

Advisory Neighborhood Commission 3F  
**North Cleveland Park & Forest Hills**  
web site: [www.DC.net/maudlin](http://www.DC.net/maudlin)

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## **Annual Report for Fiscal Year 2000 (October 1, 1999 - September 30, 2000)**

As authorized by DC Law 13-135, Advisory Neighborhood Commission 3F submits this annual report for FY 2000 to the Council of the District of Columbia and the Mayor.

In accordance with the law, the report summarizes the important problems perceived by the Commission, Commission activities, the ANC's 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  
BZA= DC Board of Zoning Adjustment  
DC= District of Columbia  
DCPS= DC Public Schools  
DCRA= DC Department of Consumer & Regulatory Affairs  
DPW= DC Department of Public Works  
FHCA= Forest Hills Citizens Association  
MPD= Metropolitan Police Department  
NCPC= National Capital Planning Commission  
NPS= National Park Service  
PSC= DC Public Service Commission  
UDC= University of the District of Columbia  
WASA= DC Water & Sewer Authority

### Important Problems

#### **Problems / Issues bearing directly on our ANC 3F constituents:**

Increasing the effectiveness of DC government's service and regulatory agencies.  
Traffic planning and enforcement.  
Strengthening support for environmental protection, enhancement and enforcement.  
Preservation and replacement of street trees.  
Continued long-term revitalization of the Van Ness/UDC business district.

Construction noise and other nuisances.  
METRO rehabilitation and enhanced operations.  
DC Public Schools (DCPS) operations and facilities restoration.  
Funding and rehabilitation of the University of the District of Columbia (UDC).  
Lack of any representation in U.S. Senate and only non-voting Delegate in House of Representatives.

**District-wide problems / issues of interest to one or more commissioners:**

How to get more planning, institutions and solutions up to a Metropolitan Region scale.  
How to shift responsibility for more "State level" DC expenditures to federal government.  
Governance of remaining agencies now in receivership under federal District Judges.

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

Implementing fully the law as to Environmental Impact Statements and infusing environmental considerations into D.C. Government decisions.

Coordinating traffic planning and enforcement by DPW and the MPD (as well as non-DC agencies).

Staffing all inspection and enforcement agencies (not just the MPD) at night and on weekends.

**Recommendations for Improving ANC Operations**

More timely and predictable payments by the District of quarterly installments approved and owing.

**Financial Report**

ANC 3F's bank balance was \$3,430.93 on October 1, 1999, and \$12,021.19 on September 30, 2000.

ANC 3F submitted timely quarterly reports to the DC Auditor who approved release of all four quarterly allotments for FY 2000. DC Government paid those four allotments, totaling \$14,025.80, as well as arrears in two FY 1999 quarterly payments, totaling \$6,450.06 – making six payments all told to this ANC.

Disbursements during FY 2000 totaled \$12,052.34, which was within our budgeted amount. They were principally for staff services, including health insurance and taxes. (The ANC budget anticipated 12-months' staffing whereas actual disbursements were for closer to 10 months.)

Other cost centers were telephone, public meeting space, postage, office supplies and office space.

#### New Computer

Thanks to leadership of Councilmember Catania, chair of the D.C. Council Committee on Local and Regional Affairs, the Chief Technology Officer of DC made a new computer available to this Commission (and the other ANCs) during the fiscal year. As a result, the Commission now has an e-mail address and is improving communications with constituents and other components of DC Government.

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

The Commission's web site ([www.DC.net/maudlin](http://www.DC.net/maudlin)) gives notice of future meetings and tentative agenda, provides summaries of Commission actions, approved minutes of meetings and texts of resolutions and other documents. 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.

Issues raised by community members included destruction of Forest Hills Playground and plans for replacement, requests for traffic-calming measures and for parking and traffic enforcement by the Department of Public Works (DPW) and the Metropolitan Police Department (MPD) for various east-west streets west of Connecticut and for Van Ness and Upton Streets east of Connecticut, traffic congestion along Connecticut Avenue, permitting by the Department of Consumer and Regulatory Affairs (DCRA) of a four-story house at 4512 28th Street in a three-story zone without notice to the Commission, Exxon's reconstructed retail station at Connecticut and Nebraska permitted by DCRA without notice to the Commission, construction noise involving Howard University Law School and other structures, construction plans involving Edmund Burke School at Upton Street and Connecticut, 3883 Connecticut Avenue, 3901 Albemarle Street corner of Nebraska, and potential re-location of the Jewish Primary Day School of the Nation's Capital to 3017/3031 Gates Road.

#### Dates and Locations of Commission Meetings

The Commission held 12 duly noticed, public business meetings, on October 18 and November 15, 1999, and January 10, February 14, March 13, April 17, May 15, June 19, July 17, August 21

(at Van Ness South Social Room), September 12 (jointly with ANC 3E at Wilson High School) and 18, 2000 (generally on the third Monday of each month), and one town hall meeting, co-sponsored with the Forest Hills Citizens Association (FHCA), on March 23 (at Murch Elementary School). Unless otherwise noted, meetings were held at Capital Memorial Seventh-Day Adventist Church.

