Testimony to the Board of Zoning Adjustment
July 10 ~~May 22,~~ 2001
Grace K. Lang

Rec'd.
JUL 10 2001

My name is Grace Lang, and I live at 4033 Connecticut Avenue, NW. My driveway lets out into the alley that is directly across the street from the front door of the school on Upton Street. This alley runs parallel to Connecticut Avenue and connects Tilden and Upton Streets. It is primarily used by residents to access their driveways, the parking garage at 4025 Connecticut Avenue and the "loading dock" area of the condominiums at 4007 Connecticut Avenue. It is a two-way alley which is barely the width of two cars.

While traffic flow during the peak hours of student drop-off and pick-up are of paramount concern for the neighborhood, there is another important dimension of this problem that deserves recognition: parking and traffic flow during the non-peak hours.

The Edmund Burke School is a seven-day-a-week operation. School-related activities extend well into the evening hours (often up to 10p.m.) and to Saturdays and Sundays. I am not referring to those times when special events occur, but to normal day-to-day after school and weekend activities. These are times when a traffic flow operation directed by the school is conspicuously absent. While the school has insisted in public meetings that during peak times, a typical pickup or drop-off only lasts less than fifteen seconds, this differs greatly from the typical nonpeak situation where cars are often stopped for more than 10 minutes.

Because there are usually no off-duty MPD officers nor faculty members nor parent volunteers directing traffic flow at these times, a unique set of traffic flow problems emerges. Not only do parents double-park on Upton Street blocking the flow of traffic, but they also clog the public alley behind my home (the alley between Tilden and Upton Streets) blocking access by residents to the alley and to individual driveways. I frequently find myself engaged in standoffs with these parked cars when I need to exit my driveway.

It is interesting to note, that when the MPD officers began directing traffic on Upton Street during the peak hours ayear ago, parents were initially not permitted to use the alley. For an unexplained reason, this practice has stopped. It is also interesting to note that in the Burke school's parent "Pledge", parents are not asked to refrain from using the alley behind my home.

The lack of attention to this matter, despite my bringing it up during a meeting with the Burke school and the Department of Transportation, has effectively rendered this alley into a parking lot for parents who are dropping off or picking up their children.

Furthermore, cars are often illegally parked in a private parking lot located at 4035 Connecticut Avenue. Correspondence with the school on this matter has not yielded an agreement between the owner of the lot and the school on the use of the lot. I submit proof to the Board that this has been a concern of mine since April 2000 and that despite repeated requests from the school to produce an agreement with the owner of the lot, none has emerged. Response from the school has been weak on the issue of the use of this lot: the school has not acted to deter this practice of trespassing. As a matter of fact, MPD officers have even directed drivers to park on this private lot.

I submit to the Board a list of infractions that I collected over the period of March 18 to April 27, 2001. This information was compiled on a sporadic basis, as I am not at home monitoring the use of the lot on a continuous basis, but it does demonstrate that the lot is used by Burke traffic in the evening hours and on weekends. Monitoring the level of trespassing on a continual basis would yield an even greater number of infractions.

Case 16611
Exhibit No. 190

Board of Zoning Adjustment
District of Columbia
CASE NO.16611
EXHIBIT NO.190

The result of this off-peak gridlock is the following: noise from students who are loitering around these parked cars, and a louder than necessary traffic situation. With no one to direct traffic, car horns are used more than they would be. All of this is taking place within 25 feet of my house. This clearly meets the criterion of "adverse impact on the neighborhood."

The unwillingness of the school to effectively communicate the concerns of neighbors to the school community and its unwillingness to provide a traffic flow program during non-peak hours, is further evidence of its weak commitment to neighborhood concerns and its inability to manage its spillover into the neighborhood. The proposed expansion of the school will only worsen this problem.

I respectfully urge the board to deny the Edmund Burke request.

Grace K. Lang
4033 Connecticut Avenue, NW

Unauthorized use of lot at 4035 Connecticut Avenue, NW*
Submitted by Grace Lang, 4033 Connecticut Avenue, NW

Date	Day	Time	License plate	Description of car
18-Mar	Sunday	2:00 PM	Diplomat SFS 631	Car partially parked on sidewalk
25-Mar	Sunday	10:55 AM	Maryland	
25-Mar	Sunday	10:55 AM	DC	Burgundy Volvo
31-Mar	Saturday	afternoon	DC 507 475	Student driver--car partially parked on sidewalk and sped through alley when leaving
9-Apr	Monday	8:30 PM	DC 785 682	Jaguar
17-Apr	Tuesday	7:45 PM	DE AE 1651	green, 2-door sedan
17-Apr	Tuesday	8:00 PM	N/A	Red Volvo wagon
22-Apr	Sunday	6:05 PM	DC 478 906	minivan
27-Apr	Friday	9:35 PM	DC AN 9541	minivan

*These infractions were noted on a sporadic basis, usually while I was at home in the evening or on weekends and are submitted to demonstrate the disregard of the school community for private property.

