

APRIL

Ruth
Haugen / Linda
Marr

ADVISORY NEIGHBORHOOD COMMISSION 3-C
Government of the District of Columbia

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

April 1, 1980

Mr. Leonard L. McCants, Esq.
Chairperson
Board of Zoning Adjustment
Government of the District of Columbia
District Building
14th and E Streets, N.W. -- Room 9-A
Washington, D.C. 20004

Dear Mr. McCants:

Re: BZA #13087 (Sheraton Park)

This letter is to inform you of the opposition of Advisory Neighborhood Commission 3C to the Board of Zoning Adjustment's granting of the variance being requested by the Washington Sheraton Corporation relating to the size of parking spaces (under section 7204 of the Zoning Regulations) and access to them (under section 7206). We urge that the request be denied. (We are separately urging, in your case #13112, that the Washington Sheraton Corporation be required to establish and maintain, under a bonafide parking plan, additional parking spaces that meet the particular requirements of the regulations as to size and access and other requirements relating to total number.)

As noted in Mr. Sher's letter to us of October 12, 1979 advising us of the Board's upcoming consideration of this request by the Washington Sheraton Corporation, the application is being considered under the provisions of section 8207.11 of the Zoning Regulations. That section appears to us to grant the Board the authority to provide relief from the strict application of the requirements of the Zoning Regulations only when (a) certain extraordinary situations exist with respect to the property in question and (b) the requested relief can be granted without "substantial detriment" to the public good. In sum, we do not feel the application meets either test.

A. Failure to Meet Requirements for Consideration of Variance.

Section 8207.11 of the Zoning Regulations provides, in pertinent part, for the Board of Zoning Adjustment to hear requests for variances and grant such requests when--

... by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations or by reason of exceptional topographical conditions or other extraordinary or exceptional

situation of a specific piece of property, the strict application of any regulation ... would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property

Advisory Neighborhood Commission 3C (ANC 3C) takes this opportunity to advise the Board that, in our view, the property is not exceptionally narrow, shallow, or of highly irregular shape. Specifically, the property in question consists of more than fifteen acres located on a large block bounded by Connecticut Avenue, Woodley Road, 29th Street, Calvert Street, and 24th Street (all Northwest). The property itself (lot 32, square 2132) has frontage on Calvert Street, 24th Street, Connecticut Avenue, and Woodley Road. The property as presently recorded (lot 32) is the consolidation of three former lots, and is a "through lot" within the meaning of the Zoning Regulations. The frontage on Woodley Road is on the order of 800 feet; frontage on other streets approximates 200 to 300 feet.

Portions of the lot have been developed in the past or are currently being developed or redeveloped. Accordingly, making precise statements about "natural grade" and topography is not readily possible, but we believe that the elevation of the property, absent buildings or other structures, fluctuates between 160 and 210 feet above sea level cresting more or less in the center of the property. Over the linear distances involved, this does not appear to us to create grades of an exceptional nature. To be sure, the applicant has chosen to locate or retain some buildings in sites that limit options for development of parking spaces. This decision by the applicant, however, is not an undue hardship created by the Zoning Regulations but is the direct result of their own planning, or lack thereof. Accordingly, the requirement for the Board to find that there is "exceptional and undue" hardship does not appear to be met.

Finally, the application does not set forth how the Washington Sheraton Corporation would suffer from "peculiar and exceptional practical difficulties." From the perspective of Advisory Neighborhood Commission 3C, the neighborhood in which the subject property is located contains one other major hotel (the Shoreham Americana at 2600 Calvert Street), numerous pre-1958 apartment buildings, and many townhouses; there are also some post 1958 apartment buildings (e.g. the Shoreham North). A characteristic shared by all of the pre-1958 apartment buildings, the Shoreham Americana, and the subject property is a critical shortage of parking spaces, but one which would be largely solved if newly constructed in a manner complying with the requirements of Article 72 of the Zoning Regulations including the very requirements from

which the Washington Sheraton Corporation is seeking relief relating to size (under section 7204) and access (under section 7206) in this application (and to which further requirements, relating to number, the community is seeking compliance in a separate appeal, BZA #13112). Accordingly, we do not see that the application of the Washington Sheraton Corporation even meets the test of causing "peculiar and exceptional practical difficulties."

B. Failure to Meet Requirements of Granting of Variance.

Section 8207.11 of the Zoning Regulations requires, in addition to the text set forth above, that a variance only be granted by the Board when the requested relief --

... can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map. (Emphasis added.)

It is the view of ANC 3C that were the requested relief to be granted that there would, in fact, be a substantial and permanent loss suffered by the residents of Woodley Park, the generally residential neighborhood in which the Sheraton Park hotel is located be they among the persons residing in the nearly 1,000 apartment units elsewhere on the block (square 2132) in question or nearby in apartments along Connecticut Avenue (about 2,000 units between Calvert Street and Klinge Road) or in homes in the area.

The applicant's request for a variance calls for the establishment of some 100 spaces that would not meet size requirements being some 8x18 feet rather than the 9x19 called for in section 7204. All but four of these would be located in a garage constructed by the applicant in the early 1960's after the present regulations were adopted. Due to the applicant's historical failure to specify the structural columns be spaced so as to be a reasonable multiple of parking space size requirements then in effect, the community is now being asked to permit the applicant to create a number of less than full size spaces. These will be scattered, in small clusters, in various locations throughout the six-level garage structure.

In commenting before the Zoning Commission (in Case 79-1), the Assistant Director for Policies and Plans of the District's Department of Transportation indicated several things. First, he indicated that DOT was of the belief that some small car spaces might be considered within the zoning regulations but that, in his judgment, such spaces should not be narrower than that presently required, just somewhat shorter (particularly given an aisle requirement of only 14 feet). Second, he indicated that such spaces, if ever allowed, should be clustered together so that

there would be effective control to insure that only smaller-sized cars attempted to use less than full-sized spaces.

ANC 3C notes that the applicant's request that the Board approve 100 small sized spaces directly conflicts with the remarks offered by DOT in recent testimony.

Our concern in this situation is that the "plan" presented by the applicants is not workable and that the costs of that failure will be borne by the residential community surrounding the Hotel as frustrated guests or conventioners continue to usurp residential streets in preference to the parking provided by the applicant. Past experience of this community with the firm the applicant has chosen to manage the concession (e.g. turning on the "Lot Full" sign when the lots are not full) does not suggest an ability to make sure only small cars head for small car spaces, leaving room (applicant's theory) for full-sized cars in full-sized spaces.

The nature of peak event operations is typically that of a couple or group travelling together to the Hotel for some function. Particularly when social functions -- such as the Touchdown Club's evening banquet for 2,500 local Redskin Fans drawn from around the metropolitan area and not, by and large, from overnight guests at the hotel -- take place, traffic delays approaching the Hotel's grounds and finding any parking space test the patience of most everyone. Signed indications of "Small Car Only" do not hold much promise. Larger cars will simply straddle lines and consume more than one space. And the overflow when there is no more room will be directed again, as it was one recent evening when the "Full" sign was on, to neighborhood streets.

ANC 3C asks the Board to consider that the operational situation taking place in a hotel environment with respect to parking involves persons driving to a largely unfamiliar place -- one where we feel all parking spaces should be similar in nature. This contrasts with regular trips, as in the work trip, where employees with small cars may be assigned to specific (smaller) spaces.

A second aspect of the applicant's variance request would permit them, from time to time, to convert some 67 full-sized surface parking spaces into 127 "stack" parking spaces. Their application indicates these would all be 8 x 18 of which approximately half would have direct access to an aisle and half would be blocked by one or more vehicles.

As we understand the applicant's proposal, this manner of operation would be put in effect whenever management expected a crowd and the parking lot concessionaire would arrange for valets to shuttle cars to and from as many as three disparate locations, jockeying cars as needed to extricate blocked vehicles when claimed by their owners.

Times of peak events often involve a surge of traffic just before it starts and, even moreso, when group events (such as banquets) discharge. As with the applicant's request to allow under-sized spaces, the notion of relying on valets to process large groups discharging more-or-less simultaneously seems unsound -- particularly when the driver can't even exit the property because his vehicle is blocked by someone else's.

Against this background, the community and the ANC representing it feel that patrons of the hotel, particularly those from the metropolitan area who may attend a few events there each year, will come to find that it has too few spaces, ones that are awkward to use, ones that get straddled by larger cars whose drivers are hurried and too rushed to find a proper space (even if one is available), and even ones where they may get blocked in by other drivers or valets "double parking." They will, we fear, head for the streets of our community rather than risking the hassles of the plan called for by the applicants.

Over and above this, the community and the ANC are aware that the hotel currently provides parking passes to some 40-50 employees. In addition, it provides parking spaces (by day) to some teachers at the nearby Oyster school (about 12), and to various limosines, service vehicles, and a small fleet of Chesapeake and Potomac Telephone Company vans. The total number of spaces so dedicated may approach 80; it certainly exceeds 50.

The applicant's own exhibit indicates that it has 647 full-sized spaces either now or in the current development scheme. They also indicate that 67 of these would be lost if "stack" parking were permitted. Fifty to eighty more spaces are taken up by hotel employees and other users. The residual number of full-sized spaces is in the low 500 range, well short of even the most conservative determination by the Zoning Administrator of the number of required full-sized spaces (a determination being questioned, vigorously, in a separate appeal, BZA #13112).

To be quite blunt, ANC 3C does not feel that the requested variance can be seen as a public good. Rather, it conflicts with stated views of the Department of Transportation on size and arrangement of spaces, it will add confusion to the person driving to the hotel seeking to park there, and it poses the clear threat of permanent damage to the surrounding community.

Finally, there is the matter of degree of impairment the variance would cause to the zone plan and map. The hotel in question is located in a lot that is mapped both R-5-B and R-5-C. The area to the north of the hotel is a combination of R-3 and, mostly along Connecticut Avenue, R-5-B and R-5-C. There is a small commercial district to the east with both C-2-A and C-2-B zones, east of which is additional residential area, mostly R-4. The area west of 29th Street is zoned R-1-B.

In a 1978 parking study undertaken by the community in conjunction with the applicant when only a modest-sized activity was taking place, clear evidence was found that on-street parking spaces were being claimed two and three blocks from the hotel -- mostly along those local streets zoned R-3 and R-4 -- by persons attending that function. The community is, in our view, profoundly affected by the Washington Sheraton Hotel and adversely affected by its inadequate parking arrangements.

Our residential communities, be they those zoned R-1 ("to protect quiet residential areas"), R-3 (for "row dwellings" mingled with other residences; to "maintain a family life"), R-4 ("Primarily ... row dwellings"), or even R-5 (which permits "flexibility of design" for all "types of residential development," mostly various densities of apartments) is clearly adversely impacted by the applicant's facility. While hotels have historically been permitted in R-5-B and R-5-C zone districts, the preamble notes that all non-residential uses must be "compatible with adjoining residential uses." ANC 3C feels the requested variance would exacerbate an existing incompatibility if granted.

The Zoning Act, under which both the regulations and map were promulgated, is intended to --

... promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia

It further requires, at section 2, that the regulations it authorizes (since adopted) --

... be made in accordance with a comprehensive plan and designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, ... and to create conditions favorable to health, safety, transportation, (Emphasis added.)

April 1, 1980

ANC 3C asks that the Board consider these statutory requirements along with pertinent requirements of the regulations themselves in considering the application in question. We feel that the purposes and principles of the Act as well as the zone districts that comprise the residential community of Woodley Park will be substantially impaired, and that the integrity of the zone plan will be undermined, if the requested variance is granted. Accordingly, we advise that from our perspective, the application fails to meet the tests of the last clauses of section 8207.11 of the Zoning Regulations.

Based on the above considerations, ANC 3C requests the Board of Zoning Adjustment to deny the request for a variance by the Washington Sheraton Hotel, BZA #13087.

It further asks that the Board permit Mr. Lindsley Williams, Chairman of its Planning and Zoning Committee, to represent the ANC at any hearings conducted in this case. As you may recall, Mr. Williams served as Chairman of the ANC itself at the time we were first notified of this application and he has been working actively with the community involved.

BY RESOLUTION OF THE COMMISSION,
(Adopted Meeting of March 24, 1980)

Ruth Hanger ANC 3C-09 for
Gary Kopff, Chairperson

cc: Whayne S. Quin, Esq.
Jack Heller, Esq.
William Carroll
Lindsley Williams

*This sheet
is corrected*

RECEIVED MAR 22 1971

WASHINGTON SHERATON PARKING SPACE COUNTS

	<u>Self-Park</u>		<u>Stacked*</u>	<u>Total Self-Park</u>	<u>Self-Park and Stack</u>
	<u>9' x 19'</u>	<u>8' x 18'</u>			
Lot 1:					
"A" Area:	76	0	0	76	76
"A" & "B" Linkage:	42	0	0	42	42
"B" Area:	<u>33</u>	<u>0</u>	<u>53</u>	<u>33</u>	<u>53</u>
Subtotal Surface:	151	0	53	151	171
Lot 2:	9	0	0	9	9
Service Drive:	14	0	0	14	14
Service Yard:	22	0	41	22	41
Temporary Parking** Entrance Drive:	<u>11</u>	<u>0</u>	<u>0</u>	<u>11</u>	<u>11</u>
Total for Surface:	207	0	94	207	246
Lotillion:					
Levels 1-4:	165	4	0	<u>169</u>	<u>169</u>
Level 5:	<u>12</u>	<u>0</u>	<u>33</u>	<u>12</u>	<u>33</u>
Subtotal Garage:	177	4	33	181	202
Park Tower:	<u>263</u>	<u>96</u>	<u>0</u>	<u>359</u>	<u>359</u>
	647	100	127	747	807

80%^{5/3} 12.39%
36% 9' x 19'; 14% 8' x 18' of self-park.

