

## Minutes of September 10 Meeting

Chairperson Bender called the meeting to order at 7:40pm. All five commissioners were present.

### **ANNOUNCEMENTS**

Chairperson Bender announced that the District Department of Environment is co-sponsoring a program with Mary Cheh and others at University of the District of Columbia on greening your home. The date and time is September 12<sup>th</sup> from 10 am-2 pm.

Samantha Nolan from the Citizens' Advisory Council (CAC) announced that the CAC would hold its annual awards dinner for Second District officers on September 29<sup>th</sup> at Maggiano's. She noted that MPO Williams would receive an award that night.

Chairperson Bender announced that commissioners had met with Safeway representatives regarding the company's planned modernization of its Tenleytown store, pursuant to a PUD, and had suggested that Safeway (1) reduce the new store's footprint near the back of its lot to reduce the burden on nearby neighbors; (2) seek LEED Gold status to minimize the new store's burden on the environment; and, (3) turn the orphaned triangle of land across 42nd St. from Safeway into a pocket park with a fountain by closing the small piece of 42<sup>nd</sup> St. between Safeway and the triangle (with DC government support), and installing a fountain and seating.

### **OPEN FORUM**

An adjacent neighbor of the Tenleytown Safeway expressed concern that Safeway wanted to keep its modernized store open 24/7 and sell liquor. Another resident voiced concern about traffic issues possibly associated with the modernized store.

Chairperson Bender asked a representative from ABRA who attended the meeting about the law regarding issuance of a liquor license to vendors near schools (Georgetown Day School's upper school is directly adjacent to Safeway). The representative said grocery stores are exempt from laws that otherwise prohibit sale of liquor close to a school.

A resident suggested that ANC commissioners work closely with DDOT and Safeway before construction begins to address traffic concerns. Chairperson Bender and other commissioners agreed.

Commissioner Eldridge indicated that the question of Safeway's plans should be an issue set for another meeting. She noted, however, that she did not at present support the idea of building a park with a fountain at 42<sup>nd</sup> Street because, in her opinion, closing 42<sup>nd</sup> Street would cause traffic problems in conjunction with the newly-opened bank across the street.

### **UPDATE ON PSA 202**

MPO Williams stated that Lt. Gregory, who is in charge of PSA 202, could not attend the meeting because she was in training. Chairperson Bender asked MPO Williams to provide details of the three recent armed robberies reported on MPD's listserv. MPO Williams stated that because she is on the Midnight shift, she had not yet been briefed on the robberies. Chairperson Bender stated that he had alerted Cmdr. Klein that the ANC and the community would want to hear a report on this subject at the ANC meeting, and even suggested that Cmdr. Klein or one of his captains attend. All commissioners expressed concern, indicating that the issue of these crime was vitally important to them and residents.

Also discussed with the officers in attendance was a rash of 20 to 30 bikes stolen in the area. The community asked what was being done regarding this issue.

Chairperson Bender noted that he had repeatedly asked MPD to institute patrols by officers on bicycles, with emphasis on patrols of the many alleys in the area. Such patrols, he continued, would not only deter crime in alleys, where most residents' bicycles were stolen from, but would enable officers to meet residents and point out vulnerabilities around their houses, garages, and sheds.

MPD Williams also indicated that they were still having thefts from the Wilson Aquatic Center's locker rooms

Samantha Nolan who chairs the Citizens' Advisory Council in MPD's Second District said she was trying to set up a neighborhood watch program in PSA 202. Chairperson Bender commended this initiative and urged residents to attend training programs Ms. Nolan intended to hold.

In closing, all commissioners reiterated their concern about lack of information. Chairperson Bender indicated a special meeting to update the community might be in order, and asked the officers to follow up with the ANC and community on this issue.

## **ISSUES ON THE AGENDA**

### **VISITOR PARKING PASS PILOT PROGRAM**

DDOT representative Damon Harvey introduced a pilot program for Ward 3 that will enable residents living in area zoned for residential parking permits to receive one additional permit they can give to visitors. Mr. Harvey provided his contact information so that residents could contact him with questions or concerns; his direct phone line is 202-671-0493, and his e-mail address is [Damon.harvey@dc.gov](mailto:Damon.harvey@dc.gov).

A resident raised concerns about existing scarcity of spaces. Other residents asked whether there was a way to connect the passes to particular addresses as a way of ensuring that passes are used only in front of houses, rather than throughout the ANC. Chairperson Bender stated that the ANC might want to have Mr. Harvey come to another meeting in a few months to exchange views with the commissioners and residents as to how the pilot was working out.

