

## Advisory Neighborhood Commission 3F

North Cleveland Park, Forest Hills & Tenleytown

web site: [www.anc3f.org](http://www.anc3f.org)

Mail: 4401-A Connecticut Avenue, NW, Box 244, Washington, DC 20008-2322

e-mail: [anc3f@juno.com](mailto:anc3f@juno.com) Phone: (202) 362-6120 Fax: (202) 686-7237

## Annual Report for Fiscal Year 2003 (October 1, 2002 - September 30, 2003)

*As authorized by DC Law 13-135, Advisory Neighborhood Commission 3F submits this annual report for FY 2003 to the Council of the District of Columbia and the Mayor. In accordance with the law, the report summarizes important problems perceived by the Commission, the ANC's activities, its financial status, recommendations for action by the District government, and recommendations for improving operations of ANCs.*

### Abbreviations used in this Report:

ANC= Advisory Neighborhood Commission	FHCA= Forest Hills Citizens Association
BCAC= DC Building Code Advisory Committee	HPRB = Historic Preservation Review Board
BZA= DC Board of Zoning Adjustment	MPD= Metropolitan Police Department
CFA= Commission of Fine Arts	NCPC= National Capital Planning Commission
DC= District of Columbia	NPS= National Park Service
DCPS= DC Public Schools	OP = Office of Planning
DCRA= DC Department of Consumer & Regulatory Affairs	PSC= DC Public Service Commission
DDOT= DC Department of Transportation	UDC= University of the District of Columbia
DPW= DC Department of Public Works	WASA= DC Water & Sewer Authority
	ZC = DC Zoning Commission

### Important Problems for Our City

- Improving public health and safety for all residents.
- Protecting people who live, study, work, and visit here against terrorism and its aftermaths; and against murder and other violent crime.
- Maintaining adequate police, fire and emergency medical services in each area.
- Holding criminals (including teenagers) accountable by judges and jurors.
- Improving elementary, middle, and high school opportunities for all residents and holding DCPS accountable for over \$900,000,000 of taxpayer funds a year.
- Maintaining and rehabilitating UDC.
- Improving quality of life of DC neighborhoods, including –
  - Maintaining and rehabilitating Metro Rail and maintaining Metrobus.
  - Revitalizing branch libraries.
  - Improving air quality, storm water management, soil erosion control.
  - Preserving and replacing tree canopy, both public and private.
  - Revitalizing business districts to serve neighborhoods.
  - Reducing traffic congestion.
- Increasing effectiveness of regulatory and enforcement agencies of DC government.
  - Strengthening enforcement of environmental and public nuisance laws.
  - Strengthening enforcement of moving vehicle and parking laws.
  - Enforcement of ZC and BZA orders.

- Getting Congress to let DC elect the Local Prosecutor (now a federal appointee).
- Getting Presidential appointees for the Superior Court who judge criminals firmly.
- Gaining more adequate representation in the U.S. Congress -- DC's "State Legislature".

### **Recommendations for Actions to Be Taken by District Government**

- Submit OP's 39 "cluster" areas to the 37 ANCs for "great weight" review and comment.
- Implement the law as to Environmental Impact Statements effectively.
- Administer firmly and enforce vigorously laws regarding certificates of occupancy in and adjacent to residential neighborhoods.
- Enforce laws regarding construction noise and other nuisances vigorously.
- Staff all inspection and enforcement agencies (not just the MPD) at night and on weekends.
- Give ANCs full and advance notice of all significant agency actions, include timely access to and right to copies of key documents, so as to enable ANCs to perform their statutory "eyes-and-ears" functions – including identifying potential errors in interpretation of statutes and regulations.
- Amend the Mayor's Order establishing the Board of Administrative Review (BAR) to allow ANCs to penetrate the current secrecy of BAR proceedings and intervene as parties.
- Coordinate traffic planning and enforcement by DDOT, MPD, and federal agencies.
- Rebuild immediately a fire and EMS station at 4300 Wisconsin Avenue.
- Act without further delay to implement the Request for Proposals issued by the City a year ago to replace or rehabilitate the Tenley Library and three other branch Libraries on both sides of the Anacostia River.
- Eliminate backlog of public pay phones that do not have authorization from *both* the Public Service Commission and the Public Space Committee.
- Consider whether to add citizen members (with neighborhood or business backgrounds) to the public employees who now exclusively comprise the Public Space Committee created by Mayor's Order 86-147.
- Consider asking Congress to expand the BZA and/or ZC to add locally-elected members.

### **Recommendations for Improving ANC Operations [none at this time]**

#### **Financial Report**

During FY 2003, the Commission opened a savings account with an initial deposit of \$25,000. Also, the ANC obtained on-line access to its bank accounts. ANC 3F's bank balance totaled \$33,359.00 on October 1, 2002, in the checking account and \$24,951.21 on September 30, 2003. Deposits during FY 2003 totaled \$22,125.73 consisting of DC Government payments received and a rebate check. The Commission also received \$51.69 on interest from its savings account.

