Testimony of Karen Perry
Advisory Neighborhood Commission 3F
In BZA Application 16836 of the Washington Home and Hospice
Tuesday, July 15, 2002

My name is Karen Perry from ANC 3F. Mr. Griffis, members of the Board, I am pleased to be here today, not only in my capacity as an ANC Commissioner, but in my role as ANC 3F's representative to the Mayor's Ward 3 Traffic Task Force.

Correcting the Record:

Our ANC took a number of hits at the April 2nd BZA hearing. Some were deserved. But, I feel that several issues from Ms. O'Connor's testimony must be clarified. First, in testimony and in response to a question from Vice Chair Renshaw, Ms. O'Connor stated, "In 1999, actually it was September 1999, we went to the ANC with a request to build an underground parking lot. There was great opposition by the neighborhood at that point in time because of their concern as to what would happen to the neighborhood by putting in an industrial type underground parking lot." Ms. O'Connor further stated that it was very adversarial back in 1999. I have reread all of ANC's minutes going back to 1996 and can find no request to ANC 3F for an underground parking lot. The closest minutes I can find are from October of 1999 and they are attached as Exhibit "A" to my testimony. As you will see, the minutes show that the Home did not request approval for an underground garage. Rather that the Home had met with representatives of ANC 3F on the issue of proposed underground parking and that some good suggestions had been made and the results of the meeting had been presented to the Board of the Washington Home. Ms. O'Connor further stated she would return to the ANC after the November meeting of the Board of the Washington Home. In actuality, the meeting Ms. O'Connor discussed was not an ANC meeting, but a meeting sponsored by the Home with the community Other than Linda Grigsby from the Home attending ANC meetings and announcing the Home's upcoming events, our ANC never heard from the Home again until July of 2001.

In response to a question from Commissioner May regarding notice to the community and why the community believed they did not have ample time to look at the Home's plan, Ms. O'Connor stated that the Home came to the ANC in July 2001 with their plans for the parking. Yes, it is true that the Home came to our ANC to roll out their plans for the additional parking. However, ANC 3F did not have any advance notice that the Home was going to present these plans and we couldn't consider the plans because the only thing posted to the residents in the neighborhood and shown on the agenda was "A Certificate of Need to add four beds." There was no notice to the residents of an additional building to accommodate these beds or an enlarged parking lot because we did not know. As the minutes of this July 30 meeting reflect, Attachment B to my testimony, Ms. O'Connor stated that "forthcoming issues, including construction of an addition to house the four additional beds and reconfiguration of the parking lot would be presented for ANC review at a later date when the Home sought approval from the BZA."

It should also be noted that contrary to the poor relations Ms. O'Connor testified to, our ANC arranged to hold a special meeting just to take up this certificate of need in order to accommodate the Home because they could not be ready for our regularly scheduled

BZA
Case No. 16836
Exhibit No. 95
Board of Zoning Adjustment
District of Columbia
CASE NO.16836
EXHIBIT NO.95

meeting the week before and our August meeting was beyond their deadline for submitting the application to the Department of Health.

In hindsight, we probably never should have held that special meeting or taken the application piecemeal. The resolution from that meeting keeps coming back to haunt us as the Washington Home and Mr. Keys keep using the support for the Certificate of Need to add four beds to mean that the ANC approved the construction of an additional building. We did not. We only approved the certificate of need for the four beds. When the total plan was unveiled, our ANC was unanimously opposed to the construction of the additional building to house the four beds and the expansion of the parking lot from 75 spaces to 173 spaces as our resolution shows.

The July 30, 2001, minutes are interesting for another reason. As you can see, Commissioners expressed concern about the increased parking and traffic on Upton Street and encouraged the use of public transportation. Ms. O'Connor stated that she was going to examine options for expanding employee use of Metro --- something the Home still has not done to this day.