## MARVELOUS MARKET

Marvelous Market presented a request for ANC support of their application for a wine and beer license. Commissioner Sklover stated a desire to be specific about the hours permitted in the ABRA license. Concerns were expressed that support from the ANC coincide with the hours ultimately sought from ABRA as there were still details that seemed to be in flux or were unclear. An ABRA representative in attendance made clear that the ABRA license being requested would coincide with the hours of operation and would not at a later date be adjusted to allow for later serving of alcohol. It was confirmed that the application indicates the hours of service to be the market's hours of operation. Commissioners noted that, so far, Marvelous Market was an asset to the community. Commissioner Sklover presented a motion to support the application. Commissioner Eldridge noted that in prior years the Commission had only voted "not to oppose" applications for liquor licenses, rather than to support them. Commissioner Serebin asked what the rationale was for wording it as "not oppose," rather than support. No Commissioners in attendance knew the reason, but Commissioner Eldridge indicated that was the tradition. Commissioner Serebin indicated that if the tradition was due to Puritan reasons he didn't like it. The commissioners voted 5-0 to support the application, provided there were no deviations from the hours as presented at the meeting.

## TRAFFIC CALMING STUDY

A resident of 43<sup>rd</sup> Street, NW, between Albemarle and Chesapeake, discussed concerns about speeding traffic on his street, and presented a petition signed by more than half of the residents on those blocks seeking a traffic calming audit. Chairperson Bender stated that he has been working with DDOT for several months to obtain an ANC-wide traffic safety study, during which residents from all streets in the ANC could raise concerns, and in which DDOT and the ANC could assess the need for traffic calming and related initiatives systemically, rather than on a block-by-block basis. He continued that DDOT had recently informed him that it intended to initiate such a study soon, and that 43<sup>rd</sup> Street might either be subsumed in that study or, if the study was delayed, addressed separately. Chairperson Bender moved that the Commission support the 43<sup>rd</sup> Street residents request for a traffic calming audit, but recommend that it be conducted within the framework of a broader study if feasible. The motion passed unanimously.

## TENLEY LIBRARY

Representatives from and for DCPL appeared to present DCPL's request for two variances (one related to not being able to meet the minimum required number of parking spaces, and the second related to the need to build on a strip of land not currently zoned commercial) needed to build the new Tenley library.

Concern was voiced by commissioners as well as residents that there were not adequate parking spaces for the aging population as well as those who are disabled, and that the one handicapped space being provided was the furthest from the entrance.

The commissioners discussed the preference for additional spaces set aside for handicapped persons. Commissioner Frumin urged the library to evaluate parking space utilization after the library opens to see what is really needed. Commissioner Frumin also urged that library personnel consider parking at Best Buy or Whole Foods instead of using one of the spots in front of the library.

Commissioner Serebin voiced strong disdain for the lack of consideration for the handicapped, and indicated that at a minimum another space needed be set aside for those with special needs, and that such an additional space (if not all the spaces be set aside for such a purpose) should be closest to the library entrance.

Library representatives were open to considering making such changes, and offered to designate the spot closest to the entrance as “handicapped only,” despite the relatively small size of the space.

Commissioner Sklover introduced a motion that the ANC would support the application for zoning relief provided that the additional space was designated for handicapped use only, and that the variance being requested asking for the ability to build on an area not zoned for commercial be granted for a distance no greater than 11 feet plus perhaps a few inches. The motion was seconded by Commissioner \_\_\_\_\_. The vote was unanimous. Motion passed 5-0

#### 5019 41<sup>ST</sup> STREET ADDITION

The last item pertained to a special exception sought for the residence of 5019 41<sup>st</sup> street (between Fessenden and Garrison Street). Neighbors signed letters supporting construction of the second story addition. Commissioners supported the request. Commissioner Eldridge introduced a motion to grant support. The motion passed 5-0.

#### **OTHER BUSINESS**

The June minutes were presented and reviewed. Chairperson Bender moved to approve them, and the motion carried by a vote of 5-0

The Treasurer’s report was presented, reviewed, and approved by a vote of 5-0

The ANC 3E November meeting was re-scheduled for November 5<sup>th</sup> instead of the 8<sup>th</sup>

Commissioner Eldridge moved to table July minutes until the October meeting. Motion seconded by Commissioner \_\_\_\_\_. Vote was unanimous 5-0 to do so.

Treasurer Frumin sought approval of petty cash fund. The motion was seconded, and unanimously passed 5-0

Commissioner Eldridge moved to adjourn at 10:10pm. The motion was seconded and approved by a 5-0 vote.