



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 February 8, 2024, 7:30 pm

The meeting convened via Zoom at 7:34 PM. Commissioners Bender, Carney, Cohen, Denny, Ghosh, Gianinno, Hall, and Quinn were in attendance.

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

Commissioner Bender stated that Wesley’s agenda item will be heard in March and the school redistricting program is no longer planning to move some Janney families to Mann and the Deputy Mayor for Education will be present their latest proposal at this meeting.

Leigh Catherine Miles, Chief of Staff for Councilmember Matt Frumin, announced the Council is currently conducting oversight meetings; the full hearing schedule can be found online. The city is working to make the needed HVAC repairs to the Wilson Aquatic Center, and they expect the system will be replaced by the end of winter. In the interim, UDC has made its pool available to the public for a nominal fee. The Council is working to pass the STEER act which aims to reduce speeding and reckless driving and will increase points for repeat offenders and assess points for repeated tickets at speed cameras.

Presentation by 2nd District Police

Lt Murphy stated that over the last 30 days in PSA 202 there was one robbery on January 28 that was closed with an arrest and one motor vehicle theft on January 26 (the vehicle was left running as they owner was unloading it, and the vehicle was recovered). Murphy also stated that Amazon lockers have been installed at the 2nd District station house.

MPD checked the four vape stores in the area and is working with DCRA and ABCA to ensure they are operating in compliance with all regulations.

Attendees had no questions or comments. Commissioners:

- Stated that four cars on 47th between Fessenden and Western were broken into. They believe the cars belonged to commuters and the thefts were not reported.
- Thanked Murphy for improved communications to the community.
- Thanked Murphy for the PSA walks each month with representatives of MPD and other agencies. They noted it is a good way to learn about other aspects of public safety issues.

Presentation by Deputy Mayor for Education's office regarding proposal to move some students currently in-bounds for Janney Elementary School to Mann Elementary School, and discussion of and possible vote on resolution regarding same

Jenn Comey and Rebecca Lee with the DME provided an update on the school boundary study. The goals of the study are to update DCPS school boundaries, revise school feeder patterns, suggest programmatic opportunities and add enrollment lottery preferences. Comey stated the final recommendations will be submitted to the Mayor in March 2024.

Janney has high utilization, high in-boundary enrollment and sits on a constrained site. Construction along the Wisconsin Ave corridor means there might be more pressure on the school in the future. They currently estimate there will be 35-40 new students in the next five years. The original proposal suggested moving families from the SW Janney border to Mann to balance the enrollment between the two schools. DME has taken this off the table for now but are recommending they watch the enrollment and possibly adjust the enrollment before the next decennial review if the enrollment at Janney grows beyond their projections.

Attendees:

- Stated there are no special ed programs in Ward 3 or DC that could accommodate her child and no details in the plan to add the special ed programs. DME stated that the study did not try to tackle this issue and OSSE is working on this.
- Asked if they had a back-up plan if more students than expected that enroll at Janney. If enrollment goes beyond their expectations, they will revisit the school boundaries before the next decennial review.
- Asked for more information about the 30% set aside and funding.
- Asked for more information on co-locating charter schools with by-right schools.

Commissioners:

- Asked for more information about why they decided to not change Janny's boundary. The current projections show Janney will be on the cusp of falling into high category but not as high as it was before COVID.
- Stated they would like to see the city invest in the neighborhood schools rather than charter schools.
- Stated they would like to see more transparency in their methodologies (i.e., how much rent would co-located charters pay, how much do they contribute to shared staff, etc.)

Presentation regarding application for variance to build a second house in the back part of the property at 4711 Ellicott Street, NW

James Kunkel, Richard Gruber and Alexandra Wilson presented the plans for the site. The property was comprised of two lots that formerly functioned as one large yard. They built a house on the front lot and sold it and then changed the rear lot sold to a record lot. They are seeking a use variance on the rear lot to allow them to build a single-family home on it and would have to show that the lot cannot be used for any of the matter of right or special exception uses. Currently, alley lots can be used for agriculture, an artist studio, camping, or a private parking lot. They can seek a special exception to allow for camping

by someone other than the owner, a solar facility, a public parking lot, or a storage facility. An artist studio would allow them to have 80% lot coverage and they claim their plans have 39% lot coverage.