Interestingly, in looking through all our minutes regarding the Washington Home, I also came across a set of minutes from May 19, 1997. (Attachment C) At that time, officials from The Washington Home along with Allison Prince, their legal counsel, came to our ANC requesting approval to reconfigure the existing facility to add 12 beds and support for an expedited hearing before the BZA. As the minutes and our Resolution to the BZA show, the subject of parking came up in discussion since the Home was not requesting additional parking from the BZA. One Whereas from the Resolution states, "Representatives of The Washington Home have stated that if the Home's parking lot proves inadequate, that additional parking for transient contract personnel and visitors would be provided by the Home at nearby commercial lots."

Ward 3 Comprehensive Plan:

The Office of Planning in their report on the current application has quoted from Section 1403.7 of the Ward 3 Comprehensive Plan, which deals with the overall environmental quality of the Ward and preserving natural features during construction and promoting landscaping and the planting of trees. However, there is also a very important section of the Ward 3 Comprehensive Plan that OP failed to quote as it relates to the application of the Washington Home. Section 1403.5 talks about policies for improving air quality and says that the District Government should "encourage institutional and large corporate residents to promote public transit usage and discourage employee reliance on single-occupant vehicles and this should be a condition when possible in connection with discretionary government approvals." It goes on to say that the Land Use Element is drafted in part to minimize reliance on automobiles and instead promote pedestrian transit and public transportation."

Many people today are tossing out the terms Smart and/or Sensible Growth lately. The Mayor appointed a Transit-Oriented Development Committee, with representatives from non-profits and planning organizations. Input from this Task Force is now being used by the Office of Planning to rewrite many of the Ward Comprehensive Plans to maximize and increase the current zoning densities in areas surrounding Metro Stops, on the assumption that if you live or work near a Metro Stop, individuals will use public transportation. Evidently, that assumption is wrong since we are here today with an institution seeking to expand a parking lot from 75 spaces to 173

parking spaces so every employee can have a parking space in an R-1-B residential district, zoned to protect quiet residential use and family life.

Department of Transportation:

Commissioner Kogan will talk about traffic and the Gorove Slade Parking Report so I will just mention the Department of Transportation Report and what is not in that report. The Department of Transportation has classified Upton Street as a "local residential street" and, according to their Manual for Neighborhood Traffic Management, "local streets are residential in character and have a high degree proportion of land uses that are not compatible with heavy traffic; i.e., schools, playgrounds, etc. The manual goes on to state "There is a further responsibility to the residents of local streets beyond that of providing a safe and efficient highway system. Excessive traffic can detract from the appearance and liveability of a neighborhood."

As a member of the Ward 3 Traffic Task Force, we have been trying to work through DDOT for more than 6 months to address the existing concerns of Upton Street residents about excessive traffic, speeding cars, cut-through traffic, and problems of pedestrian safety for themselves, their children, and the elderly residents living in the areas. The Ward 3 Comprehensive Plan states that for all major projects, including Planned Unit Developments, special exceptions, and Large Tract Review projects of moderate and greater density, the government should require traffic mitigations studies. In this case we have a Parking Study, but DDOT did not conduct a traffic study, nor did it require the applicant to conduct a study. We have no traffic mitigation recommendations. There is no way to determine the impact of adding more automobiles to Upton Street. We do not know what route these cars will take to reach the Home, what other residential streets might be impacted by the additional traffic, or how these cars at arrival, departure, and shift changes will affect pedestrians, students arriving and departing Hearst elementary and Sidwell Friends, the Hearst Playground or other vehicular traffic in the area. So it is hard to understand what basis DDOT has for copying from the Gorove-Slade report the assertion that "approving the parking lot will improve safety and traffic circulation."

I would like to also call your attention to Tab 10, page 8, of the Washington Home's December 21, 2001, BZA submission, which states under Accessibility "that the Hospice is located at 3720 Upton Street in NW Washington. As such, it is accessible by car, as well as by a number of bus routes. Patients and visitors can also take the Metro to either of two stops located at Tenley Street and Wisconsin Avenue or at Connecticut Avenue and Van Ness Street. According to the Applicant, each of these stops is a short walk, bus, or cab ride away from the Hospice of Washington. Inpatient hospice patients most often arrive for inpatient care by ambulance."

