

**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 – Naomi Rutenberg  
3F04 – Deirdre Brown  
3F05 – Andrea Molod, Secretary  
3F06 – Malachy Nugent, Chair  
3F07 – Patrick Jakopchek, Vice Chair



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**Public Meeting – October 17, 2017**  
University of the District of Columbia  
4200 Connecticut Ave. NW  
Washington, DC 20008  
Building 44, room A03

**MINUTES**

ANC 3F convened its regular public meeting on Tuesday, October 17, 2017 at the University of the District of Columbia, 4200 Connecticut Ave. NW, Washington DC 2008, Building 44, Room A03. 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. (NOTE: The meeting did not record properly this month.)

Commissioners Present: Dickinson  
Jakopchek  
Brown  
Adelstein  
Rutenberg  
Molod

ITEM	VOTE	KEYWORDS
Commissioner Jakopchek made a motion to approve the amended regular agenda.	6-0-0	
Commissioner Jakopchek made a motion to approve amended consent agenda.	6-0-0	
Commissioner Molod made a motion to support the application for a zoning exception at 5148 Linnean Terrace NW	6-0-0	
Commissioner Jakopchek made a motion to approve the resolution in support of the Public Restrooms Act	6-0-0	

Commissioner Jakopchek made a motion to pass the resolution calling for a study of traffic calming options at Upton St. NW	6-0-0	
Commissioner Rutenberg made a motion to adjourn	6-0-0	

Call to Order: 7:31 pm  
 Adjournment: 10:16 pm

Housekeeping items before the meeting: we are streaming live. If you are watching online you can stream in questions. Presentations are not broadcast on livestream, but will be posted on anf3f.com. We do have a documents table at the back of the room with the agenda and materials from speakers. All documents for review are also online.

AGENDA ITEMS

**1. Approval of Regular and Consent Agendas**

Commissioner Jakopchek made a motion to approve the amended regular agenda. Motion was approved with 6 voting in favor, 0 voting against, and 0 abstaining (6-0-0).

Amendments to the regular agenda are the inclusion of the discussion of the Upton St. traffic calming resolution.

Amendments to the consent agenda are the removal of the approval of minutes and the removal of the Upton St. traffic calming resolution. The consent agenda as amended includes only the approval of the grant to Northwest Neighbors Village.

[Later: Commissioner Jakopchek made a motion to approve the amended consent agenda. Motion was approved with 6 voting in favor, 0 voting against, and 0 abstaining (6-0-0). This constitutes an approval of the grant to NNV.]

**2. Mayor Bowser’s Comments to ANC3F**

Mayor Bowser told the commission that she has now attended all commission meetings in Ward 3. With her are some members of her cabinet:

- Polly Donaldson - Director of Housing and Community Development
- Hester Chung - Deputy Mayor for Health and Human Services (8 agencies)
- Jenny Niles - Deputy Mayor for Education (6 agencies)
- Keith Anderson - Director of Department of Parks and Recreation
- Jeff Meridian - Acting Director of the District Department of Transportation

The mayor said that she is in the 3rd year of her 4-year term, had 3 balanced budgets, clean audits, and that the District’s financial health was never better. She highlighted the accomplishments during her administration so far:

There is a new Chancellor of public schools, Antione Wilson, and a new 5 year plan for DCPS. She told us that relative to where DCPS started in terms of the Park report for the city, every group of students showed improved math and reading scores (even better than public charter schools). Also the DC Government reached an agreement with teachers (working without a contract for 5 years), and signed a 3-year contract.

The new budget includes a focus on public housing.

Her administration is also working on public safety, and all levels of violent crime are down, although sex crimes are not as much reduced as others. She appointed Peter Newsham as Chief of Police, who has done outstanding job

Questions from commissioners:

Commissioner Brown: You spoke about programs for affordable housing, how is the administration working to get the word out to realtors? Many are not aware of programs available to buyers.

A: The administration has a relationship with realtor organizations, but obviously not enough information is being communicated. There is a new set of incentives for certain classes of new home buyers for, eg., new MPD members. Her administration has also increased the amount of first home buyer incentive (\$50,000 -> \$80,000).

Commissioner Molod: Would you consider rethinking the mandated (“trigger”) tax cuts?