39% self-park; 11% stacked.

92% 15.74%

*Optional service all 8' x 18' spaces; to operate in lieu of self-park mode.

** Temporary parking consists of 11 9' x 19' spaces passenger loading and unloading.

CORRECTED WASHINGTON SHERATON PARKING SPACE COUNTS

	<u>Self-Park</u>		<u>Stacked</u>	<u>9 x 19 & 8 x 18</u>	<u>9 x 19 Lost to Stacked</u>	<u>9 x 19 8 x 18 Total Self & Stacked</u>
	<u>9 x 19*</u>	<u>8 x 18 **</u>	<u>8 x 18</u>	<u>Self-Park</u>		
<u>Lot 1</u>						
"A" Area	76	0	0	76	76	76
A & B Linkage:	42	0	0	42	42	42
"B" Area	<u>33</u>	<u>0</u>	<u>53</u>	<u>33</u>	<u>(-33)</u>	<u>53</u>
<u>Subtotal Surface</u>	151	0	53	151	118	171
<u>Lot 2</u>	9	0	0	9	9	9
Service Drive	14	0	0	14	14	14
Service Yard	22	0	41	22	(-22)	41
Temporary Parking	<u>11</u>	<u>0</u>	<u>0</u>	<u>11</u>	<u>11</u>	<u>11</u>
Entrance Drive						
<u>Subtotal Surface</u>	56	0	41	56	34	75
<u>Total Surface Spaces</u>	207	0	94	207	152	246
 <u>GARAGES</u>						
Cotillion:						
Levels 1-4	165	4	0	169	165	169
Level 5	<u>12</u>	<u>0</u>	<u>33</u>	<u>12</u>	<u>(-12)</u>	<u>33</u>
<u>Subtotal Garage</u>	177	4	33	181	153	202
Park Tower	<u>263</u>	<u>96</u>	<u>0</u>	<u>359</u>	<u>263</u>	<u>359</u>
<u>Subtotal Garages</u>	440	100	33	540	416	561
<u>Total Parking Spaces</u>	647	100	127	747	568	807

* Per Zoning Regulations, may be entered or departed from freely without reliance on parking lot operator

** Only Small Cars will fit

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



October 12, 1979

Lindsley Williams
ANC 3C
2737 Devonshire Pl., N.W., Rm. 1
City 20008

Dear Mr. Williams :

This is to advise you that a public hearing has been scheduled by the Board of Zoning Adjustment to consider the following application located within the boundaries of your ANC:

13087 ANC - 3C Application of Washington Sheraton Corp., pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the prohibition that all required parking spaces shall be nine feet in width and nineteen feet in length (Section 7204) and accessible (Section 7206) to permit additional off-street parking spaces in the R-5-B and R-5-C Districts at the premises 2660 Woodley Road, N.W., (Square 2132, Lot 32).

This hearing will be held on November 14, 1979, in Room 11A of the District Building, 14th and "E" Streets, N.W. Cases in this area are scheduled to be heard between 9:00 am and 1:00 pm. The formal notice of public hearing will appear in the D.C. Register.

The Office of Planning and Development reviews many of the application before the Board, to assist the Board in reaching a decision. To find out if the OPD is reviewing this application, or to communicate your views to the OPD regarding this application at this time, contact Mr. Kenneth T. Hammond, Director, Zoning Division, OPD, Suite 600, Munsey Building, 1329 "E" Street, N.W. If you wish further information on the technical aspects of the application or on the procedures which will govern consideration of this case, contact Mr. Hammond (727-6661) or the Zoning Secretariat, Room 9A, District Building, Washington, D.C. 20004, telephone number 727-6311.

If you wish to forward comments in writing directly to the Board, such comments should be addressed to the Board at Room 9A, District Building, Washington, D.C. 20004.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Steven E. Sher".

STEVEN E. SHER
Executive Director

Kaj Strand attended the Eaton-Hearst Elem. School Parent's meeting on March 12, 1980. Police Captain Spurlock, Section III Chief, related on crimes involving school children. Since Jan. 1 there had been a total of 291 cases, of which 11 were for petty larceny. Dianne Bowie and Polly Peacock descibed their proposed Block Parent Program, which would be of assistance to school children in a real emergency. Volunteers displays in their home a yellow Block Parent sign, clearly visible from the street, a place of refuge for a child in times of danger or in need of help. Meeting was attended by about 35 .

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ADVISORY NEIGHBORHOOD COMMISSION 3-C
Government of the District of Columbia

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

MEMORANDUM:

TO: All Commissioners

FR: Phil Mendelson *PM*
Housing Committee Chair

RE: Housing Committee Report (1980 #2)

March 24, 1980

Legislation

This Thursday, March 27th, the D.C. Council committee of Housing and Economic Development will hold hearings on rent control. I have taken steps to register to testify on behalf of the Commission. A rough outline of the testimony I propose to give follows:

- A. The concept of rent control is one we support and urge to be extended for an additional period of time. The conversion phenomenon is not unique to rent control.
- B. The administration of rent control should be improved:
 - 1) rate of return should be based on equity in the property, not assessed value;
 - 2) the rate of return should not be fixed at 8% but should fluctuate with the economy/wage index (i.e., tenants' ability to pay);
 - 3) mandated and hardship rent increases should be limited to one per year;
 - 4) substantial compliance with the housing code, as a criteria for rent increases, should be strengthened--e.g., "energy efficiency" should be required (plumbing and HVAC systems should be in good working order);
 - 5) mandated/automatic increases should be based on inflationary indices;
 - 6) new construction should be exempt from rent control for 10 years;
 - 7) there should be no luxury decontrol--this puts pressure on lower priced units;
 - 8) Single rental units should be brought under rent control;
 - 9) multiple tiers of rent control (ala New York) should be avoided.
- C. The Rental Accommodations Commission:
 - 1) ANC's should have the right to review and advise on appointments;
 - 2) Frequently absent Commissioners should automatically be removed.
- D. Eviction controls should be continued, with the following changes:
 - 1) Use of discontinuance should be either eliminated or enforced;
 - 2) Use of discontinuance should trigger right to purchase;
 - 3) Use of demolition should trigger right to purchase;
 - 4) Eviction controls should be put under separate, permanent statute.
- E. Conversion and right to purchase:
The points made by the McLean Gardens Residents Association in its Feb. 14th testimony are adopted by 3C.

Single Member District Commissioners, 1978-1979

01-Fred Pitts
02-Ruth Haugen
03-Bernie Arons
04-Lindsley Williams

ANC-3C Office
2737 Devonshire Place, N. W.
Washington, D. C. 20008
222-2232

06-Kay McGrath
07-Gary Kopff
08-
09-Louis Rothschild
10-David Gianell

F. The law must recognize the interrelationship of rent control, conversion control, purchase rights, and eviction requirements in the applicability of tenants' rights.

Regulations

There are no proposed D.C. regulations at this time upon which this Committee recommends a position be taken.

No-Action Items

The Committee has received material on the Community Development Block Grant Program. The Committee proposes that no action be taken on this.

Committee Matters

The Committee has managed to hold one meeting this month, at which the above outline of testimony was drafted. The Committee remains small, however, and must grow to become effective. To this end, volunteers are needed. If you know of any interested people, tell me or have them tell me.

Other Items

On behalf of the Committee I wrote a letter to the Rental Accommodations Commission on March 4th requesting information about the attendance record of the Commissioners. I had heard that several of the members, who were being reappointed, had frequently missed meetings and thereby frustrated the work of the Commission. I received no response to my letter and request that ANC-3C authorize me to write a letter of objection about this to the RAC.

ADVISORY NEIGHBORHOOD COMMISSION 3-C
Government of the District of Columbia

file

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

March 4, 1980

Jerome Shuman, Chairman
Rental Accommodations Commission
Lansburgh Building Suite 109
421 8th Street, N.W.
Washington, D.C. 20004

Dear Mr. Shuman:

I am writing with regard to the current members of the Rental Accommodations Commission who have been proposed for reappointment by Mayor Barry. Specifically, I would like to know about their attendance record at RAC meetings. I have heard (there was something in the January press, as I recall) that several Commission members have missed meetings, particularly within the last few months.

I appreciate your attention to this matter and would be most grateful for a rapid response. As Chairman of my ANC's Housing Committee, I am considering submitting comments and/or testimony on the upcoming confirmation hearings.

Sincerely,



Phil Mendelson
3-C-05 Commissioner

Single Member District Commissioners, 1978-1979

01-Fred Pitts
02-Ruth Haugen
03-Bernie Arons
04-Lindsley Williams
05-Katherine Coram

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06-Kay McGrath
07-Gary Kopff
08-
09-Louis Rothschild
10-David Grinnell

ADVISORY NEIGHBORHOOD COMMISSION 3-C
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MINUTES

April 28, 1980

- A. The meeting was called to order at 8:00 PM, Gary Kopff presiding.
- B. A motion carried at this time to deviate from agenda as mandated in ANC-3C's ByLaws (Article VIII, Section 21) in favor of Chairman Kopff's agenda (attachment).
- C. Verification of notice was established.
- D. The minutes of the March 24, 1980 were approved with one correction. Discussion on that evening concerned appropriateness of spending ANC-3C funds on Goldblatt's SMD newsletter specifically, not on SMD newsletters in general as the minutes implied.
- E. The Vice-Chairman presented no report at this meeting.
- F. The Treasurer's Report for April (attached) was approved, as was his quarterly report. Total disbursements for April totaled \$528.34.
- G. Due to deviations from the order of the agenda to accommodate guests, the Secretary's report for April was overlooked.

STANDING COMMITTEES: REPORTS & ISSUES

Zoning, Transportation, Licenses & Permits:

1. Square 1801 (attachment)

Developer Michael Minkoff, accompanied by attorney Norman M. Glasgow Jr., presented for the first time to concerned neighborhood residents a new proposal which would substitute five attached 1200 square foot/floor townhouses for the five previously planned detached 1700 square foot/floor houses. The latter proposal would have required the alley closing in question. BZA requires a variance for the enactment of the new plan; neighborhood and ANC approval of this plan will be crucial to the BZA's decision to grant the variance.

As the situation currently stands, neighbors present at the meeting will meet with other concerned neighbors to develop a unanimous position vis a vis the new proposal. Meanwhile, Mr. Minkoff has an application pending for a grading permit for the property in question to which the neighbors are opposed. Neighbor Cecil Hunt has another application pending for the closing of the alley originally in question. He agreed to hold off on his proceedings until neighbors had the chance to study the new proposal and meet again with the developer.

ANC-3C will use the Anne Blaine Harrison Institute contract time to draft a strongly-worded letter to the D.C. Dept. of Transportation citing their right to 30-day notice of their

Single Member District Commissioners, 1980-1981

01- Christopher Klose
02- Ruth Haugen
03- Thomas Asher
04- Joe Jeff Goldblatt
05- Phil Mendelson

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06- Kaj Strand
07- Gary Kopff
08- Wilma Martin
09- Patricia Wamsley
10- David Grinnell

actions. Pat Wamsley moved that the ANC-3C take a position in opposition to Minkoff's grading application. Grinnell seconded, with the provision that this position be communicated immediately to D.O.T. Motion carried; Kopff abstained.

2. Sidwell Friends School
Lindsley Williams reported that they had scaled down their expansion plans from the original on their application. BZA approved this technical adjustment without a hearing. No action was required by the ANC.
3. Brown Derby ABC License
This issue was tabled until the May meeting pending Lindsley Williams' further investigation.
4. Status of Naval Observatory Access
The problem of access/egress to the Naval Observatory originally addressed at the November 1979 meeting has been solved by installation of traffic light on Wisconsin Ave. at the rear entrance to the Naval Observatory. Naval Observatory funds will pay for this installation.
5. Sidewalk Cafe Application
Casa di Firenze's application for a sidewalk cafe addition to the existing restaurant was approved by this committee. Letter (attached) was signed and sent to liaison person to the Public Space Committee indicating ANC-3C approval, outlining specific conditions of the approval.
6. Letter on Transportation Goals
Gary Kopff withdrew from consideration his letter supporting the National Capital Area Transportation Federations's Transportation Goals as outlined in their policy statement. It was decided that their positions on several issues did not coincide with standing ANC-3C positions.
- *7. Schneider resignation
David Grinnell moved that ANC-3C draft a letter to the D.C. Department of Transportation expressing its regret as a body at the forthcoming August resignation of its Chief, Douglas Schneider. Lindsley Williams will write the letter.
- *8. Hotel case Bill 79-1
Lindsley Williams reported on impact of final text changes to the zoning regulations. Residential areas have gained some limited security from hotel location--limited because of the altogether too broad definition of the word "hotel". Mixed use areas will probably be used for transient accommodations rather than resident uses (eg offices, homes).
- *9. McLean Gardens alley closing
Phil Mendelson reported on an application by McLean Gardens for the closure of an alley within their compound area. This action is to accommodate the construction of a parking garage badly needed by the residents. ANC-3C approval or action was unnecessary in this case, since application for alley closure is granted automatically if all residents on the block in question are in agreement.

