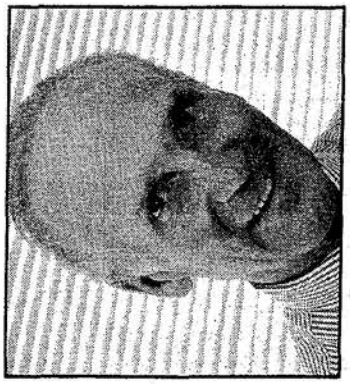


HillScape

By Duncan Spencer

UNDONE?

Tape measure could prove Boys Town nemesis

Ed Copenhaver, co-owner of Frager's Hardware at 1100 Pennsylvania Ave. S.E. has tape measures by the hundreds — long, short, metric and standard, even measures that roll along the ground — his shelves are crammed with 'em. But now Copenhaver and other fighters against the juggernaut Girls and Boys Town project believe they've been saved by the tape.

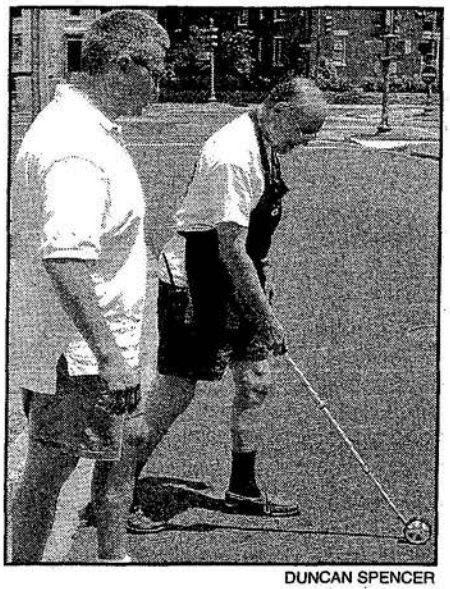
After months of searching out possible ways to slow or halt the project, leaders of the Stop Boys Town effort have found that the proposed project is within 500 feet of an already existing "community-based residential treatment facility."

The new facility would include a residence for juvenile delinquents and an administration building for **Father Flanagan**'s Girls and Boys Town — an Omaha-based charity.

According to the opponents, the proximity of the two sites runs afoul of D.C. law. **Ellen Opper-Weiner** and Advisory Neighborhood Commissioner **Will Hill**, leaders of the Stop Boys Town movement, have put the city government on notice that they want an investigation into whether the new Girls and Boys Town project would be too close to the other treatment facility in a nearby row house. That program, known as D.C. Health Care, is located at 901 14th St. S.E., at the corner of Pennsylvania Ave. S.E.

Opponents of the project have complained that Boys Town received more than $7 million from Congress as part of the last D.C. Appropriations bill. Now the facility, which operates as a tax-free charity, plans to charge the city $150 each a day for up to 40 resident youths — a rate far greater than the city is normally charged for foster care. The activists note that the large per diem would be paid by D.C. taxpayers.

But D.C. Mayor **Anthony Williams** (D) regards the project as a done deal and **Sharon Ambrose** (D), the 6th Ward council member, says she's powerless to stop it. Local residents, however, led by Hill, have staged repeated rallies in a bid to stop the project. They have argued that the neighborhood is too dangerous for at-risk youths, that the local residents feel overburdened by problems of crime, such as drug dealing, as it is without having to face the additional pressures that could be generated by the new youth facility.



DUNCAN SPENCER

Taking the measure of Boys Town.

The other residential facility, which houses nine severely retarded individuals, is located well within 500 feet of the $8.1 million former parking lot that Girls and Boys Town bought this year. (Copenhaver has measured the distance between the two sites as about 168 feet.) "The zoning rule in the C-1 district is that a community-based residential facility with seven or more residents cannot have another within 500 feet," Opper-Weiner, a lawyer and anti-Boys Town activist, told The Hill.

A variance would require a zoning adjustment and, therefore, a hearing and public notice. That, in turn, would enable anti-Boys Town activists to present witnesses and offer testimony, including letters of opposition with the signatures of more than 1,500 residents. If the Board of Zoning Adjustment is swayed and denies the special zoning exemption, then the project would be delayed while the legal process moves forward.

After being informed of the proximity issue, the city's Department of Consumer and Regulatory Affairs decided to study the situation. "We're going to have a lawsuit, that's where this is going," Opper-Weiner said.

Board of Zoning Adjustment
District of Columbia
CASE NO.16791
EXHIBIT NO.30A7

WASH. Post 6/13/01

Foster Care Oversight Criticized In Report

Deficiencies Cited At Group Homes

By Sari Horwitz
and Scott Higham
Washington Post Staff Writers

District social workers are failing to visit or monitor foster children living in city group homes, which are unregulated and staffed with untrained and poorly qualified workers, according to a report released yesterday.