Attendees:

- Multiple attendees stated the developer chose to split the lot and any hardship is their own making.
- Multiple attendees stated that a house on an alley is not in keeping with the neighborhood or zoning for the neighborhood.
- Stated the alley is just 11' wide and is not 16' wide as the developer claims.
- Stated the water drainage on the block changed when the first house was built that has cost them thousands of dollars and they have concerns that if they cover the permeable back yard the drainage issues will be exacerbated.
- Stated they hoped an ADU would be built on the lot.
- Stated that there is no nearby fire hydrant and since garbage trucks cannot fit in the alley, they do not believe a firetruck could fit if there were an emergency.
- Asked why the neighbors should have to negotiate with the developers who want to violate the development laws in order to make money. Commissioner Bender replied that if the developers do not receive a variance, they could build something else the neighbors might not be happy with; thus it could make sense to see if the neighbors and owners could agree on a use.

Commissioners:

- Thought the developer should have sold it as one large lot.
- Noted that the developers gave a 15-foot easement to the front lot to allow the front house to have a larger back yard and they are also using the 15-foot easement in the lot coverage calculations for the rear lot.
- Stated they did not believe this is the best use for the community and won't support the plan.
- Thought that having a house right up against the alley is a safety issue and won't support the plan.
- Asked if the developers have reached out to any of the neighbors. They developers stated they spoke with the owners of the front lot and the immediate next-door neighbors.
- Stated they did not find their argument that the uses allowed for the back lot was a hardship for the developers to be persuasive.
- Stated they have seen neighbors go through the wringer to add two feet to the back of their houses when they have support from multiple neighbors.
- Stated they did not think the neighbors should have to negotiate over this.
- Asked if they have found exceptions/examples of other new houses located on an alley in DC. There are some new alley houses located in RH-1 Zoning (but this property is not in an RH-1 zone).
- Stated that this ANC is generally pro housing, but their plans do not fit into the context of the neighborhood.
- Noted that there are a number of 10-12k foot lots throughout the neighborhood and wondered, if this variance is granted, why it would not become the rule.

Commissioner Bender stated that the Commission will vote on this issue at the next meeting and the ANC is unlikely to support this request unless they reach an agreement with the neighbors.

Presentation regarding plans by Wesley Theological Seminary to seek amendment of the Zoning Code to permit it and Landmark Properties to build a combined dorm for Wesley and apartment building for American University students

This item will be heard at a later meeting.

Discussion of and possible vote on resolution regarding DDOT Notice of Intent to lower the speed limit on part Nebraska Avenue to 25 mph

DDOTs received a proposal to reduce speed on Nebraska Ave between Ward Circle and Western Ave to 25 mph. Commissioner Bender stated that while the Commissioners would like to see the speed limit reduced, there is some disagreement about what additional traffic calming measures the ANC should ask for.

Attendees:

- Multiple AU students stated they support lowering the speed limits and would like to have a red-light cameras and speed humps installed.
- Asked for stop sign enforcement at the intersection at 41st and Chesapeake.
- Would like to have the HAWK light converted to a regular light at 45th and Massachusetts.

Commissioners:

- They are concerned about putting red light cameras at every intersection as other Commissioners asked for as we have a lot of intersections with many issues, and some might be more pressing.
- Stated that the AU dorms are cut off from the rest of campus and there is essentially a highway between the two pieces of the campus.
- Stated we can't pit safety on Nebraska Ave against other areas of the community and given they are paying attention at Nebraska Ave; we can also ask them to look at other areas as well.
- Offered a friendly amendment to the draft resolution.
- Stated that safety is not a zero-sum game - we should ask for everything and hope for something.

Commissioner Quinn moved and Commissioner Bender seconded a motion to approve the resolution as amended supporting the reduction of speed limits along Nebraska Ave. The motion was approved by a vote of 8-0-0.

ANC Business:

- Approval of January 2024 Meeting Minutes - Commissioner Bender moved, and Commissioner Denny seconded a motion to approve the January 2024 Draft Meeting Minutes. The motion was approved by a vote of 8-0-0.
- Approval of expenditures - Commissioner Quinn moved, and Commissioner Cohen seconded a motion to approve payments of \$405.00 to Sherry Cohen for administrative services. The motion was approved by a vote of 8-0-0.
- Approval of FY2024 Q1 Financial Report - Commissioner Quinn moved, and Commissioner Gianinno seconded a motion to approve the FY2024 Q1 Financial Report. The motion was approved by a vote of 8-0-0.

The meeting was adjourned by acclamation at 10:42 PM.