The Home has taken over MedStar Health's Visiting Nurses Association hospice program and that organization is expected to employ more than 100 persons and serve more than 3,000 residents. They are located one block away on Wisconsin Avenue. The Home also has the Palliative Care Institute at 4200 Wisconsin Avenue. It is important to know how these two organizations will interact with the Home on Upton Street since employees from these two organizations are currently driving between facilities and parking in the Home's lot, increasing the intensity of activity at the Upton Street site.

Zoning Requirements for Parking:

The Applicant's attorney stated during a meeting with the community that the parking requirement in this case should be the same as for a hospital, one space for every bed. But this is not a hospital and does not provide the same services as a hospital and does not have the same level of intensity or competing uses as a hospital with an emergency room, extensive laboratories and sophisticated testing machinery, clinics, patient care, in-and-out surgical rooms, etc.

In 1980-1981, a comprehensive zoning text amendment case (78-12) established most of the current zoning rules governing Community Based Residential Facilities. The Zoning Commission adopted an overall definition of CBRFs with the key characteristic being a residential use "for persons who have a common need for treatment, rehabilitation, assistance, or supervision in their daily living." The Washington Home is by definition in Section 219 a Health Care Facility, and not a hospital. The underlying principles for the zoning text amendment was that the size and density of CBRFs should be generally consistent with the size and density permitted in the various zone districts, the facilities should be dispersed as equally as possible around the city, and that smaller, family-size facilities should be encouraged, so as to lessen neighborhood impacts and provide a home-like environment for residents as an alternative to an institutional setting. A facility with 205 beds and 173 parking spaces is not consistent with the principle of small, family-sized facilities.

Contrary to Mr. Keys' assertions, the neighborhood did not grow up around the Home. The neighborhood was there and established when the Home applied for a special exception to build a new facility and the neighborhood was there as the Home continually expanded. The neighborhood was there when the Home leased its commercially-zoned land on Wisconsin Avenue to the Post Office.

Until 1985, it was the Washington Home for the Incurables, a 178-bed health care in several small buildings that employed 260 full-time and part-time employees, and had 45 parking spaces on site. In 1985, when the Home applied for a special exception to build the 189-bed facility, they indicated there would be no addition to the staff, and at the public hearing, they requested 103 on-site parking spaces and requested the Board approve ninety-three spaces and allow the Home the flexibility to provide the remaining ten spaces at a later date if the parking spaces proved insufficient. The Board approved 75 spaces. In 1997, with approximately 290 employees, and adding 12 beds, the Home did not apply for more parking spaces and, instead, stated the parking lot was sufficient. Now in 2001, with the same number of full and part-time employees, and only a few more beds, the Home is requesting 173 parking spaces.

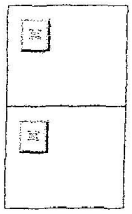
Section 219 of the Zoning Code permits community-based residential health care facilities in an R-1 neighborhood by special exception if approved by the BZA in accordance with the conditions specified in § 3108 of chapter 31, with parking covered in § 2101, Schedule of Requirements for Parking Spaces. Two important provisions for granting this special exception are that (1) There shall be adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility, and (2) The facility shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area.

Since there is no definition of adequate, I turned to Section 2101, the Off Street Parking Requirements of the Zoning Code. They state for Community Based health facilities that one parking space is required if 1 to 8 persons are housed; two parking spaces are required if 9 to 15 persons are housed; and, when 16 or more persons are housed, the minimum parking requirement is left to the Board.

The closest BZA case I could find to see what Commissioners had done regarding parking for a community based residential health care facility in our Ward was the Board's recent decision in the Sunrise case in an R-2, R-5 zoned area on Connecticut Avenue, accessible by bus, but not by Metro. In the appeal of this case, the Board stated the Zoning Regulations do not explicitly establish a ratio of required parking spaces for community residence facilities in the R-2, R-5-D zone and ruled that the 31 parking spaces Sunrise would provide exceeded the number needed for that 102 bed community residential facility.

