

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 3B
GLOVER PARK AND CATHEDRAL HEIGHTS



ANC3B Minutes
May 7, 2015 Public Meeting

The meeting was called to order at 7:00 pm by Chairman Jackie Blumenthal (3B02). The other four commissioners Ann Mladinov (3B01), Abigail Zenner (3B03), Mary Young (3B04), and Brian Turmail (3B05) were also present.

The Commission voted 5-0 to accept the agenda for the meeting.

Police Report: New Second District Police Commander Melvin Gresham introduced himself. He has been captain in the Second District and was appointed Commander in early April. Lt. Ralph Neal gave the crime report for the previous 30 days, ending May 7, for PSA 204, which includes Cleveland Park/Woodley Park/Massachusetts Avenue Heights. He noted that in comparison to last year at the same time when there were no violent crimes reported, there had been one violent crime this year, a sexual assault outside 4200 Massachusetts Avenue, which he said the MPD was pursuing. Property crimes during the month were down slightly from last year, from 30 to 27. While there were no motor vehicle thefts in those 30 days and robberies were down from 19 last year to 12 this year, thefts from autos were up from 7 last year to 13 this year. Commander Gresham noted that an individual from the Fourth District had been arrested in the past month who is associated with 19 thefts from autos in the Second District.

Lt. Neal and Commander Gresham offered suggestions for reducing or avoiding crime:

- After dark and where there are few cars or people, if you are walking or running, it is best especially for women or young people to have an adult companion with them or be part of a group, not alone.
- Park in a well lit area, have an alarm system in their vehicles, and make sure they do not have anything of value inside the vehicles, including money, jewelry and electronics.
- If you are going to be away from home, don't let mail stack up on your porch or in your mailbox, leave a key with a trusted neighbor who can put the mail inside the house, clear the front porch of anything that might be a target for theft, and leave some lights on. You can also ask to have your home put on the police Special Attention List by calling the Second District at 202-715-7300 or emailing Ralph.Neal@dc.gov
- Commander Gresham said the police do not want to recommend any particular security company but it can be helpful to have some kind of security device, even a system that makes the sound of a dog barking when someone tries to open the door forcibly.
- Do not open the door to strangers, especially if they claim to be contractors or utility representatives when you have not requested service. No government agency will come to your door without identification, or ask you for personal or financial information or money. If you are uncertain, ask people to leave their information on the porch.
- If someone contacts you by phone saying they represent the IRS or the FBI (or your credit card company or a computer service company or virtually anyone else), do NOT give them any personal or financial information. Ask for a contact number you can use to call back the organization, and report suspected fraud to MPD's Financial Crimes Unit 202-272-7800.
- If you have information on individuals you think may have been committing crimes in the area, the police have a tip line 202-727-9099 X50411. Rewards are offered for information that leads to arrests.

P.O. BOX 32312 WASHINGTON, D.C. 20007

EMAIL: INFO@ANC3B.ORG

3B01
N. GLOVER PARK
ANN MLADINOV

3B02
E. GLOVER PARK
JACKIE BLUMENTHAL

3B03
W. GLOVER PARK
ABIGAIL ZENNER

3B04
CATHEDRAL HEIGHTS
MARY C. YOUNG

3B05
S. GLOVER PARK
BRIAN TURMAIL

Updates

Glover-Archbold Park Sewer Pipe Rehabilitation Project: After DC Water's Ward 3 Town Hall meeting on April 14, Commissioner Mladinov got an update on DC Water's progress on the proposal to repair or replace the major sewer pipes running the length of Glover-Archbold Park. DC Water has decided to separate the Glover-Archbold project from the proposed Soapstone Valley project near Brandywine, and is currently reevaluating alternatives which it hopes to report to the National Park Service by the end of the summer. After that, the next step will be for DC Water to schedule a public "scoping meeting" to present to the public all the alternatives under consideration, and determine what type of environmental assessment will be conducted.

