

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

Monday August 2, 2004  
Capital Memorial Church  
3150 Chesapeake Street, N.W.  
Washington, D.C. 20008

**1. CALL TO ORDER [7:33 pm]**

Chair Perry called the meeting to order and, finding Commissioners Kessler, Bardin, Bernardi, Wiss, and Dennis present, declared a quorum.

**2. AGENDA [7:34 pm]**

The proposed agenda, attached with brief reports, was approved on motion of Chair Perry, seconded by Commissioner Bardin, 6-0-0, with the understanding that liquor license renewals for those restaurants that had sent representatives to the meeting would be considered first.

**3. MINUTES [7:36 pm]**

Minutes of the July 19, 2004, monthly public meeting were approved 6-0-0 (Wiss/Perry).

**4. ANNOUNCEMENTS [7:36 pm]**

A. Announcements by Commissioners:

Commissioner Bardin announced that the ANC election process is about to begin. BOEE will have packets available starting Wednesday, August 4, 2004, for those interested in running for commissioner. Signed petitions must be turned in by September 3, 2004. He encouraged residents of SMC 3F04 to consider running, as he will not be seeking reelection.

Commissioner Bernardi announced that she, too, will not be seeking reelection.

Commissioner Kessler announced that the Burger King's application for special exception for use of its parking lot in an R-1B zone district will be heard by the BZA on October 5. This issue will be on the September ANC agenda.

B. Announcements by members of the community:

There were no announcements.

**5. OPEN FORUM [7:51 pm]**

Mindy Gaynor of 4500 Connecticut Avenue asked about a recent incident in which police responded to gun shots at 3424 Albemarle Street. This single family house is occupied by many individuals. Commissioner Kessler will distribute information on

this incident by e-mail if he receives it from PSA 203. Officer LoConte needs the date of the incident.

Marilyn Myerson of 3003 Veazey Terrace is concerned about the sidewalk at 4301 Connecticut Avenue in front of CVS. The new tree boxes look smaller than the previous ones. Chair Perry suggested talking with Jack Galligher of Polinger Luchs. Two street trees also disappeared overnight last week from Veazey Terrace. No one is aware of a permit for their removal. Mrs. Myerson requested they be replaced by similar caliper trees.

Ms. Baer of 4500 Connecticut Avenue is concerned that sidewalk cafés, like the one at 4883 Connecticut, are taking up so much sidewalk space that pedestrians can hardly walk by. In addition, she has found that cars waiting at the Flagship Carwash block the sidewalk. Chair Perry, noting that cars also block traffic on Connecticut Avenue during rush hour, asked Officer LoConte to enforce the “No Parking/No Standing” signs. Officer LoConte says he routinely enforces the signs when he is not on assignment.

#### **6. MPD SECOND DISTRICT REPORT [7:50 pm]**

Office LoConte presented the police report. On July 21 shortly after midnight, a 12-gauge shotgun was discharged at 3883 Connecticut, damaging property at 3901 Connecticut Avenue. He stated that because the matter is under investigation, few details are available, but it is known that the gun was not registered in D.C. Commissioner Dennis pointed out that if the resident whose apartment was hit had been standing, he could have been killed. Commissioner Bardin requested that the U.S. Attorney come to an ANC meeting to explain the various offenses and penalties in cases like this.

Mindy Reiser of 4500 Connecticut Avenue says she has more concerns about personal safety than she did when she moved here in 1989. She has seen people casing the area and has been followed from the Metro. She is also concerned that with all the security details of officers to downtown Washington to prevent terrorism, policing in Upper Northwest may be stretched thin. Officer LoConte pointed out that Forest Hills now has twice the complement of police officers than before because it has its own PSA.

Commissioner Perry asked for more enforcement of traffic violations and parking restrictions on Van Ness Street and Veazey Terrace. Officer LoConte replied that he writes at least one ticket in front of the Consulate on each run, but he will bring this to the attention of Lt. Marshall, so that he may pass the request on to other officers.

