



**ADVISORY NEIGHBORHOOD COMMISSION 3C**  
 GOVERNMENT OF THE DISTRICT OF COLUMBIA  
 CATHEDRAL HEIGHTS • CLEVELAND PARK •  
 MASSACHUSETTS AVE. HEIGHTS  
 MCLEAN GARDENS • WOODLEY PARK

Single Member District Commissioners  
 01-Dia Black; 02- Gloria Day; 03-Stephanie Zobay  
 04-Avram Fechter; 05-Bruce Beckner; 06-Trudy Reeves  
 07- Richard Rothblum; 08-Catherine May; 09-Nancy MacWood

2737 DEVONSHIRE PLACE, NW  
 WASHINGTON, DC 20008  
 Telephone: 202/232-2232 • Fax: 202/232-0667  
 Website <http://www.anc3c.org>

**Minutes**  
**Advisory Neighborhood Commission 3C**  
**June 18, 2007 Public Meeting**  
**Second District Police Station**  
**7:30PM**

**I. CALL TO ORDER:** Commission Chair Nancy MacWood called to order Advisory Neighborhood Commission 3C (ANC3C's) regular monthly meeting for June 18, 2007 at 7:32 p.m. The meeting was held in the community room at the Second District Police Station, 3320 Idaho Avenue, NW, Washington, DC 20008.

**II. VERIFICATION OF NOTICE:** Chair MacWood verified that the proper notice was published in the Northwest Current and posted on the Cleveland Park list serve, the Woodley Park list serve, and the ANC3C website.

**III. ESTABLISHMENT OF QUORUM:** At 7:32, Chair MacWood acknowledged that a quorum (5 of 9 commissioners) had been established. Other commissioners present were Stephanie Zobay, Trudy Reeves, Gloria Day, Avram Fechter, Richard Rothblum, and Catherine May.

**NOTE: Commissioner Beckner arrived at 7:50.**

**IV. APPROVAL OF AGENDA:** Chair MacWood moved for approval of the following agenda:

**I. Commission Business**

a. Consideration of the following Alcoholic Beverage Control ("ABC") license renewals:

Open City	Spices	Dino
Alero	Indique	Uptown Tavern
Cafe Ole	Sala Thai	Cafe Deluxe
Cactus Cantina	Sorriso	Ardeo/Bardeo
Zoo Bar Cafe	Yanni's Greek	Petits Plats
Lavandou	Taverna	Trattoria Italiano
Nam-viet	Cafe Paradiso	Lebanese Taverna
Palena	Pesto	Murphy's

- b. Consideration of revised plans submitted for a Historic Preservation Review Board ("HPRB") approval for two new houses on Macomb St. at Tregaron
- c. Consideration of an HPRB application at 2218 Cathedral Ave. for a 3rd floor addition and deck, a rear deck, and window and door replacement
- d. Consideration of an HPRB application at 3202 Rowland Place for side alteration
- e. Consideration of an HPRB application at 3315 Rowland Place for rear addition, including elevator bay
- f. Consideration of a resolution opposing request to the Public Service Commission for utility rate increase

- g. Consideration of a resolution urging Cosi to withdraw its appeal of the Zoning Administrator's decision and to recommend that Cosi apply for a special exception
- II. **SMD and/or Committee Reports**
- III. **Adjournment**

Chair MacWood announced that Denise Wiktor would be added to the agenda, approved by voice vote.

The agenda was unanimously approved by a vote of 7-0.

**V. ANNOUNCEMENTS:**

No announcements

**VI. Officer's Reports**

1. May Minutes—Commissioner Fechter moved to approve the minutes as circulated, Commissioner Day seconded. There was no discussion and the minutes were approved by a voice vote of 7-0.

**VII. Community Forum - no issues raised**

**VIII. COMMISSION BUSINESS**

- a. Consideration of the following Alcoholic Beverage Control (“ABC”) license renewals:

Open City	Spices	Dino
Alero	Indique	Uptown Tavern
Cafe Ole	Sala Thai	Cafe Deluxe
Cactus Cantina	Sorriso	Ardeo/Bardeo
Zoo Bar Cafe	Yanni's Greek	Petits Plats
Lavandou	Taverna	Trattoria Italiano
Nam-viet	Cafe Paradiso	Lebanese Taverna
Palena	Pesto	Murphy's

Commissioners discussed the ongoing struggle to regulate valet parking throughout the district and whether the ANC would consider tying valet parking regulations and permission to voluntary agreements. The issue was tabled because DDOT is publishing a final draft of valet parking regulations.

Commissioner Day raised issue of Murphy's, in her SMD, which has not been obeying its 9pm closing time . However, Public Space, not ABRA, regulates the 9 pm deadline so the commission did not oppose the ABC renewal. Audience members also mentioned that the bar did not have a permit for their enclosure. Denise Wiktor said that David Wells (public space inspector) will follow up.