* Items added to agenda

*10. NBC proposed construction (attachment)

Phil Mendelson submitted copies of his letter to BZA requesting that it consider both environmental and visual impact on Glover-Archbold Park of expansion applied for by the National Broadcasting Company (case #13222). Commissioners present added that such new building in that area should also be subject to Fine Arts Commission approval.

Budget and Fiscal Affairs

1. Kaj Strand reported that plans to set up a 36-member ANC Committee to oversee the D.C. Budget have been abandoned. In its place Mayor Barry set up an 81-member Budget Review Committee, on which sit ten members from Ward III. In actual organization of this advisory committee, it was recognized that its duties would not be in keeping with ANCs' statutory responsibilities/functions.
2. Legalized Gambling Initiative
Representatives of the citywide faction in favor of legalized gambling in D.C. presented a case supporting this initiative for economic reasons.

Communications

1. Newsletter
Chris Klose submitted copies of the most recent mock-up and asked that Commissioners submit corrections/comments to him by noon on Wednesday April 30. After final corrections he plans to take it to the printer on May 1st, who will give him 7500 ready-to-mail copies for \$450.00(attachment).
2. Stationery will be printed with the newsletter.
3. Annual Report
Newsletter, when completed, will serve as the ANC-3C Annual Report.

*Miscellaneous

Chris Klose requested \$500.00 in ANC-3C funds to benefit the Woodley Place Elm Association (attachment). David Grinnell asked that the W.P.E.A. supply ANC-3C with a professional evaluation of the proposed elm treatment so Commissioners might make a more informed judgment about granting the funds. Klose responded that the treatment program, although entirely experimental, has been used successfully to date by Montgomery County.

Crime Prevention

The SMD-04 newsletter distributed by Joe Goldblatt resulted in three new volunteers for this committee.

Education

No report for April.

Housing

1. Kopff presented a letter he'd drafted (attached) which would exempt single family homes with small rental units from regulations of Bill 3-74, "Families With Children Equal Rights Act of 1980." He cited a distinction between a business venture (e.g. apartment building) and an owner-occupied private home.
2. Phil Mendelson presented copies of his testimony before the D.C. Council Committee on Housing and Economic Development regarding "Rent Control in the District of Columbia" on February 14 and March 27, 1980 (attached).
3. Mendelson also submitted Housing Committee Report (#3) for April (attached).

Human Services and Aging

No April report.

Recreation

No April report.

SPECIAL COMMITTEES: REPORTS & ISSUES

1. No April report from the ByLaws Committee.

OTHER ISSUES

- 1., 2., and 3. Time did not allow for discussion during this meeting of the Youth Employment for the Summer, D.C. Hospital Association or Washington Gas Light Rate Increase issues.
4. 08-vacancy
It was explained that, despite Ruth Haugen's personal efforts and an ANC-3C campaign advertising this vacancy with notices (attached), no one came forward to fill Wilma Martin's vacated seat. It will remain vacant for two years.
5. Thomas Asher's Attendance Record
Chairman Kopff volunteered to meet with Asher on a personal basis to discuss his performance and future as an ANC-3C Commissioner. He will report results of this discussion with the other Commissioners.
6. The May meeting will be held May 19th at 8:00 PM at the Second District Police Station. This early meeting will avoid the Memorial Day week-end holiday, which occurs on the regular 4th Monday (May 26th).
7. October/November 1979 Minutes

Time did not allow for discussion of this issue.

The meeting adjourned at 11:46 PM.

List of attachments to original copy of the minutes (items distributed at the meeting will not be distributed again with minutes to Commissioners who attended meeting)

1. Attendance registration sheet
2. Chairman Kopff's April agenda
3. Monthly Treasurer's Report (April)
4. Chairman Kopff's letter to Committee on Transportation and Environmental Affairs re: proposed alley closing in Square 1801
5. ANC-3C letter to Liaison with Public Space Committee approving, under specific conditions, Casa di Firenze's plans for a sidewalk cafe addition to existing restaurant
- 5'. Information regarding closing of alley in square 1820 (McLean Gardens)
6. Phil Mendelson's letter to BZA re: NBC's Application #13222
7. Newsletter mock-up
8. Woodley Park Elm Association flier
9. Kopff's letter exempting single family homes from rental unit regulations of Bill 3-74.
10. Mendelson's letter to D.C. Department of Housing and Community Development presenting ANC-3C's endorsement for publication of a listing of certificates of eligibility for condominium conversion
11. Mendelson's testimony before the D.C. Council Committee on Housing and Economic Development regarding "Rent Control in the District of Columbia" from February 14, 1980
12. Similar testimony from March 27, 1980
13. Housing Committee Report (#3)
14. Advertisement posted for 08-vacancy

Respectfully submitted for the Commission

Linda D. Major, Recorder

Approved, as corrected

Ruth Haugen, Secretary

Secretary

AGENDA FOR MEETING OF ANC 3-C

April 28, 1980

ADMINISTRATIVE

- A. Roll Call ^{8:20} *Klose, Mendelson late* Linda Major
- B. Approval for Agenda Deviation Gary Kopff
- C. Verification of Notice Gary Kopff
- D. March Minutes *approved, one correction* Linda Major
- E. Vice Chairman's Report/Issues *none* Joe Jeff Goldblatt
- F. Treasurer's Report/Issues *approved, incl. quarterly report* David Grinnell
- G. Secretary's Report/Issues Ruth Haugen

STANDING COMMITTEES:

REPORTS & ISSUES

Zoning, Transportation,
Licenses & Permits

1. Square 1801 Lindsley Williams/
Pat Wamsley/
Linda Major
2. Sidwell Friends Pat Wamsley
3. Brown Derby ABC Board License Gary Kopff
4. Status of Navel Observatory Access Gary Kopff
5. Restaurant Application Lindsley Williams
6. Letter on Transportation Goals Gary Kopff

Budget &
Fiscal Affairs

1. Overall Economic Development Program Kaj Strand
2. Legalized Gambling Guests

Communications

1. Newsletter
2. Stationery
3. Annual Report

Chris Klose

Crime Prevention

Joe Jeff

Education

Kaj Strand

Housing

1. Bill 3-74 - "Families With Children Equal Rights Act of 1980"

Phil Mendelson

Joe Jeff/
Gary KopffHuman Services and Aging *no report*

Ruth Haugen

Recreation *deferred to Asher*

Phil Mendelson

SPECIAL COMMITTEES:
REPORTS & ISSUES

1. By Laws

OTHER ISSUES

Phil Mendelson

1. Youth Employment for the Summer
2. D.C. Hospital Association
3. Washington Gas Light Rate Increase
4. Vacancy Created by Wilma Martin's Resignation
5. Time/Place of May Meeting *May 19th*
6. Thomas Asher's Attendance Record
Gary will meet him
7. Minutes to be Prepared by Phil Mendelson

Gary J. Kopff
Chairman, ANC 3-C

TREASURER'S REPORT, ANC-3C

For Month of April, 1978

A. Opening Balances

- 1. Checking maintained at N.S.T.
- 2. Savings maintained at "
- 3. Other maintained at — 0 —

5,640.62
 \$ 5,512.31
 \$ 128.31
 \$ _____
 \$ _____

B. Revenues During Month

- 1. D.C. Government
- 2. Interest on savings
- 3. Other

1.67
 \$ 1.67
 \$ _____
 \$ _____

C. Disbursements Made

Total Disbursed

5,028.34
 \$ _____

	<u>Payee</u>	<u>Purpose</u>	<u>Amount</u>
1.			
2.			
3.			
4.	Check # 386 - 393		
5.			
6.			
7.			
8.			
9.			
10.			

(Additional details posted in Treasury Accounts Book and in Treasury Vouchers, both available for inspection by consulting with the Treasurer)

D. Closing Balances (A + B - C) = (D.1 + D.2)

- 1. Checking
- 2. Savings
- 3. Other

~~4,483.97~~
 \$ 4,983.97 5,113.95
 \$ 129.98
 \$ _____
 \$ _____

Respectfully submitted by

David Grimmell
 David Grimmell, Treasurer

 Gary J. Kopff, Vice-Treasurer

 Date

Secretary

ADVISORY NEIGHBORHOOD COMMISSION 3-C
Government of the District of Columbia

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

The Honorable Jerry A. Moore, Jr.
Chairman, Committee on Transportation
and Environmental Affairs
Council of the District of Columbia
District Building
14th and E Streets, N.W.
Washington, D.C.

April 23, 1980

RE: Proposed Alley Closing in Square 1801

Dear Councilman Moore:

On Thursday, April 24, your Committee is scheduled to act on a proposed alley closing within the jurisdiction of ANC 3-C. Within the past few days, we understand that two unusual actions have occurred that affect your hearing:

1. The developer and owner of adjacent property, Mr. Michael Minkoff, allegedly withdrew his application for the alley closing (confirmed by Ms. Snodgrass of your staff on April 23).
2. Another adjacent property owner, Mr. Cecil Hunt, subsequently filed an application with your staff to close the same alley (confirmed orally by Ms. Snodgrass on April 23, however, she could not confirm whether this application would result in a hearing on April 24, if Mr. Minkoff's withdrawal did occur).

Anticipating the possibility that the Council will decide to act upon either application on April 24, we submit this letter to inform your Committee of actions that ANC 3-C has taken in the past and will take within the next week on this matter.

Past Position of ANC 3-C

By majority vote of ANC 3-C on September 24, 1979*, we acted in compliance

- * - This meeting occurred on our normally scheduled date and time (fourth Monday of the month at 8:00 p.m.), at the normal site (Second Police District meeting) after posting of required notice 7 days in advance.

with our statutory duty relating to "monitoring of neighborhood complaints" by alerting the Department of Transportation (Mr. Douglas Schneider, Jr., Director) and the City Council, through Council Member Shackleton, of our concern over this proposed alley closing. As we indicated at the time (Attachment A):

... our Commission views the possibility of an alley closing as a matter of considerable import, certainly analogous to a "permit of significance ..."

By law, upheld in Kopff vs. ABC Board, ANCs are to receive 30-day notice of "permits of significance" and actions of this type by the Council of the District of Columbia. In response to our letter, you and Mr. Schneider wrote to us to confirm that the Council - not the Department of Transportation - takes action on alley closings. In your letter (Attachment B), you indicated:

"I can assure you that the views of the ANC, other civic organizations, and abutting property owners will be carefully considered."

Future

Action by ANC 3-C

We hereby notify the Council - and affected parties or their attorneys by receipt, registered mail, of copies of this letter - that ANC 3-C will review this matter at its regular scheduled public meeting on Monday, April 28 at 8:00 p.m. Thereafter, ANC 3-C will promptly forward its findings and recommendations to the:

- ¶ City Council with respect to a proposed alley closing
- ¶ Department of Transportation with respect to a potential proposal for paving all or any portion of the alley
- ¶ Board of Zoning Adjustment and/or Zoning Commission with respect to applicable zoning requirements (e.g., setbacks).

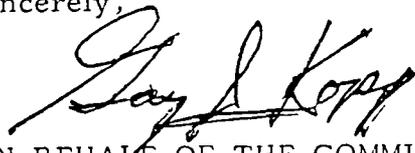
he Honorable Jerry A. Moore

-3-

April 23, 1980

In the announcement of the April 24 hearing, we understand your Committee indicated that no action would be taken until May 7. Therefore, if the Council hears the case on April 24, we respectfully request that no decision be made until you have received and carefully considered the view of ANC 3-C.

Sincerely,



ON BEHALF OF THE COMMISSION
Gary J. Kopff
Chairman, ANC 3-C

cc: The Honorable Polly Shackelton
Mr. Douglas N. Schneider, Jr., DOT

cc: BY REGISTERED MAIL

1. Mr. Thomas G. Corcoran, Esq.
Corcoran, Youngman and Rowe
1511 K Street, N.W.
Washington, D.C. 20005
(Attorney of Record for
Dr. Francis P. Kalibat)
2. Mr. Norman S. Glasgow, Jr., Esq.
Wilkes & Artis
1666 K Street, N.W.
Suite 600
Washington, D.C. 20006
(Attorney of Record for
Mr. Minkoff)
3. Mr. Cecil Hunt
3834 Macomb Street, N.W.
Washington, D.C. 20008

ADVISORY NEIGHBORHOOD COMMISSION 3-C
Government of the District of Columbia

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

April 28, 1980

Mr. Basil Troutman
Liaison to Public Space Committee
D.C. Department of Transportation
Public Space Permits and Records Branch
Potomac Building South, Room 616
613 G Street NW
Washington, D.C. 20001

Dear Mr. Troutman:

The ANC-3C Zoning, Permits and Licenses Committee has reviewed the application of the Casa di Firenze Restaurant (3709 Macomb St. NW, lot 40, square 1920) for a sidewalk cafe addition and discussed the matter in detail with the applicant, Mr. George Smyrnios. Per directions of Mr. Ernest Pifer we are sending this letter to you, as liaison, to convey ANC-3C's approval, with reservations below, to the Public Space Committee. Following are the mutually agreeable stipulations:

1. that the seating capacity of the sidewalk cafe area be maintained at or below the indicated and agreed upon 13 tables/26 persons
2. that, in construction of any structure or placing of tables, the 8-foot minimum distance from curb or tree enclosure be observed
3. that the sidewalk cafe area be operated (decorated etc.) as an obvious extension of the adjacent main floor restaurant rather than the lower level bar/lounge. The clientele and atmosphere of the two would be distinctly different, the latter inappropriate for an outdoor area where noise could carry at late, quiet hours into very nearby residential neighborhoods.
4. that there be no outside speakers installed which could, as above, carry the restaurant/lounge's entertainment music into the neighborhood where it would not be appreciated at any volume
5. that it be understood that ANC-3C approval of the permit applies to this particular use by this particular establishment/owner and should not be interpreted as blanket or indefinite approval for any subsequent owner or operating plan
6. that any new owner and/or operating plan shall require a review of the right to operate and a new permit

Single Member District Commissioners, 1978-1979

01-Fred Pitts
02-Ruth Haugen
03-Bernie Arons
04-Lindsay Williams
05-Katherine Coram

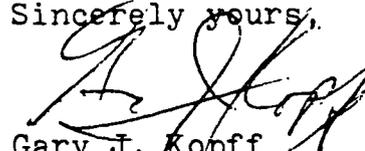
ANC-3C Office
2737 Devonshire Place, N. W.
Washington, D. C. 20008
232-2232

06-
07-Gery Kopff
08-
09-Louis Rothschild
10-David Grinnell

7. that this permit, once granted, be subject to annual application for renewal, coinciding with any liquor license.