ANC 3F submitted all quarterly reports to the DC Auditor within approved deadlines. The Auditor approved release of all four quarterly allotments for FY 2003. In addition, the ANC received a pending FY 2002 allotment.

Disbursements during FY 2003 totaled \$5,636.79 which was within the ANC's budgeted amount, including costs for a new sound and recording system for ANC meetings. Principal cost centers included legal opinion as to certain zoning issues, meeting and office space, telephone service, mailbox, office supplies, office equipment, copying and website-related expenses.

### **Commission's Web Site, Community Input and Communications**

The Commission's web site ([www.anc3f.org](http://www.anc3f.org)) gives notice of and tentative agenda for future meetings and provides summaries of past Commission actions (including approved minutes of meetings and texts of resolutions and other documents) as well as links to other DC web sites. A map of the ANC and the Commission's consolidated by-laws are posted on the Commission's web site.

An Open Forum early in each business meeting lets community members raise new matters not placed on the formal agenda. Moreover, during discussion of each agenda item the Commission invited community input, including questions to speakers and comments on proposed Commission actions.

### **Dates and Locations of Commission Meetings**

The Commission held 13 duly noticed, public business meetings, with a quorum present at the dates, times and places shown in Appendix A, mostly on the third Monday evening of the month and at the Capital Memorial Seventh-Day Adventist Church (3150 Chesapeake Street); but two were at the Wisconsin Avenue Baptist Church (3920 Alton Place). In addition, the ANC held two public meetings together with DDOT at the Van Ness South Social Room (3003 Van Ness Street) concerning the traffic study (sought by ANC 3F) of Connecticut Avenue between Sedgwick and Albemarle Streets, including side streets between Reno Road to the west and Linnean Avenue to the east.

Individual Commissioners convened Single-Member District Meetings.

Moreover, commissioners from ANC 3F and ANC 4A jointly met with BZA and ZC members to learn better how the respective ANCs and agencies operate.

### **Summary of Commission Activities**

Giving advice to government agencies and managing ANC affairs, the Commission adopted 27 resolutions, two reports, three documents, and nine letters. All are posted on the ANC web site (by calendar year and month).

At regular monthly business meetings, the Commission together with members of the community in attendance heard several invited speakers, including At-Large Councilmember Phil Mendelson, and applicants for government actions being discussed and their representatives. The Commission reviewed and did not oppose a few new or renewed alcoholic beverage control licenses and entered into voluntary agreements with applicants.

The Commission reviewed applications for permits to use public space. In some instances, the Commission did not oppose granting the permit. In others, the Commission did object to the design proposed and gave comments.

Before the Zoning Commission (ZC):

- the ANC commented on the revised Forest Hills Tree and Slope Protection Overlay (ZC Case 02-19) published in the DC Register on December 13, 2002 (and still pending before

the ZC, with an alternative proposal by the OP that will be the subject of future hearings);

- the ANC petitioned on March 26, 2003, for an amendment to restore the intent of the vesting and set down rule (11 DCMR Section 3202.5(a)) as amended in 1987 and 1988 (replacing a version in the 2003 edition of Title 11 published by the Office of Documents earlier in 2003). The ZC approved the amendment, on July 31, 2003 (published at 50 DCR 8826, dated Oct. 17, 2003). ZC Case 03-14.

Before the Board of Zoning Adjustment (BZA):

- the ANC opposed the revised expansion application of the Edmund Burke School (BZA Application No. 17022, still pending);
- the ANC supported the expansion application of The Sheridan School (BZA Application No. 16977, approved November 4, 2003);
- The ANC having opposed expansion of The Washington Home parking lot from 75 authorized places to 173 spaces in the R-1-B zoning district – and the BZA having voted to restrict any Special Exception to 130 spaces and with a modified landscape plan, again objected when The Washington Home submitted revised landscape and parking plans to the BZA which scarcely reduced the paved area at all. The BZA declined to approve the revised plans and gave The Washington Home five months to work out better plans with the neighborhood (i.e., to be submitted March 8, 2004, with responses due March 23 and BZA decision April 13). BZA Application No. 16836. (The Commission had previously voted not to object to the proposed addition of four hospice beds.)
- The ANC opposed the appeal by Kuri Brothers, Inc. (BZA Appeal No. 16947), of DCRA's revocation of a certificate of occupancy where Kuri in fact operated a repair garage (at 4221 and 4225 Connecticut Avenue) in violation of the Zoning Regulations for the C-3-A zoning district -- without even seeking a special exception from the BZA. The BZA voted to deny the appeal on July 1, 2003, and issued its order on September 8, 2003, (published at 50 DCR 8115 on Sept. 26, 2003). Kuri Brothers filed a Notice of Appeal with the D.C. Court of Appeals.
- The ANC joined in the appeal of Brendon Herron from zoning aspects of DCRA building permits for 2900 and 2902 Albermarle Street (BZA Appeal No. 16982, dismissed as untimely on March 11, 2003).

