

**MINUTES**  
**ADVISORY NEIGHBORHOOD COMMISSION 3F**  
**NORTH CLEVELAND PARK, FOREST HILLS & TENLEYTOWN**  
**PUBLIC MEETING**

Capital Memorial Church  
3150 Chesapeake Street, N.W.  
Washington, D.C. 20008-2229  
Monday, September 18, 2006

**1. Call to order [7:35 p.m.]**

Chair Wiss called the meeting to order and finding Commissioners Kessler, Klibanoff, Maudlin, Perry and Winstead present declared a quorum.

**2. Agenda [7:36 p.m.]**

Chair Wiss presented the meeting agenda and moved its adoption. Commissioner Winstead stated the preparation of the minutes of June 19, 2006, special ANC meeting had not been completed and requested that the item be removed from the agenda. The agenda as revised was adopted 6-0-0.

**3. Approval of Minutes**

Commissioner Maudlin presented the minutes of the July 20, 2006, and moved approval. This was seconded by Commissioner Klibanoff and the minutes were approved, 6-0-0.

**4. Announcements [7:37 p.m.]**

Commissioner Wiss announced a Town Hall Meeting by the Department of Parks and Recreation would be held at 6:30 - 8:30 p.m., September 21, 2006, at the Chevy Chase Community Center to hear community concerns regarding Ward 3 recreation.

Commissioner Wiss announced an Area G, Public Schools meeting at Wilson High School, scheduled for 6:00 - 8:00 p.m., September 21, 2006.

Mr. Gary Stevens, president of the FHNA, announced that the book authored by FHNA, History of Forest Hills DC, would be published September 25, 2006, and presented in a program at 3:00 p.m., October 21, 2006 at Politics and Prose.

**5. Open Forum [7:42 p.m.]**

Mr. Melaku Negussie, 3631 Upton Street, N.W., presented a petition signed by 18 residents of the 3600 block of Upton Street, N.W. requesting that two speed bumps be installed in Upton Street between 37<sup>th</sup> Street and Reno Road. Chair Wiss said that the petition could not be considered at the meeting due to lack of notice but that it would be placed on the agenda for the next meeting on October 16, 2006.

**6. Police Report [7:47 p.m.]**

The police report was presented in two parts with Lt. Houser reporting on PSA 203 and Officer Williams reporting on PSA 202. Officer Lo Conte of PSA 203 was also present and responded to questions.

Lt. Houser and Officer Williams reported that there were a number of burglaries and thefts from auto during the past month. In response to the thefts from auto the number of officers on duty during the midnight shift had been increased and urged that items not be left in plain view in vehicles.

Commissioner Perry asked what was being done regarding continuing problems with students from the Rock Creek Academy. Lt. Houser said that she is trying to get someone from the school to attend an ANC meeting and suggested that the ANC send an e-mail to the school. She also said the Commander wants to put an officer in the area when the students are not in class.

Commissioner Winstead asking who was responsible for restricting cars from parking on the sidewalk to deliver items to be cleaned at ZIPS Cleaners was told that it is the police and 311 should be called.

Lt. Houser noted that there is a problem of locker thefts at Gold's Gym and the police are trying to have the Gym take actions to help stop the thefts.

Officer Williams reported that an officer has been assigned to crack down on truant students and he needs the public's help by calling 311 to report students not in school during school hours.

**7. Election of ANC secretary [8:15 p.m.]**

When no one volunteered to serve as secretary during the next month Commissioner Maudlin said he would prepare the minutes for the meeting and Commissioner Klibanoff agreed to serve as acting secretary until the next meeting. This was moved by Commissioner Wiss, seconded by Commissioner Winstead and approved 5-1-0. (Commissioner Maudlin opposed)

**8. New concept plan for addition to the Owl's Nest, 3031 Gates Road, N.W. [8:18 p.m.]**

Mr. Larry Clark, Vice President of Donatelli Development, Inc. and Mr. George Myers, GTM Architects, Inc., described the revised plan for the Owl's Nest, dated August 22, 2006, which provides for the demolition of the 1950's addition and a proposed addition, pool, garage, and driveway/parking area which had been submitted to the HPRB for approval. The revised plan has minor changes from the plan approved by the HPRB last year. There was a brief discussion on the plan and Commissioner Maudlin offered a draft resolution urging and

recommending that the HPRB approve the proposed concept/addition plan. This was seconded by Commissioner Winstead.

