

Advisory Neighborhood Commission 3F

North Cleveland Park, Forest Hills & Tenleytown

web site: www.anc3f.org

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

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

Annual Report for Fiscal Year 2004 (October 1, 2003 - September 30, 2004)

As authorized by DC Law 13-135, Advisory Neighborhood Commission 3F submits this annual report for FY 2004 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 ANC Annual Reports:	
ABRA= Alcoholic Beverage Regulation Administration	DPW= DC Department of Public Works
ANC= Advisory Neighborhood Commission	FHCA= Forest Hills Citizens Association
BAR= Board of Administrative Review	HPRB = Historic Preservation Review Board
BCAC= DC Building Code Advisory Committee	MPD= Metropolitan Police Department
BZA= DC Board of Zoning Adjustment	NCPC= National Capital Planning Commission
CFA= Commission of Fine Arts	NPS= National Park Service
DC= District of Columbia	OP = Office of Planning
DCPS= DC Public Schools	PSC= DC Public Service Commission
DCRA= DC Department of Consumer & Regulatory Affairs	UDC= University of the District of Columbia
DDOT= DC Department of Transportation	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.
- Subordinating historic preservation goals to public safety needs.
- Holding criminals (including teenagers) accountable by judges and jurors.
- Improving elementary, middle, and high school opportunities for all residents and holding DCPS accountable for almost \$1 billion of taxpayer funds a year.
- Maintaining and rehabilitating UDC.
- Moving DC to the forefront as a “green city” – taking the lead for energy-efficient buildings, renewable energy, and “green building” techniques.
- 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 and fairly.
- Gaining more adequate representation in the U.S. Congress -- DC's "State Legislature".

Recommendations for Actions to Be Taken by District Government

- Implement the law as to Environmental Impact Statements effectively.
- Organize and staff D.C. Government to protect and enhance the environment 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.
- Coordinate traffic planning and enforcement by DDOT, MPD, and federal agencies.
- Give ANC's full and advance notice of all significant agency actions, include timely access to and right to copies of key documents, so as to enable ANC's 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 ANC's to penetrate the current secrecy of BAR proceedings and intervene as parties.

Recommendations for Improving ANC Operations

Revert to traditional staggering of notices of, and hearings on liquor license renewal applications *throughout the year* instead of overloading an ANC by packing virtually all its reviews of proposed renewals into *one or two months*, as ABRA and the ABC Board did this year.

ANC's should be allowed to use credit or debit cards to make purchases. Vendors are making purchases by check more and more difficult and expensive. Many vendors are now charging a surcharge when paying by check and others will not accept them at all.

Financial Report

ANC 3F's bank balance totaled \$25,038.48 on October 1, 2003, in the checking account and \$25,051.69 in the savings account (for a total of \$50,090.17) and \$31,464.28 on September 30, 2004, in the checking account and \$35,238.10 in the savings account (for a total of \$66,702.38). Deposits during FY 2004 totaled \$18,920.54 consisting totally of DC Government allotments. The Commission, also, received \$186.41 in interest on its savings account during FY 2004 and transferred \$10,000 from checking to savings during the year.

ANC 3F submitted all its quarterly reports to the DC Auditor within approved deadlines. The Auditor approved release of four quarterly payments during FY 2004 plus a special retroactive one without any reductions.

Disbursements during FY 2004 totaled \$2,369.21 which was within the ANC's budgeted amount. Principal cost centers included meeting and office space, telephone service, mailbox, office supplies, copying, and website and Internet-related expenses. The ANC made no grants during FY 2004.

Commission's Web Site, Community Input and Communications

The Commission's web site (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.

The Commission posted documents on the Web Site pertaining to matters before the ANC so that the ANC's residents would have more complete information about these issues.

The Commission began using a microphone system which not only improved the audibility of the commissioners and the audience but also permitted better recordation of the meeting's proceedings.

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 14 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 one was at the Wisconsin Avenue Baptist Church (3920 Alton Place) and one, jointly with ANC 3C, at The Washington Home (3720 Upton Street). Individual commissioners and groups of commissioners convened Single-Member District Meetings.

Summary of Commission Activities

Giving advice to government agencies and managing ANC affairs, the Commission adopted 33 resolutions, five documents, and 15 letters. Most 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 Ward 3 Councilmember Kathy Patterson, and applicants for government actions being discussed and their representatives.