Commissioner Young asked if DC Water was doing anything about the recent overflow of sewage into streams in NW Washington after heavy rains. Commissioner Mladinov said the major project underway in the city to respond to the consent decree about reducing sewage outflow into the rivers is designed to deal with that by providing massive new holding capacity for sewage and storm water but this is a subject to check with DC Water.

Wilson High School Budget: Commissioner Turmail attended the DC Council hearing on the school budget including the proposed 10% cut in funding for Wilson High which was the subject of a resolution adopted by ANC3B at its April meeting. Since one of the feared effects would be a reduction in faculty and increase in class sizes, Chancellor Henderson suggested that she could make extra "supply" teachers available to the school at the end of the summer and Wilson could also cut enrollment by dropping out-of-boundary students who are absent too often and stop accepting siblings of out-of-boundary students. CM Grosso, Chair of the Council's Education Committee, planned another hearing on May 14. Board of Education member Ruth Wattenberg and the PTO continue to ask for support in restoring the requested funds.

Bike Route on Tunlaw and 37th Street: Chairman Blumenthal announced that the ANC will be discussing the extension of the bike route from American University (AU) along New Mexico Avenue and Tunlaw Road at a future ANC meeting, when DDOT was ready to present its revised plans. She noted that the ANC has for years advocated having a route to Georgetown that provides bike riders an alternative to using Wisconsin Avenue. The bike route from AU has been completed down New Mexico Avenue as far as 4000 Tunlaw but has not been continued through Glover Park along Tunlaw and down 37th Street. Commissioners Zenner, Turmail, and Mladinov had met with Bike Planner Mike Goodno of DDOT the morning of the meeting to walk the route, go over DDOT's preliminary plans for the bike route, and assess where there might be changes in the number of street parking spaces after the bike route is extended. Under the proposed plans, Glover Park would be one of the few areas to gain parking spaces with addition of a new bike route: there will be room to add several new parking spaces in the 3800-3900 blocks of Tunlaw. On the narrowest parts of Tunlaw and 37th Street, little would be changed except signs and paint in the traffic lanes indicating a shared roadway for bikes and motor vehicles. DDOT will also review the placement and number of signs showing the speed limit which is 25 mph on Tunlaw Road and on 37th Street. Mike Goodno said he would adjust the plans to respond to the ANC's questions and comments, share the plans with DDOT traffic engineers, and bring final plans to one of the next ANC meetings to present to the community.

Linda Lawson from the 2800 block of 39th Streets said that she often rides her bike along the course of the proposed bike route and would be very concerned about trying to add a bike lane on the narrowest part of Tunlaw or 37th Street or removing any parking spaces. She said that sharing the road in those sections should work because cars generally move slowly there with all the stop signs and narrow roadway. She commented that it would be better if DDOT fixed the potholes along that route than if they put in a bike lane. After the winter, a lot of gravel and other material also has built up along the side of the streets in the part of the road where bike lanes are usually located, which is difficult and dangerous for bicyclists and should be cleared or removed by street sweepers. Commissioner Zenner said that requests have been made for pothole repair on neighborhood streets this spring. The mayor's community liaison for Ward 3, Michael Matthews, said if residents email him with locations that need attention, he would take photos and share them with the relevant city officials to make sure they are addressed. His email address is: michael.matthews@dc.gov

Presentation by Johanna Shreve, Chief Tenant Advocate and Director of the DC Office of Tenant Advocate (OTA)

Ms. Shreve provided an overview of the mission and functions of the Office of Tenant Advocate where she has been Chief Tenant Advocate since OTA was created in FY2006 in Mayor Anthony Williams' administration. OTA was established to help tenants in the city, whatever their income or rent level, through education, policy and outreach related to issues affecting tenants. Ms. Shreve offered several examples of OTA's work:

