

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

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



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**Public Meeting – September 20, 2016**

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

**MINUTES**

ANC 3F convened its regular public meeting on Tuesday, September 20, 2016 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.com](http://www.anc3f.com), 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:     Ray  
                                      Dickinson  
                                      Jakopchek  
                                      Adelstein  
                                      Gresham  
                                      Nugent  
                                      Molod

ITEM	VOTE	KEYWORDS
Consent agenda: Resolution to approve Soapstone Market Public Space Application	7-0-0	
Consent agenda: Resolution to approve Thai Pad Public Space Application	7-0-0	
Consent agenda: Resolution to approve the expansion of the Rock Creek Park Historic District	7-0-0	
Consent agenda: Resolution to support DC Council Bill B21-826 (DC Statehood).	7-0-0	

Consent agenda: Resolution to support the establishment of the Ward 3 Senior Wellness Center	7-0-0	
Consent agenda: Resolution to approve the Hearst Park Project	7-0-0	
Consent agenda: Resolution to approve the placement of the Windom Place Crosswalk	7-0-0	
Consent agenda: Resolution to approve the Settlement Agreement with Sfoglina Restaurant	7-0-0	
Commissioner Nugent made a motion to approve the regular agenda.	7-0-0	
Commissioner Molod made a motion to approve the minutes of the regular May and June 2016 meeting.	7-0-0	
Commissioner Adelstein made a motion to approve the 2017 budget.	7-0-0	
Commissioner Adelstein made a motion to approve the quarterly report.	7-0-0	
Commissioner Nugent made a motion to appoint the members of the streets and sidewalks committee including commissioners Nugent, Dickinson, and Gresham.	7-0-0	
Commissioner Nugent made a motion to refer the Forest Hills Neighborhood Alliance and Rock Creek Conservancy grant application to the Grants Committee.	7-0-0	
Commissioner Nugent made a motion to approve the \$3000 grant to Murch for audio equipment.	7-0-0	
Commissioner Nugent made an amended motion to cease rolling grant applications and accept them twice per year starting in January of 2017.	7-0-0	
Commissioner Nugent made a motion to adjourn.	7-0-0	

Call to Order: 7:34 pm  
Adjournment: 9:53 pm

## AGENDA ITEMS

### **1. Approval of Consent and Regular Agendas (00:00:10)**

Commissioner Nugent made a motion to approve the consent agenda with the following items:

- Resolution re Soapstone Market Public Space Application
- Resolution re Thai Pad Public Space Application
- Resolution re the Expansion of the Rock Creek Park Historic District
- Resolution re DC Council Bill B21-826 (DC Statehood);
- Resolution re Ward 3 Senior Wellness Center;
- Resolution re Hearst Park Project;
- Resolution re Windom Place Crosswalk;
- Resolution re Sfoglina Pasta House Settlement Agreement.

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 regular agenda. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

### **2. Approval of Minutes: May, June, July (00:01:08)**

Commissioner Molod made a motion to approve the minutes of the regular May and June 2016 meetings. Motion was approved with 7 in favor, 0 against, and 0 abstentions (7-0-0).

The approval of the minutes for the regular July 2016 meeting is tabled until the October meeting.

### **3. Commissioner Announcements / Updates (00:02:25)**

Molod:

1. There was another noise complaint related to Comet Ping Pong (NOT related to the open back door), The response was immediate, the noise stopped, and the manager/owner made provisions for this condition not to recur.
2. There was a kickoff meeting of the re-formed DC Consumer Utility Board (CUB) on September 17, 2016 at the UDC Law School. Speakers included CM Mary Cheh, Jacqueline Patterson of the NAACP Environmental and Climate Justice Program, Jessica Azulay of the Alliance for a green economy, and the People's counsel Sandra Mattevous Frye.

