

Minutes of ANC 3E November 5, 2009 Meeting

The meeting convened at 7:32pm. Commissioners Jonathan Bender, Sam Serebin, Mathew Frumin, Lucy Eldridge, and Beverly Sklover were present.

Announcements

Chairman Bender announced that ANC 3E planned to hold a Special meeting on December 1st, the exact time and location to be announced, at which the D.C. Department of Parks and Recreation would present its plans for Chevy Chase Park at 41st and Livingston Street, NW.

Commissioner Frumin announced that IONA House was holding a fundraiser at Warner Theatre at which the “Young at Heart” musical group was to perform.

Crime Report by 2nd District Police

Lt. Gregory discussed the closing of one assault and one robbery case. She also discussed an increase in car thefts, especially the “smash and grab” types. She urged community members to store in their trunks or remove items that may be attractive to thieves. Lt. Gregory also again urged for citizens to lock their cars especially with the holiday seasoning beginning soon. Lt. Gregory noted that there had been an increase in burglaries in PSA 202, including when people were at home. She emphasized locking not just doors but windows as well. She said there had been increase in daytime burglaries. Lt. Gregory explained that in response to this increase PSA 202 had refocused resources for and increased coverage on weekends through an “all hands on deck” program.

Agenda

4419 45th Street Special Exception

The owner of 4419 45th Street, NW, Mr. Kil Huh, is sought a Special Exception for an addition to the property. He presented background on the project as well as indications of support from the nearby neighbors. Commissioner Sklover spoke in

support of his application and presented a resolution in support. The resolution was approved 5-0 with Commissioners Bender, Frumin, Serebin, Eldridge and Sklover voting for it.

5013 Belt Road Special Exception

Commissioner Eldridge reviewed the application for a special exception filed by Ned Hoyt, the owner of 5013 Belt Road, NW. Mr. Hoyt previously had appeared before ANC 3E to brief the Commission and the community on his plans for developing the property which had been the subject of a longstanding controversy. Under its previous ownership, the property sat mid-construction for several years while the district and neighbors sorted out issues regarding the legality of the building. Mr. Hoyt, who currently lives across the street from the property, purchased it earlier this year and has been working with the neighbors to formulate a plan to complete the project on terms acceptable to the neighbors. He has applied for a special exception based on the plan developed in that process. Due to miscommunication regarding the date of the meeting, Mr. Hoyt was unable to attend the ANC meeting. Likewise, none of his neighbors appeared to discuss the application. Commissioner Eldridge reported that she had been in contact with nearby neighbors and that they had expressed support for the application. Commissioner Eldridge proposed a resolution in support of the request for a special exception. The resolution passed 5-0.

Report from Georgetown Day

The Principal of Georgetown Day School (“GDS”), Kevin Barr, presented the annual report on enrollment at the school as well as some related issues. ANC 3E had voted to support an increase in the enrollment cap from 465 to 500 in January, subject to a voluntary agreement. Principal Barr reported that the school enrollment was now 485 with 81 students from the ANC 3E area. According to Principal Barr, 101 students drive to school along with 150 teachers and staff. Principal Barr also reported that pursuant to the Voluntary Agreement reached at the time of the enrollment cap increase, GDS had donated \$5,000 for upkeep and improvements at Turtle Park and would continue to do so for the next four years. Principal Barr said the school reached out to area schools Janney, Deal and Wilson

for a program on equity and justice, and that teachers from {Alice Deal Middle School?} had participated last summer. In addition, Principal Barr said, consistent with the Voluntary Agreement, scholarship funding was set aside for a student or students from the ANC 3E area. Currently, there are two ANC 3E students on scholarship and Principal Barr said GDS was reaching out to local area schools.

Maggiano's Valet Parking

A representative from Maggiano's explained that the restaurant has applied for a Valet Parking Permit. He explained that the application did not seek to do anything new or different but rather was a response to a new application requirement for valet parking operations. Under current practice, and pursuant to the application, Maggiano's has contracted with MARC Park to park cars. They have and seek to continue to have the ability to manage a drop off at the cutout curbside area that can accommodate three cars. They indicated that four people would park cars during the week days from 6:30 pm until 1 am and five people on weekends from 11 am until closing at 11 pm. The Maggiano's representative assured the Commissioners that there would be no double parking outside the restaurant and the valet parking would not result in cars being parked on neighborhood streets. Lt. Gregory said cars that are double parked would be ticketed. Commissioner Eldridge presented a resolution in support of the application incorporating a condition suggested by Commissioner Bender that Maggiano's take steps to ensure that there was no double parking outside of the restaurant as a result of the valet parking process, and a condition suggested by Commissioner Sklover that all valet parked cars be placed in the garage, not on the streets. The resolution was approved 5-0.

