

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



ANC3B Public Meeting Minutes
October 13, 2022

Chairman Brian Turmail called the virtual meeting to order at 7:00 pm. All five of the Commissioners were participating: Ann Mladinov (3B01), Jackie Blumenthal (3B02), Melissa Lane (3B03), Elizabeth Elson (3B04), and Brian Turmail (3B05), which made a quorum. (Three of the five Commissioners constitute a quorum.) Chairman Turmail made a motion to approve the agenda. The motion was seconded and the Commission voted 5-0 to approve the agenda.

Police Report

Lt. Paul Johnson presented the statistics on reported crimes in ANC3B in the previous 30 days of 2022 compared to the same period in 2021. He reported the totals included 1 stolen auto, 8 thefts from auto and the same number of other thefts. One violent crime an Assault with a Deadly Weapon, was reported at the CVS in Glover Park. An employee observed a suspect preparing to steal items and tried to stop him but the suspect had a knife and resisted, cutting the employee. The police arrested the subject on the spot and he is awaiting a court date.

Commissioner Blumenthal asked about the sound of gun shots on W Place near the intersection with Wisconsin. Two people were observed running away. Lt. Johnson reported that about 15 young people were located in an apartment on the second floor of 2136 Wisconsin, and the police recovered 3 ghost guns (no serial number) but no one had seen anybody actually shooting and MPD did not know who had the guns. He understood the apartment was leased under Section 8, but the people were not supposed to be there. He had been told the building is being investigated as a “nuisance property.” He said the U.S. Attorney is in charge of the case but no arrests were made, pending the results of the investigation. Chairman Turmail asked how the process works: If people living in a unit paid for through public programs are not eligible to be there, can’t they be evicted? Lt. Johnson agreed there is a process, and all the agencies involved are following the required process, but it can take time to get an eviction. Evidence has to be gathered, and the courts are backed up, especially with the number of cases filed since COVID-19 restrictions were lifted. He said MPD reported the incident to DC Housing Authority and there would be a hearing, so it could be possible for the ANC to provide a witness. One resident expressed interest in following up on this and Chairman Turmail said they could coordinate.

Commissioner Blumenthal asked why some incidents involving police calls don’t appear in the MPD crime statistics, such as incidents reported at Good Guys. Lt. Johnson responded that the two gun incidents at Good Guys were reported in the police crime data, but noise and disorderly conduct reports are not included if there is not a crime. He said those incidents and calls are captured in MPD records and the Second District has them if the Commissioners would like to see them. Commissioners Blumenthal and Turmail expressed thanks to MPD and the U.S. Secret Service for their work, and especially for their rapid and sizable response when a vehicle crashed into the gate on Observatory Lane off Wisconsin Avenue on September 14.

Lt Johnson also reported that MPD has responded to complaints about individuals smoking marijuana outside 2430 Wisconsin Avenue and around the benches outside the Wells Fargo Bank at 37th and Calvert Street. He said the Crime Suppression Unit is working on that, and two individuals have been arrested in that area for illegal drug use.

Moulin Desai asked Lt. Johnson about the vehicle break-ins on Garfield Street and connecting streets between Wisconsin and 39th Street which he had mentioned at the September meeting, including 4 within a month -- 2 on one night and 2 on another night. None of the residents had anything of value taken, just a few coins, but it was still a problem and a concern. He said several residents are going to purchase and install security cameras at their homes, using the District's security camera rebate program, and they were also requesting LED streetlights to be installed on Garfield to provide brighter light. He also asked how often MPD patrols that area. Lt. Johnson said that MPD sends patrols out every day, and Officer Clark has been positioned at or near the corner of Garfield and Wisconsin almost every night for the last few months.

Mr. Desai asked about starting a Neighborhood Watch group in the area, and Lt. Johnson recommended that he contact the Second District Community Outreach Coordinator Kyi Branch who can connect him to a Neighborhood Watch training session that MPD offers to residents.

Presentation on application for Special Exception for an addition at 2500 41st Street (BZA 20811)

Zachary Williams, Venable Law Firm, and Matt Medvene, property owner, presented their proposal to construct a 600 square foot addition at the rear of the current 5-unit semi-detached building and add two units (one unit in the new rear addition and the other in the existing cellar), which would be rentals. The building is in the RA-1 zone so the District requires a Zoning Special Exception to add units to a multi-family building. The property owner has applied to BZA for a Special Exception and the hearing is scheduled on December 7. The proposed addition will not require any other zoning approval because it meets all the standards for the property (height, lot occupancy, rear and side yards). The adjoining property is a parking lot for a condominium, where the board is preparing a letter of support. Commissioner Lane said she had also spoken to the condominium board. Commissioner Lane made a motion to vote to support the requested Special Exception for the addition.