#### Summary of Commission Activities

At regular monthly business meetings, the Commission heard the following invited speakers:

Kathy Schmidt	D.C. Voters Rights Coalition
Laurence Jones	Office of Peoples Counsel
Linda Softli	Census 2000
Robert Newman	Director, D.C. Department of Parks & Recreation
Vanessa Dale Burns	Director, D.C. Department of Public Works (DPW)
Erie Sampson	General Counsel, DPW
William McGuirk	DPW, Division of Transportation
Janet Robbins	Assistant Corporation Counsel
Charles Bentley	Manager, Van Ness Giant
Richard Jackson	Vice President, Fannie Mae
Peter Newsham	Commander, Second District, Metropolitan Police Department (MPD)
Harold Brazil	District of Columbia Councilmember
Victor Brown	Neighborhood Stabilization Officer, DCRA
Jackie Carter	DC Chamber of Commerce

City Administrator, Norman Dong, spoke at the town hall meeting.

Other speakers at business meetings included ANC 3G Commissioner Anne Renshaw, the President of the Jewish Primary Day School of the Nation's Capital, Mr. Richard Scaldini, the Headmaster of the Edmund Burke School, Mr. Walter Ailes, the Executive Director of the Washington Home & Hospice Center, Ms. Lynn O'Connor, and representatives of Clark Realty Capital, Exxon Corporation, Fannie Mae, Forest Hills LLC, Holladay Corporation and Howard University.

The Commission reviewed and did not oppose a few new alcoholic beverage control licenses and some ABC license renewals (in every case entering into or extending a voluntary agreement with the licensee). However in one case the Commission asked the ABC Board to investigate whether a licensee up for renewal did indeed qualify for a "CR" license. Some of the foregoing were controversial, particularly as respects hours of liquor sales or restaurant operation at night. The Commission also reviewed several public space permit and zoning adjustment matters.

On the Commission's behalf, designated Commissioners testified at legislative and oversight hearings of the District of Columbia Council and hearings of the Board of Zoning Adjustment (BZA), questioned witnesses before the BZA secured pertinent legal opinions from the Office of the Corporation Counsel and negotiated with DC Government Departments and private companies.

As one result, on February 10, 2000, the Building & Land Regulation Administration of DCRA began e-mailing to this Commission and others weekly lists of major construction permit applications filed.

DCRA's first list of permit applications included a plan to raze and rebuild an Amoco retail station at 5001 Connecticut Avenue (in ANC 3G, right across the street from ANC 3F). The Commission alerted ANC 3G and the neighborhood. Both ANCs scheduled the matter for agenda review. The station operator opposed the plan (preferring continuance of auto repair services to a convenience store) and landowner, Amoco, withdrew its application.

After Commission communications concerning demolition of the Forest Hills Playground without consultation, the Department of Parks & Recreation's agreed to work with the neighborhood to replan the Playground which was largely rebuilt, using extensive volunteer labor inputs.

After DCRA issued permits to a developer (without notice to the Commission), to build a four-story house in a three-story zone, neighbors complained to the Commission and appealed to the BZA. As discussed below, the Commission supported the neighbors, the BZA ruled in their favor and the developer ultimately took down most of the fourth story.

After DCRA issued permits to Exxon in 1999 (without notice to the Commission), Exxon rebuilt the retail station at Connecticut and Nebraska Avenues deviating substantially from the project description presented the previous year to the Commission. Neighbors (and ANC 3G) complained to the Commission about excessive lighting which invaded nearby homes and adversely affected the streetscape. The Commission negotiated substantial post-construction changes, discussed below.

The Commission adopted resolutions including:

Supporting in principle the Retail Service Station Amendment Act of 1999, Bill 12-409. (4-0-3)

Outcome: The Bill was enacted, with amendments sought by the Commission to make the Gasoline Station Advisory Board's statutory authority and process explicitly more "neighborhood-friendly" and to limit increased lighting at retail stations to a "reasonable" level.

(a) Asking DPW to adopt traffic calming measures for Albemarle Street (7-0-0) Outcome: DPW agreed to paint parking stripes and did so. (b) Opposing yellow-striping at mid-street. Outcome: DPW agreed, but after some months painted the yellow stripe anyhow. Renewed resolution adopted (7-0-0) and DPW action awaited.

Supporting ANC Reform Legislation. (6-0-0) Outcome: Legislation was enacted and it now in effect.

Supporting proposed DPW regulations to regulate trenching by utility companies. (5-0-0) Outcome: DPW adopted the regulations.

Supporting BZA Appeal #16533 by neighbors of 4512 28th Street against the developer's construction of a four-story house in a three-story zone. (6-0-0) Outcome: BZA announced its ruling in favor of neighbors' appeal. Developer then negotiated a settlement with the neighbors to take down most of the fourth story.