The report by the Center for the Study of Social Policy also found that group homes have no procedures for workers to report or investigate allegations of child abuse and neglect. The D.C. Child and Family Services Agency has about 400 children, or about 15 percent of the city's foster child population, in the homes.

The nonprofit center was appointed by a federal judge to monitor Child and Family Services, which has been under the control of U.S. District Judge Thomas F. Hogan for six years.

"The Child and Family Services Agency social worker is an absent partner in these children's lives," said the report, prepared by Judith W. Meltzer, deputy director of the center. "Workers rarely visit the children."

Under a court order, social workers are supposed to visit children every week for the first two months, and every other week after that.

The 32-page report was released as Mayor Anthony A. Williams (D) and his new child welfare director, Olivia A. Golden, prepare to take over the troubled agency Saturday. Last month, Hogan ended his control of the agency, placing it on a probationary period that will be monitored by Meltzer's group.

The plan to end federal control of Child and Family services requires the mayor to create licensing standards by Sept. 30 to safeguard children placed in group homes. Under Hogan, the group homes were not licensed.

The center reviewed 13 of the city's 27 group homes for foster children from August to March. The children in many group homes are older teenagers who have been in foster care for years, or children with special medical needs. Although the report found that children were generally safe and the homes were clean, it also said that under the watch of the federal court:

- Too many children are placed in group homes before Child and Family Services social workers fully explore putting them with foster families. A group home should be a "placement of last resort," and the agency should try to find more foster homes for children.
- Social workers rarely visit the children. "I never see or talk to my social worker except when she picks me up for court," said one child quoted in the report. Another said, "I have seen my social worker two times in two years."
- The agency does not provide group homes with accurate information about children's medical needs or case histories. An agency-contracted medical group that screens children before they are placed in foster care didn't realize that one child was pregnant and another had tuberculosis before they were sent to group homes.
- Although some group home staffers are committed and caring, group home workers are "underpaid, underqualified, undertrained, undersupported" and in short supply. "The staff here don't care about kids," one child in a group home said. "They take their burdens out on us."
- Group home administrators and workers don't know how to report allegations of abuse and neglect. One child said she didn't bother to report that a maintenance man was harassing her because group home workers ignored complaints. "I didn't tell anyone because they ignore us," she said.
- In three-fourths of the 13 homes visited, reviewers found that children were not receiving services from the child welfare agency because group home workers and social workers weren't discussing the cases.

The center provided copies of its report to the agency and the mayor's office Friday.

"The information in the report is really important, and it will be valuable to us as we move ahead finalizing and implementing the group home regulations," Golden said.

A spokeswoman for Deputy Mayor Carolyn N. Graham, who supervises child and family issues, said Graham couldn't discuss the report because she had not read it.

WPost 2/28/01

Ashcroft Vetoes Halfway House

Adams-Morgan Site Near Grade School

By Sewell Chan
and David A. Vise
Washington Post Staff Writers

Attorney General John D. Ashcroft said yesterday he had ordered the federal Bureau of Prisons not to award a contract to operate a halfway house for adult felons near Adams Elementary School in Northwest Washington.

Residents of the Adams-Morgan neighborhood had hotly criticized a nonprofit organization's proposal to operate a residential facility at 2019 19th St. NW, less than 70 feet from the elementary school.

"After I became aware of this proposed site and had a chance to talk with the Bureau of Prisons, we moved quickly to assure the community that while we want to make sure those who have served their time have the opportunity to become constructive members of society, we also want to be sure that the security of our children and neighborhoods are not compromised," Ashcroft said in a statement.

Ashcroft paid an unannounced visit to the school, which has 350 students from Head Start to the sixth grade, on Friday morning. Later, he met with D.C. Council members Jim Graham (D-Ward 1), who represents Adams-Morgan, and Kevin P. Chavous (D-Ward 7) to discuss the halfway house proposal and other District matters.

Ashcroft has told city and community leaders that he is sensitive to the need for the federal government to be more responsive to D.C. residents.

Alan J. Roth, the advisory neighborhood commissioner for the area,

THE DISTRICT

Ashcroft Vetoes Site Near Grade School

HALFWAY, *From B1*

described the decision as a boon for local families. "Obviously, our community's appreciation for the attorney general's personal involvement can't be overstated, but the statement goes beyond our neighborhood: that the safety of children in and around our schools is a paramount value," he said.

Bureau of Rehabilitation Inc. had applied to the prisons bureau last year to operate the facility for 24 to 28 men. The 71-year-old nonprofit organization, based in Lanham, ran a facility for detained juveniles in the same building from 1981 until it was damaged last March by a fire set by a youth.