We look forward to a good neighborhood relationship with the Casa di Firenze Restaurant.

Sincerely yours,



Gary J. Kopff
Chairman, ANC-3C

cc: Mr. George Smyrnios
Casa di Firenze Restaurant

WHEREAS the McLean Gardens Partnership has made an application to the D.C.

Government proposing the closing of the public alley in Square 1820 (S.O. 80-1) between Newark and Porter Streets;

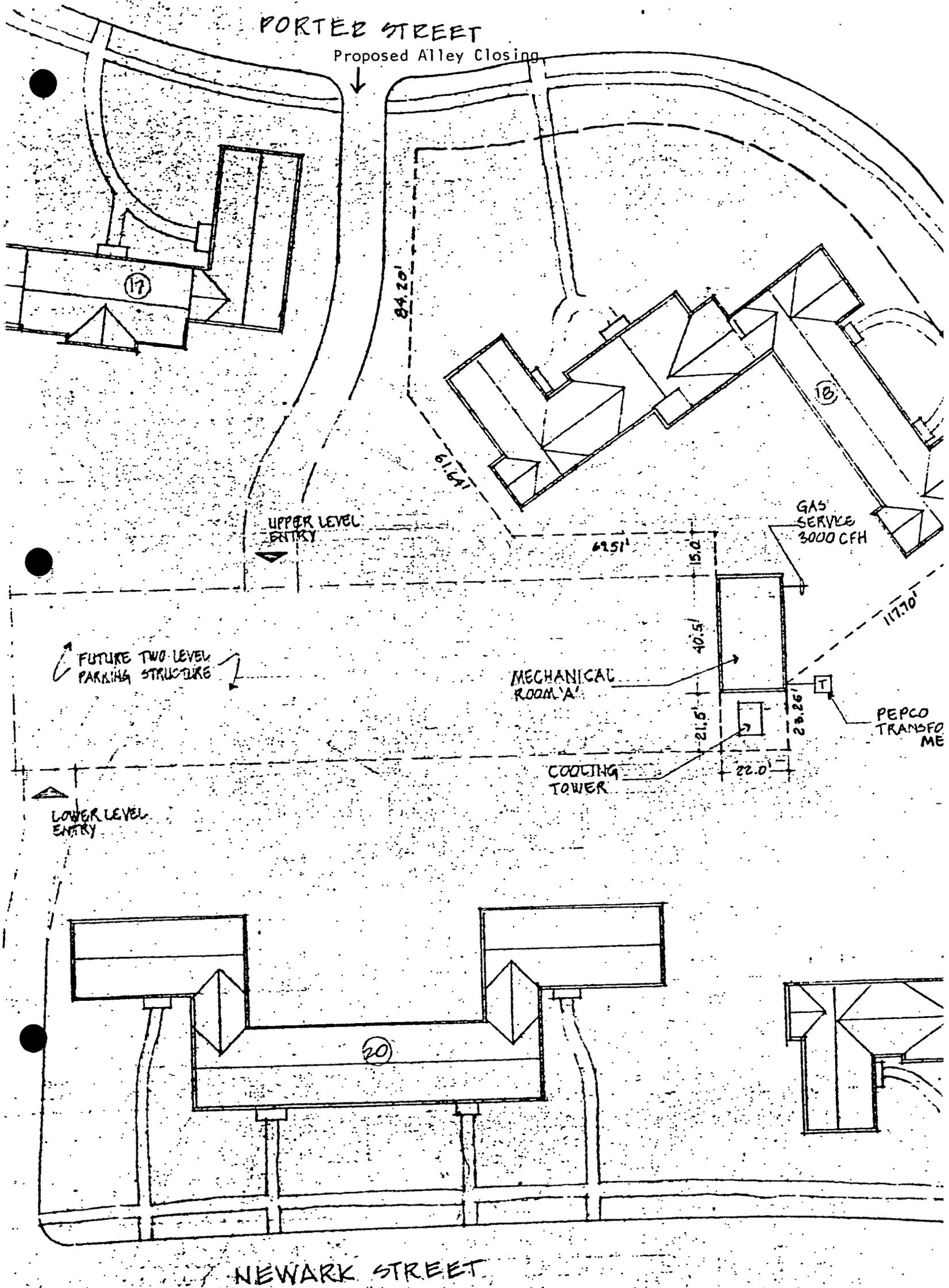
WHEREAS the purposes of the alley closing are to allow for the construction of a two-level parking garage which will cover part of the alley and to provide access to the garage,

WHEREAS the parking facility will provide needed parking spaces and will be carefully integrated into the landscaping and design of the Gardens with brick construction and heavy plantings and thus have minimal impact on the surrounding open space and apartments;

WHEREAS the McLean Gardens Residents Association as a limited partner in the McLean Gardens Partnership has actively participated in the development plans for the entire project;

WHEREAS, Advisory Neighborhood Commission 3C has on several occasions endorsed the development concept for McLean Gardens and has indicated the need for additional parking facilities;

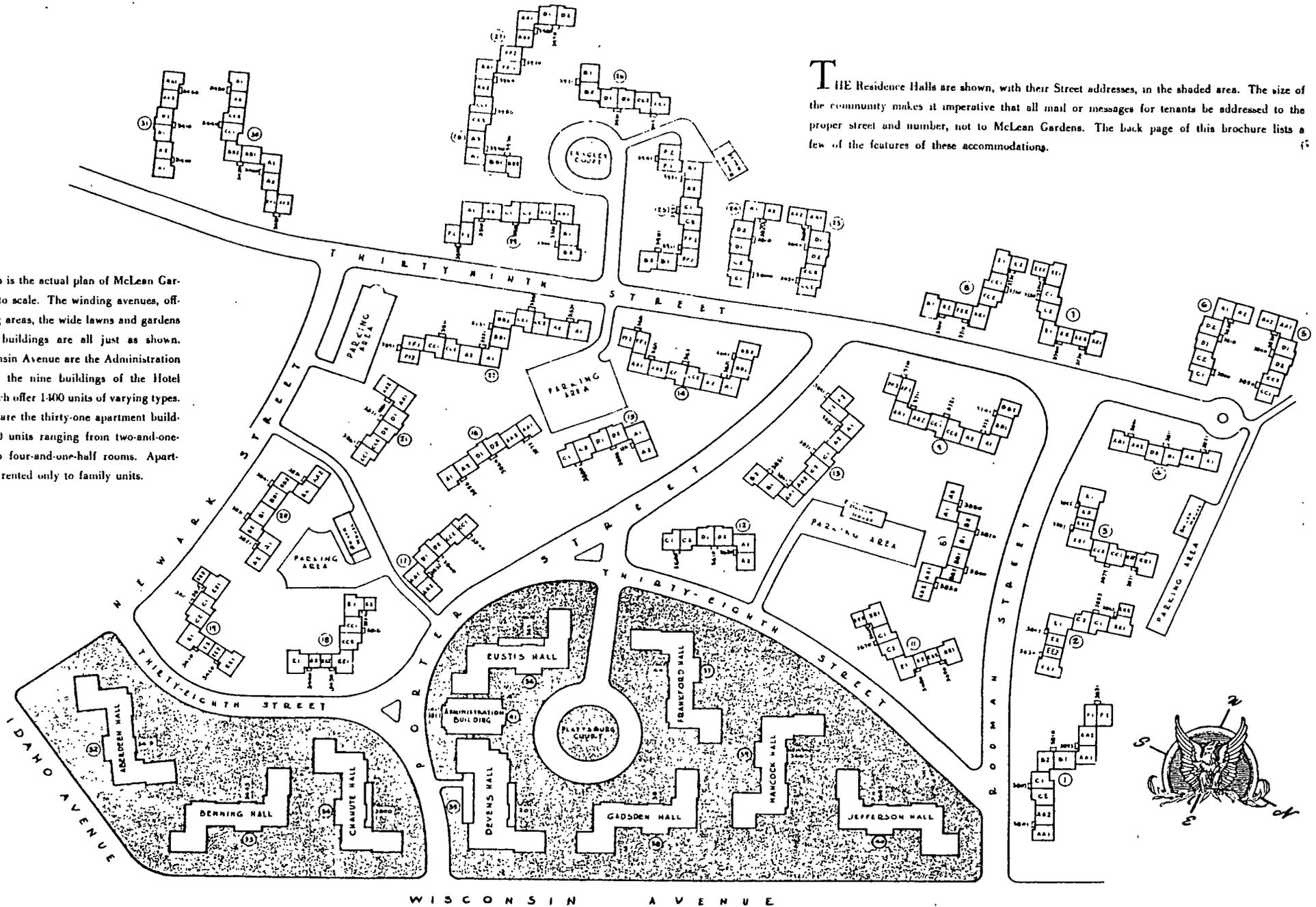
BE IT RESOLVED that the Advisory Neighborhood Commission 3C supports the proposed alley closing in Square 1820 made by the McLean Gardens Limited Partnership.



MCLEAN GARDENS

Site Plan for Parking Garage
and Utility Building

THIS map is the actual plan of McLean Gardens, drawn to scale. The winding avenues, off-street parking areas, the wide lawns and gardens between the buildings are all just as shown. Along Wisconsin Avenue are the Administration Building and the nine buildings of the Hotel Division, which offer 1,400 units of varying types. Behind these are the thirty-one apartment buildings with 720 units ranging from two-and-one-half rooms to four-and-one-half rooms. Apartments can be rented only to family units.



THE Residence Halls are shown, with their Street addresses, in the shaded area. The size of the community makes it imperative that all mail or messages for tenants be addressed to the proper street and number, not to McLean Gardens. The back page of this brochure lists a few of the features of these accommodations.

The 35 ANC's were authorized by the U.S. Congress in the "Home Rule" Act to promote individual participation in local government and to advise the district Gov

Chris Klose

The Advisory Neighborhood Commission (ANC) is the "grassroots level" of representative government in Washington. The 35 ANC's were authorized by the U.S. Congress in the "Home Rule" Act to promote individual participation in local government and to advise the District Government on matters of citywide concern. ANC commissioners are elected for two year terms, serving without pay in the interests of their immediate neighborhoods. These are known as Single Member Districts (SMD) and each contains approximately 2,000 residents. Individual commissioners often act as liaisons between their SMD and appropriate city agencies, working to solve such common problems as inadequate street lighting, illegal parking, and traffic congestion. Together as a Commission, they strive to reflect the concerns of their constituents in the broader areas of housing, services for the elderly, land use and zoning, taxation, etc. and to influence District policies and legislation accordingly. Although commissioners work on a strictly voluntary basis, their activities are funded through general tax revenues subject to Congressional approval and apportioned yearly by the District Government. ANC budgets cover administrative costs and, in some cases, funds for neighborhood projects.

They serve without pay in the interests of their immediate neighborhoods, which are known as Single Member Districts (SMD). Each SMD

S
A S
A D

ANC

The communities of Cathedral Heights, Cleveland Park, McLean Gardens and Woodley Park are represented by ANC 3-C. The Commission area (see map) is bounded roughly by Connecticut Avenue, the Zoo and Rock Creek Park in the east and south, curving around the Naval Observatory to Glover-Archbold Park on the west and running north to Van Ness, Upton and Tilden Streets. Within the ANC 3-C area, approximately 20,000 persons reside, including about 10,000 persons over the age of 65 -- the largest concentration of senior citizens in Washington. Points of interest include the National Cathedral, the National Zoological Park and former Presidential residences; three major hotels, several public and private schools, a branch library, post offices and numerous churches, embassies and chanceries. ANC 3-C is served by several fire stations and police protection is provided by the Second District Headquarters of the Metropolitan Police Department, located on Idaho Avenue near the Wisconsin Avenue Safeway and Giant supermarkets.

Con

~~Christopher Klose (SMD 01), 2750 Woodley Place, is a~~

BF Christopher Klose (SMD 01), 2750 Woodley Place, is a senior editor for a government agency. A resident of Woodley Park for two years, he is interested in limiting traffic and parking congestion in residential neighborhoods, crime prevention and neighborhood beautification. He is chairperson of the ANC Communications committee, a member of the Task Force on Redevelopment of the Sheraton Park Hotel, and Secretary of the Woodley Place Elm Association.