Discussion of Good Guys' Application to Renew Its Liquor License at 2311 Wisconsin Avenue

Good Guys' liquor license is due for renewal (every three years). The establishment has applied for a renewal, which can be protested until November 15. Because of disruptions at Good Guys for many months, including an incident of a patrons with guns inside the club in April, a second more recent gun incident reported to MPD, as well as multiple complaints about unruly behavior and excessive noise on the sidewalk and street outside the club particularly at 4 am closing time, Commissioner Blumenthal raised questions about the security at the club and wanted to know the outcome of the gun-incident investigation by the Alcoholic Beverage Regulation Administration (ABRA).

Mike Aloupis, General Manager of Good Guys, and Jenna Gross, who works in the office at Good Guys, participated in the meeting and spoke about steps Good Guys is taking to address the concerns, including new systems for wandling all patrons at the front door as they enter, inspecting packages, enforcing a dress code, and electronically checking IDs against a national database, and excluding anyone who had previously violated any laws or club policies. Mr. Aloupis also said the rear exit area has been used for smoking, and occasionally as a second entrance to avoid congestion at the front entrance. When that occurs, he said the back door also has an ID check and wandling.

Commissioner Blumenthal outlined the ANC's concerns. The ANC has had a settlement agreement with Good Guys since 1995, with conditions on the operations and hours, which had been amended several times, and she observed that the settlement agreement would need to be amended again because of the poor security and lack of care for the community on the part of Good Guys management. She said extension of the closing time to 4 am was supposed to relieve conflicts with patrons from other nearby establishments but it seems to have caused significant disruptions. Residents at the Sheffield, directly across the street, had shared video showing patrons drinking outside, with music loud enough to be heard inside the residences, which constitute

additional interference with on the “peace, order and quiet” of the area. Mr. Aloupis said he would take care of the loud music, and also control noise from exiting patrons. Commissioner Blumenthal recommended that the ANC protest renewal of Good Guys’ liquor license as a way to give the ANC an opportunity to renegotiate the settlement agreement. She made a motion to vote on filing a protest of Good Guys’ liquor license renewal at ABRA. The motion was seconded and the Commission voted 5-0 to protest the license.

Discussion of Petra Development’s affordable housing project at 2430 Wisconsin

Commissioner Blumenthal introduced Petra Development representatives Eli Borek, Chief Development Officer, and Ashley Victoria Derosa, Head of Property Management, who described the operations and future plans for their building which is partly occupied. The project includes 27 units of affordable housing (entered from the back, on 37th Street) and a storefront retail space that is still awaiting permits for final fittings to be opened as a showroom and shop for high-end stoneware products. Mr. Borek said Petra expects that the interior construction will take about three months to complete.

When Petra committed to creating affordable housing at the property, the plan was for the units to be workforce housing under the HALO (Housing Affordable Living Options) program. After a change of leadership at DCHA, the HALO program was phased out and Petra chose to devote the building to housing for tenants age 55 and over who have medium to high risk health issues. Residents are mostly men, and all have single units. Some have nursing assistance and others are in home hospice care. The DC Department of Human Services also has caseworkers who work with tenants. Ms. Derosa said Petra screens prospective tenants, working with care providers in the area who make the referrals and keep up with the residents.

Both Petra and the ANC have heard from neighbors about some concerns about disturbances around the building. Ms. Derosa said that most of the concerns as well as the police and EMS calls have related to just one resident who has emotional and behavioral issues and has created numerous disturbances, including shouting and other verbal abuse, leading to conflicts with other tenants. That one individual was sent from another jurisdiction several states away, and didn’t go through the usual care provider referral process in the District. She said she has been spending most days and evenings at 2430 Wisconsin to deal with the problems created by this tenant. She and the company are working with DC Housing Authority to document the infractions and have him vacate, but she acknowledged it can be a lengthy process. She previously worked for DCHA and knows the rules, processes and responsibilities of property managers and tenants.

Ms. Derosa also said that Petra has more than 20 security cameras monitoring every public space in the building, and has a property manager on the site during business hours as well as an on-call manager, engineering and maintenance available 24/7 to deal with emergencies. She offered the phone number to reach Petra at any time during the day or after hours, in case there are problems that require attention, and the voice mail will reach her, the on-call manager, and the Chief Engineer. That number is 202-878-6101.

