

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



ANC3B Public Meeting Minutes
November 2, 2017

Chairman Jackie Blumenthal (3B02) called the meeting to order at 7:00 pm. Commissioners Ann Mladinov (3B01), Melissa Lane (3B03), Mary Young (3B04), and Brian Turmail (3B05) were also present, which constituted a quorum. (Three of the five Commissioners make a quorum.)

Chairman Blumenthal made a motion to vote on the proposed agenda. The motion was seconded and the Commission voted 5-0 to approve the agenda.

Police Report

Lt. Ralph Neal reported on crime statistics for the 30 days ending October 29, 2017, compared to the previous year in Police Service Area 204, which includes ANC3B as well as Woodley Park and parts of Cleveland Park. He noted there were 2 robberies but no other violent crimes in 2017 v. 3 violent crimes in 2016. There were no burglaries in 2017 v. 2 in 2016, and no thefts of motor vehicles in 2017 v. 5 in 2016, but thefts from autos rose from 6 in 2016 to 12 in 2017, and other thefts rose from 16 to 26, for an overall increase in property crimes of 31%. Lt. Neal reminded everyone not to leave vehicles unlocked or leave anything visible in the car such as laptops or packages, especially as the holidays are coming.

Chairman Blumenthal asked Lt. Neal about what the police department could do to help with speeding on Davis Place between 39th Street and Tunlaw Road. Lt. Neal said he could put officers on that block to monitor and enforce traffic speeds.

A constituent also asked what was happening with the ANC's request to DDOT to install new stop signs in the 4100 block of Cathedral Avenue, to reduce speeding and improve safety for residents using the crosswalks and driveways. The mayor's community liaison for Ward 3, Phil Thomas, responded that he would look into that matter and report back.

Resolution Regarding Liquor License for Trader Joe's at 2101 Wisconsin Avenue NW

Chairman Blumenthal outlined the request from Trader Joe's for a Class B retail liquor license at its new store, planned as part of the development at the site of the former Holiday Inn at Wisconsin Avenue and Whitehaven Street. Trader Joe's is applying to sell beer and wine during the allowable Class B hours of 8 a.m. to 10 p.m. daily. The ANC opened a comment period on the application at its October public meeting, and representatives answered questions from neighbors at that time. The ANC also consulted with residents at the condominium at 2111 Wisconsin Avenue, next to the proposed Trader Joe's, who shared their concerns and hopes for the project. Trader Joe's agreed to accommodate all the requests except those related to traffic conditions, which cannot be enforced by the Alcoholic Beverage Regulation Administration and therefore cannot be attached to a liquor license.

In addition to traffic concerns, one resident asked about possible increases in noise in the area after Trader Joe's opens. Chairman Blumenthal explained that Trader Joe's has been a good neighbor at its other stores, but every liquor license has to be renewed every 3 years and Trader Joe's license could be reviewed again at that time.

Chairman Blumenthal made a motion to vote on endorsing Trader Joe's liquor license application without conditions. The motion was seconded and the Commission voted 5-0 to approve.

Resolution Regarding Zoning Application for Domino's at 2330 Wisconsin Avenue

Domino's applied to the Board of Zoning Adjustment (BZA Case 19600) to locate an eat-in, carry-out and delivery services in the southern half of the now-vacant space at the Calvert Center that was previously used by the El Salvador consulate. The Domino's proposal requires a special exception under the zoning code to allow a fast food establishment in the Wisconsin Avenue commercial area, as well as variances from two elements of the code pertaining to a special exception: that 1) trash receptacles have a brick enclosure (the enclosure is wooden); and 2) that fast-food operations be separated from residential zones by an alley or a distance of 25 feet (the parking lot for that property is zoned residential). The site is part of the Calvert Center, which already has a Chipotle, also classified as a fast-food operation. The ANC opened a comment period on the proposal at its September public meeting and held a discussion on the matter at its October public meeting. The hearing on the case before the BZA was scheduled for November 8. [NOTE: The BZA hearing was later rescheduled for December 21.]

Susan Fulton, Marketing Director for Domino's Team Washington, was in attendance, along with Robert Donner, Regional Vice President for Operations of Domino's Team Washington, and their land use lawyer Zachary Williams.

Chairman Blumenthal summarized the comments the Commission received from residents about delivery vehicles, trash, rodents, and potential noise and disruption to the neighborhood, and said the Commission had considered all those issues as well as two other considerations:

- The concern about vacancies in the Glover Park commercial area and business locations all along Wisconsin Avenue.
- The fact that Chipotle had already received the same special exception as Domino's is requesting, as a fast food establishment in the Calvert Center, plus Pizza Hut was previously located in that same building, so BZA would not be likely to deny Domino's request.

She noted that the Commission's only way to get an applicant in a zoning case to accept conditions to benefit the community is to negotiate a settlement agreement with the company, and then support the application before the BZA with the addition of the negotiated conditions. Commissioner Turmail explained that it is not within the city's or the ANC's purview to decide what businesses come into the area; however, the ANCs have leverage in a zoning case to negotiate conditions with applicants, which can be included in the BZA's order approving the zoning application. But the ANC cannot ask for conditions it opposes a zoning application, so voting to oppose means the ANC loses its leverage in the case.

Chairman Blumenthal reported that Domino's had agreed to conditions to address neighborhood concerns on a number of matters, including use of delivery vehicles and the parking lot behind the proposed location; Domino's did not agree to any changes in the hours of operations, which match those of the current store in Georgetown that the Glover Park site will replace, closing at 3 am Friday and Saturday, 2 am all other nights.

Chairman Blumenthal read aloud the proposed conditions, covering all the neighbors' requests except a reduction in open hours. Chairman Blumenthal added that Domino's is installing a mirror at the entrance to the parking lot and will use Wisconsin Avenue rather than 37th Street to receive deliveries by large trucks.