Adelstein:

1. On September 12, the Washington City Paper ran an article on rent control abuses related to "concessions" in our ANC. We discussed this topic at our last meeting. I have printed copies for anyone who is interested and would also be happy to provide the web link via email. If you are affected by this issue or want more information, please contact me at [3F02@anc.dc.gov](mailto:3F02@anc.dc.gov).
2. We will have a panel discussion on this topic and many others of interest to DC tenants at the annual DC Tenant Summit, which is coming up this Saturday, September 24, 9:00 AM - 4:00 PM at the Kellogg Conference Center at Gallaudet University. Registration is free to DC residents, but you must register in advance. Visit the Office of the Tenant Advocate website to do so.
3. In addition, please stay tuned for additional information on a community meeting we plan to convene in October or November on the topic of rent concessions. I am communicating with

other ANCs, the Mayor's office, Councilmember Cheh, and other members of the City Council to address this problem legislatively, and the community meeting will convene members of our community to discuss the issue and possible solutions.

4. My district, ANC 3F02, will have our quarterly community meeting next Tuesday, September 27, 7:30 PM, in the first floor social room of 3003 Van Ness. This meeting is open to any residents or businesses in SMD 3F02, which includes Van Ness North, Van Ness East, and 3003 Van Ness.

Jakopchek: Soapstone Melvin Hazen Committee: On October 8<sup>th</sup> from 9-11 AM there will be a cleanup of western part of Melvin Hazen. If you are interested meet at Sedgewick Garden.

Nugent:

1. Murch started school on time. The early issues are being worked on. The construction of the old school begins in October and the final designs are on the ANC website.

2. The November election is moving from the traditional polling place at Murch to St Paul's Church.

3. The Van Ness Metro west side stairs are closed again and they are closed through January. This should be the last closure.

4. The Beach Drive rehab project begins September 22<sup>nd</sup>. This means that Beach Drive will be closed.

5. The BZA met and talked about the Zips Parking Lot. They approved the changes for perpendicular spaces, compact cars only, and one space saved for pass-through. They did give approval for 10 years (ANC3F argued for 4 years), but agreed to the condition for permeable pavement within 9 years. They did also approve the annual reporting to the ANC.

Gresham:

1. Brandywine Street Repaving: After 3-1/2 years of badgering DC agencies, it is time for a very big 'Shout Out' to Mike Matthews & Ian Maggard of the Mayor's Office and DDOT for repaving the 3100 and 3200 blocks of Brandywine Street adjacent to the Forest Hills Park. Its pothole free smooth driving is most welcome by many of our 'hoods' motorists. Happily the repaving is just in time for the upcoming morning rush hour traffic up Brandywine Street due to the detour plans for the Beach Road construction project. We will hear more about the Beach Road construction project later in this meeting.

2. Van Ness Main Street Small Business Design Improvement Grants: Exciting improvements have been made at 6 businesses along Connecticut Ave due to the recent implementation of the Van Ness Main Street Small Business Design Improvement Grants program. Acacia Bistro and Flagship Carwash in Commissioner Nugent's SMD, Van Ness Wines & Liquors in Commissioner Adelstein's SMD and the Italian Pizza Kitchen Restaurant, Thai Pad Restaurant and Cut N' Edge Barber Shop in my SMD all received grants for interior improvements such as painting, floor replacement, small construction updates and lighting improvements to their spaces. The total grant expenditure of \$18,344.00 by Van Ness Main Street was also matched by the businesses to the tune of \$6,000.00. The work has been completed by the businesses so please go see and experience their improvements and enjoy their services. Kudos to Van Ness Main Street's Board and Executive Director and our grant recipients for a job well done! I will let Theresa Cameron, our VNMS Executive Director tell you more about the exciting storefront

façade design improvement project going on currently at the Albemarle and Connecticut east side corner.