#### **7. CONSIDERATION OF LIQUOR LICENSE RENEWALS**

- A. Angelico Pizzeria and Café [8:16 pm]: Miyesser Gul Gokpinar stated that she had authority to represent her husband, the owner of the restaurant, while he is out of the country. The ANC voted 6-0-0 (Wiss moving/Perry seconding) to approve the attached addendum keeping the July 1, 2003, voluntary agreement in force and not objecting to renewal of the license.
- B. Chipotle Mexican Grill [8:20 pm]: Phil Petrilli represented the restaurant. After discussing the restaurant’s policy on preventing underage drinking, the ANC voted 6-0-0 (Wiss moving/Kessler seconding) not to object to renewal

of the license and to approve the attached addendum keeping in force the May 20, 2002, voluntary agreement.

- C. Guapo's Restaurant [8:29 pm]: Fidel Rincon represented the restaurant. The ANC voted 6-0-0 (Wiss moving/Bernardi seconding) not to object to renewal of the liquor license and to enter into the attached voluntary agreement with Guapo's, which was in ANC 3E until redistricting.
- D. Hibachi Brothers [8:31 pm]: Paul Ngo and Lyle Blanchard, Esq., represented the restaurant. Despite plans to change ownership, add a bar, increase the number of seats, and change the hours, type of food served, and name of the restaurant, they stated that for the moment the restaurant intends to keep the number of seats and hours it has been operating under and is simply seeking a renewal of its license. The ANC voted 6-0-0 (Wiss moving/Bardin seconding) to enter into the attached voluntary agreement for the existing format.
- E. Hillwood Museum & Gardens [8:47 pm]: Madge Minor represented Hillwood. Commissioner Dennis, seconded by Commissioner Bardin, moved a voluntary agreement identical to the one signed in 2002, which covered only Sunday and evening hours. Ms. Minor explained that Hillwood also serves alcohol during the day, Tuesday through Saturday. Commissioner Wiss, seconded by Commissioner Bardin, moved to amend the agreement to include the weekday hours. The amendment was approved 4-0-2 (Commissioners Perry and Dennis abstaining).

Commissioner Dennis left.

The ANC approved the attached voluntary agreement 5-0-0.

- F. Passport Restaurant [8:57 pm]: Commissioner Perry moved, seconded by Commissioner Kessler, that the ANC protest renewal of the liquor license. She and other residents of Van Ness South have seen people leaving the restaurant at 2:00, 3:00, and 4:00 am, long after the restaurant is supposed to be closed. She has learned that musical groups are performing, in violation of the existing voluntary agreement. Dave Breedlove, representing the restaurant, denied that anyone was leaving the restaurant at those hours, and stated that the musical group is only the bartenders. The ANC voted 4-1-0 (Commissioner Bernardi opposed) to send the attached letter of protest to the ABC Board.
- G. Bombay Café [9:28 pm]: The ANC approved the attached addendum to the May 20, 2002, voluntary agreement 5-0-0 (Perry moving/Bardin seconding).

- H. Charlie Chang's [9:29 pm]: The ANC approved the attached addendum to the voluntary agreement 5-0-0 (Perry moving/Bardin seconding).
- I. Thai Room [9:30 pm]: The ANC approved an addendum not objecting to renewal of the license 5-0-0 (Bernardi moving/Bardin seconding). (Note: this addendum was withdrawn when no original voluntary agreement could be found.)
- J. Uptown Cathay [9:32 pm]: The ANC approved the attached addendum to the voluntary agreement 5-0-0 (Bernardi moving/Bardin seconding).
- K. Armand's Chicago Pizzeria [9:33 pm]: The ANC approved the attached addendum to the May 29, 2002, voluntary agreement 5-0-0 (Wiss moving/Bernardi seconding).
- L. Jandara [9:34 pm]: The ANC approved the attached addendum to the June 21, 2002, voluntary agreement 5-0-0 (Wiss moving/Bernardi seconding).
- M. Neisha Thai Cuisine [9:36 pm]: The ANC approved the attached addendum to the October 8, 2003, voluntary agreement 5-0-0 (Wiss moving/Bernardi seconding).
- N. Ruby Tuesday [9:37 pm]: The ANC approved the attached voluntary agreement 5-0-0 (Wiss moving/Kessler seconding).