The Commission reviewed and did not oppose one application for a new alcoholic beverage control license and 22 requests for renewed alcoholic beverage control licenses – of which 14 were crowded into the agenda for a single meeting, the August monthly meeting.

- In prior years, ABRA and its predecessor had scheduled renewals around the calendar.

- But a City-wide change in ABRA processing this year led to accumulation of license renewals, which made this Commission's work much more difficult.
- And it now appears that ABRA will repeat the process every two years.

The ANC entered into (or renewed) voluntary agreements with 23 applicants. In one renewal case the Commission first protested and then entered into a voluntary agreement; and, in another, the Commission protested and asked for both a hearing and an investigation.

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, and on an alternative proposal by the OP that was the subject of a hearing on July 22, 2004;
- the ANC opposed a PUD proposed (by 4600 Brandywine Associates) for the Babe's Billiards Site, 4600-4614 Wisconsin Avenue, NW (ZC Case No. 03-27), which ANC 3E supported; applicant made some changes; the ZC held its public hearing on October 14, 2004, and voted to approve a PUD on November 8, 2004.

Before the Board of Zoning Adjustment (BZA):

- the ANC, having opposed the revised expansion application of the Edmund Burke School, the BZA nonetheless approved expansion (BZA Application No. 17022);
- having conditionally supported the expansion application of The Sheridan School (BZA Application No. 16977, which the BZA approved on November 4, 2003, the ANC found itself engaged in enforcement/compliance efforts in July/August 2004 because of construction activities in violation of BZA conditions and building regulations;
- the ANC did not object to a new special exception allowing the Jenny Waelder Hall child development center to operate at 3150 Chesapeake Street (BZA Application No. 17105);
- the ANC worked out differences regarding expansion of The Washington Home parking lot from 75 authorized places to 130 spaces in the R-1-B zoning district – and related landscaping issues, and joined in a consensus position which the BZA approved on April 13, 2004 (BZA Application No. 16836);
- the ANC recommended a special exception for the Sidwell Friends School expansion plans so long as certain specified conditions were made part of the final order (BZA Application No. 17149). The BZA at its public meeting on October 5 approved the application as amended; a written order has not yet issued.
- the ANC did not object to a “short-leash” (two-year), conditional extension of Potomac Foods’ special exception for a parking lot in a residential zone behind and across the public alley from the Burger King at 4422 Connecticut Avenue (BZA Application No. 17200).

Before or in connection with other agencies:

Having 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, and having prevailed before the BZA (which voted to deny the appeal on July 1, 2003, issued its order on September 8, 2003, and

formally published it at 50 DCR 8115 on September 26, 2003, the ANC found that DC Government passively let Kuri Brothers continue to violate the Zoning Regulation during the pendency of Kuri Brothers Appeal to the D.C. Court of Appeals (which heard oral argument on October 20, 2004) – even though Kuri Brothers had not even sought a stay.

Supported before the Council of the District of Columbia the Metropolitan Police Department's boundary proposals for PSAs serving the area of ANC 3F.

Urged prompt reactivation of the red light camera at Connecticut and Nebraska Avenues, as well as speed cameras and raised sidewalks.

Before the Commission of Fine Arts (CFA), the Commission submitted comments for concept review of building at 2800 Chesterfield Place.

The ANC supported traffic calming measures for Upton Street, NW, from Reno Road to Wisconsin Avenue.

Public space issues:

- The ANC recommended installation of new sidewalks on the east side of the 4400 block of 36th Street, and the east side of Reno Road from Yuma to Appleton Streets.
- The ANC did not object to permits for new driveways at 2805 Chesterfield Place, 3025 Gates Avenue, and 3060 Grant Road, NW.
- The ANC did not object to permitting a pay telephone at 4300 Connecticut Avenue.
- The ANC did not object to permitting a sidewalk café at 4483 Connecticut Avenue.
- The ANC recommended dismissal of application by Edmund Burke School for a public space permit for a pedestrian bridge over a public alley until the Zoning Commission has reviewed the request and given necessary approvals.

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 pressed in FY 2003 for expeditious implementation of an RFP to rebuild the Tenley-Friendship Branch Library and opposed suggestions for by-passing the RFP in favor of initiating a new and different, joint-use, library-commercial (or commercial-library) project. (That RFP, issued in December 2002, covered three other branches as well. It elicited 11 bids by the January 2003 deadline.) The City finally awarded a contract in the third quarter of FY 2004.