BF Ruth Haugen (SMD 02), 2800 Woodley Road, is a career social worker who is serving her third term as commissioner. She is particularly interested in the areas of human services and the aging. In addition to serving as Secretary of the ANC, she acts as Convenor of the Ward 3/Inter-ANC Committee on Aging, which acts as Ward 3's representative to the D.C. Commission on Aging. Ruth also devotes much of her time to being a member of the Sheraton Park Task Force.

BF Thomas Asher (SMD 03), 2639 Garfield Street, is an attorney. He serves as chairman of the Recreation Committee.

BF Joe Jaff Goldblatt (SMD 04), 2701 Cortland Place, is an actor and theatrical, film and television producer. He and his wife, Nancy, a professional mime, are the proud parents of Max Darwin, 5 months. Joe Jeff's interests include working on discrimination against children in rental housing, zoning issues in Woodley Park and crime prevention. He has begun a newsletter for his SMD and is putting together a coalition of residents and business people to help fight crime in the SMD.

BF Phil Mendelson (SMD 05), 3840 30th Street, is a professional paralegal whose principal area of interest as a commissioner is housing. Although this is Phil's first term as an elected representative, he has been active in community affairs since 1976. As chairperson of the ANC Housing committee, he is seeking community residents interested in working on the issues of condominium conversion, rent control and the District's housing policies in general.

~~BF~~ ~~Kaj Strano (SMD 05), 3202 Rowan Place, is a former Scientific Director of the U.S. Naval Observatory who has lived in Washington for more than 20 years. An astronomer and educator, he has been a consultant to the National Science Foundation and a Professor of Astronomy at Northwestern University and the University of Chicago. Kaj is interested in the District's financial problems and represents the ANC about the budget at the Mayor's Office.~~

Serves as the ANC's ~~budget~~ representative on the District budget.

~~3-C~~ Gary Kopff (SMD 07), 2939 Newark Street, is a management consultant with the worldwide firm of McKinsey & Company. He is Chairman of ANC ~~08~~ and is also a member of the Board of the Harrison Institute for Public Law at Georgetown Law School. Gary and his wife, Judy, ~~who is an investigator for the General Accounting Office, have recently finished renovating their Cleveland Park home.~~

~~BF~~ Vacancy (SMD 08), Wilma Martin, who has represented SMD 08 for two months, has resigned for personal reasons. The ANC actively seeks someone from the SMD to replace her and would welcome a person interested in this challenging, rewarding volunteer position.

~~BF~~ Patricia Wamsley (SMD 09), 3238 Idaho Avenue, is an interior designer who has lived in Cathedral Heights for two years. She is vice chairperson of the ANC Zoning committee and monitors District zoning ordinances to gauge both their effectiveness and their impact on residential neighborhoods.

~~BF~~ David Grinnell (SMD 10), 2603 36th Place, is serving his second full term as commissioner. He has acted as Treasurer or Vice-Treasurer of the ANC for four years, keeping all financial records and disbursing funds. He is searching for a candidate to replace him as commissioner upon the expiration of his term in 1982.

During the past year, ANC 3-C has devoted its time, energy and money to a variety of issues and projects, some of which have had immediate, obvious benefit ~~and some whose effects may not be felt for some time.~~ *and some whose effects will* Whether short- or long-term, ANC actions have been taken to meet some of our most important community needs. Accomplishments include:

- ~~o Senior Citizen Shopper Bus, plying between Calvert and Van Ness Streets, which takes elderly residents to and from their grov~~
- ~~o Senior Citizen Shopper Bus, plying between Calvert and Van Ness Streets, which takes~~
- ~~o Senior Citizen Shopper Bus, plying between Calvert and Van Ness Streets, which takes elderly residents to and from their grocery and other shopping. The "little blue bus," as it is fondly termed by its riders, is a joint project of the ANC, the Jewish Council for the Aging, St. Thomas the Apostle Church and the Federal Government.~~
- ~~o Supporting the "Tot Lot" at the Guy Mason Recreation Center, which has become a hit with the sandbox set; this project was funded by ANC 3-C in cooperation with the D.C. Department of Recreation.~~
- ~~o Funding of After-School Activities by purchasing woodworking and gymnastics equipment for the John Eaton School's after-hour program.~~ *after-hour activities programs.*
- ~~o Preventing the expansion of foreign chanceries (e.g., Iranian) into surrounding residential areas.~~
- ~~o Contributing to the Orderly Growth of Group Homes and halfway houses within the city.~~
- ~~o Drafting proposed legislation to reform the procedures of the Alcoholic Beverage Control Board.~~
- ~~o Establishing a retainer relationship with Georgetown Law School's Harrison Institute for Public Law so that ANC 3-C will have access to consistent, high quality legal advice.~~

The ANC is a group of your neighbors, elected wo

The ANC is a group of your neighbors, elected to work together on their own time, spending limited public funds

The ANC is a group of your neighbors, elected to work together on their own time, spending limited public funds to improve the delivery of services as well as the quality of life within your neighborhood. The needs are many, the resources are few. That is why the ANC needs you. We need you to contribute a bit of your own time on something ~~that either concerns you or in which you are interested~~ *which interests you.*

There is only so much that one group of 10 of your friends and neighbors can do. ~~That is why~~, through the ANC, you could help ~~out~~ in such important areas as:

- o Working for the elderly in housing, transportation, health care provision and other services.
- o Crime reduction and increased neighborhood awareness.
- o Recreation -- work for a mini-park on your block, for instance.
- o Housing -- condominium conversions, rent control, landlord/tenant relationships, housing code violations, etc.
- o Land use -- help preserve the special environment of ANC 3-C by actively working for the orderly, reasonable growth of business and development in the District.
- o Traffic -- help prevent the overflow of cars (generated by inappropriate business development) into your immediate neighborhood.

Whatever your interests, there is something you can do that the ANC can help you to do. ANC 3-C has a number of support services upon which to call, including communications, expertise in zoning, housing, transportation, human resources and access to legal advice on community issues. Contact the ANC office at 232-2232 or write to Gary Kopff, Chairman, ANC 3-C, 2737 Devonshire Place, N.W., Washington, D.C. 20008.

o ANC 3-C actively supports three local,

o ANC 3-C actively supports three local, ad hoc citizens organizations whose activities are focused on specific issues.

ANC 3-C actively supports three local, ad hoc citizens organizations whose activities are focused on specific issues.

o Task Force on Redevelopment of the Sheraton Park Hotel. Negotiations between the Task Force and the ITT/Sheraton Corporation have come to a virtual halt in proceedings before the Board of Zoning Adjustment (BZA). On April 2, the BZA urged the Task Force and ITT/Sheraton to negotiate their differences by April 30. At issue is the contention by the Task Force that D.C. zoning regulations require the hotel to provide on-site parking for at least 2,000 automobiles. The hotel corporation disagrees, saying that it has adequate parking facilities now. The Task Force has appealed the entire project on the grounds that the new hotel flagrantly violates a number of D.C. zoning regulations, as well as the 1910 Act of Congress setting the maximum allowable height of buildings within the District.

The Task Force, which represents the interests of the Woodley Park community, will withdraw its appeal of the hotel project if the Sheraton agrees to build a 350 car garage which the Task Force feels is necessary to help alleviate parking and traffic congestion problems caused by the hotel. The ITT/Sheraton Corporation has indicated it will not build a garage, but one that

need you to contribute a bit of your own time on something that either concerns you or in which you are interested. There is only so much that one group of 10 of your friends and neighbors can do. That is why, through the ANC, you could help out in such important areas as:

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The Task Force, which represents the interest of the Woodley Park community, will withdraw its appeal of the hotel project if the Sheraton agrees to build a 350 car garage which the Task Force feels is necessary to help alleviate parking and traffic congestion problems caused by the hotel. The ITT/Sheraton Corporation has indicated it will not build a garage, but one that is much smaller than the Task Force feels is necessary. In addition, ITT/Sheraton proposes to complete the new facility by the end of 1982, a date the Task Force considers too late.

To date, the Task Force has raised more than \$5,000 to offset legal bills currently approaching \$15,000. The Task Force and Woodley Park community are seeking financial help. ANC 3-C has been consistent in its recorded support for the Task Force's position. Contributions can be sent to: M.E. Hayden, Treasurer, Woodley Park Community Association, 2860 28th Street, N.W., Washington, D.C. 20008.

o Reno Road Corridor Coalition. For the status of the City Government's response to

● Reno Road Corridor Coalition. For the status of the City Government's response or to offer assistance, contact the chairman, Herb Reff (244-6057).

● Friends of Tregaron, (recently reactivated) filed a policy statement on January 11 with all prospective bidders in the Court-ordered sale of the Tregaron Estate:

"Friends of Tregaron" exists to provide a focal point for citizens and civic groups concerned about the future of the Tregaron Estate. The organization, which previously supported the historic landmark designation, anticipated lawsuits and raised funds, is being reactivated and expanded to respond to the prospective sale of Tregaron. As a potential bidder for this property, you should be aware of our existence and of our concerns -- past, present and future.

The neighboring community has in the past opposed any use of the Tregaron Estate which would adversely affect the basic character of Tregaron, including the integrity of the buildings and the natural and design characteristics of the surrounding site. Thus, we will undoubtedly oppose in the future -- as we have opposed in the past --

- Zoning changes which would be incompatible with the neighborhood.
- Structural alterations, demolitions, subdivisions or construction which would alter the topography, landscaping plan, or the views to and from the main house or other locations on the property.

Recognizing the significance of both Tregaron's design and its historical associations, members of our community several years ago sponsored an application for landmark status; this application was granted on February 16, 1978 by the Joint Committee on Landmarks of the National Capitol. The Tregaron Estate -- entire site and buildings -- is now a landmark listed on the D.C. Inventory of Historic Sites. Consequently, Tregaron is now protected by D.C. Law 2-144, "Historic Landmark and Historic District Protection Act of 1978." This statute, which became effective March 3, 1979, has as its purpose to "effect and accomplish the protection, enhancement, and perpetuation of improvements and landscape features of landmarks . . ." in our city (emphasis added).

The purpose of this letter is simply to inform you that we intend to: (1) vigorously oppose the approval of any application to the District of Columbia government that would in any way detract from the distinctive qualities of this landmark property, and (2) insure that Tregaron is protected to the full extent of any and all D.C. and Federal laws.

Despite the letter the Trustee has recommended sale to a joint venture between a New York-based developer and the Washington International School.

To obtain a full copy of the policy position and to volunteer to assist in the organization's battles to preserve Tregaron, please contact the Chairman, Sheldon Molen (966-7472) or Vice-Chairman, Gary Kopff (363-0073).

Cash On Hand Start of Year		\$ 3,982.54
Received During Year		17,903.64
City Allotment	16,724.96	
Other	1,017.00	
		\$21,886.18

Administrative Expenses		(5,040.91)	(5,040.91)
Office Rent	1,200.00		
Telephone	214.30		
Postage & Delivery	153.58		
Printing & Duplicating	716.94		
Contract Services	1,075.43		
Office Supplies	880.66		
		\$16,845.27	

Community Enhancement Project		16,413.00
Newsletter	1,175.00	
Oyster Sch.	1,000.00	
Eaton Sch.	1,500.00	
Tot Lot	2,500.00	
Addressograph	3,000.00	
Ann Blaine H. Ins.	4,700.00	

End of Year Balance \$ 432.27

~~Cash On~~

	Cash On Hand, October 1, 1979	\$ 432.27
(+)	Revenue (projected for FY 80)*	15,255.23
(=)	Available for Expenses, FY 80	\$15,687.50
(-)	Expenses to Date (Oct 79 - Feb 80)	(2,288.15)

Month	Routine	Unusual
-------	---------	---------

~~October~~ ... \$153.37

October \$153.37
November 324.47

October \$153.37
November 324

October	\$153.37	
November	324.47	\$450.00
December	350.84	455.00
January	346.87	
February	207.60	

5-Month
Average

5-Month Average

5-Month Average	\$276.63	\$181.00
--------------------	----------	----------

(=)	Available for expenses, Mar - Sept 1980	\$13,399.35
(-)	Projected routine expenses (Mar - Sept) at \$275 per month	(1,925.00)
(=)	Available for non-routine expenses (Mar - Sept)	\$11,474.35
(-)	Projected non-routine expenses (Mar - Sept)	

- Unusual administrative expenses (1,500.00)

(=) Available for community enhancement projects \$ 9,974.35
 (inviting proposals for \$5,000 from residents)

	April	May	June	July	Aug	Sept	Functional Sub-Totals
Crime Prevention							\$ 830.00
Education							830.00
Housing							830.00
Human Resources & Aging							830.00
Recreation							830.00
Transportation, Zoning, Licenses, and Permits							830.00
Communications							5,000.00
Monthly Sub-Totals	\$830	\$830	\$830	\$830	\$830	\$830	\$9,980.00
Monthly Sub-Totals	\$830						
Monthly							

- Excludes interest; assumed

- Excludes interest; assumes withholding by City from FY 80 allocation of amount equal to cash on hand at start of FY 80 (i.e., \$432.27).

Woodley Place Elm Association

FACT SHEET

AUGUST 1979

Formation -- The Woodley Place Elm Association (WPEA) was formed in July 1979 to protect the neighborhood's collection of prime American Elm trees from the Dutch Elm Disease. There are 43 elm trees, planted more than 50 years ago, lining the 2600 and 2700 blocks of Woodley Place. They form a unique esthetic and practical asset whose loss would be irreparable to the human, furred and feathered residents of the neighborhood.