The formula used in the Zoning Regulations and in the Sunrise case for determining an adequate number of parking spaces is roughly one-third the number of beds. This formula is in keeping with residential zoning, the Ward 3 Plan to encourage institutional residents to promote public transit usage and discourage employee reliance on single-occupancy vehicles, and the principles of Smart Growth and Transit Oriented Development. Our ANC would encourage you to use this same formula in the Washington Home case so the Home is not objectionable to its residential neighbors because of traffic, noise, and operations.

A



Advisory Neighborhood Commission 3F
FOREST HILLS & NORTH CLEVELAND PARK

Advisory Neighborhood Commission 3F
Minutes October 18, 1999

1. CALL TO ORDER
The meeting was called to order at 7:45pm by the Chair, Commissioner Mitchell. Commissioners Bardin, Fitzgerald, Perry, Maudlin and Heinrich were present.

The Agenda was adopted as amended.

2. ANNOUNCEMENTS
There were no announcements.

3. OPEN FORUM
Mr. Gary Stevens, representing the Forest Hills Neighbors Alliance, said the Alliance is opposed to the use of the Brown property on Chesapeake Street by the Jewish Day School as a site for the relocation of their school. He said that 190 neighbors have signed a petition of opposition. He said that half the students come from Maryland and only 6 students are within walking distance of the proposed location for the school.

A resident gave a presentation and provided literature on the historic status of Tenleytown. She said a book that had been written about the historic aspects of Tenleytown was to be republished in the spring.

Mr. Dave Scaldini, member Board of Directors Jewish Primary Day School, said he would be happy to meet with members of the Forest Hill Neighbor's Alliance.

Ms. Rhonda Goldberg asked for the ANC's support on the issue of the pending changes to the EXXON station at comer of Conn. and Neb. Avenues• Commissioner Mitchell said the ANC would address this issue.
Commissioner Perry said the ANC had addressed the issue of the changes to EXXON about a year ago.

4. COMMUNITY PRESENTATIONS

A. DCPD CRIME REPORT
The DCPD did not appear to present a crime report.

B. DC VOTER'S RIGHTS COALITION
Ms. Kathy Schmidt, a representative for the DC Voter's Rights Coalition, gave an over view and up date on the issue of representation in Congress for residents of the District of Columbia after noting that ANC 3F has been a supporter of the Coalition in the past. She cited the names of supporting groups and asked the commissioners and audience to support the coalitions efforts.

C. OFFICE OF THE PEOPLE'S COUNSEL
Mr. Laurence Jones of the Office of the People's Counsel (OPC) spoke on the issue of utility company deregulation and how and why this affects the consumer. He provided information on Y2K preparedness and directed the audiences attention to literature on this subject available on the table in the rear of the meeting hall. He said the OPC was staffed with lawyers, economists, and accountants whose job it was to answer questions for the residents of the District and to
provide them help with problems related to the utility companies if necessary. He invited the members of the audience and commission to call the OPC (202.727.3071) with any questions they might have.

D. MAYOR'S NEIGHBORHOOD ACTION INITIATIVE
Commissioner Heinrich reported that DC Council Member Sharon Ambrose has introduced a bill that would restructure the electric industry to provide incentives for the use of renewable sources for power. He said Mayor Williams wants to translate plans that have been proposed for the city into action. The Mayor has asked heads of agencies to review these existing plans to try and structure them into a common goal. The mayor is providing a venue for interested citizens and civic organizations to be part of this process. There will be a Citizen's Summit held November 20 from 9am until 4pm at the Convention Center. Commissioner Heinrich outlined the topics that will be addressed at the Summit.

REGULAR BUSINESS

A. STRIPING OF ALBERMARLE STREET
Commissioner Maudlin reported the DPW is preparing drawings to install edge line markings on Albermarle Street as a traffic calming measure. Commissioners Mitchell and Heinrich had notified neighbors of Albermarle Street that the issue of Albermarle Street was on the October 18 agenda and would be discussed at that time. However, neighborhood representatives were not present for a discussion.

