

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



**ANC3B Minutes**  
**November 12, 2015 Public Meeting**

The meeting was called to order at 7:02 pm by Chairman Jackie Blumenthal (3B02). Ann Mladinov (3B01), Abigail Zenner (3B03), Mary Young (3B04), and Brian Turmail (3B05) were also present which constituted a quorum.

Chairman Blumenthal presented the proposed agenda, with the addition of an update from DC Water about the Green Infrastructure Program. She moved to amend the agenda, the motion was seconded, and the agenda was approved 5-0. She then moved to accept the agenda, the motion was seconded, and the agenda was approved 5-0.

**Police Report**

Lt. Ralph Neal of MPD Second District presented the monthly crime report for October 2 through November 3, 2015, in comparison to the comparable 30-day period in 2014. Explaining that reports covering Police Service Area (PSA) 204 include Woodley Park and McLean Gardens as well as the area of ANC3B, he noted that there had been one violent crime in the PSA, a robbery with a gun at 3199 Connecticut Avenue--the exact same level of violent crime as a year ago. Property crimes in the PSA went up slightly from year to year, from 41 to 43, including 5 burglaries (down from 9 in 2014), 17 petty thefts such as packages (up from 12), 2 stolen autos (down from 4), and 19 thefts from autos (up from 16). He noted that burglaries had occurred at several large apartments on Massachusetts Avenue and Cathedral Avenue. Thefts from autos in ANC3B included incidents on Tunlaw, Hall Place, 38<sup>th</sup> and 39<sup>th</sup> Street, and Garfield. To avoid thefts of packages delivered to the door, he recommended arranging with delivery services not to leave packages unless someone is there to receive them.

A resident reported that she had been approached by a man in a car who was asking for help getting to the hospital and she suspected it was a scam. When she called MPD Second District, she was asked if it was a crime, she responded that she wanted to help prevent the chance of future crime against someone else, and the call was cut off. Lt. Neal thanked her for reporting the incident and said he would check on it.

**Resolution on Liquor License Moratorium in Glover Park**

Chairman Blumenthal reported that the existing moratorium on liquor licenses in the Wisconsin Avenue commercial district is up for its fifth renewal in February. In recent renewals, the ANC has loosened the moratorium by removing categories of licenses and adding more restaurant licenses. At the October meeting, the ANC proposed to follow that pattern, renewing the moratorium for 5 years but removing all restrictions on liquor licenses for restaurants from the moratorium, while continuing to prevent issuing new licenses for taverns, nightclubs, and full-service liquor stores. She reported that she had a good discussion about the proposal at the

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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

November meeting of the Glover Park Citizens Association and took comments and questions on whether there was any fear that the area would be inundated by restaurants wanting liquor licenses if the cap were removed. GPCA voted to support the ANC's decision on the moratorium. Chairman Blumenthal moved to vote on a resolution recommending the proposed changes in the moratorium, and the motion was seconded.

Chairman Blumenthal asked for questions and comments. One resident recommended that with or without changes in the moratorium, the neighborhood should do a better job of keeping the commercial area free of litter, which had been one of the purposes of the original moratorium. Chairman Blumenthal noted that the businesses are required to keep the sidewalks in front of their property clean, and Guy Mason Recreation Center is working with DCRA and DPW to get trash receptacles in the area around the baseball field and the park cleared more often. She also proposed that neighbors could join in a clean-up day in the area, possibly with GPCA, since that hasn't been done for a while.

The Commission voted 5-0 to adopt a resolution supporting the proposed modifications to the moratorium. Chairman Blumenthal added that the next step would be to prepare a petition document recommending the proposed changes and send it to the Alcoholic Beverage Control Board, which would hold a hearing on the proposed changes in January and then would rule on the proposed moratorium renewal.

#### **Resolution on Mad Fox Tap Room Request for Live Music at Special Events**

Chairman Blumenthal reported that the owners of the new Mad Fox restaurant at 2218 Wisconsin Avenue, NW, are seeking to amend the agreement on the operation of the liquor license in force at that location (the former site of Town Hall), to allow live music or a DJ with dancing for six special events over the course of a year. She said that Mad Fox had the support of the immediate abutting neighbors and she had polled all the neighbors, who said the proposal would be acceptable but they don't want idling trucks or late night deliveries. The Chairman prepared terms to add to the settlement agreement and Mad Fox agreed to them. The agreement identifies three dates—New Year's Eve, the anniversary of opening Mad Fox, and Oktoberfest—and leaves the other three events each year for Mad Fox to choose. She moved to vote on the resolution approving the request and the settlement amendment. Commissioner Turmail seconded the motion, and then the Chairman opened the floor for discussion.