The facility would have housed convicts nearing release, white-collar offenders and other felons placed in halfway houses as part of their sentences. The occupants would have been required to hold full-time employment as a condition of their release.

"I'm very sorry about the decision," said Sandra J. Robinson, director of the nonprofit organization. "It not only has ramifications as far as Washington is concerned. It has national ramifications."

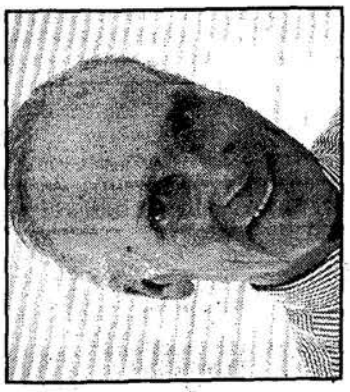
Robinson said the proposal would not have attracted such high-level attention if it had involved a low-income community, rather than a rapidly gentrifying one.

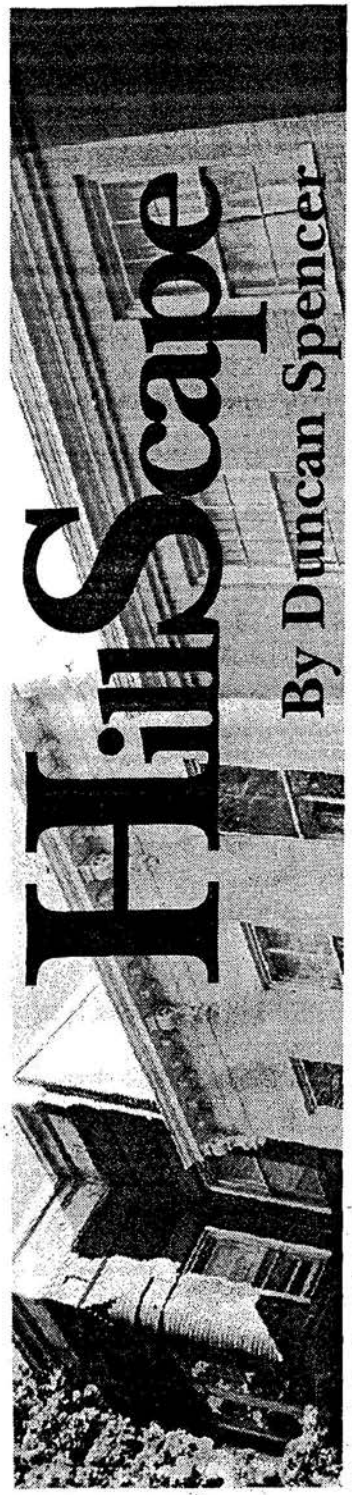
"People who have the most noise, and have the most access, often win," Robinson said. She said the organization will negotiate with the prisons bureau to find an alternative site.

Tom Kane, assistant director of the Bureau of Prisons, said he plans to meet today with Del. Eleanor Holmes Norton (D-D.C.) and Graham to begin talks about an alternative site. Kane also said he wants to follow through on a community-wide meeting that had already been discussed.

The federal agency, which will be responsible for all District prisoners by Dec. 31, currently has contracts for five halfway houses in the District, including three in Mount Pleasant operated by Bureau of Rehabilitation Inc.

Kane said he already has held discussions with Margret Nedelkoff Kellems, the city's deputy mayor for public safety and justice, on the broader issue of where to locate new halfway houses. An estimated 200 District inmates are released each month, and few sites are uncontroversial.





FIERCE FOES

Mild-mannered Will Hill turns into a tiger



DUNCAN SPENCER

Will Hill halt Boys Town?

From the nearest corner to **Will Hill's** modest row house on 14th Street Southeast, he'll be able to see the campus of the planned "residential facility" where Boys Town USA is to house over 40 delinquent — "at risk" in the deplorable lingo – youths.

It will happen, Hill vows, over his dead body.

Will Hill is the senior member of Advisory Neighborhood Commission 6B, which covers the southeast part of the Hill. His day job is that of a career civil servant on the staff of the Senate Post Office. He is a calm and patient man, known for his unexcitable nature.

Until Boys Town that is. When it was announced that over $7 million had been included in the D.C. Budget Appropriations Bill to enable the expansion of Flanagan's Boys Town and now known as Boys Town USA, insider Hill knew that the "fix" was in — and he was furious.

Boys Town already has a branch in the far Northeast. That facility for 20 youths is responsible for over 200 calls for police help in the past year, Hill says.

Del. **Eleanor Holmes Norton** (D-D.C.), usually dependably on the neighborhood's side on development issues, has been silent on this one. Mayor **Tony Williams** (D) is avoiding taking sides, and Councilwoman **Sharon Ambrose** (D-Ward 6) says she can do no more. Hill fights on. He says he will continue to fight even if it is built; "We will watchdog this thing like a hawk," he declared.