B. WASHINGTON HOME
Ms. Lynn O'Connor and Mr. Bill Barnhardt of the Washington Home said that they had met with representatives of ANC 3F on the issue of proposed underground parking at the Washington Home. She said good suggestions had been made at this meeting and the results of the meeting had been presented to the Board of the Washington Home. Ms. O'Connor said the Board is reviewing the suggestions and will comment on their meeting of November 18. She said she would like to meet with the ANC after the November meeting of the board of Washington Home.

C. 3901 ALBERMARLE STREET CONDO PROJECT
Ms. Kathy Wisc reported on the progress and status of the proposed housing development at the comer of Albermarle Street and Nebraska Avenue. She said concerned neighbors had met with representatives of the Holiday Corporation and expressed concern about problems with traffic at this already congested intersection. Holiday said they would do further traffic studies to determine the best location of access for the proposed complex. Commissioner Mitchell complimented Ms. Wisc on her research and commitment to this issue and said that although the actual site was in ANC 3E that ANC 3F would like to stay informed about and involved in this issue. He said ANC 3F has asked the zoning commission to keep them informed about this case as ANC 3F has residents within 200 ft. of the site. Commissioner Perry said residents could ask DPW to do a traffic count.

D. ANC LEGISLATION PENDING BEFORE CITY COUNCIL
Commissioner Bardin said Councilmember Catania has circulated a draft bill on the Law governing ANCs. Mr. Catania is asking for ANC comments on the proposed changes and the return of a questionnaire by October 20. There are about two dozen proposed changes in the bill. This bill will be the subject of hearings next year before the council. Commissioner Bardin read some of the highlights of

the proposed legislation.

E. ANC REQUESTS THE MAYOR'S OFFICE FIND ANC 3F OFFICE SPACE

ANC 3F will be in need of office space as of November 1, 1999. They have been asked to vacate the space at Intelsat which they have occupied for the past 4 years. Commissioner Bardin has been in contact with and is negotiating with UDC for office space on the Van Ness Campus. Commissioner Bardin moved and Commissioner Maudlin seconded a letter be sent to the Mayor's Office asking they find office space for the ANC. The motion passed 6-0-0.

5. COMMITTEE AND STATUS REPORTS

A. GIANT FOOD STORE
Commissioner Bardin reported the meeting at the Van Ness Giant was constructive, intensive and well attended. He said Giant has made a few improvements already and has a suggestion box in place. There will be a progress report on issues discussed at that meeting in November or January.

B. NOMINATIONS OF UDC TRUSTEES
Commissioner Bardin reported there have been no appointees to the Board of Trustees for UDC, but the Mayor was interviewing candidates and there should be new nominations soon, according to the Mayor's office.

C. DC APPROPRIATIONS ACT
Commissioner Bardin reported the House voted on the DC Appropriations Act and the Senate amended it. He said the different riders on the bill make it controversial. ANC 3F only had comment on the Daschle Amendment, concerning the cell phone towers, which the House left out of the bill but the Senate would add.

D. APPLICATION FOR CELL PHONE TOWERS AND BUILDINGS
Commissioner Bardin reported on the findings of a consultant's report to the NCPC. The report concluded among other findings that Bell Atlantic did not need two cell phone towers in Rock Creek Park. The consultants also said that the design for the antennas on the top of the tower was more intrusive and space consuming than was necessary. The consultant is critical of the information supplied by Bell Atlantic on a number of points; inconsistences and commented that the application to the NCPC is incomplete. Commissioner Bardin said he would testify on behalf of the ANC, regarding to its position, at the November 4 hearings on the NPS application to the NCPC.

E. IN-STATE TUITION BILL
Commissioner Bardin said the revised In-State Tuition Bill was expected to pass the Senate shortly and then be re--passed by the House.

F. HOWARD UNIVERSITY LAW SCHOOL
Commissioner Perry reported on the array of problems attending the construction of the Howard Law Library. She said that drastic measures are going to have to be pursued as the administration at Howard and the contractors doing the construction are not cooperative.

