



ADVISORY NEIGHBORHOOD COMMISSION 3E

**TENLEYTOWN
CHEVY CHASE**

**AMERICAN UNIVERSITY PARK
WAKEFIELD**

**FRIENDSHIP HEIGHTS
FORT GAINES**

c/o Lisner-Louise-Dickson-Hurt Home 5425 Western Avenue, NW Washington, DC 20015

<https://anc3e.org>

Meeting Minutes December 12, 2024, 7:30 pm

The meeting convened via Zoom at 7:35 PM with Commissioners Bender, Cohen, Denny, Ghosh and Quinn in attendance. Commissioner Gianinno joined later.

Announcements / Open Forum– opportunity for members of the community to raise issues of concern or importance to the 3E neighborhood

Kendall Gibson introduced herself as the Ward 3 Manager for the MOCRS (Mayor’s Office of Community Relations and Services). The MOCRS job is to connect residents to DC agencies and government services and to provide updates on government developments. She provided information on the DC Shelter services and stated residents can contact the Shelter Hotline at 202-399-7093. Gibson also announced the Fresh Start 5K will take place on January 1 at Anacostia Park at 10 am.

Leigh Catherine Miles, Chief of Staff for Councilmember Matthew Frumin announced they have a biweekly newsletter that residents can subscribe to or view on their website. The final legislative session will take place on December 17 and DC Council meetings will resume on January 2, 2025. The WMATA Better Bus Plan has been finalized and approved and many Ward 3 suggestions have been incorporated into the plan. Leaf collection continues and the schedule can be found online on the DPW website.

Noah Getz, Executive Director for Tenleytown Main Street, announced that the bioretention area at the old PNC Bank on Wisconsin Ave is nearly complete. Planting will take place in the spring.

Presentation by 2nd District Police

Lt Sharmika Gatewood introduced herself to the community. In the last 30 days, there was an armed (knife) carjacking on the 4200 block of Van Ness St (the vehicle was later recovered in the 7th District) and four stolen autos (one was later found to be towed not stolen, one was a moped, one left the keys in the car, and one said their keys were not left in the car). Gatewood asked residents to try to be more aware of their surroundings

An attendee asked if there was any information regarding reckless motorcycle/moped driving around Jackson Reed and Deal. Commissioners added there were questions raised by constituents in the neighborhood listserv about young people riding in groups in a reckless manner. Another Attendee added that the complaints stated that the riders were circling the area. Gatewood stated it is a tricky situation trying to protect bystanders and the MPD policy is not to chase the riders. MPD has an intel unit to try to track the riders, take pictures of and try to identify the riders, and try to get them away from busy areas. Gatewood stated that she would request the scooter enforcement team to visit our area again.

Commissioners:

- Asked if we still had just two officers to patrol our PSA. Gatewood replied that MPD is still short staffed.
- Asked what the MPD policy is regarding immigration enforcement as they were concerned that undocumented people contacting MPD might put themselves at risk for deportation. Gatewood stated the MPD does not enforce immigration policies.
- Asked about a report in the Washington Post of burglaries along Wisconsin Ave by someone with a sledgehammer. She did not have any information about it and will follow up later via email.
- Asked that community walks be coordinated around the ANC meetings, be better communicated to the community, and possibly have some take place in Friendship Heights.
- Asked that the officer assigned to Tenleytown get out of their car and be engaged with the community and happenings. As a follow up they asked if the department policy is to have officers stay in their cars. Gatewood replied that MPD policy is to have community policing and she will work on having the officer get out of their car and engage with the community.

Discussion of and vote on resolution regarding ABCA application by Total Wine to open a Retailer's Class A Liquor Store in the basement level of the Mazza Galleria development

Michelle Trone stated that she and her uncle Robert Trone would be the owners of the new store in the lower level of the Mazza Galleria development. The entrance to the store would be on 44th and Western. Customers can park in the garage under the development (there would be 265 parking spaces shared with TJ Maxx with 8 of them designated as quick pick-up spots) and there would be a dedicated elevator to the store from the garage. They are waiting to hear from the landlord if they can install exterior signs directing customers where to park. Total Wine uses both their own delivery drivers and 3rd party delivery drivers from DoorDash, Instacart, etc. They propose having a contractual agreement with the 3rd party delivery companies stating that they must park in the garage, or they will be blocked from deliveries. The store would have a 45-seat community room that would be available to community organizations to reserve. They expect to hire 50 full-time team members that would have benefits. They do sell cigars but do not sell cigarettes or vape products and they are willing to agree to not advertise their tobacco products. They do sell single beers, but they are intended for mix and match 6-packs. They will not be selling malt liquor or mini/airplane bottles.

Commissioner Quinn stated he drafted a protest resolution for tonight but hopes to be able to sign a voluntary agreement with Total Wine before their ABCA hearing. Commissioner Quinn's concerns include traffic and parking, signage, keeping shopping carts on their property, and managing 3rd party delivery drivers.