Chair Wiss noted that the ANC had received letters of support from Mr. Gary Stevens, President, Forest Hills Neighborhood Alliance and Mr. Stephen Altschul and Ms. Caroline James, next door neighbors. The ANC also received an e-mail from Mr. and Mrs. Michael Tucci, 3060 Grant Road, N.W., asking to be involved in construction management and the use of Grant Road during construction. Commissioner Klibanoff and Winstead's names were added to Commissioner Maudlin to represent the ANC at the HPRB meeting. The resolution was adopted 6-0-0. [Res 06-24]

**9. Application to renew a special exception for parking lot at the rear of ZIPS Cleaners, 4418-4420 Connecticut Avenue, N.W. [8:33 p.m.]**

Mr. Richard Schmitt, attorney for Mr. John R. Kline owner of 4418-20 Connecticut Avenue, N.W. and Joe Borger, Borger Management, Inc., presented information on Mr. Kline's application to the BZA to renew a 5-year special exception to maintain a parking lot on the alley at the rear of his building. Two special exceptions had been approved for the past 10 years. Mr. Schmitt said he had seen a draft resolution prepared by Commissioner Kessler and had no problem with its provisions.

Commissioner Perry noted that the previous BZA exception order included 12 conditions which would expire at the end of the previous five year period and she believed that they should be continued. She also noted that the separate BZA order for the special exception for ZIPS included a condition requiring a traffic coordinator for ZIPS' use of the parking lot, but that this condition expired in June 2006 when Mr. Kline's special exception for the parking lot expired. Mr. Schmitt said they have asked that the twelve earlier conditions that applied to Mr. Kline be continued plus a 13th condition regarding the repair of signs.

Commissioner Kessler moved a resolution of no objection which provided for trash removal, sign repair and a limit of five years. Commissioner Wiss seconded the resolution.

Ms. Joan Benesch complained that there was not an attendant on duty at the parking lot to control parking and traffic.

Commissioner Wiss moved an amendment to add the 12 conditions, a condition regarding sign repair and that the parking lot be monitored by an attendant. Commissioner Perry seconded, provided that the amendment included a provision that the signs are repaired as necessary. Commissioner Kessler said he would accept the amendment if his name is removed as the ANC representative.

Commissioner Klibanoff offered a friendly amendment to strike "same" from "same five-year period" in the resolved clause. This was accepted by Commissioners Wiss and Kessler. The amended resolution without the final-resolved clause was rejected 1-5-0. Commissioner Wiss

voting yes.

Commissioner Perry, with Commissioner Winstead seconding, moved that ANC 3F opposes the application. With a vote of 3-3-0 the motion failed.

There was no second to Commissioner Kessler's motion that ANC 3F take no action on the application.

Commissioner Perry pointed out that the requirement for a parking manager in the ZIPS BZA order would expire in June 2006. She then moved a resolution, with Commissioner Klibanoff seconding, to limit the approval to two years, adding the 12 conditions, adding the condition regarding a parking manager from the ZIPS BZA order, to repair the signs, remove the fourth "whereas" clause regarding notice to neighbors and revising the fifth whereas clause. Commissioner Winstead offered an amendment to reduce the two years to one year which was accepted.

Commissioner Maudlin, seconded by Commissioner Kessler, moved to table. The motion failed 2-4-0.

Commissioner Wiss moved an amendment to Commissioner Perry's resolution which was not seconded. Commissioner Perry's motion was adopted 4-2-0. Commissioner Maudlin and Kessler voting no. By consensus, Commissioners Klibanoff, Perry, and Winstead were named in the resolution to represent ANC 3F at the BZA hearing. [Res 06-25]

Commissioner Kessler asked that the quarterly report be moved up on the agenda. Chair Wiss ruled that due to the number of residents present for the Upton Street item the quarterly report would be considered after Upton Street item.

**10. DDOT's proposal to install parking meters on the south side of the 3700 and 3800 blocks of Upton Street, N.W. [9:25 p.m.]**

Commissioner Wiss presented background information on traffic issues in the 3600-3800 blocks of Upton Street, N.W., recommendations of ANC 3F and a proposal of DDOT to install parking meters on the south side of the 3700 and 3800 blocks of Upton Street, N.W. She said she had contacted the residents of Upton Street and they had told her they were opposed to parking meters but did want to continue to having parking on the south side of the street.

Commissioner Wiss noted that there were discussions 4 or 5 years ago regarding problems caused for residents and visitors to The Washington Home by commuters parking in the neighborhood. She also pointed out the need for parking for residents of the apartment building at the corner of Upton Street and Wisconsin Avenue.

Commissioner Wiss moved a resolution recommending and urging that DDOT place the south side of the two blocks in the zone for residential permit parking, with the same limits as the north side of the street. Commissioner Winstead seconded the motion. Mr. Thomas Frazier

spoke in favor of no parking on the south side because of the width of the street and loss of rear view mirrors due to the width of the street.