Premise -- The WPEA is based on the premise that voluntary citizen action at the lowest municipal level is the most effective means of defining local needs and that those needs can be most successfully met through a proper balance of citizen initiative, government response and implementation of private sector innovations.

Membership -- Membership in the Association is voluntary, with annual contributions of \$10 per house. To date, more than 40 residents of Woodley Place and Cathedral Avenue have donated more than \$700. (There are an estimated 100 private residences in the two blocks of Woodley Place.)

Functions -- To protect against the Dutch Elm Disease through the timely annual injection of Mauget's "Fungi-Sol", an EPA-approved chemical used in the treatment and control of vascular fungoid diseases (including Dutch Elm Disease) of broadleaf and coniferous trees.

To provide the D.C. Division of Trees and Landscaping with complete information about the results of the injection program, based on tree population and inoculation; to act as a control experiment for the future implementation of a chemical injection program against the Dutch Elm Disease throughout the District of Columbia.

To elicit the prompt cooperation of the Division of Trees and Landscaping in all other facets of effective Dutch Elm Disease control, including spraying, pruning and complete removal of dead trees.

To ensure the immediate replacement of dead trees with live Chinese Elm saplings provided by the Division of Trees and Landscaping, or those donated by residents and duly approved by the Division.

Technical Advisers -- Hans Johannsen, Chief
Division of Trees and Landscaping
1218 28th Street, N.W.

Charles Cissel
Guardian Tree Experts
12401 Parklawn Drive
Rockville, Maryland

Publications -- Woodley Place Elm Association Newsletter (free).
Fact Sheet.

Special Events -- Woodley Place Clean-Up Day; Elm Celebration Day.

Annual Funding Requirements -- Approximately \$600 per year.

Address -- Woodley Place Elm Association
2750 Woodley Place, N.W.
Washington, D.C. 20008
202-483-3755

Officers -- Christopher Klose, Secretary/Treasurer
William Bushey, Chief Engineer
Steve Rabin, Second Engineer

ADVISORY NEIGHBORHOOD COMMISSION 3-C
Government of the District of Columbia

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

April 24, 1980

Mr. Leonard McCants, Chairman
Board of Zoning Adjustment
District Building
Washington, D.C. 20004

RE: Case #13222

Dear Mr. McCants:

Although the above referenced application, by the National Broadcasting Company, is not within this Commission's area, the property in question is immediately adjacent.

We are writing to urge that the Board of Zoning Adjustment, in its consideration of this Case, consider any impact (both visual and environmental) that the proposed addition to a studio and office building might have on Glover Archbold Park. Already, various sections of the Park have suffered adversely from new construction. A case in point is the damage from erosion--which continues to this day--from the site of the Federal National Mortgage Association.

We also would like to suggest that because the Park is Federal property, the National Capital Planning Commission should be asked to comment on this Case.

This ANC discussed this matter at its March 24, 1980 meeting, where the position of this letter was unanimously adopted. We thank you for your consideration of our views.

FOR THE COMMISSION:



Phil Mendelson

cc: ANC-3E
The Hon. Polly Shackleton
The National Capital Planning Commission

Single Member District Commissioners, 1978-1979

01-Fred Pitts
02-Ruth Haugen
03-Bernie Arons
04-Lindsley Williams
05-Katherine Coram

ANC-3C Office
2737 Devonshire Place, N. W.
Washington, D. C. 20008
232-2232

06-Kay McGrath
07-Gary Kopff
08-
09-Louis Rothschild
10-David Grinnell

April 28, 1980

The Honorable David Clarke
Chairman, Committee on Public
Services and Consumer Affairs
Council of the District of
Columbia
District Building
14th and E Streets, N.W.
Washington, D.C.

DISCUSSION DRAFT

Subject: Bill No. 3-74

ANC 3-C generally supports the purposes of Bill No. 3-74, "Families With Children Equal Rights Act of 1980," and the amendment proposed by the Metropolitan Washington Planning and Housing Association. We have one reservation, however. We favor exclusion from coverage of the statute of premises in owner-occupied homes which may be rented to one or two roomers or boarders.

Under the District zoning laws, homeowners in R-1-B areas are allowed up to two roomers or boarders, as an accessory use. In our neighborhoods, families in larger homes may, on occasion, rent a bedroom in their homes. Under the "Mandatory Occupancy Maximum" proposed by the Metropolitan Washington Planning & Housing Association, such owner-occupants would appear to be legally obligated to give two-person households the right to rent efficiencies or three-person households the right to rent a single bedroom in their homes. This may often be quite inappropriate and not the situation we believe that the City Council seeks to create by legislation. Consequently, if Bill No. 3-74 is to be amended, it should exclude single-family owner-occupied homes in which premises may be offered for roomers or boarders.

ON BEHALF OF THE COMMISSION

Gary J. Kopff
Chairperson of ANC 3-C

cc: Carol Wittaker Rende

ADVISORY NEIGHBORHOOD COMMISSION 3-C
Government of the District of Columbia

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

April 8, 1980

Ms. Carol B. Thompson
Assistant To The Director
D.C. Department of Housing
and Community Development
1325 G Street, N.W.
Washington, D.C. 20005

Dear Carol:

At the March 24, 1980 meeting of this Commission, it was unanimously voted to endorse the request of Advisory Neighborhood Commission 3F for the publication, in a local newspaper, of a listing of certificates of eligibility for condominium conversion.

This request by ANC-3F was made to you by letter of February 28, 1980. The point was made that many tenants do not realize that their building has received, or is receiving, the "c of e" necessary for conversion. 3F's letter notes that your Department has already compiled lists of eligible buildings.

We would like to add that it would also be valuable if lists of exemptions and registered condominiums were published, too.

We appreciate your consideration of this matter.

FOR THE COMMISSION:



Phil Mendelson
Housing Committee Chair

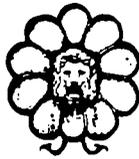
cc: ANC-3F
Councilmember Polly Shackleton

Single Member District Commissioners, 1978-1979

01-Fred Pitts
02-Ruth Haugen
03-Bernie Arons
04-Lindsley Williams
05-Katherine Coram

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Washington, D. C. 20008
232-2232

06-Kay McGrath
07-Gary Kopff
08-
09-Louis Rothschild
10-David Grinnell



McLean Gardens Residents Association
P.O. Box 39080 Washington, D.C. 20016

TESTIMONY (REVISED AND EXTENDED)

Before The
Committee On Housing & Economic Development
February 14, 1980

My name is Phil Mendelson and I am here on behalf of the McLean Gardens Residents Association. As you may know, McLean Gardens is a 43 acre garden apartment complex that was embroiled in controversy for all of the last decade. We believe we ended the controversy last September, when we purchased the property under Section 602(b) of the Rental Housing Act of 1977. For this reason we are very supportive of the tenants' right to purchase concept--because we believe it can work.

Unfortunately, right now the concept does not work as well as it should, for two reasons: 1) recalcitrance on the part of the established real estate industry; and 2) conservative judicial interpretation. Of the proposed bills before you, Bill 3-222 is the most comprehensive in addressing these problems. Therefore, we urge its support.

OUR EXPERIENCE

The best testimony we can offer would be to share our experience. The McLean Gardens Residents Association was one of the first tenant organizations to exercise purchase rights. Its purchase, we believe, has been one of the largest real estate transactions in recent city history and certainly the largest under Section 602(b). Our purchase price was \$24.5 million.

The greatest problems we faced were: time, inexperience, and the existence of a "third party" contract purchaser. The continual deadlines put us at a terrible disadvantage. Repeatedly we had to make concessions in order to keep from losing the deal because of time. This factor became all the more critical because of our inexperience. We needed professional help, which took time to get, and we made mistakes, which took time to fix. During this time, the third party, whose name was Dwight Mize, was challenging our rights--frightening off potential backers and lenders.

The initial 90 day deadline was not enough. To be sure, we were able to contract, but it took the full 90 days. To do this, we had to make a major concession: 60 days to settlement, or, if there was litigation, 30 days to settle after resolution of the litigation, or, in any event, no more than one year at most until settlement. We had no choice but to make this concession, because the 90 days were up. But this concession was costly.

We went into U.S. District Court to clear title, because Mize asserted that his rights were superior--even though they were those of a third party. The litigation was expensive; for us alone, it was well over \$100,000. We decided it would be best to settle out of court. After seven months we were still tied up in the trial court; and the clock was ticking. The out-of-court settlement cost us an additional \$2.178 million.

These costs were directly attributable to the pressures to perform within certain deadlines. The concept of 602(b) does not guarantee a willing seller or a cooperative third party contract purchaser. In the face of these odds, tenants and their 602(b) rights need the greatest measure of protection available under the law. This is why the clarification and strengthening intended in Bill 3-222 is so vital.

Section 602(b) does not save rental housing. But it does tend to min-

imize displacement. It also creates developers out of tenants, which is good because tenants are more sensitive to their needs and problems. At least this is the case with McLean Gardens. We have adopted a policy that every current tenant can stay and no one shall have to move.

SPECIFIC COMMENTS

1. Generally, we are apprehensive about the various proposals before you for life tenancy. There are several reasons for this. If Section 602(b) is clarified and made more viable, tenants will clearly have a say in their own destiny--either as purchaser or as a negotiated partner to a third party buyer. The tenants' sensitivity will go far to mitigate problems for older persons. If relocation and housing assistance payments are increased and made adequate --and this is important, because the currently proposed assistance levels are much too low--this, too, will go far to help the disadvantaged. Economically, life tenancy could make multi-family purchases difficult if not impossible, particularly for tenant associations. Tenants cannot purchase unless they can convert. Life tenancy could be an obstacle to this and could make lenders even more reluctant than they presently are. Lastly, if life tenancy was provided within a condominium conversion, who would represent these units in the unit owners' association? How would this be resolved in the best interests of the other owners?

To summarize this point: we are in favor of maintaining rental housing and would support any viable solutions that would help the elderly, but the proposals before you create, in essence, a rental enclave within a condominium, and we're not sure this will work.

2. We are very supportive of the provision for a tenant vote to permit conversions. It should be at least a majority vote requirement. We note that this has been provided in the law since the Condominium Act of 1976. It is

also a requirement in the current moratorium. If a majority of tenants are not in favor of the conversion of their homes, how can it be in their best interest or the City's? More importantly, this voting requirement improves a tenant association's ability to succeed under Section 602(b). Both owner and third parties have to work with the tenants if they know they can't otherwise convert.

There have been suggestions that "high rent" buildings should be excluded from any tenant-approval process. Alternatively, the D.C. Department of Housing has suggested, in lieu of voting, a substantial increase in the rent ceilings over which buildings could be converted. We strongly reject both proposals. Both are insensitive to the impact of displacement, which is no more in the public interest for high renters as it is for low renters. Both are insensitive to the fact that tenants should have a say in the destiny of their homes. High rent definitions have not worked under the old law--hence, the present moratorium. In fact, very few of the conversions to date have been in low rent buildings. It is hard to legally support ceilings that are so high that they can't be justified (e.g., related to Section 8 levels, etc.). We must also reiterate that the tenant vote requirement enhances the 602(b) concept; the alternative approaches do not.

3. There is a provision in Bill 3-222 [Section 410(c)(2)] which provides an incentive to limited return cooperatives by giving them additional time to settle. We are very supportive of limited return cooperatives--in fact, we are forming one ourselves--but we do not think the limited resale should necessarily be fixed as low as the inflation rate; the share appreciation should be a little higher. We also have problems with how this provision is drafted. But the concept is good, and it should be expanded. Other incentives should be available to tenants forming limited resale cooperatives, such as

tax abatement, special government assistance, and lesser restrictions on the conversion. Encouraging limited return cooperatives will preserve affordable housing, which would otherwise be lost after the first generation of new owners under any other form of 602(b) conversion/purchase.

4. The provisions in Bill 3-222 with regard to third party rights are excellent. In numerous instances, third parties have successfully frustrated tenant purchases, and conservative judges have tolerated such abuse. The proposed Bill provides much needed clarification.

5. The 5% limit on earnest money deposits is good, but there should be an allowance for flexibility so that other terms of sale can be negotiated to the tenants' advantage. However, this flexibility can only work if the owner's offer, at the outset, is required to be on terms at least as favorable as those offered to any third party.

6. Tenant associations must have the clear right, as 3-222 provides, to secure partners. This has been challenged in the courts in the past. The McLean Gardens dispute would never have been resolved if we had not been able to take on partners.

7. Relocation assistance payments are inadequate as proposed. In recent years, some developers in this area have paid thousands of dollars, rather than a few hundred as the proposed legislation contemplates. Further, the burden for their payment should be on the owner/developer, not the City.

8. Section 414 of 3-222 is excellent, but perhaps should be stronger. Judges are likely to interpret new law as providing new requirements when in fact it only clarifies existing law. Section 414 should be explicit that this new law clarifies tenants' rights, not changing them. Otherwise, current tenant purchase efforts might not benefit.

9. The proposal for a 4% conversion fee is excellent. It will provide

much needed funds that may be used in turn to provide the technical assistance which tenants, fighting to save other buildings, need so badly. This money, however, should not be used to pay housing and relocation assistance--a use that does nothing to improve the housing crisis. We understand that Montgomery County uses its proceeds from a similar tax to actually purchase buildings threatened with conversion.

We thank you for your time and appreciate the opportunity to testify. I would be happy to answer any questions.