**NOTE: Commissioner Beckner arrived at 7:50.**

**Commissioner May moved to approve all the licenses, seconded by Commissioner Day.**

**The motion was approved by a vote of 7-0-1 as follows:**

- |                            |                                |
|----------------------------|--------------------------------|
| Commissioner Day - yes     | Commissioner Reeves - yes      |
| Commissioner Fechter - yes | Commissioner Rothblum - yes    |
| Commissioner MacWood - yes | Commissioner Zobay - yes       |
| Commissioner May - yes     | Commissioner Beckner - abstain |

- b. Consideration of revised plans submitted for a Historic Preservation Review Board (“HPRB”) approval for two new houses on Maccomb St. at Tregaron

Chair MacWood introduced the presentation by reviewing what the commission had requested at the May meeting. Ankie Barnes, Architect, presented the revised plans for the houses. The heights of the houses and the retaining wall have been reduced and there is less disturbance in the grading of the land.

While Chair MacWood stated that she appreciated the work Mr. Barnes put into the houses, she still felt that the height of the houses and the retaining wall were of concern. Chair MacWood read the resolution asking for further reduction of the height of the houses and the height of the retaining wall. Commissioner Fechter seconded the resolution.

Commissioner May offered an amendment to revise the language on the retaining walls, requesting that the walls be reduced, unless the topography does not allow it.

**The resolution was approved as amended by a vote of 6-0-2 as follows:**

Commissioner Day - yes	Commissioner May - yes
Commissioner Beckner - yes	Commissioner Reeves - abstain
Commissioner Fechter - yes	Commissioner Rothblum - abstain
Commissioner MacWood - yes	Commissioner Zobay - yes

- c. Consideration of an HPRB application at 2218 Cathedral Ave. for a 3rd floor addition and deck, a rear deck, and window and door replacement

Owner, Cutler, presented a proposal for a 3<sup>rd</sup> floor extension that is set back almost 10ft from the sides of the house and is not visible from the street. He stated that there are similar type additions around the neighborhood.

Lila Smith, neighbor, objected to the application because she was not given notice and because this strip of houses is one of the best examples of a significant DC architect that has been left untouched. All the 3<sup>rd</sup> floor additions already in the neighborhood were done before the institution of the historic designation and are on the other side of the street. She asked that no decision be made until this issue can be more fully discussed by the neighbors and by the commission.

Chair MacWood laid out the options: to conditionally support the application or to postpone. Commissioners raised concerns about the chimney because it will change the line of the chimneys on the block. Commissioner Zobay suggested that the chimney not be altered by keeping the roof at the same height.

Chair MacWood read a resolution conditionally approving the application.

Peter Espenshied raised concerns that Commissioner Black, whose SMD this application is in, is absent, and that the commission doesn't have written approval from neighbors. Commissioner Rothblum moved to table, but the motion failed for lack of a second.

Commissioner Fechter called the discussion to question. **The motion failed by a vote of 4-4 as follows:**

Commissioner Day - no	Commissioner May - no
Commissioner Beckner - no	Commissioner Reeves - yes
Commissioner Fechter - yes	Commissioner Rothblum - yes
Commissioner MacWood - yes	Commissioner Zobay - no

Commissioners raised concerns about the short notice or defective notice given about this application. Commissioner Rothblum reintroduced his motion to table the resolution, Commissioner Beckner seconded.

**Motion to table approved by a vote of 7-1 as follows:**

Commissioner Day - yes	Commissioner May - yes
Commissioner Beckner - yes	Commissioner Reeves - yes
Commissioner Fechter - no	Commissioner Rothblum - yes
Commissioner MacWood - yes	Commissioner Zobay - yes

Chair MacWood asked that the applicant provide exact diagrams about how high the chimney will be and also that the applicant request written approval from the neighbors.

d. Consideration of an HPRB application at 3202 Rowland Place for side alteration

Commissioner Beckner offered a motion to postpone consideration of the application pending receipt of the plans and a report from owner about neighborhood approval, seconded by Commissioner May.

**The motion was approved by a vote of 7-0 as follows:**

Commissioner Day - yes	Commissioner May - yes
Commissioner Beckner - yes	Commissioner Reeves - yes
Commissioner Fechter - yes	Commissioner Rothblum - yes
Commissioner MacWood - yes	Commissioner Zobay - absent

e. Consideration of an HPRB application at 3315 Rowland Place for rear addition, including elevator bay

Chip Jennings, architect, presented plans. Because of a physical impairment, the owner wants to modify the house to allow him to access all levels of the house. The access elevator will be attached to the rear of the house, and the west side porch will be raised and enclosed. The elevator shaft will be visible in winter from a sharp angle on Rodman Street. Neighbors have been notified and would prefer that the trees not be taken down, but otherwise approve. Original house was built in 30s and the addition was built in 1978.