Ray:

1. We're happy to report that after several years of vacancy, the State of Israel is planning to move its ambassador back to Forest Hills. They will raze the residence at 2916 Chesapeake Street, and build a new home. The architects and expediter met with Commissioner Gresham and me last week, and the public space application for construction will be heard by the Public Space Committee on Oct. 27. Meanwhile, we will continue to meet to discuss concerns of the community, including stormwater management. Special thanks to Steve Gresham and former ANC Chair David Bardin for their expertise.
2. Theresa will speak to VNMS events in more detail, but please mark your calendars for Sat. Sept. 24 (family friendly Art All Night in Van Ness), and Sat. Nov. 5 (fundraiser marking introduction of Soapstone Market and Sfoglina).
3. In a meeting with Ian Maggard last week to discuss the intersection of Albemarle and 32nd St., we learned that the Mayor's office is instituting a new ANC Resolution Management system, so that ANC resolutions can be tracked to determine whether appropriate city agency follow up takes place.
4. The west side of the Van Ness UDC Metro is closed again so that escalator work can be completed. According to Ann Chisolm of WMATA, it should open again in spring 2017.

Dickinson:

1. Hearst Elementary
  - a. Movie Night this Friday, Sept 23 – "The Lego Movie" from 7 to 9pm.
  - b. Annual E-Cycle - Saturday, November 5th. See the Hearstes.org website. This community event is meant primarily as a public service. The event will include Potomac E-scrap which recycles most electronics such as stereos and TVs, along with anything metal (appliances), not batteries or toxic chemicals. Hearst will also have a paper shredding truck. Each year we have a growing bike swap event, primarily for younger kid bikes. We typically have a bike shop provide simple bike maintenance and then we donate bikes to the group that refurbishes them and supplies to local youth or ships overseas. The event will also include the Washington Animal Rescue League (which recently merged with the Washington Humane Society) and their pet adoption RV. The school will be sending out notices via the listserv for pet supplies that can be donated and general announcements about the event. For kids there will be a rock climbing wall and moon bounce, and a used kids book swap and sale. For all ages there will be a bake sale too.
  - c. Hearst Elementary Renovation – The double-decker trailers at the rear of the school have been removed. According to DGS this property is "DC owned" and haven't attributed it to DCPS or DPR, it is currently not part of the Hearst Park project and the plan is to simply plant grass in this area.
  - d. Hearst Gym MOU – still waiting! It is becoming symbolic.
2. Sidwell Elementary – As many of you know, The Washington Home is in the process of being bought by the Sidwell School in order for Sidwell to relocate its lower school in Bethesda to join its middle and upper schools. My understanding is that the Washington Home is being sued by a group of residents/and or their guardians represented by Ms. Mary Mason and others and supported by a number of law students from the UDC school of law. They filed in Superior Court of DC based on TOPA (Tenant Opportunity to Purchase Act) laws and the rights residents in apartment buildings have when properties are being sold. The case was heard on September

14, both Washington Home and Tim Cox are being sued. In light of this Sidwell does not know when it will be able to close on the property (otherwise it was anticipated it would be in December). Sidwell expresses its ongoing willingness to work with the ANC and the neighbors with regard to any issues now or going forward.

3. Murch Elementary – relocation, efforts to follow up on the Resolution the ANC passed to see how parking is going in the neighborhood, especially with follow up with DOT re the parking meter matter on 36th St between Yuma and Reno along with the brick sidewalk on VN.

4. Traffic Enforcement – Folks have expressed concerns about the on-going traffic violations. The 2nd police district has been responsive to requests traffic laws along the Van Ness St corridor which experiences a fair amount of speeding traffic, as well as failure to obey stop signs at 37th and 38th and VN, along with the stop light at Reno and VN. Given the concerns expressed by neighbors, school children families at Hearst and now Murch this enforcement is appreciated.