"It's the wrong project in the wrong place at the wrong time," he told The Hill, as he announced last week his group, concerned Citizens for Smart Development, would start lobbying members of Congress who live on the Hill for help. In the past four months, ever since Boys Town USA spent $8.2 million for a third of a block's cleared land now used as a parking lot, Hill has led a tireless opposition movement, keeping up a drumbeat of letters, meetings, rallies and phone calls, and gathering over 1,000 residents' signatures on a petition to the mayor. He also won the influential Capitol Hill Restoration Society over to his cause.

Hill's energy seemed to grow, not diminish, as other opponents realized the development was the classic "done deal." The developer had the money, had the friends in Congress, had the zoning permission (the site at 14th and Pennsylvania Avenue Southeast, is outside of the Capitol Hill Historic District boundary).

Now Hill is arguing that the reason Boys Town paid the huge price (which he estimates is about twice the marketplace valuation) is, "So that Boys Town will have a Pennsylvania Avenue address, for lobbying purposes. Boys Town is a big business. it has become a money-making organization," he charges. He points to the organization's big endowment and $80 million per year in investment income — despite its 501(C) (charity) tax status.

Even meetings with Boys Town executive Fr. **Val Peters** proved fruitless, as did offers to swap with another site and the promise of help from Mayor Williams' office (though insiders say the mayor is not willing to fight the development). City Councilwoman Ambrose, a veteran of several successful development fights, has abandoned all weapons, but hope in this one. "I've done everything I could," she says, "It's up to the mayor."

So what keeps Hill pushing? He hopes that the federal funding of Boys Town will prove its undoing. "That money could have gone to the city's foster care program," he says. Hill notes that Boys Town does not yet have the necessary building permits; that little has gone on at the site aside from some demolition. "We will keep fighting," he vows.

THE HILL HEARS ...

City Paper 10/25/2000

LOOSE LIPS®

EXILE FROM MAIN STREET

The proprietors of a methadone clinic proposed for Good Hope Road SE in historic Anacostia certainly never expected a warm embrace from residents of the surrounding neighborhood. Still, they looked a bit shell-shocked when confronted with the hostility that boiled over at a hearing on the clinic Aug. 15 before the city's State Health Planning and Development Agency.

Clinical Director **Darryl Satterwhite** sat before a packed crowd and attempted to persuade the detractors that their opposition to the facility, known as the Good Hope Institute, was ill-informed. "A lot of you really, really have a misunderstanding of what we're trying to do," said Satterwhite, who vowed that the clinic would assist local heroin addicts with the "physical, mental, and even spiritual aspects of recovery."

Satterwhite had much more to say, and Anacostians didn't care to hear any of it. "This is our ward; we don't want it," jeered one man.

"Our children are going to be mixed up with this mess," said another protester.

"Take it where you live at," screamed yet another.

Thus was coined the anthem of D.C. community politics for the summer of 2000. Although the District has never suffered from a shortage of NIMBYs, opposition to social-service facilities has raced across the city in recent months like a fleet of DPW workers at quitting time. Check out the battle fronts:

- Kalorama residents in June killed a proposed halfway house on 19th Street NW.
- Capitol Hill activists in June fought unsuccessfully to prevent a chapter of Boys Town USA, which runs group homes for foster children, from opening a facility at Potomac and Pennsylvania Avenues SE.
- LeDroit Park residents in July quashed a proposal to locate a "community supervision center" for D.C. parolees at 3rd and Rhode Island Avenues NW. "We have a bad record of keeping the offenders under control," says nearby resident **Geneva Perry**. "We got quite a few offenders sitting on the street right now."

The flare-ups have driven home a poignant lesson about our liberal-minded politicos. Although they'll blather on endlessly in the abstract about serving the underprivileged, they'll side with NIMBYs over addicts, foster children, and criminal offenders every time. And in doing so, they are putting off reckoning with a powerful dynamic in D.C. demographics: While the city has exiled a good chunk of its law-abiding middle class over the last decade, its swollen population of needy residents has continued walking gentrified city streets in search of community-based services.

Councilmembers know exactly what's at stake when a group of activists solicits their support to oppose social-service facilities. "As a ward councilmember, if you're perceived as not protecting the residential character of neighborhoods, you are probably not going to be a ward councilmember very long," says Ward 6 rep **Sharon Ambrose**, who led community opposition to the Boys Town project and testified at last week's hearing on the Good Hope Institute, which lies in the east-of-the-river segment of her ward. "This is the wrong business in the wrong place at the wrong time," thundered Ambrose, prompting cheers from the crowd of methadone clinic detractors.

Mayor **Anthony A. Williams**, who is trying to build a constituency east of the river, told LL the same thing, in his own vocabulary. "That is not an example of good neighborhood planning," said Williams.