The ANC and individual commissioners continue to follow this and related library issued.

The ANC supported accelerated removal of lead water service lines.

The ANC recommended that the HPRB deny historic landmarking to Engine 31 or any other working firehouse or EMS facility.

The ANC urged attention and restored priority to rehabilitating 75-year-old Woodrow Wilson High School, the largest public school in the District of Columbia serving school children who live in every Ward of the City.

The ANC twice opposed the Upper Wisconsin Avenue Corridor Study as being conducted. It requested the OP to make specific revisions to the document and asked for additional studies on whether the infrastructure could handle expected increases in density should OP's plan be implemented.

The ANC opposed two initial concept plans proposed by the DC Department of Parks and Recreation for renovation and expansion of ball fields at Fort Reno National Park under an agreement between the NPS and DC Government, but gave advice for developing a new plan.

The ANC supported the PSC's proposal to amend 15 DCMR § 609.7 to require pay telephone service providers to keep pay telephones clean and free of graffiti, debris, markings, and gouging, and requested that the PSC also add language prohibiting rental of the surfaces of pay telephones for advertising.

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.
- Commissioner Kessler participated in the ANC Commissioners Assembly.

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 2003 and 2004 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, approved (5-1-0) at the Commission's regular business meeting on November 15, 2004, with a quorum present, is respectfully submitted by:

/s/ Karen Lee Perry

Karen Lee Perry, Chair

Appendix A: ANC 3F Business Meetings during FY 2004

<i>Dates</i>	<i>Hours</i>		<i>Locations</i>	<i>Quorum</i>
2003				
<i>Oct 20</i>	<i>7:30</i>	<i>10:27</i>	<i>Capital Memorial Church</i>	<i>6</i>
<i>Nov 17</i>	<i>7:30</i>	<i>9:30</i>	<i>Capital Memorial Church</i>	<i>7</i>
<i>Dec 15</i>	<i>7:33</i>	<i>9:45</i>	<i>Capital Memorial Church</i>	<i>6</i>
2004				
<i>Jan 12</i>	<i>7:34</i>	<i>11:10</i>	<i>Capital Memorial Church</i>	<i>6/5</i>
<i>Feb 9</i>	<i>7:30</i>	<i>8:43</i>	<i>Wisconsin Avenue Baptist Church</i>	<i>6</i>
<i>Mar 15</i>	<i>7:36</i>	<i>9:14</i>	<i>Capital Memorial Church</i>	<i>5</i>
<i>Apr 13</i>	<i>7:42</i>	<i>10:19</i>	<i>The Washington Home [with ANC 3C]</i>	<i>6</i>
<i>Apr 19</i>	<i>7:35</i>	<i>9:41</i>	<i>Capital Memorial Church</i>	<i>6</i>
<i>May 17</i>	<i>7:33</i>	<i>10:24</i>	<i>Capital Memorial Church</i>	<i>7</i>
<i>June 2</i>	<i>7:32</i>	<i>11:00</i>	<i>Capital Memorial Church</i>	<i>7/6/5/4</i>
<i>June 21</i>	<i>7:37</i>	<i>9:56</i>	<i>Capital Memorial Church</i>	<i>5</i>
<i>July 19</i>	<i>7:37</i>	<i>10:38</i>	<i>Capital Memorial Church</i>	<i>7</i>
<i>Aug 2</i>	<i>7:33</i>	<i>9:51</i>	<i>Capital Memorial Church</i>	<i>6/5</i>
<i>Sep 20</i>	<i>7:30</i>	<i>11:31</i>	<i>Capital Memorial Church</i>	<i>7</i>

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

Commissioners and officers during calendar years 2003 and 2004 were as follows:

<u>SMD</u>	<u>Commissioner</u>	<u>2003</u>	<u>2004</u>
3F01	Carl Kessler	Treasurer	Treasurer
3F02	Karen Lee Perry	Vice Chair	Chair
3F03	Robert V. Maudlin		
3F04	David J. Bardin	Secretary	Vice Chair
3F05	Judith Bernardi		
3F06	Cathy Wiss	Chair	Secretary
3F07	Stephen N. Dennis		

Commissioner Maudlin served as web master.