5. Hearst Recreation Center/Park Update – thus far DGS/DPR have conducted 3 meetings with the community regarding the potential design and inclusion of amenities at the Park as part of the budgeted renovation of the Park during the next 3 fiscal years. Information about the Recreation Center project can be found on the DGS website under the construction icon and the park and recreation centers. The most recent meeting occurred on September 8th where 3 separate proposals were presented with an initial opportunity to comment or ask questions at the meeting. There continues to be widespread interest in this, including underlying issues about stormwater and geology of the area along with general concerns about parking, etc. Of course there continue to be a variety of opinions about the placement of a pool at the park and where it should be located. DGS and DPR have indicated they will be issuing a public survey. The commissioner of the SMD south of the park (Margaret Siegel) and I have requested a meeting with DGS and DPR before they issue the survey to ensure the proper considerations are given.

#### **4. Treasurer's Report / FY17 Budget (00:22:29)**

Commissioner Adelstein made a motion to approve the 2017 budget. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

Commissioner Adelstein made a motion to approve the quarterly report. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

#### **5. Committee Reports (00:26:04)**

Soapstone Committee: The Committee met last week and got updates from the subcommittee. There is a RiverSmart audit going on at the Van Ness North building. Thanks to all for helping.

Streets & Sidewalks: The inaugural meeting took place on Aug 20th. They came up with a taxonomy of issues. The next meeting will be October 5<sup>th</sup>.

Commissioner Nugent made a motion to appoint the members of the streets and sidewalks committee including commissioners Nugent, Dickinson, and Gresham. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

Grants:

1. The Commission received an application from the Forest Hills Neighborhood Alliance and Rock Creek Conservancy. Commissioner Nugent made a motion to refer the Forest Hills Neighborhood Alliance and Rock Creek Conservancy grant application to the Grants Committee. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).
2. Proposal from Murch for \$3000 for audio equipment. The Grants Committee recommends approval. No one here as a Murch representative tonight. If there are questions we can table it. Commissioner Nugent made a motion to approve the \$3000 grant to Murch for audio equipment. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

#### **6. Community Open Forum (00:32:18)**

David Bardin: Wanted to give dates and documents involving DC statehood. The (Board of Elections) BOE met last week and a ballot referendum has been set for Statehood. There is a fact sheet available. The Council has a bill with a draft constitution. Hard copies are available. There will be hearings before the Council on September 27 in the morning and October 6th in the evening. Email [cow@dccouncil.us](mailto:cow@dccouncil.us) to submit testimony.

Judith Mbuya from the DC Counsel on Human Rights is doing outreach for Vision Zero an initiative by DDOT. It is to reduce traffic related injury. There is a 4 action step plan. First is gathering data, next is engineering, then enforcement and lastly education (Mbuya's role). Email [judith.mbuya3@dc.gov](mailto:judith.mbuya3@dc.gov) with suggestions or call 202-724-7525. If Streets and Sidewalks Committee has specific suggestions, please forward to her.

Theresa Cameron has Van Ness Main Street Announcements: 1. DDOT installed a sidewalk in front of Potbelly. 2. Art All Night is on September 24. 3. The Farmers Market is going on all summer with a holiday event in November including arts and crafts. 4. Jazz at Van Ness continues at a local restaurant each month. 5. They gave grants to local businesses for improvements. 6. At the corner of Albemarle and Connecticut, they are doing work on buildings there including taking down awnings, painting, and new signs. 7. The Economic Development section has held their second business to business breakfast. It featured Great Streets people talking about available grants. They have hired a restaurant consultant to give advice to those businesses. 8. There will be a new dry cleaners business soon. 9. Main Streets has an office near UDC with a sign in window, stop by anytime!

Mary Peckiconis ([marypeck@starpower.net](mailto:marypeck@starpower.net)) said there is a stop order on work posted on the wall at CVS. They were going to put up a digital sign. DC government issued the stop work order. Commissioner Adelstein will follow-up.

Ian Maggert is the new Ward 3 liaison from the Mayor's office. Contact him with any issues. DDOT will move a sign so that people don't walk up the block and get folks to use Connecticut & Albemarle crosswalk.