- Working on proposed legislation that would change rent control to protect tenants against sharp rent increases under the 2006 law that eliminated DC's ceiling on annual rent increased (formerly the annual percent increase in the Consumer Price Index + 2)
- Serving as "in-house legal representative" for tenants involved in negotiations or disputes with their landlords. At 4000 Massachusetts Avenue, OTA represented 300 tenants who were facing a rent increase to cover a proposed capital improvement project estimated at \$15 million. In the first week of May 2015, the court ruled that tenants would pay a maximum of \$208 more per month in rent.
- Asking the DC courts to rule on whether a landlord should be able to depreciate the cost of a capital improvement project and also recover the cost in rent increases
- Looking into the effects of the law that Voluntary Agreements signed by 70% of existing tenants are binding on all other existing or new tenants (including agreements that protect long-time tenants' rents but allow for much higher rent levels to new tenants)
- Working with local universities to provide information to students about how to find safe and effective off-campus housing and what their obligations are as tenants. (Most universities in the area have off-campus housing offices that deal with prospective landlords, neighbors, and students and have discipline students who violate rules about tenant conduct.)
- Preparing a new edition of the "Tenants Survival Guide" that will not be copyrighted and can be posted online and shared by community groups at no charge
- Conducting an annual Tenants Summit, usually the last Saturday of September at Gallaudet University, which is videotaped and made available online, including plenary sessions and workshops on subjects important to renters in Washington, DC
- Providing emergency housing and assistance (including security deposit, one month's rent, and help with moving) for tenants who are temporarily homeless because of fire, lead paint, etc. (Washington, DC, is the only city in the United States that has this kind of program.)
- Investigating problem landlords. If OTA receives numerous complaints or if DCRA has cited a property for repeated violations, OTA can be called in to have its lawyers investigate. Landlords can be found in violation if they do not have a Basic Business License, do not have a Certificate of Occupancy, rent a house or apartment to more than the maximum number of unrelated individuals who can reside in a housing unit in the city (six people), do not refund security deposits as required, demand multiple months of rent in advance and then refuse to refund the money if the tenants break the lease because the landlord doesn't provide safe, secure, healthy conditions for tenants, or otherwise do not respect tenants' rights.

Ms. Shreve outlined the rights and responsibilities of tenants and landlords. See Tenant Bill of Rights: <http://ota.dc.gov/sites/default/files/dc/sites/ota/publication/attachments/2015%2004%2003%20OTA%20DC%20Tenant%20Bill%20of%20Rights%20FINAL.pdf> separate document

Ms. Shreve pointed out:

- There is an ombudsman in the DC Department of Housing and Community Development that landlords can call with their questions and concerns.
- The DC Department of Consumer and Regulatory Affairs (DCRA) is the agency responsible for issuing Basic Business Licenses (BBL), enforcing the requirement that landlords acquire a BBL as well as get a building code inspection, and assuring that they comply with the building code and limits on maximum occupancy.
- DCRA maintains a Property Inventory System (PIS) that records whether a landlord or property has a BBL, any building inspections, and any violations. If a tenant or neighbor has a question about a property, OTA can also check the PIS and provide that information.
- If a property owner is subject to a complaint, s/he is given a "notice to cure" allowing 45 days after the complaint is filed to correct the condition in question.

Ms. Shreve pointed out that no one really checks whether a rental property is violating some requirement unless there is an emergency such as a fire. Dee Smith from Councilmember Cheh's office added that if someone calls the city, these matters also can be checked.

A neighbor asked what to do if there is a problem with a rental property, such as noise. Several of the commissioners recommended calling 911 about noise, because the MPD has been very responsive to those complaints. Chairman Blumenthal also suggested that if the tenants are college students, AU and Georgetown have very effective ombudsmen to deal with that sort of problem. Ms. Shreve said OTA had a symposium for landlords renting to students at one university to explain the rules related to tenants. Commissioner Turmail noted that many young tenants are not students but are out of school and working, so they are not covered by any university housing office or ombudsman.

Another neighbor asked if OTA would recommend that a person moving into a room as part of a group lease, replacing someone who moved out, agree to pay a security deposit. Ms. Shreve said she would NOT recommend paying. She said some uninformed landlords encourage payment of security deposits by new occupants, room by room, but the security deposit paid at the time of the lease should serve.