**8. NEW LIQUOR LICENSE FOR EPICUREAN'S COMPANY [9:14 pm]**

C.W. Chon and Andrew Kline, Esq., represented the restaurant, which is planning to open at 4250 Connecticut Avenue and will feature foods from around the world in a buffet style format. It will have 114 seats, 15 of them at the bar. The only entertainment will be a piano player or recorded background music. It will be open seven days a week from 6:00 am to midnight, with alcohol served from 8:00 am to midnight. Carry out service will be available, but not delivery service. The ANC approved the attached voluntary agreement 5-0-0 (Perry moving/Bernardi seconding).

**9. UPTON STREET TRAFFIC CALMING [9:39 pm]**

Commissioner Kessler noted that in April and May DDOT collected baseline data on streets surrounding Upton Street, as requested in ANC 3F Resolution 04-05. He moved, seconded by Commissioner Bernardi, that the ANC now request that DDOT install the traffic calming devices on Upton Street approved in Resolution 04-05. In response to a question from Dina Curtis of 3685 Upton Street, Commissioner Kessler stated that both resolutions ask DDOT to redesign the island at Upton Street and Reno Road. The ANC approved Resolution 04-24 by a vote of 5-0-0.

**10. REPORT ON THE FOREST HILLS TREE AND SLOPE PROTECTION OVERLAY [9:45 pm]**

Commissioner Bardin handed out an issues paper he had developed and given to the Zoning Commission at the July 22 hearing. He stressed the importance of including in the regulation a section on transparency by the Zoning Administrator.

**11. REPORT ON THE UPPER WISCONSIN AVENUE CORRIDOR STUDY  
[9:46 pm]**

Commissioner Wiss described the meeting the Office of Planning held on July 28 to present revisions to the Upper Wisconsin Avenue Corridor Study. Of particular concern is the fact that in the revised plan the Wisconsin Avenue Baptist Church still has not been placed in the “growth restriction area” as requested by ANC 3F. John Allen-Gifford of 4412 – 39<sup>th</sup> Street expressed amazement and great concern that OP had failed to make this change. He stated that this issue needs to be resolved before the plan is finalized.

**12. ADJOURNMENT [9:51 pm]**

The meeting adjourned (Kessler/Bernardi: 5-0-0). The next regular monthly ANC meeting will be at the Capital Memorial Church, 3150 Chesapeake Street, N.W., on Monday, September 20, 2004, at 7:30 pm.

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These minutes were approved September 20, 2004, with a quorum present, at a duly noticed public meeting of ANC 3F on September 20, 2004.

Respectfully submitted,

*/s/ Cathy Wiss*

Cathy Wiss, Secretary

Attachments:

- Agenda with brief reports
- Addendum to Voluntary Agreement with Angelico Pizzeria and Café
- Addendum to Voluntary Agreement with Chipotle Mexican Grill
- Voluntary Agreement with Guapo’s Restaurant
- Voluntary Agreement with Hibachi Brothers
- Voluntary Agreement with Hillwood Museum & Gardens
- Ltr 04-06 Protesting Liquor License Renewal for Passport Restaurant
- Addendum to Voluntary Agreement with Bombay Café
- Addendum to Voluntary Agreement with Charlie Chang’s
- Addendum to Voluntary Agreement with Uptown Cathay
- Addendum to Voluntary Agreement with Armand’s Chicago Pizzeria
- Addendum to Voluntary Agreement with Jandara
- Addendum to Voluntary Agreement with Neisha Thai Cuisine
- Voluntary Agreement with Ruby Tuesday
- Voluntary Agreement with Epicurean’s Company
- Res 04-24 Traffic Calming on Upton Street