Pat Clark asked how settlement agreements work if there is a change (such as the liquor license laws, moratorium, or ownership of the establishment). Chairman Blumenthal explained that the moratorium doesn't affect a settlement agreement, and if new owners come in, the settlement agreement in place at that location applies to them unless they negotiate a new agreement with the ANC.

The Commission voted 5-0 to adopt a resolution supporting the proposed modifications to the settlement agreement. The resolution along with the signed amendment to the original agreement will go to the ABC Board for approval.

#### **Resolution to Find a New Emergency Hypothermia Shelter for Homeless Men in the Area**

Commissioner Turmail summarized the discussion at the ANC's October meeting about services available for homeless individuals in the area, and the fact that there is no plan to have an emergency hypothermia shelter for homeless men this winter in the part of the city west of Rock Creek Park, because the shelter at St. Luke's Mission on Calvert Street will not be open. Under the city's plans, this year, homeless men in Ward 3 who need shelter for the night would

have to go to Columbia Heights. Some transportation services are planned but not all homeless men will ride in or have access to city buses and vans. The ANC expressed concerns about forcing the men to leave their familiar area and networks to travel several miles to Columbia Heights. After talking with MPD and Friendship Place, the ANC developed a resolution urging the city to find a facility west of Rock Creek Park that can be used as an emergency hypothermia shelter for homeless men during cold nights this winter. Commissioner Turmail moved to vote on the resolution, the motion was seconded, and the Chairman opened the floor for discussion.

Pat Clark asked what would happen if the city chose to use Guy Mason as the emergency shelter, which had been tried in some previous years. She mentioned there are children's programs at Guy Mason in the morning. Chairman Blumenthal explained that Guy Mason had been ruled out as inappropriate because of the location of bathrooms and also because the facility is in use most of the time. Chairman Blumenthal and Commissioner Turmail emphasized that if some other facility nearby were identified as appropriate, the ANC would be supportive. Having access to a hypothermia shelter is a life or death matter for homeless individuals on the street, and a vital concern for the community as a whole.

The Commission voted 5-0 to adopt the resolution, which will be delivered to the DC Department of Human Services, the agency responsible for the city's programs for homeless residents.

### **Resolution on Public Space Permit for Embassy Church**

Commissioner Young reported that ANC3B was approached by ANC3C about supporting their resolution to oppose a Public Space Permit application from Embassy Church, located at the intersections of Massachusetts Avenue, 39<sup>th</sup> Street, and Idaho Avenue (partially in ANC3B and partially in ANC3C). The public land around the church was originally designated to be Hamilton Circle, but it was never constructed. Embassy Church has already installed a driveway and paved parking lot on some of the public space without appropriate permits. Now they are seeking a permit to expand their parking lot onto even more public space. ANC3C has set up several meetings with the church to talk about their concerns, which church representatives have not attended. Commissioner Young moved to vote on a resolution to support ANC3C and advise DDOT to reject the church's request for a public space permit for parking. The move was seconded, and the Chairman opened the floor for discussion. One resident asked when the city was going to build Hamilton Circle. That is not expected to happen. Commissioner Young noted that the area is still public space and the community needs and wants green space, so it is important to preserve what we have. The Commission voted 5-0 to adopt the resolution.