Reno School Historic Designation Application

The Tenleytown Historical Society's application to designate the Reno School as an historic landmark had been held over from October's monthly meeting. Ruth Wattenberg, the Chair of the Deal Local School Restructuring Team, presented the position of the Deal community on the designation. Ms. Wattenberg said Deal had plans to use a portion of the school as a nursery school for Deal teachers, and otherwise to use the school for music and art programs, an after school program,

and a gathering place for teaching teams, and/or a community space. A portion of the school might also be transformed into a black box theater. Ms. Wattenberg explained that Deal fully supports designation but hoped that designation could be held off until after planning for the improvements to the school were made. She emphasized that Deal would be happy to work with THS in the planning process. Ms. Wattenberg said the Deal community was concerned that designation now could increase the cost and result in delays in renovating the Reno school and there was a desire to move forward promptly as funding for the renovation had recently been made available. Representatives of THS and other members of the community expressed concern that absent designation the school could be modified in a way that would mar its historic character. Commissioner Frumin said he saw only modest risks on both sides of the argument – that the State Historic Preservation Office review of renovations of older public buildings would protect the Reno school absent immediate designation and that the risks of delay from designation were also modest. Two resolutions were offered on the subject. Commissioner Eldridge presented a resolution supporting immediate designation (a copy of which is attached). Commissioner Sklover seconded. It was defeated with a vote of 2-3 with Commissioners Eldridge and Sklover voting yes and Commissioners Frumin, Bender and Serebin voting no. Commissioner Frumin presented a resolution opposing designation at this time and urging designation follow the renovation. It passed 3-2 with Commissioners Frumin, Bender and Serebin voting yes and Commissioners Eldridge and Sklover voting no.

Discussion of Safeway Project

Safeway is seeking a PUD to modernize and dramatically expand its store at Ellicott and 42nd Streets, NW. Several neighbors who oppose the current plan proposed by Safeway explained their concerns, while noting that they did not oppose in principle Safeway's desire to build a better store. Among the concerns raised was Safeway's plan to build a wall 15 feet from the neighbors' property lines that would, with the change of elevation, stand well over 30 feet tall. Currently the neighbors' properties abut a surface parking lot. The nearby neighbors worried about noise from the open parking lot that would abut their properties under Safeway's current plan.

Some residents complained that their concerns were ignored by Safeway management. Residents were also critical of Safeway's postcard campaign to elicit support for Safeway's plan as it stood despite Safeway's promises at the same time to adjacent neighbors and ANC members to reevaluate and perhaps make significant changes in the plan. Attendees further criticized Safeway's apparent decision not to send such postcards to residents likely to oppose the project or to inform such residents that a postcard campaign was underway. Residents observed that Safeway appeared to be wedded to a big box suburban design that maximized the burden imposed on immediate neighbors and minimized the value of the project as a whole to the community.

Several residents suggested that Safeway consider adding a few stories of residential units on top of the 42nd Street side of the property, and use the income thereby generated to place its parking underground. Doing so could materially diminish the burden on nearby neighbors.

Chairperson Bender and Commissioner and Serebin echoed these concerns and suggestions. Commissioners noted that while they, too, supported in principle Safeway's plan to build a better store, they were not prepared to recommend approval of the zoning relief Safeway sought at any cost. Chairperson Bender noted that, unlike some areas in the District, residents of the Tenleytown area had numerous supermarket options, including (soon) three Whole Foods and two Giants within a few minutes' driving distance, or a few more minutes' walking distance. Mr. Bender further noted that Safeway's plans to enlarge its store did not appear responsive to problems at the current store that residents often cited, such as poor-quality produce, long check-out lines, and unfriendly staff.

Commissioners also raised concerns about pedestrian safety around the store, and lack of environmental and other amenities. Commissioner Sklover stated that, at the commissioners' first meeting with Safeway representatives, she had informed them that there were two key issues they needed to address. First, to reduce the impact on neighbors, they should stair step the building back. Second, they should create the first LEED certified gold building in Tenleytown. Although they agreed to proceed in that fashion, she continued, they did not accomplish the two objectives.

Several Commissioners warned the unwillingness on Safeway's part to listen and make changes in response to community concerns could delay approval and possibly scuttle Safeway's plans. They encouraged Safeway to work with the Commission and residents to craft a better plan.

ANC Business

The Treasurer's report for October was approved 5-0.

The budget for FY 2010 was approved 5-0.

The July 2009 Regular and Special Meeting and September Meeting Minutes were approved 5-0.

The Quarterly Report for 4th Quarter 2009 was approved 5-0.

The meeting recessed at 10:40 pm

Respectfully submitted,

Jonathan Bender (DW with permission)

Jonathan Bender, Chairman

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Resolution Approving Historic Designation of Jesse Reno School

WHEREAS:

The Tenleytown Historical Society (THS) has nominated the Jesse Reno School for designation as a historic landmark and inclusion in the D.C Inventory of Historic Sites.

RESOLVED:

ANC 3E supports THS' nomination. The Jesse Reno (Reno) School, located at 4820 Howard Street, Northwest, was built in 1903 to serve the African American children of Reno City, a community that was formed during the Civil War by both freed slaves and slaves who had fled their owners. In 1869, Reno City was officially subdivided into lots, and by the time the Reno School was built, there were around 100 buildings in Reno City, including homes, churches, stores and a Masonic Temple.

By the 1920s, in response to pressure from the surrounding white neighborhoods to dismantle Reno City in order to construct Fort Reno Park, Deal Junior High School and Wilson Senior High, the community began to dissolve as the black residents were purposefully displaced. As the African American population decreased, so did enrollment in the Reno School. By 1950, the school closed.

After being vacant for many years, finally there are plans to restore the building so that it may be used by Deal Junior High School (Deal) students. ANC 3E believes that restoring the building and converting it for use by Deal students is the best way to honor and teach the Reno School history. ANC 3E agrees with THS that the last remaining building from Reno City should be preserved as a landmark. Restoration and renovation of the Reno School building can and should be done in a way to preserve its historic integrity. Protection afforded the building by historic designation should attach now, before the building is altered in any way.