Adrian Salsgiver lives behind Chik-fil-a in Tenley. He wanted to thank the Commission for fighting CFA in Forest Hills. He also wanted to make the Commission aware that he has seen lots of women in birkas coming in and out of Park Van Ness and that radical Islamic terrorist have come to the community and he's worried that they are dangerous.

## **7. Presentation on UDC Housing (Michelle Pourciau) (00:49:52)**

[michelle.pourciau@udc.edu](mailto:michelle.pourciau@udc.edu)

She has been working with UDC on housing issues. School started a month ago and enrollment is steady. There are new students from DC UP program. The housing units are down 10%. They have 36 units with 133 students living in them. 6 of the units are staff units. They did have some students shooting pellet guns, but the students were suspended. They want housing on campus and are partnering with a developer for a place near Starbucks. Fannie Mae will occupy the space for 2 years and then UDC can take occupancy. UDC wants to be a good neighbor. They have a housing working group and community task force. They want to change their agenda to include collaboration with community. They are working with Washington Project for the Arts who are using the UDC theater while their theater is closed. The first performance is coming soon. The Murch presence on campus is proceeding ok. They want folks to come and rent space. Check out the website because they have famous authors talking about their books. The law school is hosting presidential debate watch party in the moot court room.

Questions/Comments from the Commissioners:

Ray: Saw Spike Mendelson cook at UDC with vegetables from the roof garden. They said they would open a restaurant on the campus. How would we move that discussion forward?

Answer: There is no space in the food court at present. She will speak with the Dean and see if there are other ideas.

Ray saw that they had a gym and wants to join. When will it be open to the public? Answer: October 3 and rates have already been established.

Adelstein said one of the things the Commission worked on with Michelle and President Mason was an annual report to ANC about housing issues. The reporting deadlines were circulated to commissioners. The zoning order says UDC must hold meetings and issue quarterly reports.

Gresham requested that they please include commissioners on quarterly notifications.

Dickinson will draft the task force mission statement.

Questions/Comments from the public:

Could UDC or Washington Performing Arts do something to publicize their events? It is an important development. Answer: They will work with Van Ness Main Street to do this. Ray: The Washington Post and Forest Hills Connection had advertisements.

Can we get signs for the UDC pool and other locations on campus? They are available because the Wilson pool is closed for a month. Answer: The signage is hard to get around the campus and it is a known issue that they would like to get to, but cannot prioritize.

## **8. Presentation on DC Council Bill B21-0038 (Death with Dignity Act) (01:07:15)**

Commissioner Dickinson wants to thank Chuck Ludlam from the community and also Daniel Diaz who is here to speak. There is a fact sheet from Councilmember Cheh's office. Tonight we will introduce the Bill and take up the resolution at next month's meeting. CM Cheh introduced it last year. It is scheduled for committee on October 5 then council will take it up.

The Bill establishes processes for a patient with terminal illness (less than 6 months) to ask for medical aid in dying, for example, in choosing the time/location of death. The patient must have two doctors, must ask twice, and wait 48 hours.

Dan Diaz is the widowed husband of Brittany Maynard. She had brain cancer and ended her life in Oregon on her own terms. Dan wanted to talk about the reality of this program and give the story of his wife and her brain tumor. They learned that she had 6 months to live and decided to move to Oregon to fight the tumor. They applied for medical aid in dying and got the prescription. This gave her the encouragement to seek out all options for treatment. They had to pack up their household and move to Oregon. This should not happen to someone who faces death.

The parameters of the DC legislation were law in Oregon. Brittany felt protected by all this. This negates arguments about family pressure because the patient must make the request. The opposition calls the act "suicide," we call it "medical aid in dying." The only other option legal in all 50 states is "palliative sedation" or "terminal sedation" for example, put them in a coma and then withhold food and treatment. This does not always work and the patient can wake up and they are in a great deal of pain.