Several neighbors asked what assurance the community could have that the building would not be changed from the current 55+ program and would continue the same management attention and services. Mr. Borek said that fair housing laws require that the building cannot be shifted to another use or purpose, and Petra is committed to maintaining the building, management, and expectations for residents.

Comments on DDOT Plans for Bike Lanes and Safety on New Mexico Avenue and Tunlaw Road

George Branyan, Gilberto Solano, and new manager of the bike program team, Sean Burnett, participated in the meeting, and were available to take questions and comments, DDOT released the official Notice of Intent (NOI 22-243) on September 22, which included current plans for protected bike lanes, location of parking, and pedestrian crosswalks, and other traffic safety improvements in ANC 3B. DDOT described the plans as representing about 65% of the way to a final plan. The NOI also posed several questions and asked for public response by November 3 to mike.goodno@dc.gov about the overall plan and areas of the design that have

not been resolved, notably the specific location and designation of parking near the apartment buildings at 2626-2634 Tunlaw as well as the Colonnade. Residents at those locations offered comments at the meeting.

In response to a question from a resident, Mr. Branyan also said that DDOT engineers are continuing to evaluate designs from improving pedestrian access and safety, including ADA compliance, at the intersection of Tunlaw and Fulton Street, and the solutions in that area may have to extend beyond the timeline for the rest of the project. The ANC took other comments from Commission residents and others participating in the meeting. Chairman Turmail emphasized that the ANC had worked very hard to hear from constituents and consider all comments and questions in the course of nearly two years since DDOT first was in touch about plans for its proposed project for the Tunlaw/New Mexico corridor. Mr. Branyan expressed DDOT's gratitude for the thoughtful engagement of the ANC on all the details of the proposal. Both DDOT and the ANC representatives agreed that the proposal had been improved by the community engagement process. Mr. Branyan said DDOT will be making additional adjustments after reviewing the comments on the NOI, and is still hoping to start work on the improvements on the corridor in late 2022 or early 2023.

Commissioner Mladinov summarized a proposed resolution to DDOT with detailed comments responding to the NOI, continuing to supporting two-way protected bike lanes along with pedestrian improvements on Tunlaw north of Calvert, trying to provide as much on-street parking for residents as possible. The draft resolution also provided feedback to DDOT on location and designation of parking spaces as they requested, particularly in locations flagged by residents, taking into account all the comments the ANC had received. She noted that not all the residents and buildings that had expressed interest had yet shared comments with the ANC but she recommended that they send comments to DDOT in the weeks remaining before the deadline. The ANC resolution urged DDOT to give full consideration to the residents' input on those details. Chairman Turmail made a motion to vote on the resolution. The motion was seconded and the Commission voted 5-0 to approve the resolution.

Introduction of candidates in General Election for ANC3B Commissioner

Chairman Turmail invited all the candidates who were participating in the meeting to introduce themselves and say a few words about their interest in serving as Commissioner in the new Single Member Districts (SMDs) in ANC3B, following the 2022 Redistricting map adopted by the Council to redraw ANC and SMD lines in response to population changes in the 2020 Census. Starting in January 2023, ANC3B will have 6 Commissioners instead of the current 5 Commissioners. Chairman Turmail noted that he will be retiring (3B05), and Commissioner Elson (3B04) will also be retiring. The block where Commissioner Mladinov lives (in 3B01) will no longer be assigned to ANC3B and she was running in the new ANC3A.

ANC3B01: Kevin Lavezzo (uncontested)

ANC3B02: Aileen Nowlan, Jackie Blumenthal

The third candidate, **Ana Elizabeth Guzman**, was not on the Zoom Webinar at this time.

ANC3B03: Melissa Lane (uncontested)

ANC3B04: No candidate on the ballot

ANC3B05: Gupi Howie was not on the Zoom Webinar at this time (uncontested).

ANC3B06: Ben Bergmann had to leave the session before this time in the meeting (uncontested).

Updates and Information

Commissioner Mladinov referred residents to the published agenda for the dates and times for Early Voting, Election Day Voting Centers, Mail-in and Drop Box options for submitting ballots in the November 8 General Elections. She also read the other brief updates on the proposed agenda:

- Medical Marijuana Dispensary in Ward 3 will be Bouquet Labs DC at 5185 MacArthur Blvd
- DDOT "Open Streets" on Wisconsin Avenue north of Tenley Circle, Saturday, November 5, 9 am-1 pm
- Postponement of second BZA hearing on zoning application at 2405 37th Street NW for variances to permit construction of residential flats (BZA Case 20542). Hearing now scheduled for February 1, 2023.
- "No Right Turn on Red" (RTOR) bill was approved by the Council on October 4, barring right turns on a red light anywhere in the District starting in 2025 unless DDOT finds it would be safe at a specific intersection and installs a sign to that effect. The law also allows a bicyclist or scooter to treat a STOP sign as a YIELD (but NOT to treat a RED LIGHT as a STOP sign).