A: The budget is not balanced because of cuts, but because of more revenue in DC. Her administration implemented the mandated tax cuts, but they are progressive cuts.

Commissioner Jakopchek: Question about the interaction between city agencies, an example is the Hearst Park project. ANC3F asked for DOEE to be part of it from start. How do we get the agencies to work better together?

A: They do work together, but could do better. As for Hearst Park, DGS has an entire division focused on sustainability, ie., environmental issues, so the only need for DOEE would be if issues go beyond the expertise in DGS.

Q: There are many planning studies - how do we move from studies to implementation?

A: The role of planners is not to implement (it is an important step, though – the Department of Planning plans gained consensus from the community already). So when implementers want to do something, if they go according to a plan we know its community approved. There have also been discussions with CM Cheh about how to get private sector interest in a particular parcel of land.

Commissioner Rutenberg: Expressed concern about the environmental impacts of development (even though DC is the only city in world with lead platinum status for climate change resilience).

A: Mayor Bowser shares concern about the current President rolling back environmental plans. The award for being among the top 100 rated cities in terms of resilience brought

a grant. CM Cheh is responsible for initiating much of the DC Council legislation that made us a lead platinum city. The administration is also planning for trees, and also working with restaurants to remove/compact waste (more can be recycled).

Commissioner Dickinson: Please think about adding teachers to the priority class for affordable housing incentives, not only MPD members.

A: They are already part of this incentive.

Q: What about budget overruns at Duke Ellington high school?

A: Would like to explain the financial issues related to the Duke Ellington renovation. The project started with a little money put aside for modernization (\$60 million), although no one thought it was going to cost only \$60 million to build a new school. People say there was a cost overrun, but the \$60 million was never meant to cover the entire cost. The policy now is to wait until all the money is allocated and there is a full budget before saying that a school rebuild will happen. Ward 3 school renovations happened as per the new policy.

Q: Are we allocating proper funds to high schools?

A: Wilson High School has not suffered a loss of students as anticipated, but school planning does have to figure on students throughout the entire school path. The focus has been on Middle School interventions, that is, to keep track of students falling behind at the Middle School level. As to the Wilson budget, the Mayor acknowledged that they didn't get it right. Projections didn't hold true, and the budgeted number of students was too low. Now the needed adjustments were made, and they are looking at the projections and trying to understand why they were in error.

Q: Hearst Park – ANC3F passed a resolution for a steering committee to be formed.

A: The administration is happy to work with the parks committee, and give great weight to suggestions.

Commissioner Adelstein: Question about affordable housing. There is inadequate enforcement of tenant abuses. ie., rent control. Tenants rely on the enforcement. What can be done to better enforce the regulations?

A: Need specifics about what is occurring. The laws are direct for seniors. Sometimes the tenant advocate can circulate in the community, tell everyone their rights and assist them with someone breaking the law. The law allows certain agreements, ie., TOPA laws allow some voluntary agreements, sometimes tenants enter one of these without understanding the implications.

Questions from the public:

Commissioner Jakopchek made a motion to extend debate 15 minutes, approved 6-0-0.

Harry Guerrel: Head of tenants association at Van Ness. Some housing providers are violating rent control in particular way. They are advertising at one number for the rent, on the lease they write a higher number, and “discount” it to the advertised price. The next year they ask for rent increase based on the higher numbers. About 80 people in the building have had this happen. Part of the problem is enforcement. DC Attorney

General is now working on an investigation. The party doing this is Equity Residential, but they are not the only ones using this practice.

A: The Mayor will ask Polly Donaldson to look into this. They will find out how widespread this practice is. There is a new rent administrator, so there will be a new set of eyes on the problem.

Chuck Ludlam: Expressed thanks to the Mayor for supporting the Death with Dignity Act. Said that we need a 2-term mayor (A: I will be it). Suggests one big transformative accomplishment in a second term. He said that 26 MD, VA members of Congress cannot block a commuter tax. It needs to be implemented. Every state/city has commuter tax. It is more progressive than sales tax.

A: Would like to talk with him about the plan. The Mayor said she does feel like something is going to “give” on statehood, turning a republican, a commuter tax, or something else big.

Amy Shannon: A 27 year resident of Cleveland Park. Expressed thanks to the Mayor for coming. She is the treasurer of Neighbors for Hearst Park and is against the pool.