Sent Apr 27, 2000

Dear Mr. Ailes--
I would like to inform you of a several traffic and parking problems that I encountered upon returning home around 10:00 yesterday (Wednesday) evening. This is by no means the first time I have experienced this situation, but I will no longer let situations like these pass without informing you.
While attempting to turn into the alley across from the Burke school, I was blocked by a parent in a car that was facing westward and parallel parked against the entrance to the alley. When I signaled that I wanted to enter the alley, he moved his car directly across the street to an open spot immediately in front of the school. I am a bit perplexed as to why he didn□ t park there in the first place.
In addition, there were two minivans parked in the private parking lot behind 4035 Connecticut Avenue whose occupants were waiting for Burke students. One of these cars was partially parked on the sidewalk. Can you please clarify for me if you have received permission from the owners of 4035 Connecticut to use their lot in the off-hours as it is my understanding that they frown on this practice.
There was also a car parked illegally (albeit with no waiting parent in it) in the spot immediately east of the alley entrance but completely outside of the zoned parking. I have often witnessed folks affiliated with the school creating a parking space there. This is a potentially dangerous practice evidenced by my attempts to leave again at 10:20 when I had to made a wide right turn around this car onto Upton Street. I had to inch out of the alley because the car was blocking my view of oncoming traffic from the east. I could not even see the headlights of an oncoming car until it was about four feet away.
And, of course, while I was trying to back out of my driveway, I had the usual standoff with a Burke parent who was parked right behind my driveway. When the driver tried to move, she was blocked by other cars that had pulled up to the school to wait and had to delicately maneuver to back out onto the street. These cars were in addition to the cars of residents who were returning home at that time.
I looked for the orange cone with the No parking in alley sign that you use, but it was not out.
There was no one from your staff directing traffic flow at a time when you were clearly aware that there would be a traffic crunch on Upton Street.
This experience, and countless others over the past few years, tell me that parents of your students cannot prevent themselves from creating traffic hazards and perhaps need the structure of a ticket-issuing police officer at every event that draws traffic.
Grace Lang
4033 Connecticut Avenue

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Folder: Burke

From: Walter_Ailes@eburke.org (Walter Ailes) Save Address - Block Sender
To: grace_lang@hotmail.com Save Address
Subject: Re: More on evening activities at Burke
Date: Fri, 28 Apr 2000 15:12:00 -0400

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Dear Ms. Lang,

I don't doubt your descriptions of the traffic last night. We are in the midst of the "Spring Musical" that ran Thursday night and will run tonight and Saturday night. All beginning near 8:00pm and ending near 9:45pm. We have a number of patterns to change here and some will take longer than others. Very shortly we will begin to manage these evenings along with the daily traffic patterns with an off duty policeman, whose main task will to keep the street and alley open during these moments. We are waiting for the paperwork to be done. We will do this for the balance of the year...learn about the type of guidance we will give our parents and students and then commence with it again in September. Obviously, in our building plans many more parking spaces need to be provided where parents can wait for the children on site without cluttering the public alley and streets.

Walter

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Dear Mr. Ailes--
Thank you for your response. Before you bring the off-duty police officer on board, however, I would like to know why you can't simply tell the parents and students NOT to do what they're not supposed to do. This should not be a process of convincing. They simply shouldn't be parking illegally, blocking people's driveways, and causing the neighbors all sorts of other headaches. I have often wondered if any of this were to happen in their own neighborhoods, what their reactions would be.
In your response, you failed to answer my question about the use of 4035 Connecticut Avenue. Have you or have you not secured their permission to use the lot?
Also, I would like to know if you would be willing share with me the reason that there were police officers at the school until 1:00 a.m. late Thursday evening/early Friday morning? I asked them what the problem was, and they didn't want to respond.
Thank you.
Grace Lang
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>To: grace_lang@hotmail.com
>Subject: Re: More on evening activities at Burke
>Date: Fri, 28 Apr 2000 15:12:00 -0400
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>Walter
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Folder: Burke

From: **Walter_Ailes@eburke.org (Walter Ailes)** Save Address - Block Sender
To: grace_lang@hotmail.com Save Address
Subject: **Re: Police at Burke, use of 4035 lot**
Date: **Mon, 01 May 2000** 12:35:28 -0400

We do not have permission to utilize this lot at any time, and we do have work to do with our parents on the shoulds and should nots. Thursday night a neighbor called the police late at night to say that individuals had broken into the school. The police brought in a police dog to search the premises...but nothing was found and we did not find any damage or missing items the next day.