And hell, even nonelected civil servants are offering to fall on their swords over the methadone clinic. "If they put the clinic in there, I'd be forced to resign," says **Lamont Mitchell**, the mayor's emissary for east-of-the-river development. Mitchell is hoping that the State Health Planning and Development Agency rejects the Good Hope Institute's application for a "certificate of need," which is required to dispense substance-abuse treatment in the District. In determining whether to issue the certificate, the agency must gather community input on the facility.

Williams says he'd locate the treatment center in just about any spot other than on Good Hope Road. "The fact of the matter is that we have to provide services, and everybody around the city should do their share," says Williams. "[Anacostia residents] have got a great case that they already do."

In fact, just about every neighborhood east of Rock Creek Park can compile a pretty convincing case—especially if it's Ward 1 Councilmember **Jim Graham**, the king of D.C.'s NIMBYs, who's addressing the jury. Graham is proud to note that he supported Kalorama residents "100 percent" in their campaign against a halfway house and brags of single-handedly derailing the court services satellite office on Rhode Island Avenue. When the councilmember caught wind of the project, he called **John "Jay" Carver**, t head of the Court Services and C Supervision Agency.

"I told him we'd fight it tooth and nai Graham, who insists that that particular ward hosts "five social-service faciliti 500 yards."

Graham will need to keep making that over the next few years. After all, press government agencies and nonprofits social-service facilities in D.C. neighbo unlikely to abate anytime soon. Start with According to **Robert Murphy**, media spe the Court Services and Offender Sup Agency, the "supervised population" of idents—the folks on parole or probation into the criminal justice system's neigh offices—is supposed to rise dramatically i the next five years.

Nor will the new Boys Town outfit hav filling its halls. The tally of D.C. foster jumped from 1,680 in 1988 to 2,200 in 3,300 in 2000, according to **Tom Wells**, di the Consortium for Child Welfare.

Corresponding hard figures on substan patients don't exist. However, the numbe

When NIMBYs say:	They mean:
"Our neighborhood is already saturated with these kinds of programs."	"Try Reston."
"They didn't provide the community any advance notice that they planned to put a facility here."	"Damn them for not giving us more time to organize our opposition."
"This area is designated for economic development, not social services."	"Starbucks is the cure for all of our urban wo
"The methadone treatment center would be located right next to neighborhood churches."	"Churches are supposed to look pretty, not he lost souls."
"The facility would contribute to trash problems in the community."	"We don't trust the downtrodden to use trash cans."





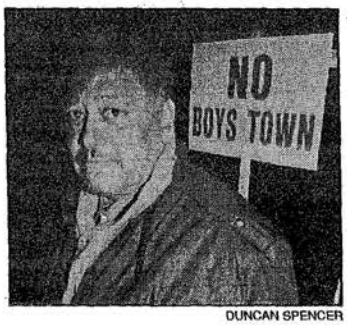
HILL TO MAYOR:

Do something to stop Boys Town

When over 150 people gather in rush hour darkness and icy winds on a forlorn corner marked by rubble and chain-link construction fence, does it mean anything?

"No Boys Town" read the cardboard signs; but desperation and frustration could be read in the sullen anger and discouraging words of the leaders of last Thursday's protest against a projected multi-million-dollar campus for a likely 40 delinquent youths planned by Nebraska's Boys Town USA for the corner of 14th Street and Potomac Avenue Southeast.

The locals — backed by political leaders **Will Hill** of Advisory Neighborhood Commission (ANC) 6B, City Councilwoman **Sharon Ambrose** (D-Ward 6), Capitol Hill Restoration Society President **Brian Furness** and a petition with over 1,000 Hill signatures, don't want the facility — which would house a number of youths, many remanded by the courts, in a neighborhood known for its struggle with drug dealing. The Hill dwellers who live nearby point to the fact that there's a Metro stop across the street (Potomac Avenue Metro) and that such places are known hot spots for future development. Boys Town, they argue, would pay no taxes, generate no revenue as a nonprofit, and would essentially freeze into economic inactivity the entire block front from 13th to 14th along Pennsylvania Avenue Southeast.



DUNCAN SPENCER

Will Hill, on the barricades.

A shivering Ambrose said the fate of the block was in the hands of Mayor **Tony Williams** (D) after her own face-to-face meeting with Boys Town's top local executive, Fr. **Val Peters**. Peters has rejected offers of other sites and various economic "sweeteners," as Ambrose termed it, to move the facility elsewhere. "I did not find Fr. Val Peters to be willing to listen to me," said Ambrose. "This was a grossly, grossly overpriced piece of property ... donors to Boys Town need to know how their dollars are being spent."