### **Updates**

1 – Pepco-Exelon: Commissioner Mladinov summarized the current status of Exelon Corporation's request to purchase local electric utility Pepco, which the ANC opposed in the spring. Although the DC Public Service Commission (PSC) formally rejected Exelon's application in August, Exelon came back to the PSC early in October with a proposed settlement agreement signed by representatives of the city including the Office of People's Counsel (OPC) and some other parties to the case. They asked the PSC to reopen the proceedings and consider approving the proposed sale as modified by the settlement terms. Commissioner Turmail asked if OPCs in other jurisdictions had approved the proposal. Commissioner Mladinov responded that the OPCs in New Jersey and Delaware had agreed to the Pepco-Exelon acquisition, but not the OPC in Maryland, where the PSC voted to approve but the OPC and others have appealed that decision. Commissioner Young added that many of the original concerns expressed by the ANC as well as the PSC were not fully addressed by the

settlement agreement. She noted that the Apartment and Building Owners' Association (AOBA) signed the settlement agreement, though according to AOBA's work papers, Pepco distribution rates charged to most residents could go up by 45% in 2019 (after the rate credits Exelon is promising in the settlement agreement would have run out). That could mean an average of about \$100 more per customer per year. Commissioner Mladinov explained AOBA is working to raise rates to residential customers, which are now calculated to be less than Pepco's costs to provide electric service (a "negative rate of return"), and the provisions of the settlement agreement are designed to make that happen more quickly and with less opposition. Pat Clark observed that in her condo building, electric rates for the residential units are lower than what the building has to pay for electric service to public spaces such as the lobby. The ANC will continue to track this issue and listen to public input.

2 - DC Water's Green Infrastructure (GI) Program: Bethany Bezak of DC Water (who also spoke at the ANC meeting in September) clarified some of the statements at an earlier briefing on the types of "green infrastructure" projects DC Water might be considering in the Glover Park and Georgetown project areas. These projects are an outgrowth of the Consent Decree with U.S. DOJ to reduce the combined stormwater and sanitary outflow into the area's rivers. She explained that DC Water is investigating the grade and topography in Glover Park, and will be doing soil borings in the streets and public lands to identify locations for green infrastructure improvements.

DC Water is primarily evaluating two types of projects: "bioretention"/rain gardens (depressed areas with vegetation to allow stormwater to penetrate) and permeable pavements such as "pervious concrete" and permeable asphalt. After identifying potential locations, DC Water will consult with the neighborhood before taking further action. Construction is not expected to start until after 2017, and could take 2 years. The GI projects will not involve every street or block. Even if residents received DC Water's notice that soil borings would be taken on their street or block, it doesn't mean projects would be located on those streets or blocks.

Commissioner Zenner asked if DC Water could suggest any areas where residents can see examples of what the green infrastructure projects look like. Ms. Bezak suggested City Center near Verizon Center, the Georgetown public library parking lot and several Georgetown alleys with permeable pavement, and the 2 LID bioretention areas at 37<sup>th</sup> and Tunlaw.

### 3 – Bike Route on 37<sup>th</sup> Street and Tunlaw Road

Commissioner Mladinov reported that DDOT had fabricated the new signs for the proposed bike route and expected to get the work done in the next few weeks. As part of putting in the bike route, DDOT is adding 15 parking spaces along Tunlaw near the Russian embassy.

### **Open Forum**

Mike Matthews, the Mayor's Community Outreach liaison for Ward 3, reported that the Mayor's Office is looking for support for the "Homeward Bound" initiative to eliminate homelessness for U.S. veterans and keep homelessness short and rare, by developing new temporary housing in all 8 wards for homeless families who are currently sent to a shelter at the old DC General Hospital near RFK Stadium. He noted that some ANCs are adopting resolutions in support, though the administration is still developing details including the type and location of facilities, eligibility, and timing of construction. Chairman Blumenthal said that the ANC prefers to take action on something more concrete, and requested that the Mayor's Office provide more details as they are developed.

**Administrative Matters**

Chairman Blumenthal moved to approve the minutes of the ANC's October meeting. The motion was seconded and the Commission voted 5-0 to approve.

Treasurer Mary Young presented the October Financial Report.

**October Financial Report  
(Approved at November 2015 Meeting)**

Checking Account

Opening Balance: \$9,249.25

Income: None

Checks: #1250 Dated 10/9/15 \$360 to DLM Management for website management

Closing Balance: \$8,889.25

Chairman Blumenthal moved to approve the October Financial Report. The motion was seconded and the Commission voted 5-0 to approve.

The ANC will meet next on Thursday, December 10, at 7 pm.

Chairman Blumenthal moved to adjourn the meeting. The motion was seconded and the Commission voted 5-0 to approve.

The meeting was adjourned at 8:12 pm.