G. POST OFFICE BOX RENTAL
Commissioner Bardin moved and Commissioner Maudlin seconded a motion that ANC 3F rent a mail box at the Post Office if desirable. The motion passed 6-0-0.

6, SECRETARY'S REPORT
Commissioner Fitzgerald moved and Commissioner Mitchell seconded that the minutes of the September 21 meeting be adopted as amended with disbursements item 9 amended to add a footnote showing that it was for meeting space rather than for office space. The motion passed 6-0-0.

7. TREASURERS REPORT
Commissioner Mitchell moved and, Commissioner Fitzgerald seconded that the September ANC Financial Report be approved. The motion passed 6-0-0.

8. NEXT MEETING Commissioner Mitchell moved and Commissioner Fitzgerald seconded the ANC Quarterly Financial Report be approved as amended. The motion passed 6-0- 0.

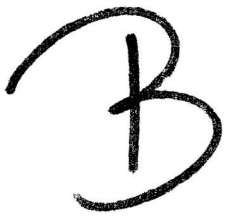
9. ADJOURNMENT
Commissioner Mitchell announced the next meeting of ANC 3F would be on November 15 and recommended that the elections of ANC 3F officers for 2000 be held at that time.

The meeting was adjourned at 10:30pm.

Respectfully submitted,

Duane Fitzgerald, Secretary ANC3F

Return to home page



MINUTES
ADVISORY NEIGHBORHOOD COMMISSION 3F
NORTH CLEVELAND PARK / FOREST HILLS
PUBLIC MEETING
Washington Home & Hospice Center
3720 Upton Street, NW
Washington, D.C. 20016
July 30, 2001

1. CALL TO ORDER

Chair Bardin called the meeting to order at 7:33 pm. Commissioners Kogan, Perry, Mitchell and Oglesby were present. With five of the seven commissioners, Chair Bardin declared a quorum. Chair Bardin stated that Commissioner Maudlin had given Commissioner Kogan his proxy.

2. AGENDA

The tentative agenda was approved by consensus, subject to moving the Delhi Dhaba liquor license up ahead of redistricting and the possibility of moving up the playground matter. The Treasurer's monthly report for July was stricken since July was not over.

3. MINUTES

Minutes of the July 9, 2001, meeting were approved, subject to four typographical corrections, 5-0-0, on motion of Commissioner Oglesby seconded by Commissioner Perry.

4. ANNOUNCEMENTS / OPEN FORUM

There were no announcements or Open Forum items.

5. POLICE REPORT

No representative of the Second District of the Metropolitan Police Department was present.

6. FOUR MORE HOSPICE BEDS AT WASHINGTON HOME

Linda Grigsby introduced Washington Home Executive Director, Lynn Collins O'Connor, who explained that the present issue is the application to the State Healthcare Planning and Development Agency (SHPDA) in the DC Department of Health for a Certificate of Need (CON) for an additional four hospice beds (over and above the existing nine hospice beds). She also related forthcoming issues, including construction of an addition to house the four additional beds and reconfiguration of the parking lot, that will be presented for ANC review at a later date, when the Washington Home seeks approval from the Board of Zoning Adjustment (BZA). The Home's architect, Laurie D. Dickeson, RA (of Amos Bailey Arnold + Associates, Inc.) gave a preview of those issues for the sake of greater clarity and understanding. They also introduced consulting arborist Jerry Dieruf and Medical Director, Dr. Matthew

Kestenbaum, in the course of answering questions from the commissioners and the community.

A. Ms. O'Connor said that the Washington Home, established in 1888, rebuilt its facility on Upton Street in 1985 with ANC support. It is the only present supplier of inpatient hospice beds in Washington, DC. (Most of the hospice patients at any given time live at home, with outpatient hospice support and expectation that inpatient care could be had in case of severe pain management or like issues. Inpatient care is intended for patients with less than a 6-month life expectancy and the average length of stay for inpatients is 7 - 8 days.) The four-bed increment proposal for the CON is based on a market study by Corridor Group, described as a nationally-recognized firm.