The bill passed in California and is now on the ballot in Colorado. There are bills also up in MD, MI and other states as well. Please contact your council member and express support. The Lobby Day is scheduled for this Thursday. There is a council health committee meeting and a breakfast. They want folks to write and share stories. A press conference will also be held. Donna Smith, the field manager in DC, would love folks to come to the lobby day and that afternoon they will be visiting legislators. Location: Wilson Building Room 103 from 9A-3P on September 22.

Nichole Rentz is the legislative director for Cheh. DC councilmembers need to hear the people's voice. There is a markup on October 5 and currently seem to have a narrow majority (Alexander, May, Grosso, Cheh, Nadeau). Questions from the public: Do we get squelched (like gun control law) by congress? A (Diaz): The likelihood is not large that they squelch it. They may end up reducing funding, so you should ask Cheh about this.

## **9. Presentation on Beach Drive Rehabilitation Project (00:23:12)**

John Thomas from DDOT is here to discuss what will happen and how it will impact the neighborhood. This is National Park Service (NPS) work and DDOT is helping with the traffic portion.

Starting on the 22<sup>nd</sup> of September, Beach Drive will be closed from Rock Creek to Tilden. It will take 6-9 months for this phase and there are 3 phases. DDOT is taking pedestrian and auto traffic into consideration and will include signs with detours, etc. DDOT will keep track of the impact of all this and are working with NPS to coordinate. There will be a meeting on Thursday night at 7:30pm at the Cleveland Park library. NPS and DDOT will be there.

Nugent: Tilden is in our ANC and our concern is about the impact on our ANC. How do we mitigate the "cut through" commuters? Answer: The lights will be timed to expedite traffic via the suggested detour.

Is there is hotline? beach.drive@dc.gov will take emails about issues.

Gresham: What about the construction projects? Answer: Matt Marcou of DDOT will be on it and working with the hotels. They may not restrict public space permits, but will keep track as the project moves along. Question: Is there sidewalk work? Answer: They will coordinate, sidewalk work will not occur during rush hour. The Beach Drive project will rehab bridges and fix stormwater issues.

Ray: Why will it take so long? Can you talk about bike paths/jogging trails (included)? What is the timing of the other two phases (when Brandywine?). Answer: The phases are moving north. Our commission is next. The project design calls for this schedule. They want to keep trails open throughout, which is all part of the project.

Ray: Can we have input into traffic rerouting for the next phase (Brandywine/Albemarle)? Answer: DDOT will ask for ANC input.

Dickinson: Have they looked into incentives to reduce the number of cars (specifically related to project)? Answer: godcgo.com has suggested alternatives to cars.

Jakopchek: Can you confirm that the east/west crossings in Beach Drive remain open? Answer: Yes. Question: Will the initial part have any traffic control officers (Tilden & Connecticut)? Answer: There will be some, but it is not clear where yet. Question: Any additional signage? To keep from blocking alleyways, etc.? Answer: They will look into this, but have not heard about parking on Tilden being affected.

Gresham: What about the snow route? Answer: They will deal with it when/if it happens. They will add focus on plowing the detour.

Text "BeachDrive" to 888777 to get text alerts of updates.

### **10. Other Business (00:52:49)**

The Commissioners discussed a change in the grant application procedures. Currently the process is rolling, and applications are considered when they are submitted. It is hard to evaluate one against the other. Commissioner Nugent made a motion to cease rolling grant applications and accept them twice per year, in March and September. Commissioner Ray wants to make it clear that when there is a special project those would not be considered part of this process and will be considered on its own schedule. Commissioner Dickinson wants to make room to build in other elevated needs circumstances. Commissioner Jakopchek said special projects would stay outside the grants process. Commissioner Nugent said there will be an adjustment process, so Commissioner Jakopchek asked if this should be phased in, and for example, take them as they come until the end of this year.

Commissioner Nugent made an amended motion to cease rolling grant applications and accept them twice per year starting in January of 2017. Motion was approved with 7 voting in favor, 0 voting against, and 0 abstaining (7-0-0).

Commissioner Nugent 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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