Residents asked questions about the number and timing of Domino's deliveries and what recourse neighbors would have if there are problems with trash, noise, or other issues. The Domino's lawyer suggested that people could take concerns about violations to the Zoning Administrator/DCRA, or get in touch with Domino's to address the problems. Susan Fulton said that the Domino's in Glover Park would be a locally owned franchise and the landlord at Calvert Center is local too, so the responsible officials could be reached easily and they will want to be responsive. Chairman Blumenthal also suggested that neighbors could call her with concerns about the Domino's operations, after they open, which is projected to happen no earlier than late spring 2018.

Chairman Blumenthal made a motion to vote on supporting Domino's zoning application, subject to the conditions the Commission negotiated with the applicant. The motion was seconded and the Commission voted 5-0 to approve the resolution.

Grant Request from Hardy Middle School Parent Teacher Organization (PTO)

Jason Orlando, Treasurer of the Hardy PTO, presented a request for a \$2,500 grant to use for purchasing books and other library materials to help bring the school's library up to date. He answered questions from the Commission and other residents, and also read a letter from the PTO Director of Fundraising Jane Alexander, describing the benefits the grant would have in providing improved library resources for the Hardy Middle School students. He reported that on average, the items in the library collection date back to 2004, and there are many new titles the library needs.

Chairman Blumenthal made a motion to vote on the grant application. The motion was seconded and the Commission voted 5-0 to approve the grant.

Presentation Regarding the Downtown DC Public Restroom Initiative

Marcia Bernbaum of the People for Fairness Coalition presented an initiative the coalition is supporting to provide free public restrooms open 24/7 in the city. The coalition's proposal is the subject of the DC Council's Bill 22-0223, the "Public Restroom Facility Installation and Promotion Act of 2017," introduced by Councilmember Brianna Nadeau. The legislation has two parts: 1) a working group of DC government officials would look at areas around the city where there's a need for public restrooms, identify at least 10 potential sites where the city would propose to install a public restroom, and ask the affected ANC if it would approve; and 2) funding to pay private companies that open their rest rooms to everyone. Ms. Bernbaum presented examples of other cities that have a program to open more public restrooms, including San Francisco, Portland, OR, and London, England, and described some of their experiences. She also listed other groups that have already expressed their support for the bill, including the downtown, Capitol Hill, and Georgetown BIDs and a half dozen ANCs. In response to questions from the ANC members and residents, she discussed more about costs, design, and cleaning of the proposed public restrooms. She said the Council had scheduled a hearing on the bill in early December. Chairman Blumenthal explained that the ANC's practice is not to take a vote about an issue at the first meeting but if there is a marked-up bill after the hearing, there will still be time for the ANC to comment.

Updates

Chairman Blumenthal reported that Whole Foods is still in litigation with the landlord of the Glover Park store, seems to want to renovate the space and re-open, and still has time on the lease.

Chairman Blumenthal also said that she and Commissioner Malia Brink in ANC3C had met with developer Jeffrey Neal who is thinking about buying the Union Building at Wisconsin Avenue and Calvert Street. He presented 5 possible uses for the space and asked for their thoughts on what the community would prefer. They expressed support for the idea of high-end apartments located within the current space and objected to the idea of putting a convenience store there. They also suggested that as long as parking and traffic were addressed, the building might work for a private school along the lines of Bright Horizons or an urgent care clinic, or other options focused on kids and families. More conversations are expected.

Open Forum

Phil Thomas, the liaison to Ward 3 from the Mayor's Office of Community Relations, presented the Mayor's newsletter, new recycling guidelines, and the ban on use of Styrofoam containers at food service establishments. He told residents to contact him at 202-341-7706 or phil.thomas@dc.gov if they have questions or concerns.

One resident asked about the state of roads in Glover Park. Mr. Thomas said the city estimates that 1/3 of the roads in the District are in poor condition, and the Mayor and DDOT have a 5-year plan to fix them. The constituent mentioned 41st and 42nd Streets as requiring repairs, but Commissioner Lane noted that DDOT has already worked on 41st Street. Other meeting participants mentioned 39th Street in Glover Park, Idaho Avenue between Massachusetts and Cathedral, Reno Road, and Wisconsin Avenue south to Georgetown. Mr. Thomas urged people to report roads in need of repair to the city's Service Request system, online or by calling, in order to get the repair needs into the system and on the list for DDOT attention.

A constituent asked where to report violations of the laws on liquor sales, such as not checking IDs or continuing to sell alcoholic beverages after 10 pm. Chairman Blumenthal asked people to contact her if they observe that kind of violation, and ABRA can do a quiet investigation.

Administrative Matters

Chairman Blumenthal introduced the minutes of the Commission's October public meeting and made a motion to approve the minutes. The motion was seconded and the Commission voted 5-0 to approve the minutes as prepared.

Treasurer Mary Young presented the monthly financial report for October:

ANC3B October 2017 Financial Report

OPENING BALANCE:	\$7,924.74
Income:	\$0.00
Outgoing:	\$0.00
CLOSING BALANCE	\$7,924.74

NOTE: While there was not activity during October to report, the Commission did get a notice on 9/16/17 of the city's \$2,390.71 allotment, which was only deposited on 10/10/17. Bank Statement was not available at the time of the ANC's November 2 public meeting. A corrected October financial report will be presented at the ANC's December public meeting.

Chairman Blumenthal made a motion to approve the ANC3B monthly financial report. The motion was seconded and the Commission voted 5-0 to approve the monthly financial report as presented.

Chairman Blumenthal announced the next public meeting of the Commission would be Thursday, December 14, 2017 (the second Thursday of the month as usual).

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

The meeting was adjourned at 8:33 pm.