B. A forthcoming proposal to increase the number of parking spaces (from to , and increase of 131% with only a 7% increase in the area devoted to parking) reflects judgments as to the general needs of the Washington Home - and is only very slightly influenced by limited added use due to the four hospice beds. The parking plan would cut into the existing berm without lowering the berm top. Commissioner Oglesby alerted the Washington Home of her interest in measures to encourage employees to use Metro and Executive Director O'Connor stated that the Home is going to examine options for expanding employee use of Metro.

C. The SHPDA [Question #73] asks the applicant about ANC support for a CON. On motion of Commissioner Kogan, seconded by Commissioner Perry, the ANC unanimously adopted a resolution supporting the CON application, 6-0-0 (Commissioner Kogan voting Commissioner Maudlin's proxy). (Copy of Res 01-18 attached)

7. FOREST HILLS PLAYGROUND

David Von Drehle, a member of the Board of the Friends of Forest Hills Playground, Inc. (Friends), explained that an anonymous donor has made possible additional work to enhance the playground, including retention of landscape architect James Urban, whom he introduced. Mr. Urban described plans for supplementing entry stairs on Chesapeake Street with a ramp (giving stroller and ADA access), sandbox renovations (including wooden edging to hold in new sand and be suitable for sitting), replacement of dead, dying and unhealthy shade trees, erosion control, improving the community bulletin board (with better roofing and easier access for posting), planting ornamental trees, new fencing and gating and a walk paved with donor-name-inscribed bricks. Mr. Neal Rodgers, Chief of Staff to Department of Parks & Recreation Director Neil O. Albert, explained the positive stance of the Department. He and Mr. Urban answered questions from commissioners and the community. Also present were Friends President, Laura Cira, and Vice-President, Karen Ball.

On motion of Commissioner Bardin, seconded by Commissioner Oglesby, the ANC approved a letter to Director Neil O. Albert of the DC Department of Parks & Recreation, requesting early action on

the proposal. 6-0-0 (Commissioner Kogan voting Commissioner Maudlin's proxy). (Copy of Ltr 01-02 attached)

8. DELHI DHABA RESTAURANT, 4455 CONNECTICUT AVENUE

Fred Dumere described the replacement for the former Boston Market as a family restaurant, specializing in northern Indian food, like that he has operated since 1993 at 7236 Woodmont Avenue in Bethesda. There will be free parking after office hours and underground parking during the day with a validation stamp from the restaurant.

On motion of Commissioner Perry, seconded by Commissioner Oglesby, the ANC approved, 5-0-0, the attached Voluntary Agreement prepared by Commissioner Perry in consultation with the Applicant and endorsed by Mr. Dumere during the meeting. Commissioner Perry will fill in the ABC Board Application Number when received and the Chair was authorized to respond to the ABC Board inquiry.

9. OPTIONS FOR ANC REDISTRICTING

Commissioner Bardin summarized the process and timetable for redistricting single-member districts of ANC commissioners and for deciding on changes in ANC boundaries, culminating in legislation by the DC Council. An extensive discussion of options engaged some of the commissioners and the following residents in or near ANC 3F in questions, comments and expressions of concern:

- Phil Barringer, east side of 38th Street (betw. Chesapeake & Brandywine)
- Kay McClennon, 3700 Albemarle, who served on 1991 redistricting committee
- Gary Steven, 3100 Chesapeake Street
- Richard Abbott, 4305 38th Street (betw. Windom & Yuma)
- George Clark, 4525 28th Street
- John Richotte, 37th Street (betw. Warren & Windom)
- Mary Alice Levine, 3800 block of Albemarle
- Cheryl Browning, 4426 Grant Road
- Matt Pavuk, 4426 Grant Road
- Marvin Tievsky, 3810 Warren Street

The question may come up for a resolution at the ANC's September 10 meeting.

10. ADJOURNMENT

On motion of Commissioner Kogan, seconded by Commissioner Perry, the ANC adjourned, 5-0-0. The next meeting will be on September 10, 2001, at a location to be announced.

Respectfully submitted,

David J. Bardin

C

THERE IS NO DOCUMENT FOR THIS EXHIBIT