The Nebraska charity, famous as "Father Flanagan's Boys Town," but now a vast, well-financed operation with $80 million per annum in investment income, paid the sky-high price of $8.2 million for the site, greatly aided by a $7 million provision in the D.C. budget bill supporting expansion of activities here. Ambrose said she did not "know what else to do," save appealing to Mayor Williams to refuse building permits.

Flashing Warning Signals Police to Board Bus

Passenger Is Charged In Earlier Shooting Death

By PETULA DVORAK
Washington Post Staff Writer

Instead of "Pennsylvania Avenue" or "Columbia Heights-Woodley Park," the sign on the brow of Metrobus 2218 flashed bold, capital letters: "EMERGENCY. CALL POLICE. 911."

It just so happened that U.S. Capitol Police were scouring the area for a suspected purse-snatcher who witnesses said hopped on a bus near the Capitol, said Capitol Police spokesman Lt. Dan Nichols.

So when those investigators saw the silent call for help flashing on the Metrobus at Sixth Street and Pennsylvania Avenue SE yesterday afternoon, they boarded it, Nichols said.

What they found apparently was more serious than a purse-snatcher.

Late last night, D.C. police charged a passenger on the bus, Daron McMillan, 18, with murder in a slaying yesterday afternoon at 14th and Ives streets SE.

Hours earlier, the bus driver's suspicion was aroused by a passenger who had sneaked onto the bus and appeared to be changing his clothes. The driver flipped a switch that flashed the call for help, unbeknown to the man and the other passengers, police said.

After police emptied the bus, fellow passengers pointed to a man they said was acting strangely while on board. That man kept trying to leave the scene, but Capitol Police detained him when they found a pile of clothing and a handgun on board, Nichols said.

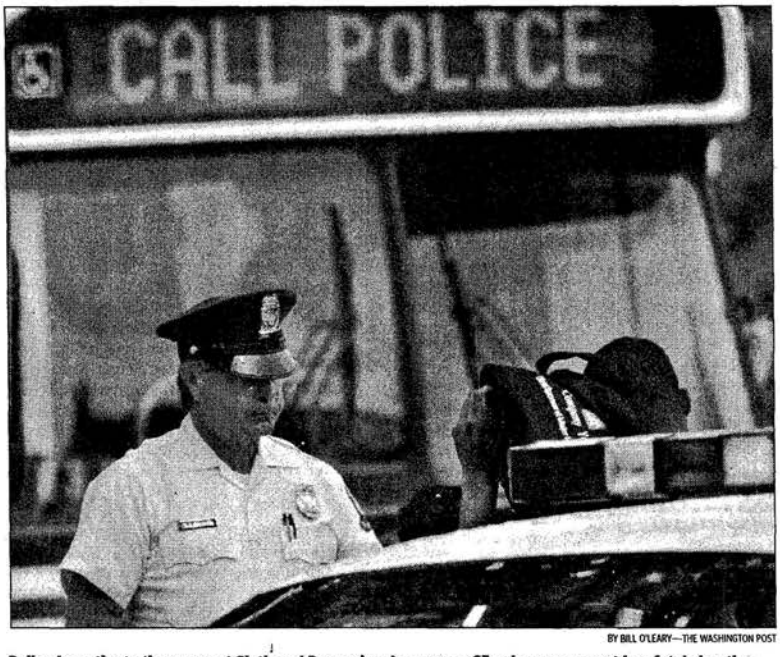
The man, it turned out, was not their purse-snatcher, police said.

But Charles Lasane, 20, had been fatally shot at about 2:15 p.m. about a block from the busy Potomac Metro and bus depot, and the bus passenger fit the description of the gunman leaving that scene, District police said.

First District officers left the scene of the slaying for the bus stop, interviewed some of the remaining passengers and eventually kept one man in custody in connection with the shooting, said 1st District Commander Kim Dine.

McMillan is to appear at a hearing at D.C. Superior Court today, police said. He also was charged with carrying a pistol without a license..

Lasane, of the 1800 block of P Street SE, was pronounced dead at D.C. General Hospital.



BY BILL O'LEARY—THE WASHINGTON POST

Police investigate the scene at Sixth and Pennsylvania avenues SE, where a suspect in a fatal shooting was apprehended on a bus.

SE Gunfight Shatters Relative Peace

1 Dead, 1 Injured at Once Notorious Housing Project Near Capitol Hill Neighborhood

By SEWELL CHAN
and DAVID A. FAHRENTHOLD
Washington Post Staff Writers

In the 700 block of 12th Street SE, the spreading edge of the Capitol Hill neighborhood—with its renovated row houses and recently moved yuppies—abuts the Potomac Gardens housing project, notorious for many years as one of the District's most dangerous. On Saturday evening, both sides of the street got a sign of how far they haven't come.