A: Wants to be sure that the budget is in line with a Ward 3 pool. Want also to be sure that we have a plan by FY19-20.

Terry Snead: Formerly homeless, and currently in Friendship Place. 3 people have come to him with issues about Friendship Place, and someone has to take them to task.

A: We can find out about what he sees as issues. The government works with Friendship Place, it is high on the list of good places, and the administration wants to be sure they are helping to resolve the issues.

Rob Fox: Question about housing and childcare issues. He loves the Mayors affordable housing efforts. He spoke about a “funny” hole between affordable housing for people who make near \$50,000 per year and folks who make much more. He doesn't see a way to afford housing. There is a need for more units of 1-2 bedrooms. Also the cost of childcare is high in DC, \$18,000-\$20,000 per year. Can we find a way to help that?

A: Point well made. We have affordable housing needs all along the spectrum (not only for the lowest income bracket). The Housing Trust Fund must be spent for those whose income is 30-50% of AMI. They are still working on solutions for people above 50% of AMI. The city can also make more neighborhoods attractive. Maybe the housing will not be in Petworth or Forest Hills. The DC government must make sure that other areas are safe, and have public transport and parks. As to childcare: If we have more spots available, the cost will go down. The new budget has a program for childcare in public spaces at no cost, so childcare providers will charge for their time, not for the space.

Commissioner Jakopchek made a motion to extend debate 3 minutes, approved 6-0-0

David Bardin: What about statehood and the voting rights act?

A: Have pushed the bar forward. They have gotten ballot approval, the Bill was proposed to Congress by Rep. Norton, and they are looking for a Republican to cross.

Dr Elliott Babel: A 4-year resident of DC. His investment in his company in DC and home in Forest Hills has paid off, thanks to the Mayor

Final remarks from Mayor Bowser conveying thanks to UDC President Mason and the UDC staff for all they have done.

### **3. Commissioner Announcements / Updates**

Dickinson:

- a) Hearst Ecycle - October 21, 2017, 9 am to Noon.
- b) UDC – Community Task Force Meeting - Rescheduled to October 25, 2017 at 6:30 pm; 4250 and other real estate activities, UDC events, residence hotline
- c) NW Villages gala this weekend – Sunday
- d) Hearst Park Update

Below is an update on the Hearst Park and Pool project, based on activity within the last two (2) weeks:

1. The geo-tech engineer performed borings in the park last week.
2. The engineers will analyze the soils from the borings and forward their report and recommendations to DGS and DPR. After our internal review the results will be shared with the ANC and community by the end of October/first of November 2017
3. Storm water runoff investigations and existing conditions were completed on Friday, October 13th (i.e. TVing the storm lines, jetting and cleaning on the inlets). The report will be shared with DPR and DGS to determine next steps. We will also share the results with DOEE. After our internal review we will develop a plan to mitigate the surface storm water runoff from Hearst to the neighborhood. This information will also be shared with the ANC and the community also by the end of October/first of November 2017
4. DPR and DGS attended Hearst's PTA meeting on October 11, 2017 to provide an overview of the project and enlist the school's feedback.
5. We are working with our partners at DDOT and the arborists who completed tree surveys to host a joint community meeting to review the results.

DGS/DPR has a number of meetings that they would like to host to update the community. Any suggestions on how we move forward - should we have one meeting to review all the reports or separate meetings? Our scheduled are really tight but we are willing to discuss options.

Rutenberg: none

Jakopchek:

- a) There is an open seat on ANC3F, the special election will take place on November 21, at our next general meeting. Voting will take place from 7:30-

9PM, the votes will then be counted, and we will seat the new Commissioner at the meeting.

- b) Thanks to DDOT staff who walked in the Linnean neighborhood, looked at the streetscape. Hillwood will host a meeting in November.
- c) Wednesday October 25, the Office of Tenant Advocate will host a meeting at their offices.

Molod:

Two liquor licenses are up for renewal, one for Little Red Fox and another for CVS. We are not planning to take any action. Please contact the Commissioner if anyone has any issues to raise.

Brown:

October 29 is the Halloween party at Forest Hills playground instead of October 22.