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Sent Jan 31, 2001

Walter--

I have a quick question for you. Almost a year ago, I had asked you if the school had permission to use the lot at 4035 Connecticut. At that time, you said it had not.

I would like to know if that arrangement has changed. For the past few evenings, cars have been parked there--cars unrelated to the work going on in that property. They often keep their headlights on which shine into my back windows.

Just a few minutes ago a car with its hazard lights on was parked there. Although I could see that the driver's business was not with the school, when I approached him to ask him not to have his flashers on because they were aimed right into my back windows, he told me that the police officer that was watching traffic in front of the school told him he could park there.

If this is the case, I am wondering who gave the police officer permission to direct this car onto private property.

Thanks for your response.

Grace Lang

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From: **Walter_Ailes@eburke.org (Walter Ailes)** Save Address - Block Sender
To: grace_lang@hotmail.com Save Address
Subject: **Re: Use of parking lot at 4035 Connecticut**
Date: **Thu, 01 Feb 2001** 08:30:46 -0500

Dear Grace,

The owner's of the property have given the police officers working for the school permission to park on that lot, they should not be letting other Burke business park there. I will talk to the officers.

Walter

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Sent Feb 1, 2001

Walter--

Thanks for your response and for letting me know of the arrangement with the officers. I have noticed that they do make use of the lot themselves. Just a point of clarification: last night's visitor had no business with the school. He was unloading something from his van and taking it into one of the houses on Upton Street. He just couldn't find parking on Upton Street because of a high level of traffic on the street at that time.

Anyway, could you pass along the phone number or other contact information for the owner of 4035? For my own safety in my home, I would like to clarify the issues surrounding use of the lot. Lots of people, not just Burke-related, use the lot at night, and I want to know who can and who can't. It's just too easy a spot to sit in and monitor our comings and goings. I appreciate your understanding.

Thanks.

Grace

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From: **Walter_Ailes@eburke.org (Walter Ailes)** Save Address - Block Sender
To: grace_lang@hotmail.com **Save Address**
Subject: Re(2): Use of parking lot at 4035 Connecticut
Date: **Thu, 01 Feb 2001** 14:23:50 -0500

Grace,

I will try to get their number, as you know there were three or four pscyhologist / psychiatrist in that house, and it was on the market. It appears to me that they are in the process of moving out or have already done so. One of the Doctor's names was Dr. Gene Gordon, another one was Bea Liebenberg.

Walter

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Sent Feb 4, 2001

Walter--

I exchanged voice mail messages with Gene Gordon over the past few days, who confirmed that the house was sold. I have not been able to meet the new owners although workers have frequently been inside the house. Dr. Gordon did not specify if he knew anything about a continuing agreement between the new owners and the Burke school.

Perhaps you could clarify for me. As the owners of 4031 Connecticut, you might also be concerned over the unauthorized use of the lot, for the protection of your tenants as well as of your property.

Thanks.
Grace

>From: Walter_Ailes@eburke.org (Walter Ailes)
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From: **Walter_Ailes@eburke.org (Walter Ailes)** Save Address - Block Sender
To: grace_lang@hotmail.com **Save Address**
Subject: **Re: Police use of lot at 4035 Conn**
Date: **Tue, 06 Feb 2001** 14:39:31 -0500

Grace,
I really have not seen any person who looks like an "owner" yet at this location. It appears that some work is being done prior to the occupation. I will let you know when I find out.

Walter

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Sent Feb. 6, 2001

Thanks, Walter.

Am I correct in assuming, then, that in the absence of an agreement between the new owners and the school, that no one associated with the school, even the off-duty officers, will make use of the lot until an agreement can be reached?

Grace Lang

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From: **Walter_Ailes@eburke.org (Walter Ailes)** Save Address - Block Sender
To: grace_lang@hotmail.com Save Address
Subject: **Re(2): Police use of lot at 4035 Conn**
Date: **Wed, 07 Feb 2001** 08:10:01 -0500

Dear Grace,
I don't know your objection to the police using this as a place to park their car; these our Metropolitan Police, you have raised safety concerns associated with vacant houses, etc., so I am a little baffled at your concerns. We will be asking the new owners for the same arrangement as soon as we know who they are.

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