At 7:45 p.m., young men traded gunfire across 12th Street. Some of the men left in a car, and the others ran to the public housing complex, where one collapsed at an entryway. Shell casings from 9mm and .45 caliber pistols were found at the scene.

Michael Montgomery, 25, of the 500 block of Third Street NE, was pronounced dead at Howard University Hospital at 9:15 p.m., police said. A second man who was injured by gunshot was in stable condition last night at an undisclosed hospital. He was not identified because he is considered a witness, but police said he is 22 and lives in the District.

One neighbor, who moved to 12th Street three months ago, said she heard eight to 10 gunshots, looked out a window and saw a dark-colored Ford Crown Victoria. Several youths in their mid-teens were in the car, and one shouted: " 'Hurry up, man. Hurry up, man. Come on,' " she said. She, like other neighbors, spoke on condition of anonymity because she feared retaliation.

A 52-year-old woman who has lived in Potomac Gardens for 23 years said that about 25 neighbors were chatting in the housing complex's courtyard when the gunfire started.

"Everybody broke up and ran," she said. "It was chaos. Everyone was picking up their child." The woman rushed into her apartment, where her 11-year-old grandson was playing near the window.

"It sounded like they were just starting the car up and trying to get away real fast," the grandson said.

Grandmother and grandson watched in horror as residents of the housing complex cut off the dying man's shirt and tried to stanch the blood. "I prayed for that child, because they shot my boy in the back over a pack of chewing gum five years ago," the grandmother said. Her son, now 32, she said, still lives in Potomac Gardens.

Completed in 1968, the 352-unit public housing complex became known in the mid-1980s as one of the city's most fearsome, a place where crack and heroin dealers ruled. About 140 units are designated for seniors, many of them wheelchair users and frail women who have spearheaded the community's recurrent demands for improved safety.

The city beefed up patrols and installed a notorious set of 8-foot-high wrought-iron fences in 1992 around and within the complex. Residents initially complained that "the Fence," erected to keep out drug dealers and illegal tenants, made the complex more a penitentiary than a place to call home.

In 1995, the city awarded a $100,000 emergency contract to Nation of Islam security guards to provide round-the-clock patrols, a controversial decision that attracted national attention.

Despite occasional shootings, the difference from five years ago has been distinct. "We've had some problems there, but it's not like we've had shooting after shooting there," D.C. Police Chief Charles H. Ramsey said of Potomac Gardens.

"This hasn't happened in many moons," the grandmother said of the shooting. "We used to have quite a few shootings here, and now we don't. People say it was the gate, but it was God removing the demons." The demons, she emphasized, were the drugs and violence that had seemed intractable for so long.

The Washington Post

METRO

THURSDAY, AUGUST 17, 2000

Building Boom Sets Off Neighborhood Protests

Projects Mar D.C. Communities, Residents Say

By DAVID MONTGOMERY
Washington Post Staff Writer

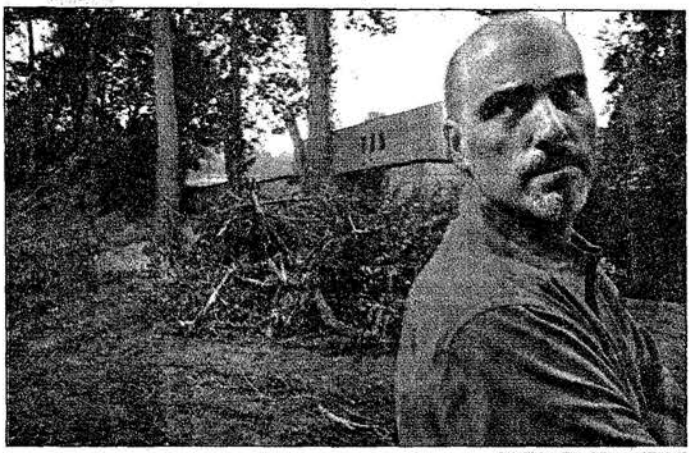
By the time Michael and Elena Romanov reached the scene, the blade of the backhoe was already clawing at a tree. The Romanovs are physically thin and philosophically mild, but they did not hesitate. Michael jumped on the treads of the big yellow machine, while Elena ran beneath the mechanical arm so that if it continued, it would strike her.

The couple ordered the operator to stop knocking down trees for a new apartment building on Connecticut Avenue NW in Cleveland Park. The operator did stop, while his colleague called police.

Before police arrived, city construction regulators faxed over a stop-work order that had been demanded by residents, and no one was arrested. The backhoe operator had not known the stop-work order was in effect.

The incident two weeks ago was the second time in as many months that District residents have thrown themselves in the path of heavy equipment clearing trees for new development. The desperate deeds are proof of the passion running against many projects now that the building boom downtown is spreading into neighborhoods.

