staff person keeping the traffic moving. Chick-Fil-A would put a staff person on the street if a problem exists.

Jakopchek asked if an in depth look at the car wash would be helpful. He asked them to consider no left turn out of the drive thru. They said that should not be a problem.

Kate Dell asked about the drive-thru. Tenleytown property has no drive-thru. She also notes that there will be no access to the drive-thru from alley.

Joff Masukawa, a Forest Hills resident, requested elaboration on the local community work. Was told that it is up to the operator but they usually sponsor sports teams, Daddy/Daughter date nights. They also give out interactive toys between parent and child. For Veteran's Day, they reserve a special place for Veteran's to eat. They get involved with schools and at the corporate level they sponsor a college football bowl game.

Tope stated that in the zoning order, the parking lot must be permeable within 10 years and asked if there were any plans to do this now? A: Not aware, but they will look into this.

Gary Malasky suggested that they look at online ordering, call-in ordering, etc. He wants to encourage them to look into this and alternatives to the drive-thru as it is a relic of the past.

Paul Smiskal made a petition to stop the process on change.org.

Jasmine suggested that play be incorporated into the design of the infrastructure, like the McDonald's play structures. It is currently not included but they can look into it.

Ken Terzian encourages the ANC and Chick-Fil-A to think about what the traffic counts may be in the future not the present time.

Commissioner Nugent made a motion to request DDOT table consideration of permits 116016 and 10210960 until the January 28, 2016 Public Space Committee hearing (or earlier upon

mutual agreement of the Applicant and ANC 3F), recognizing the ongoing discussions between the Applicant and ANC about pedestrian safety, traffic flow, and consistency with the Van Ness Vision, noting that postponement has been mutually agreed between ANC 3F and the Applicant, and stressing that the original notification to ANC 3F postmarked October 26, 2015 only gave the ANC 18 business to review the application before the scheduled November hearing date rather than the 30 business days required. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

#### **7. Resolution to DOEE (2:35:08)**

Commissioner Ray made a motion to draft a letter to DOEE regarding the issues with Soapstone Valley and getting proper e. coli testing for it. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

Discussion: Soapstone smells and the Committee and various members of the community have notified DOEE of the issues and they have not taken any further steps to do testing or fix the problem. They want to find out what the stats are and what they mean.

#### **8. Motion to Chick-Fil-A (2:40:20)**

Commissioner Tope made a motion to authorize Commissioners Nugent and Ray to speak on behalf of the ANC at the Public Space Meeting regarding the Chick-Fil-A. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

#### **9. Miscellaneous (02:40:58)**

##### Treasurer's Report

Nugent fixed the error on budget and revised the budget by \$2000.

Commissioner Nugent made a motion to approve the FY16 Budget as revised. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

Commissioner Nugent made a motion to approve the Quarter 4 Financial Report. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

##### Approval of Minutes from September & October 2015 Meeting

Commissioner Tope made a motion to approve the minutes of the September and October 2015 meeting. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

Commissioner Tope made a motion to adjourn. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

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