Attendees:

- Stated they would prefer Total Wine not use 3rd party delivery services.
- Asked if there will be an entrance to the store on Wisconsin Ave. The entrance would be on 44th.
- Encouraged them to have bike racks.
- Two attendees stated that the police were ineffective and were concerned that Total Wine's presence would increase crime in the neighborhood.
- Two attendees stated that there were already many places to buy alcohol in the area and they were concerned Total Wine would put existing stores out of business.

- Two attendees stated that they thought the ANC was not listening to the community's concerns and desires. Commissioner Bender stated that ANCs have three criteria to protest ABCA applications: the effect of the business on real estate values, damage to peace, order and quiet, and traffic and parking, that ABCA will not hear protests regarding competition, and that he has heard from just one resident who was not in favor of Total Wine's alcohol application.
- The owner of Magruder's stated that despite closing their front door on Connecticut Avenue because of illegal parking, 3rd party delivery drivers still park illegally on Connecticut Avenue.

Commissioners:

- Asked if they would consider having someone stationed at the front door to deny admission to anyone parked illegally on the street.
- Noted that any group of 5 or more residents that share a common interest can group together to protest the application.
- Asked if they would employ off duty MPD officers as additional security to deter criminals. They have done it in other stores and would consider doing it here. A representative from Rodman's noted that Rodman's has employed an off-duty officer for years.
- Stated that some residents complained about the lack of outreach to the community. Trone replied that they just recently signed the lease, and they don't expect to open until the end of 2025 or the beginning of 2026.
- Asked for more information about the jobs and benefits they would provide.
- Asked why they need to have the ABCA hearing in January if they don't expect to open for at least a year. Trone replied they would like to take possession of the space in March.
- Asked for more information about the community space and if using the space requires purchasing products from the store. The classroom can be used by anyone in the community with no obligation to buy their products. The space can be reserved via their website.
- Asked if the landlord would prevent them from putting any signs in their windows and if so, could one of those signs direct customers to park in the garage and not on the street.
- Asked Total Wine to install bollards at the entrance on 44th Street to prevent the shopping carts from leaving the store.
- Noted that the problems with 3rd party delivery drivers isn't limited to liquor stores and can be found with any food service retailers and would like them to agree to not work with them.
- Noted that there would be very few uses for this space other than a movie theater.

Commissioner Quinn moved, and Commissioner Bender seconded a motion to approve the draft protest resolution. The motion was approved by a vote of 6-0-0.

Presentation by GDS regarding traffic generated by school and compliance with its BZA order

Tim Lyons from GDS stated they are required to submit an annual report to the ANC and DDOT. Lyons asserted that GDS is in compliance with all 32 conditions contained in the BZA order including the trip count limits. During the AM Peak they met their limit by 12 trips. Their enrollment this year is 1073 (cap is 1075), and they are communicating to all families that all pick up and drop off is on campus. After consulting with ANC3E and DDOT, this year they increased the monitoring area along Wisconsin Ave and did catch one family picking up during the afternoon peak hour and counted that as two trips. Lyons noted that 26 families were found to be violating the transportation policies and two of those were cited as repeat offenders.

Lyons stated that he received questions from the ANC about last year's trip count taking place on a day when the entire 7th grade was away from campus for an overnight trip and there were concerns that this led to an artificially low trip count. Lyons contended that all of the 7th grade students carpool to campus and because they had substitute teachers at school that day, the trip count was actually six trips higher than it would be because more substitute teachers drove to the campus than the regular teachers would have.

Commissioner Bender noted that carpooling is only required in the morning. Given all the extracurricular activities GDS offers, those students could have generated as many as 136 additional trips in the afternoon, and since the 5-6 PM trip count was just one trip below the count, GDS should have redone the fall count. Lyons stated that none of those students were registered for the aftercare program. Later Lyons noted that there were two athletic events afterschool that day, and he referenced meetings of afterschool clubs.

Lyons concluded by claiming that because GDS has met its trip counts for two years, they plan to increase their enrollment from 1075 to 1125 next year.

Attendees had no questions or comments.

Commissioners:

- Commissioners stated that report states in the morning there were 293 pedestrians coming into the campus and 30 left. In the afternoon 306 pedestrians came in and 662 left. They asked why so many more people are walking onto the campus in the afternoon than in the morning. Lyons replied that he thought it was because of afterschool sporting events or students leaving the campus to get snacks. Commissioners thought that the parents coming for athletic events are parking in the neighborhood.
- Asked what GDS is doing to verify the commitments the families make about how they plan to get to and from school noting that on the day of the trip counts they could have asked each student how they got to school that day. Lyons stated they received guidance from DDOT that a mode split survey should not be done on the day of the trip count survey and instead they do an annual survey of the families. Commissioners stated that while parents committed to having their kids' bike to school in the fall, they might not be riding in the winter.
- Noted that there should be no queueing in the streets in the afternoon and there are many families and nannies queueing throughout the neighborhood, parked and idling in the travel lanes as long as 20-30 minutes before dismissal.
- There are busses from other schools coming for afternoon sports that are parking in the neighborhood because the busses are not allowed to park in the surface parking lot behind the old Marten's dealership.
- Asked what is GDS's plans for the car dealership and WMATA chiller plant. They are actively pursuing leases for the bike shop. They do have a perspective tenant. Commissioners asked GDS to try to better maintain the exterior of the properties; they noted that, for example, there is peeling paint and the lawns are allowed to grow long. Lyons mentioned that as a non-profit the school has limited resources. GDS uses the chiller plant as an informal classroom and Lyons said they have no plans to develop it