Adelstein:

Liquor license at Giant is up for renewal- please contact the Commissioner with any concerns

#### **4. Committee Reports**

- A. Streets & Sidewalks: no meeting, will meet on October 30 at UDC, invited other ANCs to talk about reversible lanes
- B. Parks & Trails: met twice, talked about Hearst Park, got a debrief from the superintendant of DPS
- C. Grants: nothing, next cycle of grants in march

#### **5. Police Report**

Lt Mallory Steward, assigned to MPD 2nd district last week.

Crime is down in general in the district, but thefts up a bit. People are leaving things visible in cars, asks the public not to do that.

Commissioner Molod: Asks for additional attention to traffic problems at two intersections in particular: 36<sup>th</sup> and Fessenden Sts, and Albemarle and Connecticut Ave.

A: Will have a car near there.

Commissioner Dickinson: What about patrols near schools? A: Not MPD's jurisdiction.

Commissioner Jakopchek: There are also other traffic enforcement issues, Connecticut Ave. near Upton St. in particular. Asks how we should communicate with MPD about these.

A: Please email me at: [valerie.steward@dc.gov](mailto:valerie.steward@dc.gov)

From public: Monica Neimeth said that she sees reports on local listservs of people "casing" houses in the neighborhood. Can we have an occasional car to discourage this?

A: Will consider this.

## 6. Community Open Forum

1) Juanita Grey, UDC:

Series of announcements about upcoming events at UDC

2) Phil Thomas (Office of Mayor Bowser): Brought brochures from the Mayor's office. There is also a new pledge being run from the Mayor's office called "Every Day Counts", a campaign to get children to school every day. Also wanted to point out that Tommy Jones (also from Mayor's office) is in attendance.

3) Damien Johnson, head of Edmund Burke School. Expressed thanks to the ANC for our discussion about the intersection of Upton St. and Connecticut Ave. He is here to introduce himself and also invite residents to neighborhood meetings, held once a month. The school calendar has the schedule of these meetings.

4) Lee Brian Reba, office of President of UDC. There is an event this Saturday, held by the Joint Masonic Scholarship program to announce and honor the scholarship winners. There will be 300-500 lodge members on campus, marching on Connecticut Ave, to Van Ness St. and into the campus. The presentation will be at noon.

5) Theresa Cameron (Van Ness Main Street):

- Amadou Kouyate will be performing this Saturday from 11am to 1pm at the Van Ness Farmers Market
- We are embarking on a retail study for Van Ness. This is a collaboration of UDC, Van Ness Main Street, and Bernstien
- Our holiday pop up is being planned starting on Nov. 25 which is small business Saturday and it will run the next three Fridays, Saturdays, and Sundays in December
- We have three new board members: Ed Sands from CW, Pat Jakopchek, and Reggie Felton from the UDC Board.
- AARP/UDC "save the date" announcement of the Van Ness Social Club, Saturday October 28<sup>th</sup> at 4250 Connecticut Ave, 3-7PM.

6) Monica Neimoth, candidate for ANC3F06. She is a long time resident of DC, living on Alton Pl. She is interested in VNMS, issues of aging in place. She is also concerned about quality of life.

## 7. Benefits of PUD at 3101 Albemarle St. NW

Commissioner Rutenberg: PG and Bobby Gottfried from Soapstone Valley Ventures are here to discuss their proposal for a PUD application at 3101 Albemarle. They are looking for a change in zoning in exchange for community benefits. There has been a lot of discussion about this project, at community gatherings, ANC meetings, and committee meetings. These discussions will continue. There will be no action tonight about the PUD

application. When it is submitted the ANC will consider a resolution to support it or not. The best case scenario of timing is that this will occur within 60-90 days.

PG Gottfried: Presented and detailed with schematics and drawings/renderings a list of his view of the community benefits of the project:

- a) Storm Water – impermeable driveways and a rain garden to replace the pond.
- b) Open space accessible by a new walkway along 32<sup>nd</sup> St.
- c) Age in place design of houses including elevators
- d) Parking on site, no new curb cuts and no 2-hour parking exemptions for owners
- e) Work with DDOT to get a crosswalk at 32<sup>nd</sup> St. and Albemarle St, and on the design and maintenance of the overlook into Soapstone Valley.
- f) Extensive planting of trees and shrubs, with a significant net gain of plantings
- g) Landmarking designation for the Historic Mansion

Questions from the public:

How does the public get comments to the ANC with the views?