She also reported on DDOT's decision not to install speed humps on the 3800 blocks of Garfield Street. Several residents had submitted 311 requests for Traffic Safety Investigation (TSI) to consider improved traffic signs or traffic calming. After time to review characteristics of the street, DDOT got back to the requesters in mid-June to say the blocks would be eligible for speed humps and offered 10 business days for the affected ANC Commissioners to gather residents' comments. Commissioner Mladinov circulated in the neighborhood collecting comments and shared them with DDOT in early July. As a result of the significant number and degree of concerns about the proposal for speed humps, the DDOT Deputy Director called Commissioner Mladinov to share the decision not to proceed with installing speed humps at that location, because of the residents' concerns including diversion of traffic to nearby streets as well as further damage to homes on the 3800 block of Garfield that have already suffered cracks and structural problems to their homes and property from vibrations caused by heavy vehicles and machinery in the street. Several residents had also urged DDOT to consider safety options more holistically for the 6 or 8 surrounding blocks. Commissioner Mladinov said she plans to work with DDOT and residents to identify a set of coordinated options that would improve traffic safety in that area without creating the same adverse effects as the proposed speed humps. She also is continuing to work with MPD to get increased enforcement of stop signs at each of the intersections on Garfield.

Open Forum

Moulin Desai asked for further explanation of the DDOT response to the TSI request on Garfield Street. He said he had submitted a 311 request in the winter and had not received any notification from DDOT of its decision not to install speed humps. He was also concerned that his request mentioned both traffic signs and speed humps, but DDOT now seemed to be saying it would not do anything unless residents filed further TSI requests for safety improvements. Commissioner Mladinov responded that for the past year ANC3B has been making similar complaints to DDOT about its revised process for handling TSIs, which is not logical, efficient, or effective, and creates difficulties for residents and ANCs. She said that in her last conversation with DDOT officials about this case, they said they are working on developing clearer standards and priorities for dealing with TSI requests which they hope to issue in the new year, in order to reduce the frustrations with the current process that both residents and ANCs have raised. But in the mean time, she repeated her hope to work with Mr. Desai and other residents to identify sensible options to get traffic safety improvement in the neighborhood.

Administrative Matters

Commissioner Mladinov had prepared the minutes for the September regular public meeting. Chairman Turmail made a motion to vote to approve the minutes. The motion was seconded and the Commission voted 5-0 to approve the September minutes.

Treasurer Elizabeth Elson read the monthly financial report for September. With the addition of the District quarterly allotment of \$3,455.05 in August, the opening balance had gone up since July:

September Financial Report

OPENING BALANCE: \$17,615.68

Incoming \$ 0.00
Total Incoming \$0.00

Outgoing \$ 0.00
Total Outgoing: \$ 0.00

CLOSING BALANCE: \$17,615.68

Commissioner Elson also presented the ANC3B Quarterly Report for the 4th Quarter of FY 2022, ending on September 30. Chairman Turmail made a motion to vote to approve the quarterly report. The motion was seconded and the Commission voted 5-0 to approve the quarterly report.

Commissioner Elson had prepared a draft proposed ANC3B budget for FY2023 which she presented at the September meeting, though the figures on the expected amount of the allotment for ANC3B were not yet

available from the Office of ANCs. The allotment is proportional to the number of residents in each ANC, and ANC3B will be increasing in size beginning on January 1, 2023, so the allotment will be higher for each quarter in 2023 than it has been in 2022. She had prepared the draft based on the current allotment amount, but was still expecting that OANC would be providing new figures when the calculation for the quarters in calendar year 2023 was available. The Commission practice is to present the proposed budget at one public meeting and vote on the budget at the following meeting, based on when the official figures are available from OANC. Chairman Turmail made a motion to vote to approve the preliminary budget as prepared, knowing it would probably have to be increased when the new allotment figures are available. The motion was seconded and the Commission voted 5-0 to approve the preliminary budget.

Chairman Turmail announced that the next ANC3B public meeting would be on November 10.

Chairman Turmail made a motion to vote to adjourn. The motion was seconded and the Commission voted 5-0 to adjourn.

The meeting adjourned at 9:26 pm.