- Asked what their plans are for making the fields available when not in use. The fields are rented to camps during the summer. They do rent some of the fields in the fall, but the use of the fields ends by 7:30 pm.

Commissioner Bender stated that in February 2023 there was a resolution authorizing Commissioners Bender, Quinn, and Cohen to file complaints with the Zoning Administrator regarding compliance with the zoning order. Commissioner Bender moved to extend that resolution to this school year, and Commissioner Denny seconded a motion to approve the resolution. The motion was approved by a vote of 6-0-0.

Discussion of and possible vote on resolution on Notice of Intent from DDOT to remove a crosswalk and associated ADA ramps from the north leg of the 42nd Street and Brandywine Street intersection

Commissioner Bender stated that DDOT wants to remove the crosswalk and ADA ramps from the north leg of the intersection of 42nd and Brandywine Streets. Commissioner Cohen stated that he authored a resolution stating that this intersection was of concern to the neighborhood for a few years. The resolution declines to support to removal of the crosswalk without further analysis from DDOT and/or traffic calming and safety measures.

Noah Getz with Tenleytown Main Street noted that he would like to see improvements to the intersection.

Commissioners noted that traffic traveling northbound on 42nd Street have a stop sign but those traveling southbound do not have a stop sign and that could confuse pedestrians and there isn't a lot of space for traffic coming off or River Road to stop if a pedestrian were in the cross walk. They suggested putting a raised crosswalk at that intersection.

Commissioner Cohen moved, and Commissioner Quinn seconded a motion to approve the draft resolution declining to support removal of the crosswalk without additional safety measures at that intersection. The motion was approved by a vote of 6-0-0.

Discussion of and possible vote on resolution regarding public space application by Mill Creek Residential regarding streetscape changes in connection with the Superfresh development

Peter Braunohler with Mill Creek and his team stated that they are getting the site prepared and expect to start demolition in mid- to late-January. They walked through the status of the public space improvements for the site. DDOT has asked Mill Creek to remove the curb extension planned for the SE corner of Windom and 48th; the rest of the curb extensions were approved. The HAWK signal across Massachusetts Ave, the consolidated trash receptacles in the alley, widening the N-S alley, the sidewalk in the east-west portion of the alley, the sidewalk to Massachusetts Ave, safety improvements to the intersection with the HAWK Signal, the entrance onto 49th at the gas station will now be a right turn only and bicycle racks on 48th Street, have all been approved by DDOT. DDOT has stated that they do not want the median across Massachusetts Ave at the HAWK signal opened for cars to cross. There were other alternative transportation items in the MOU, including a bus stop on 48th St, Zip Car parking

along 48th, and a Capital Bike Share rack that DDOT did not approve. The Mill Creek team also provided an overview of the public space landscaping plan.

Commissioner Gianinno stated that she authored a resolution in favor of their public space plans. She noted that the plans to improve the triangle park at the intersection of Yuma and Massachusetts were not included in the public space plans but the \$15,000 allotted for that project would not go far beyond the design work to fund actual improvements.

Attendees:

- Asked when they will update the construction website.
- Asked what was not approved besides the curb extensions and some of the bike corrals. The Mill Creek Team replied that there was not much else that was different from the PUD application.
- Asked if the Construction Management plan was approved by DDOT. The Mill Creek Team replied that the final plan is in for approval.
- Asked about the status of the draft construction management agreement with the neighbors. It is still in draft form and will be finalized in the coming months.

Commissioners:

- Were happy there are bike share stations being added to Massachusetts Ave.
- Noted that Mill Creek had offered to fill in any missing street trees around the property. Mill Creek replied that DDOT has filled in a few and they will survey the site when the landscaping goes in and will fill them in.

Commissioner Gianinno moved, and Commissioner Denny seconded a motion to approve the draft resolution in support for improving the intersection. The motion was approved by a vote of 6-0-0.

ANC Business

- Approval of November 2024 meeting minutes – Commissioner Bender moved, and Commissioner Quinn seconded a motion to approve the draft November 2024 Meeting Minutes. The motion was approved by a vote of 6-0-0.
- Approval of expenditures - Commissioner Quinn moved, and Commissioner Bender seconded a motion to approve payment of \$312.50 to Sherry Cohen for administrative support. The motion was approved by a vote of 6-0-0.
- There was discussion of producing an annual report for 2024.

The meeting was adjourned by acclamation at 11:07 PM.