A: Send email to [commissioners@anc3f.com](mailto:commissioners@anc3f.com), or to Commissioner Rutenberg.

Marjorie Share - Suggested that it would be of great advantage to all if PG and Bobby Gottfried could install story poles on the site, and present a materials board (better sense of materials), and wrap cloth/tape on the trees that will come down to demark them for the public. A: The last item for the trees is ok.

Rita Ehrendahl – Her position is that she will support 2 single-family homes, not townhomes. Also at a meeting PG spoke about another plan to make 3 175-sq ft lots where houses could be built as a matter of right. She would like to know whether it is doable.

Commissioner Jakopchek made a motion to extend debate 5 minutes, approved 6-0-0

PG: They will look at all options. The best option is townhomes and a PUD. Should that fail, “Plan B” is houses by right.

## **8. Resolution on Zoning Exception at 5148 Linnean Terrace NW**

Molod: David Dale is here to describe his application for a zoning exception at his house on 5148 Linnean Terrace, NW.

David Dale: (Slide show with schematics and renderings from his architect). Mr Dale showed the schematics of the footprint of his house before and after the construction he has planned. It would call for a total lot coverage of 37%, and is asking for ANC support for a zoning exception application, since the tree and slope overlay rules call for no more than 30% lot coverage (40% if not within the tree and slope overlay regions). The house will remain well back of the end of the property, and will also not extend as far back as neighboring houses. Mr Dale will also remove a tree declared hazardous by

the DC Arborist, and plant a series of new trees near the property line. Mr. Dale has also spoken with the nearest neighbors, and received written support for his plans.

In answer to questions from commissioners, Mr. Dale described the increase in permeable surfaces on the property when the new house is present, since he will replace a stone patio with permeable stone and install permeable driveway stones as well.

Slides from Mr. Dale's presentation are available upon request from the Commission.

Commissioner Molod made a motion to submit Form 129, ANC support for an application for a zoning exception, supporting the application. Motion was approved with 6 in favor, 0 abstentions and 0 opposed (6-0-0).

## **9. DC Council Bill on the Establishment of Public Restrooms**

Marcia Bernbaum and George Orlidad are present, here to request support for DC Council Bill 22-023, The Public Restrooms Act. Support from Ward 3 ANCs is important, as CM Cheh chairs the Committee on the Environment where this is heard.

There is a need to have stand-alone public restrooms, they have them all over Europe. The Bill also calls for providing incentives for restaurants to make their restrooms open to the public. This is best practice in 20 cities in this country. There used to be stand-alone restrooms in DC but they were closed in the 1950s. There is a human right to sanitation, and it solves the public health issue not to have feces leaching into the water supply.

Three options are being considered:

- a) Pay businesses to open their toilets to public
- b) Automatic self cleaning units
- c) Portland Loo

They need the buy-in from ANCs to get this passed. As of now, CMs Silverman, Nadeau, Grosso, Allen, Todd, and others support the bill.

Michael Porcello from CM Cheh's office: The Bill is just to form the working group, not to make a choice about the restrooms. A hearing will take place near the end of November or the beginning of December.

Commissioner Jakopchek made a motion to approve the resolution in support of the Bill and read the operative clauses into the record. Motion was approved with 6 in favor, 0 abstentions and 0 opposed (6-0-0).

## **10. Discussion of Upton St. NW Traffic Calming**

Commissioner Jakopchek made a motion to pass the resolution calling for a study of traffic calming options. Motion was approved with 6 in favor, 0 abstentions and 0 opposed (6-0-0).

**11. Other Business**

- A. Commissioner Adelstein: now in FY 2018, we have our full allotment. Expenditures were on on staff, internet, NNV grant. The current balance is \$90,103
- B. Commissioner Adelstein: Rachel Huhn, ANC3F's administrative support person, was married. Commissioners giving gift.
- C. Next Meeting: Tuesday, November 21, 2017 at UDC, Building 44 Room A03

Commissioner Rutenberg made a motion to adjourn. Motion was approved with 6 voting in favor, 0 voting against, and 0 abstaining (6-0-0).