Before the Board of Appeals and Review (BAR) the ANC sought to intervene in the appeal of Brendon Herron from *non-zoning* aspects of DCRA building permits for 2900 and 2902 Albermarle Street (BAR Docket No. 02-5863-BP). The BAR denied intervention to the ANC. Before the Commission of Fine Arts (CFA), the Commission submitted comments for concept review of building at 2800 Chesterfield Place

The ANC recommended against test closures and permanent weekday closures of portions of Beach Drive in its comments on the Draft General Management Plan for Rock Creek Park.

The ANC recommended expeditious implementation of an RFP to rebuild the Tenley-Friendship Branch Library. (That RFP, issued in December 2002, covered three other branches as well. It elicited 11 bids by the January 2003 deadline. The City has not yet acted.)

On the ANC's behalf, designated Commissioners testified at legislative and oversight hearings of the District of Columbia Council and hearings of the ZC, BZA, Commission of Fine Arts (CFA), and Public Space Committee, questioned witnesses before the BZA, secured pertinent legal opinions from the Office of the Corporation Counsel, negotiated with DC Government

Departments and private companies, and participated in multi-ANC and other advisory bodies, including the following:

- Commissioners Perry and Wiss served on behalf of the ANC on the Ward 3 Traffic Policy Committee.
  - Commissioner Perry represented the ANC on the Connecticut Avenue traffic study.
  - Commissioner Wiss represented the ANC on the Wilson High School Facilities Committee.
  
  - Commissioner Wiss represented the ANC on the Steering Committee for the Upper Wisconsin Avenue Commercial Corridor Study.
  - Commissioners Bardin and Wiss served on behalf of the ANC on the D.C. Building Code Advisory Committee (BCAC).
  - Commissioner Perry served as the Ward 3 representative on the DCRA Advisory Council.
  
  - Commissioner Bardin served on the Zoning Advisory Committee.
- The Commission reviewed and amended provisions of its own By-Laws.

### **ANC Office and Staff**

The Commission's mailing address is:

4401-A Connecticut Avenue, N.W., Box 244, Washington, DC 20008-2322.

It maintains its office and files at 4200 Connecticut Avenue, NW, Room CC08 (UDC Building 39). The ANC did not employ staff during the fiscal year.

### **ANC Members, Officers and Web Master**

Commissioners and officers and web master during calendar years 2001 and 2002 are listed in Appendix B.

### **Individual Commissioners**

In addition to the activities of the Commission, its individual members resolved issues of concern to constituents and provided input to the Mayor, D.C. Council, agencies of the District government, and the U.S. Congress. As you know, Commissioners serve without compensation. This report, unanimously approved at the Commission's regular business meeting on November 17, 2003, with all seven commissioners present, is respectfully submitted by:

/s/ Cathy Wiss  
Cathy Wiss, Chair

*Appendix A: ANC 3F Business Meetings during FY 2003*

<i>Dates</i>	<i>Hours</i>		<i>Locations</i>	<i>Quorum</i>
<b>2002</b>				
<i>Oct 7</i>	7:30	9:30	<i>Capital Memorial Church</i>	5
<i>Oct 21</i>	7:31	9:57	<i>Capital Memorial Church</i>	6
<i>Nov 18</i>	7:00	11:00	<i>Wisconsin Avenue Baptist Church</i>	6
<i>Dec 16</i>	7:31	8:47	<i>Capital Memorial Church</i>	5
<b>2003</b>				
<i>Jan 13</i>	7:30	10:20	<i>Capital Memorial Church</i>	7
<i>Feb 10</i>	7:30	10:35	<i>Capital Memorial Church</i>	6
<i>Mar 17</i>	7:30	10:18	<i>Capital Memorial Church</i>	7
<i>Apr 21</i>	7:30	10:32	<i>Wisconsin Avenue Baptist Church</i>	7
<i>May 19</i>	7:30	11:02	<i>Capital Memorial Church</i>	6/7
<i>June 16</i>	7:34	11:11	<i>Capital Memorial Church</i>	7
<i>July 1</i>	7:36	9:45	<i>Capital Memorial Church</i>	7
<i>Sep 15</i>	7:30	10:22	<i>Capital Memorial Church</i>	5
<i>Sep 29</i>	7:35	9:43	<i>Capital Memorial Church</i>	5/6/5

*Appendix B: ANC 3F Members, Officers and Web Master*

Commissioners and officers during calendar years 2002 and 2003 were as follows:

<u>SMD</u>	<u>Commissioner</u>	<u>2002</u>	<u>2003</u>
3F01	Phil Kogan (2002) Carl Kessler (2003)	Vice Chair	Treasurer
3F02	Karen Lee Perry		Vice Chair
3F03	Robert V. Maudlin		
3F04	David J. Bardin	Secretary	Secretary
3F05	Doug Mitchell (2002) Judith Bernardi (2003)	Treasurer	
3F06	Cathy Wiss	Chair	Chair
3F07	Todd Strauss (2002) Stephen N. Dennis (2003)		

Commissioner Maudlin served as web master.