Pat Clark of the Glover Park Village program which helps seniors find sources of assistance to allow them to stay in the neighborhood asked if there are any OTA programs specifically to help elderly renters. Ms. Shreve said that OTA's programs cover all renters but it is the DC Office of Aging that has specific programs for elderly tenants, established by Mayor Vincent Gray [Aging Cities in the Office of Aging]. If OTA responds to an emergency such as a fire affecting elderly residents and finds that some of the tenants are suffering from dementia, OTA does contact the Department of Human Services and the Department of Behavioral Health to see if there are other sources of assistance available to help them. Ms. Shreve noted that there was not enough support for elderly residents or people with disabilities and suggested that citizens contact their Councilmembers to ask them to take this up in a hearing or symposium.

Open Forum:

The discussion of rental units and the number of tenants in a particular unit continued in the open forum. One neighbor asked about a rowhouse in Glover Park currently being renovated with the addition of a third story. It has been advertised on Craigslist as having 7 bedrooms and renting for \$7,000/month, which suggests that it could be rented to a group of 7 or more unrelated individuals, which would violate the building code. He recently posted a message about this on the Glover Park listserv and provoked an outcry. His suggestion was that the only way to prevent pop-ups and similar changes is to make the neighborhood an historic district. Several in the audience responded with a loud "No."

Chairman Blumenthal observed that this kind of expansion would affect residential density in the neighborhood. She noted that the Zoning Commission has proposed new height limits of 35 feet rather than the current 40 feet in R-4 rowhouse zones, to prevent additional pop-ups, but the rule would not apply in Glover Park where the rowhouse blocks are zoned R-3. Commissioner Zenner said pop-ups and increased density aren't really a big problem in Glover Park; not many houses in the neighborhood are doing this. Commissioner Turmail noted that a change in zoning that reduces the homeowner's options to expand in the future would change the value of every property, because the value is based on what you can do with the property.

Ms. Shreve said her staff is discussing the issue, but in her view, building height and pop-ups are a question of what you want the city to look like. She noted that the previous DC Director of Planning Harriet Tregoning opposed reducing the maximum building height in R-4 zones because attracting more residents to downtown neighborhoods could contribute to a more lively and livable city. Ms. Shreve encouraged the ANC to invite the new DC Director of Planning to a future meeting to talk about his perspectives.

Chairman Blumenthal said that when the ANC knows which meeting the bike planner can attend, someone can be put on the agenda for the following meeting to talk about pop-ups. She suggested she would contact the adjoining ANC in Burleith, where similar concerns have also been expressed about pop-ups, to see if they would like to have a joint forum on the subject.

Commissioner Zenner suggested that the Office of Zoning might provide a speaker or workshop on what is allowed in areas covered by each zoning code, and DCRA could talk about the process of obtaining building permits and enforcing them.

Administrative Items:

Treasurer Mary Young noted that the PTO of Hardy Middle School planned to come to the ANC in the next month to apply for a \$2,500 grant to support purchase of additional computer equipment. They received a grant from the ANC the previous year for acquiring new books and materials for the library, which has since gone from 1800 borrowers to 3000.

Commissioner Turmail reported that the work on the deer fence around the vegetable garden at Stoddert Elementary School funded by a grant from the ANC was nearly complete.

The Commission voted 5-0 to accept the minutes for ANC3B's March 12 meeting as prepared.

Treasurer Mary Young noted that the Commission needed to write one check for \$22.50 for updating the website. The Commission approved that expenditure by a vote of 5-0.

Commissioner Young also presented the monthly ANC3B Financial Report for April (shown below). The Commission did not have any expenses during the month. A motion was made and seconded to approve the financial report as prepared, and the Commission voted 5-0 in favor.

ANC3B – April 2015 Financial Report**Checking Account**

Opening Balance: \$5,985.95

Deposits: None

Checks: None

Closing Balance: \$5,985.95

Chairman Blumenthal announced that the next public meeting of ANC3B will be on June 11.

The meeting was adjourned at 7:55 pm.