Commissioner Perry offered two friendly amendments (1) to add information that currently there is unrestricted parking and (2) ANC 3F opposes the use of residential streets as parking lots for businesses. These amendments were accepted. Commissioner Kessler offered a friendly amendment to add "Monday to Friday" in the last resolved clause. This amendment was also accepted.

The resolution as amended was adopted 6-0-0. [Res 06-26]

**11. ANC quarterly report for the third quarter of FY 2006 [9:46 p.m.]**

Commissioner Kessler presented the third quarter FY 2006 financial report for the period April 1 to June 30, 2006. Several changes were made to the report and Commissioner Kessler moved its adoption which was seconded by Commissioner Wiss. Commissioner Kessler responded to questions regarding the report, made several corrections by hand and the report was adopted as amended 4-0-2. Commissioners Maudlin and Winstead abstaining.

Commissioner Kessler presented and explained a monthly financial report for the period June, July and August 2006.

Commissioner Kessler left the meeting.

**12. Appeal by Kuri Brothers to a decision of the DC Zoning Administrator to revoke the certificate of occupancy for an automobile service center at 4225 Connecticut Avenue, N.W. [10:06 p.m.]**

Commissioner Perry presented a draft resolution regarding an appeal by Kuri Brothers to an order of the DC Zoning Administrator to revoke the certificate of occupancy for the automobile service center at 4225 Connecticut Avenue in BZA Case No. 17444. The draft resolution did not object to the motor vehicle fueling station at 4225 Connecticut Avenue, with the two existing service bays, for minor repairs incidental to a gas station. Commissioner Perry moved the resolution with minor corrections which was seconded by Commissioner Winstead. After discussion of the draft resolution it was adopted 4-0-1. Commissioner Maudlin abstaining. [Res 06-27]

*Note: On October 3, 2006, Dr. Canavan, Director of DCRA, announced that Chris Kuri, president of Kuri Brothers Inc. trading as Van Ness Auto Care, 4221 Connecticut Avenue, N.W. was arrested and charged with 510 counts of illegal activity including unlawfully using a premise without a valid certificate of occupancy and operating a business after its articles of incorporation had been revoked.*

**13. DDOT's proposal to remove the "No Left turn 7-9:30am - 4-6:30pm Monday**

**Friday” restriction for northeast bound traffic on Nebraska Avenue at Connecticut Avenue, N.W. [10:27 p.m.]**

ANC 3F received a notice from DDOT that this action was being taken for safety concerns. Commissioner Perry noted that ANC 3F was not receiving notices from DDOT prior to traffic changes in the area and a letter should be sent to DDOT requesting that advance notice and the reason for all proposed changes. She moved that two letters or resolutions be sent to DDOT, one objects to the proposed removal of the no left turn sign and requesting that a representative of DDOT attend an ANC meeting and justify the change and the second requesting better information from DDOT to ANC 3F on all proposed actions. Commissioner Winstead seconded the motion and then withdrew his second. No further action was taken.

**14. Application for alcoholic beverage license by Coats of Arms, LLC for 4221B Connecticut Avenue, N.W. [10:41 p.m.]**

Commissioner Maudlin reported that a notice of an application filed with ABRA for a retailer’s “C” license for a new restaurant, Coats of Arms, at 4221B Connecticut Avenue, N.W. was published in the September 1, 2006, DC Register with a posting date of September 1, 2006, and petition date of October 16, 2006 and that there was no record of a notice of the application being received by the ANC. In order to give the ANC time to comment on the application Commissioner Maudlin moved to protest the application. This was seconded by Commissioner Winstead and approved 5-0-0. Commissioner Perry agreed to prepare the letter of protest, after October 3, citing “peace, order and quiet of the neighborhood,” lack of notice to ANC 3F and display of notice at the site. The letter is to be reviewed by the Commission members before being sent. [Ltr 06- 08]

**15. Adjournment [10:50 p.m.]**

Commissioner Klibanoff moving and Commissioner Winstead seconding, the meeting adjourned by a vote of 5-0-0.

These minutes were approved 4-0-0, with a quorum present, at a duly noticed public meeting of ANC 3F on October 16, 2006

Respectfully submitted  
*/s/ Robert V. Maudlin*  
Robert V. Maudlin  
Recorder

Attachments:

Res 06-24 Supporting the revised concept/addition plan for the Owl's Nest, 3031 Gates Road, N.W.

Res 06-25 Special Exception for continued use of a parking lot off an alley behind 4418-20

Connecticut Avenue, N.W.

Res 06-26 Supporting residential permit parking for the south side of the 3700 and 3800 blocks of Upton Street, N.W.

Res 06-27 Revocation of Kuri Brothers certificate of occupancy

Ltr 06-08 Coats of Arms restaurant liquor license application