ADVISORY NEIGHBORHOOD COMMISSION 3C

TESTIMONY BEFORE THE D.C. COUNCIL
COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT

"RENT CONTROL IN THE DISTRICT OF COLUMBIA"

MARCH 27, 1980

Good morning. My name is Phil Mendelson and I am before you today representing Advisory Neighborhood Commission 3C, of which I am both a Commissioner and Chairman of the Housing Committee. At its regular meeting on March 24th, the Commission unanimously adopted the following position on rent control.

THE CONCEPT

The concept of rent control is one we support and urge to be extended for an additional period of time. We believe that rent control is necessary, although perhaps regrettable, in today's housing crisis. It is also necessary given today's economy. We disagree that rent control is to blame for the conversion crisis; the condo boom is nationwide and is affecting all cities regardless of rent control.

THE RENT STABILIZATION PROGRAM

We would like to make the following points about the rent stabilization program. Improvements can and should be made. There are some changes that should not be made.

1. Rate of return: The rate of return formula should be based on an owner's equity in the property. It should not be based upon assessed value.

Given the state of today's economy, the Council may no longer wish to keep the rate of return fixed at 8%, although in normal times we would support this figure. However, if any changes are to be made, they must reflect tenants' ability to pay.

2. Substantial Compliance: As you know, the present law requires that a landlord's property be in substantial compliance with the housing code before any rent increase may be taken. This criterion must be strengthened. Time and again tenants appear before the RAO citing numerous code violations--which are ignored. The RAO only considers structural and other major defects, no matter how numerous the other violations may be. In subtle ways landlords permit their properties to deteriorate, while raising the rents.

Another aspect of this problem is that landlords have been shown to be wasteful, through inattention to maintenance, and yet are permitted to raise the rents. Landlords should be required to be "energy efficient." No longer should the RAO be allowed to ignore evidence of landlords heating their buildings in the summer, or of landlords neglecting to repair leaking plumbing. Why should tenants have to pay for these wasteful utility costs?

3. Frequency Of Rent Increases: Mandated and hardship rent increases should be limited to a total of no more than one per year.

4. Single Rental Units: Single rental units in condominium and cooperative multifamily structures should be brought under rent control. Presently they are exempt. We make a distinction here between single rental units in single family homes (i.e. where the basement in a townhouse is rented out) and units in larger structures. In the latter case, the actual owner is absentee. Usually, the owner is one who has purchased the unit for investment purposes; it is not his or her home. In addition, the existence of such units in a sense

provides a loophole in the rent control process. Most condominiums and cooperatives are converted buildings. Units have been taken off the rental market, sold, and then, in many instances, rented once again. Here is one aspect of the interrelationship between rent control, and conversion control. The conversion boom can be slowed if the speculative aspects, on an individual unit basis, are discouraged.

5. Luxury Decontrol: It has been our continued position that there should be no luxury decontrol. Inflationary rents hurt everybody. More importantly, to lift controls on so-called "luxury" units will only serve to exert tremendous pressure on the remaining rental stock. Luxury decontrol is nothing more than a salve; it is not a solution.

6. New Construction: Frankly, we do not believe the industry's claims that rent control is the cause of the virtual cessation of new construction of rental housing. We are so sure of this that we believe the point should be tested. Therefore, we urge that new construction be exempt from rent control--not for one year, as at present, but for ten years. By then, the housing crisis should be abated, we hope.

7. Varying Rent Control Levels: It has not been proposed, but we would like to urge that the Council avoid any legislation that would create varying formulas that would result in different rent control levels. We are thinking of New York City, where different laws have affected each building differently. This will only worsen the administration of rent control. There should be only one formula, uniformly applied to all buildings.

THE RENTAL ACCOMMODATIONS COMMISSION

1. ANC's should have the specific right to review and advise on all appointments to the Rental Accommodations Commission.

2. The law should provide that frequently absent Commissioners be automatically removed from the Commission. Such absenteeism frustrates the Commission's ability and has resulted in poor administration of the program.

3. The Commission should be authorized to conduct its work in panels of three, consisting of one public, one landlord, and one tenant member. This would greatly facilitate the Commission's work.

EVICTION CONTROLS

The current controls regulating evictions should be strengthened as follows:

1. Discontinuance: The discontinuance provision should be either eliminated or enforced. There is no follow-up at present to ensure compliance with the law. The provision is improperly used as a means to convert. Discontinued buildings should not be allowed to return to housing use. Sometimes rehab work is begun during the discontinued period. Moreover, we disapprove of the concept of mass evictions.

2. Right To Purchase: Where either discontinuance or demolition are used to evict tenants, the tenants should first have the right to purchase the building.

3. Separate Statute: The eviction controls should be placed

under a separate statute. They should not remain in the rent control law, which has a limited lifetime.

CONVERSION CONTROLS AND RIGHT TO PURCHASE

Generally, we are supportive of Bill 3-222. We believe that conversion controls and the right to purchase should also be under separate statute and not be a part of the rent control law. For specific comments of Bill 3-222, we ask you refer to the February 14, 1980 testimony of the McLean Gardens Residents Association--an active constituent of our ANC.

SUMMARY

In conclusion, we would like to say that there are other, aggressive, steps that should be taken to diminish the housing crisis. A working housing finance agency, tax abatement, zoning controls--these are three tools that come to mind. The City must take a more active role in finding the means to protect and promote rental housing. But this is not the subject of today's hearing.

Finally, the Council must recognize the positive relationship between rent control, conversion control, tenants' right to purchase, and eviction requirements. Each strengthens the other, all of which lead to a better climate for tenants in this troubled housing market. Only through these various controls, working together, can tenants have some say over their destiny.

We thank you for this opportunity to present our position. I will be happy to answer any questions.

ADVISORY NEIGHBORHOOD COMMISSION 3-C
Government of the District of Columbia

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

MEMORANDUM:

TO: All Commissioners

FR: Phil Mendelson *PM*.
Housing Committee Chair

RE: Housing Committee Report (1980 #3)

April 28, 1980

Legislation

The following Bills have recently been introduced in the D.C. Council:

- 3-278 Housing Code Enforcement Act of 1980
- 3-287 Moderately Priced New and Renovated Dwelling Units Act of 1980
- 3-294 Tax Assisted Rent Credit Act of 1980

You have recently received comments from the Anne Blaine Harrison Institute re. Bill 3-74, The Families With Children Equal Rights Act of 1979. Joe Jeff Goldblatt has been handling this Commission's comments and can report on its status.

Rent Control: A hearing was held by the D.C. Council Committee on Housing and Economic Development on March 27, 1980. I testified on behalf of this Commission, in accordance with our resolution of March 24th. There has been no further action by the Council Committee. Arrington Dixon has proposed an alternative to rent control, but apparently it is not yet in Bill form. Betty Ann Kane has also proposed an alternative, which is Bill 3-294. The 3-C Housing Committee may follow up our testimony with letters, which we assume are authorized under the scope of 3-C's March resolution.

Bill 3-222: The Council Committee plans to report out this Bill tomorrow. Deleted from it will be Title IV: Tenant Opportunity To Purchase. Apparently, Council support for the Bill is precarious. The 3-C Housing Committee intends to write the Council regarding the following:

1. The Bill is unclear as to its effect on existing conversions, especially those tenant-initiated under Section 602(b);
2. Unused certificates of eligibility to convert should expire, as provided in the Bill, except for pending conversions;
3. The provisions for life tenancy for low income elderly need to be improved so as to be workable;
4. All relocation and housing assistance payments, even in excess of the statutory minimum, should be tax exempt; and

Single Member District Commissioners, 1978-1979

01-Fred Pitts
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5. The Tenant Opportunity To Purchase (Title IV) should be strengthened and reported out as soon as possible, and should not be included in a proposed rent control law.

Regulations

Three sets of proposed regulations have recently been proposed by the D.C. Department of Housing and Community Development (DHCD):

°Rules For Determining The Eligibility Of Housing Accommodations To Convert To Condominiums

°Rules For Granting Section 4(a) Exemptions...Pursuant To The Condominium And Cooperative Conversion Stabilization Act of 1979

°Rules For Granting An Exemption From The Cooperative Regulations Act of 1979

The 3-C Housing Committee intends to submit comments on each. Generally, the following major points will be made:

1. Clarify the provision allowing the City to unilaterally deny a tenant requested hearing; provide that tenants shall be able to request hearings on granted applications.
2. Provide for adequate notice to ANC's of applications; provide for ANC review and comment.
3. Clarify provisions where certificates cannot be utilized when based on challenged rent levels.

Additional, minor, points may also be made.

Community Development Block Grant Program -- Year 6

The Committee has taken this off its list of no-action items, and proposes that a letter be sent:

°explaining that only one Ward III resident attended the recent Ward briefing because other Ward meetings on other issues were simultaneously scheduled and because the Program has been of so little benefit to this Ward that it has been virtually written-off; and

°urging that additional funding and city-wide (Ward III) emphasis be given to the following functional projects: rehab loans, apartment preservation program, home purchase assistance program, senior citizens program, and first right to purchase assistance.

Correspondence

A letter was sent to DHCD pursuant to 3-C's March 24th resolution endorsing 3-F's request for publication of buildings eligible for conversion. The response stated that: weekly lists will be published beginning in May; a list of conversions will soon be compiled by ANC area; and the City will soon have a system of taped messages to help tenants and condo buyers.

Committee Matters

The Committee has managed to hold one meeting this month, at which the above po-

sitions were drafted. The Committee remains small, however, and must grow to become effective. To this end, volunteers are needed. If you know of any interested people, tell me or have them tell me.

The Committee expended \$9.01 this past month on duplicating.

The Committee is considering a detailed survey of multi-family property in the Commission area sometime soon. Paid help will be needed and an appropriation may be requested next month.

The Committee would like authorization to subscribe to REAL ESTATE REPORTER (\$36.00).

Other Items

MWPHA will hold a luncheon May 13th with a presentation on the tenant cooperative conversion at Rosemary Village.

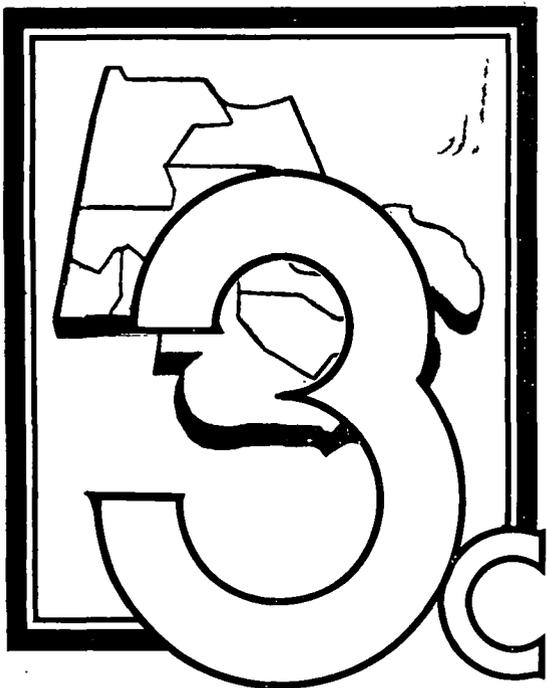
HUD will hold an all day workshop May 20th on Increasing Housing Opportunities in the Suburbs.

enc: 3-C testimony on rent control, March 27th
3-C letter to DHCD, April 8th

April 28, 1980

attendees, addresses, issues
ANC-3C MEETING

		Issue(s)
NORMAN M. GLASGOW, JR.	1666 K ST. N.W.	Sq. 1801
MICHAEL MINKOFF	2815 ORDWAY ST. NW	#1801
Lindsley Williams	2704 Cortland Pl NW	^{4 items} Sq. 1801; Sidwell; Sheraton Park; Post App.
Cecil Hunt	3834 Macomb St., N.W.	Sq. 1801
Debra M. Deane	3830 Macomb St NW	Sq 1801
Thomas J. Conner Jr.	3920 Military Rd., N.W.	
W. A. Simmons	3819 Cathedral NW	
ROBERT L. WANSLEY	3238 JOADHO AVENUE NW	
FRANK KALIBAT	3842 MACOMB ST NW	
Paul Coughlin	3305-39 th St. N.W.	
Paul Houghlin Jr	3305-39 th St. N.W.	



REPORTS

Spring 1980

ADVISORY NEIGHBORHOOD COMMISSION - 3C
2737 Devonshire Place, NW Washington, D.C. 20008

Phone Number: (202) 232-2232

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

Your Advisory Neighborhood Commission

The Advisory Neighborhood Commission (ANC) is the "grassroots" level of representative government in Washington. There are 36 ANCs authorized by the U.S. Congress in the "Home Rule" Act to promote individual participation in local government and to advise the District Government on matters of citywide concern. ANC commissioners are elected for two year terms. They serve without pay on behalf of their immediate neighborhoods, which are known as Single Member Districts (SMD). Each SMD contains approximately 2,000 residents. Individual commissioners often provide liaison between their SMDs and appropriate city agencies, working to solve such common problems as inadequate street lighting, illegal parking and traffic congestion. Together as a Commission, they strive to reflect the concerns of their constituents in the broader areas of housing, services for the aging, land use and zoning, taxation, etc. and to influence District policies and legislation accordingly. ANCs receive general tax revenues, subject to Congressional approval and apportioned quarterly by the District Government. ANC funds are used to pay administrative costs and, in some cases, to support neighborhood projects.