Asking for survey of Connecticut Avenue traffic problems between Tilden and Albemarle by DPW's Bureau of Traffic Services and increased Metropolitan Police Department (MPD) patrolling to enforce traffic and parking regulations. (6-0-0) Outcome: Patrolling has gone up and down. No word from DPW.

Supporting Mayor's nomination of Anne Renshaw to the BZA. (6-0-0) Outcome: Confirmation.

Opposing Public Service Commission (PSC) proposal to reduced from 30 to 10 days notification time to ANCs. (6-0-0) Outcome: PSC dropped this proposal.

Endorsing the Coalition for DC Representation in Congress. (4-0-3) Outcome: Still no representation.

Not objecting to land swap between St. Paul's Lutheran Church and National Park Service (NPS). (7-0-0) Outcome: Swap approved by NPS and National Capital Planning Commission (NCPC).

Supporting adequate financial resources in the District's FY 2001 budget for UDC operations and capital needs. (4-2-1) Outcome: The DC Appropriations Act for FY 2001 increased UDC's operating budget from \$40½ million of local funds in FY2000 to \$44½ million and would also provide increased funds for permanent capital improvements over five years (also local funds).

Supporting adequate funding for the DC Fire Department (6-0-1)Outcome: The FY 2001 appropriation was raised to almost \$117 million from just under \$112 million for FY 2000.

Supporting filing of a complaint with DCRA regarding the Exxon station at Connecticut and Nebraska if a satisfactory settlement were not reached promptly and approved by the Commission. (7-0-0)Outcome: Settlement including provisions for reduced lighting and additional landscaping negotiated and approved by the Commission (6-0-1) and by ANC 3G and implemented by Exxon.

Again requesting DCRA and other agencies to prepare a full environmental impact study of plans for new building at 3883 Connecticut Avenue (behind 3901 Connecticut Avenue). (6-0-0 with one commissioner recused) Outcome: Uncertain. DCRA issued a stop-work order and, just before leaving office, the Director of DCRA ordered an environmental review, but not a full environmental impact statement pursuant to the DC statute. The DOH Environmental Health Administration completed an environmental review and submitted its report to the DCRA, recommending that the applicant be required to prepare an EIS for the proposed construction or provide remediation plans for potential large impacts to stream recharge and an impact of undetermined degree on ground water. Moreover, applicant should advise the EHA of any unregistered underground storage tanks or any evidence of soil contamination discovered during excavation of the project site, in the event the project is issued a construction permit. DCRA will determine what action to take in response to the DOH recommendation.

Requesting BZA and DCRA relief from Howard University's repeated and continuing violations of BZA conditions and DC law on behalf of residents and the ANC. (7-0-0) Outcome: No progress yet.

Supporting installation of canopies to protect outdoor METRO escalators. (7-0-0) Outcome: Pending before METRO in light of Fine Arts Commission criticism of uninspired canopy design and METRO Board's decision for a competitive process to come up with a canopy design.

Requesting DPW to provide controls to protect pedestrians at Forest Hills Playground. (7-0-0)  
Outcome: No response as yet.

Opposing DPW plan for widening and reconstruction of Broad Branch Road from Linnean Avenue to Beach Drive (including removal of over 100 mature trees to straighten the Road and construction of retaining walls). (7-0-0) Outcome: DPW has orally advised that it wishes to consider more limited and less destructive concepts with help and input from a Neighborhood Committee to be established.

Supporting preservation of historic Holt House at National Zoo. (7-0-0) Outcome: Issue pending.

#### ANC Office and Staff

The Commission's office and mailing address relocated from the Intelsat Building, 3400 International Drive, NW, Room 2J-21 in November 1999. The office moved to 4200 Connecticut Avenue, NW, Room CC08 (UDC Building 39) and the mailing address to P.O. Box 39290, Washington, DC 20016-9290.

Administrator Karen Ruffin resigned effective September 8, 2000, in order to return to post-secondary teaching. (Her replacement was appointed effective October 1, 2000.)

#### ANC Members, Officers and Web Master

Commissioners and officers during 1999 and 2000 were as follows:

<u>SMD</u>	<u>1999</u>	<u>2000</u>	
3F01	Phil Kogan	Treasurer	Treasurer
3F02	Karen Lee Perry		
3F03	Robert V. Maudlin		Secretary
3F04	David J. Bardin	Vice chair	Chair
3F05	Doug Mitchell	Chair	
3F06	Phil Heinrich		
3F07	Duane Fitzgerald	Secretary	Vice chair



Commissioner Maudlin served as webmaster.

#### 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, the Control Board and the U.S. Congress. As you know, Commissioners serve without compensation

This report, approved at the Commission's regular business meeting on November 20, 2000, is respectfully submitted by:

/s/ David J. Bardin

David J. Bardin, Chair