Commissioners raised concerns that the elevator shaft doesn't work within the restrictions of the historic district. Commissioners asked whether or not the elevator could be incorporated into the interior of the house. The architect said he has been considering moving the elevator into the house, but it would require an exorbitant reduction of interior space.

Commissioner Beckner moved and read a resolution in support of the project, seconded by Commissioner May.

Commissioner Fechter raised concerns that if the commission approves this application, where the addition can be viewed from the street, it could set a bad precedent. The purpose of the historic designation is to preserve the neighborhood as it was at a specific time. Chair MacWood stated that historic guidelines are supposed to make additions compatible, but adaptable to the needs of the residents. She stated the commission does not need to be insensitive to the needs of the owner.

Chair MacWood asked to see more study on how the elevator could be incorporated into the interior of the house or that the exterior be made more compatible with the materials and style of the addition.

Commissioner Rothblum suggested that the elevator shaft be more compatible with addition already at the back of the house. He offered an amendment that the materials and style match the original structure or the addition, which Commissioner Beckner accepted.

Commissioner Fechter offered a friendly amendment to reduce the width and mass of the addition, which was accepted.

Commissioner Beckner read the revised resolves conditionally supporting the addition.

Question was called, all approved.

**The resolution was approved as amended by a vote of 8-0 as follows:**

Commissioner Day - yes	Commissioner May - yes
Commissioner Beckner - yes	Commissioner Reeves - yes
Commissioner Fechter - yes	Commissioner Rothblum - yes
Commissioner MacWood - yes	Commissioner Zobay - yes

## **IX. CONVERSATION WITH DENISE WIKTOR**

Denise Wiktor, public space manager for DDOT, discussed the new permit center that opened today. Major changes include staff review of all applications and a better mapping system to show various zones, streetscapes, and alleys. Reorganization in DDOT will abolish public space administration, which will be replaced by a public space management division under Infrastructure. All the public space inspectors will move to traffic operations administration.

The discussion moved to the permitting problems that happened at 3101 Cathedral. Ms. Wiktor admitted that DDOT “really screwed up” on the permitting. First, there was a glitch in the system when traffic services determined that a 2 way driveway has 2 way traffic and so it should be 24 feet wide. This problem has been resolved. Second, the technician didn’t check if there was an alley. However, the parking pad that was built was not approved and DDOT can issue fines until it is removed.

Commissioner Zobay said Mr. Marcou knew there was an alley before the permit for the curb cut was given. Mr. Jackson told her that the ANC had been given notice.

ANC will send letter to Ms. Wiktor, the realtor, and the mayor’s office regarding this issue.

Commissioner Fechter moved to request that the chair write a letter requesting email notification of permits, seconded by Commissioner Day, approved unanimously by voice vote.

### VIII. CONTINUATION OF COMMISSION BUSINESS

- f. Consideration of a resolution opposing request to the Public Service Commission for utility rate increase

Peter Espenshied presented resolution regarding the Pepco rate increase. Pepco is seeking a rate increase and a fundamental change in the way rates will be structured. It will also change fees, coming down hard on poorest payers—the reconnection fee will increase from \$30 to \$100.

**NOTE: Commissioner Day left at 10:30.**

Commissioners discussed the power structure behind the people’s council and the public services commission. Federation of Citizens Association has intervened on this issue. Community hearings are going on currently (one was scheduled for a few days ago, but it got cancelled, and will be rescheduled for July).

Commissioner Fechter moved Peter’s resolution, seconded by Chair MacWood.

Commissioner Rothblum raised concerns that this issue is beyond the competency of the commission. He stated that in the absence of more evidence beside a fact sheet, the argument for disputing the rate increase is thin. Commissioners asked that Mr. Espenshied provide more information and that the resolution be considered at the next meeting. However, Commissioner Fechter amended the resolution to strike everything but the support of the OPC.

Commissioner May called the discussion to question, all approved.

**The resolution was approved as amended by a vote of 5-2 as follows:**

Commissioner Beckner - no	Commissioner Reeves - yes
Commissioner Fechter - yes	Commissioner Rothblum - no
Commissioner MacWood - yes	Commissioner Zobay - yes
Commissioner May - yes	

- g. Consideration of a resolution urging Cosi to withdraw its appeal of the Zoning Administrator’s decision and to recommend that Cosi apply for a special exception

Commissioner Beckner moved to table resolution until next meeting, Commissioner Day seconded, all approve by voice vote.

### X. SMD REPORTS

- a. **Commissioner Fechter** offered a new ANC policy to require applicants to mail notice to neighbors directly adjacent to the applicant, or to have applicants bring written approval for every application. Commissioners dismissed the policy as too restrictive.

**ADJOURNMENT:** Commissioner Fechter moved to adjourn, Commissioner May seconded. Without objection, the meeting was adjourned at 11:22 pm.

*The next meeting of ANC 3C will be Monday, July 16 at 7:30 PM in the Community Room of the Second District Police.*