The communities of Cathedral Heights, Cleveland Park, Massachusetts Heights, McLean Gardens and Woodley Park are represented by ANC 3-C. The Commission area (see map) is bounded roughly by Connecticut Avenue, the Zoo and Rock Creek Park on the east and south, curving west beyond the Naval Observatory to Glover-Archbold Park and running north to Van Ness, Upton and Tilden Streets. Approximately 20,000 persons reside in ANC 3-C, including about 6,000 persons over the age of 65 -- the largest concentration of senior citizens within any ANC. Points of interest include the National Cathedral, the National Zoo-

logical Park, former Presidential residences, three major hotels, several public and private schools, a branch library, post offices and numerous churches, embassies and chanceries. ANC 3-C is served by several fire stations and police protection is provided by the Second District Headquarters of the Metropolitan Police Department, located on Idaho Avenue.

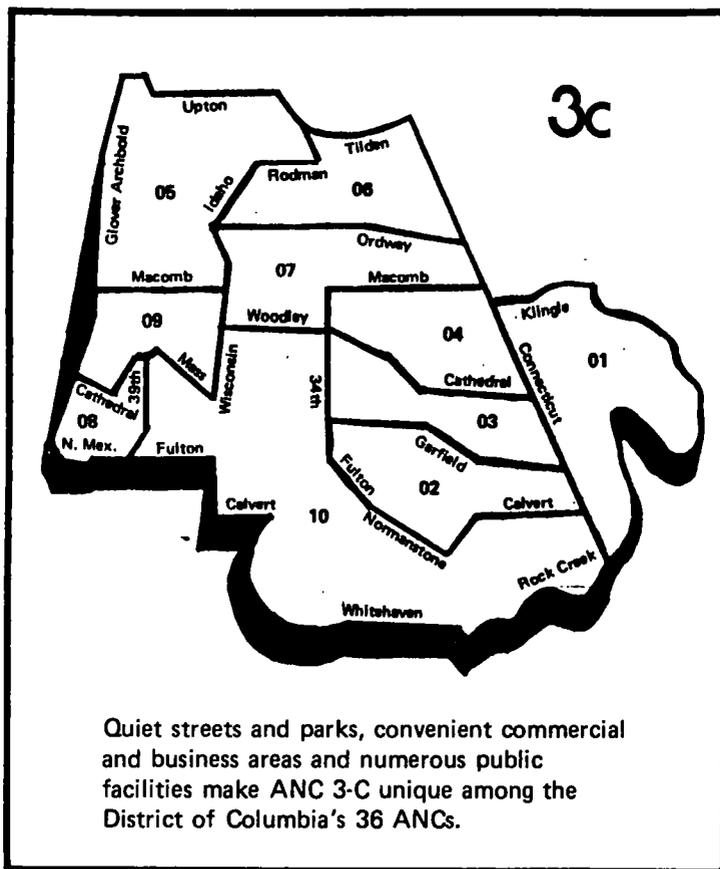
Your ANC Representatives

Christopher Klose (SMD 01), 2750 Woodley Place, is a senior editor for a government agency. A resident of Woodley Park for two years, he is interested in limiting traffic and parking congestion in residential neighborhoods, crime prevention and neighborhood beautification. He is chairperson of the ANC Communications committee, a member of the Task Force on Redevelopment of the Sheraton Park Hotel and Secretary of the Woodley Place Elm Association.

Ruth Haugen (SMD 02), 2800 Woodley Road, is serving her third term as commissioner. She is a retired career social worker whose professional experience includes more than 40 years in clinical, educational and community work. In addition to serving as Secretary of the ANC, she acts as Convenor of the Ward 3/Inter-ANC Committee on Aging, which acts as Ward 3's representative to the D.C. Commission on Aging. Ruth also devotes much of her time to being a member of the Sheraton Park Task Force.

Vacancy (SMD 03). Thomas Asher resigned.

Joe Jeff Goldblatt (SMD 04), 2701 Cortland Place, is an actor and theatrical, film and television producer. He and his wife, Nancy, a professional mime, are the proud parents of Max Darwin, 6 months. Joe Jeff's interests include working on discrimination against children in rental housing, zoning issues in Woodley Park and crime prevention. He has begun a news-



Patricia Wamsley (SMD 09), 3238 Idaho Avenue, is an interior designer who has lived in Cathedral Heights for two years. She is vice chairperson of the ANC Zoning committee and monitors District zoning ordinances to gauge both their effectiveness and their impact on residential neighborhoods.

David Grinnell (SMD 10), 2603 36th Place, is serving his second full term as commissioner. He has acted as Treasurer or Vice-Treasurer of the ANC for four years, keeping all financial records and disbursing funds. He is searching for a candidate to replace him upon the expiration of his term in 1981.

The ANC and You

The ANC is a group of your neighbors elected to work together on their own time, spending limited public funds, to improve the delivery of services as well as the quality of life within your neighborhood. The needs are many, the resources are few. That is why the ANC needs you. We need you to contribute a bit of your time on something which concerns or interests you. There is only so much that one group of 8 friends and neighbors can do. Through the ANC, you could help in such important areas as:

- Working with the older population in housing, transportation, health care provision and other services.
- Crime reduction and increased neighborhood awareness.
- Recreation -- work for a mini-park on your block, for instance.
- Housing -- condominium conversions, increasing rental housing stock, rent control, landlord/tenant relationships, housing code violations, etc.
- Land use -- help preserve the special qualities of ANC 3-C by actively working for the orderly, reasonable growth of business and development in the District.
- Traffic -- help prevent the overflow of cars (generated by inappropriate business development) into your immediate neighborhood.

Whatever your interests, the ANC may be able to help you. ANC 3-C has a number of support services, including communications, expertise in zoning, housing, transportation, human resources, and access to legal advice on community issues. Contact the ANC office at 232-2232 or write to Gary Kopff, Chairman, ANC 3-C, 2737 Devonshire Place, N.W., Washington, D.C. 20008.

Recent Projects

During the past year, ANC 3-C has devoted its time, energy and money to a variety of issues and projects, some of which have had immediate benefit. Accomplishments include:

letter for his SMD and is putting together a coalition of residents and business people to help fight crime.

Phil Mendelson (SMD 05), 3804 39th Street, is currently a paralegal whose principal area of interest as a commissioner is housing. Although this is his first term as an elected representative, he has been active in community affairs since 1976. As chairperson of the ANC Housing committee, he is seeking community residents interested in working on the issues of condominium conversion, rent control and the District's housing policies in general.

Kaj Strand (SMD 06), 3202 Rowland Place, is a former Scientific Director of the U.S. Naval Observatory who has lived in Washington for more than 20 years. An astronomer and educator, he has been a consultant to the National Science Foundation and a Professor of Astronomy at Northwestern University and the University of Chicago. Kaj is interested in the District's financial problems and serves as the ANC's representative on the District budget.

Gary Kopff (SMD 07), 2939 Newark Street, is a management consultant with the worldwide firm of McKinsey & Company. He was elected Chairman of ANC 3-C by his fellow commissioners and is a member of the Board of the Harrison Institute for Public Law at Georgetown Law School. Gary and his wife, Judy, an investigator for the General Accounting Office, have recently finished renovating their Cleveland Park home.

Vacancy (SMD 08), Wilma Martin, who represented SMD 08 for two months, has resigned. ANC 3-C unsuccessfully sought a volunteer within the legal, 30-day replacement period after her resignation. Consequently, the vacancy must remain until January 1982.

- Senior Citizen Shopper Bus, running between Calvert and Van Ness Streets, which takes elderly residents to and from their grocery and other shopping. The "little blue bus," as it is fondly termed by its riders, is jointly funded by the ANC, the Jewish Council for the Aging, St. Thomas Apostle Church and the Federal Government.
- Funding the "Tot Lot" at the Guy Mason Recreation Center in cooperation with the D.C. Department of Recreation.
- Purchase of woodworking and gymnastics equipment for the John Eaton School's after-hours activities programs.
- Preventing the expansion of foreign chanceries (e.g., Iranian) into surrounding residential areas.
- Contributing to the orderly growth of group homes and halfway houses within the city by influencing District regulations.
- Drafting proposed legislation to reform the procedures of the Alcoholic Beverage Control Board.
- Establishing a retainer relationship with Georgetown Law School's Harrison Institute for Public Law so that ANC 3-C will have access to consistent, high quality legal advice.

Community Update

ANC 3-C actively supports three local, ad hoc citizens organizations whose activities are focused on specific issues.

Task Force on Redevelopment of the Sheraton Park Hotel. Negotiations between the Task Force and the ITT/Sheraton Corporation are proceeding before the Board of Zoning Adjustment (BZA). On April 2, the BZA urged the Task Force and ITT/Sheraton to negotiate their differences by April 30. This date was extended by mutual agreement of the two parties. At issue is the contention by the Task Force that D.C. zoning regulations require the hotel to provide on-site parking for at least 2,000 automobiles. The hotel corporation disagrees, saying that it has adequate parking facilities now. The Task Force has appealed the entire project on the grounds that the new hotel violates a number of D.C. zoning regulations, as well as the 1910 Act of Congress setting the maximum allowable height of buildings within the District.

The Task Force and the Woodley Park community are seeking financial help. ANC 3-C has been consistent in its recorded support of the Task Force's position. Contributions can be sent to: M.E. Hayden, Treasurer, Woodley Park Community Association, 2860 28th Street, N.W., Washington, D.C. 20008.

Reno Road Corridor Coalition. For the status of the District Government's response or to offer assistance, please contact the chairman, Herb Reff (244-6057).

Friends of Tregaron. The neighboring community has opposed any use of the Tregaron Estate which would adversely affect the basic character of Tregaron, including the integrity of the buildings and the natural and design characteristics of the surrounding site. The Tregaron Estate -- entire site and buildings -- is now a landmark listed on the D.C. Inventory of Historic Sites. Consequently, Tregaron is protected by D.C. Law 2-144, "Historic Landmark and Historic District Protection Act of 1978."

The organization filed a policy statement on January 11 with all prospective bidders in the Court-ordered sale of the Tregaron Estate:

"Friends of Tregaron" exists to provide a focal point for citizens and civic groups concerned about the future of the Tregaron Estate. It is being reactivated and expanded to respond to the prospective sale of Tregaron.

Friends of Tregaron will continue to oppose:

- Zoning changes which would be incompatible with the neighborhood.
- Structural alterations, demolitions, subdivisions or construction which would alter the topography, landscaping plan, or the views to and from the main house or other locations on the property.

Despite the policy statement, the Trustee has recommended sale, for \$4.5 million, to a joint venture between a New York-based developer and the Washington International School.

In June, the D.C. Superior Court will hold a hearing on the sale, which the Trustee refused to condition on changes in the R-1-A zoning of the historic preservation designation. The Court will hear objections to the sale as well as entertain other offers.

ANC 3-C supports the organization's position. To obtain a full copy of the policy position and to volunteer to assist in the organization's battles to preserve Tregaron, please contact the Chairman, Dr. Sheldon Holen (966-7472) or Vice-Chairman, Gary Kopff (363-0073).

From the Chairman's Desk

ANC 3-C has represented your interests before the City Government on many issues that were ultimately decided by the Mayor, the Council and such agencies as the Board of Zoning Adjustment, the Zoning Commission, the Transportation Department, the Alcoholic Beverage Control Board, etc. We will continue to champion concerns of our constituents before the District of Columbia Government and to work with our local citizens associations and such local groups as Friends of Tregaron, the Reno Road Corridor Coalition, the Wisconsin Avenue Corridor Committee, the Task Force on the Redevelopment of the Sheraton Park Hotel.

I invite each of you to participate with your ANC by:

1. Serving on an ANC 3-C Committee
2. Submitting proposals to us for financial support of projects in our community
3. Identifying requirements for legal assistance which the Harrison Institute can provide through its contact with ANC 3-C and

4. Directing your observations, concerns, and recommendations to me as Chairman of your ANC or to your individual Commissioner.

Sincerely,



Gary J. Kopff
Chairman

FISCAL YEAR
October 1, 1978 - September 30, 1979

Cash On Hand		\$ 3,982.54
Received During Year		17,903.64
City Allotment	16,724.96	
Interest	160.80	
Other	1,017.00	
		\$21,886.18
Administrative Expenses		(5,040.91)
Office Rent	1,200.00	
Telephone	214.30	
Postage & Delivery	153.58	
Printing & Duplicating	716.94	
Contract Services	1,075.43	
Office Supplies	880.66	
		\$16,845.27
Community Enhancement Projects		16,413.00
Newsletter	1,175.00	
Oyster Sch.	1,000.00	
Eaton Sch.	1,500.00	
Tot Lot	2,500.00	
Addressograph	3,000.00	
Ann Blaine Harrison Institute	4,700.00	
Shopper Bus	1,600.00	
Other Projects	2,538.00	
End of Year Balance		\$ 432.27

FISCAL YEAR

October 1, 1979 - September 30, 1980

After meeting administrative expenses, approximately \$5,000 will be available for expenditure from May through September. The funds are tentatively budgeted among the following categories:

● Crime Prevention	\$830.00
● Education	\$830.00
● Housing	\$830.00
● Human Resources & Aging	\$830.00
● Recreation	\$830.00
● Transportation, Zoning, Licenses and Permits	\$830.00

ANC 3-C welcomes your ideas and proposals concerning this budget. Please contact Gary Kopff, Chairman, at 363-0073.

This edition of ANC 3-C Reports is the official Annual Report of ANC 3-C activities and expenditures for fiscal year 1979. This publication was produced by ANC 3-C and paid for by District of Columbia tax revenues.

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