In both recent outbreaks of tree-hugging, the developers were proceeding with plans that had received the required city permits. The projects—a Sikh temple at 38th Street and Massachusetts Avenue NW and the nine-story building with 168 apartments at 3883 Connecticut Ave. NW—demonstrated that the once-shunned city is increasingly desirable as a place in which to invest and live.



BY MICHAEL LUTZKY—THE WASHINGTON POST

David Maddox's group is protesting construction of an apartment building on Connecticut Avenue NW. Maddox wants a city "planning process that is neighborhood-sensitive."

Yet neighbors argue that by approving such "in-fill" projects in established neighborhoods, the city threatens the very charm that makes Washington appealing. "We are concerned that D.C. have a planning process that is neighborhood-sensitive," said David Maddox, a leader of a group that has

See TREES, *B7, Col. 5*

'In-Fill' Plans Draw Protests In the District

TREES, *From B1*

signed up more than 300 people against the apartment building. "It's about maintaining a livable city for us while continuing to reap the benefits of the economic boom."

Executives of Clark Realty Capital, which is developing the apartment building, released a statement charging that "a small group of residents" is trying to derail a project in the works for nearly two years. "These individuals would now prefer to use our property as their personal park," the statement said.

The balance between nurturing a livable city and promoting a boom town is difficult but essential to achieve, said city planning director Andrew Altman. "In some ways, this is a positive issue to have to contend with," he said. "We are attracting growth in our city. . . . You have to balance that with issues of neighborhood character and appropriate development."

Altman said he hopes to head off future confrontations on the treads of backhoes by hiring neighborhood planners who will meet with residents and developers early in the life of a new project.

The neighbors of the proposed Sikh temple succeeded only in delaying the project by several days. The city lifted a stop-work order that had been hastily issued in the case. Three old oak trees were cut down, and work began on what the Sikh Cultural Society says will be a showcase piece of architecture.

On Connecticut Avenue, opponents concede that Clark has the right to build something on the wooded lot it owns near Tilden Street NW. The neighbors say they want Clark to build a smaller building, or perhaps town houses. "We're not against development," Michael Romanov said. "We want something more in tune with the neighborhood."



BY WILLIAM GLASER—THE WASHINGTON POST

The residents say the nine-story building planned for the lot behind a five-story building will dwarf the existing historic landmark structure and block views of Rock Creek Park. They charge that the driveway near an intersection on Connecticut will be dangerous and that the 172 underground parking spaces will be inadequate. They decry the loss of more than 50 trees buffering the park from development on Connecticut, and they say construction on the slope above the park will send harmful runoff into tributaries of Rock Creek.

Adrienne Coleman, superintendent of Rock Creek Park, sent a letter to the developer, raising concerns about runoff and adding, "We are concerned that the extensive removal of existing mature healthy trees will result in both short and long term adverse impacts to adjacent park land."

The city's Department of Consumer and Regulatory Affairs, which issued the stop-work order after Clark had obtained preliminary permits to clear the land, has invited all parties to a round-table discussion today of the project's environmental impact. The department will then decide whether construction can proceed or whether a more elaborate environmental study is needed. Clark still needs a final building permit.

Francis Coen, Clark's development executive on the project, said in an interview that Clark plans to incorporate every recommendation that Rock Creek Park's Coleman

made to ensure that runoff will not flow into the park. He disputed another park official's report that ground water bubbles to the surface on the Clark property and seeps into the park. Clark's environmental consultants, Coen said, found no wetlands that would preclude construction.

"This is obviously not about the environment," Coen said. "They want to take whatever steps they can to stop the project."

Coen also said the proposed driveway would be safe and the underground parking sufficient. He noted that the project conforms with the vision of the city long outlined in zoning codes. "The property has been zoned for this size and density of apartment building since 1958," he said.

However, residents point to a competing vision of the city suggested in the Comprehensive Plan for Ward 3. A section of the plan commenting on in-fill development says: "Examples of inappropriate in-fill locations include ... the few large interior spaces of certain blocks on Connecticut Avenue, particularly those behind historic apartment buildings or adjacent to park lands."

Contrary to that nonbinding guideline, the Clark building would be on a lot behind the D.C. landmark apartment building at 3901 Connecticut Ave. NW, and the property abuts Melvin C. Hazen Park, a component of Rock Creek Park.

At a rally last week behind 3901 Connecticut, about 65 residents of that building and nearby buildings and houses gathered to discuss their concerns. Not all residents are against the project. Tony Trujillo, president of the residents association at 3901 Connecticut, said the association voted to support the project in exchange for amenities from Clark. But he said many residents, as individuals, are concerned about new development in the area, even though "it seems Clark is trying to complete this project in a sensitive fashion."

Opponents of the project caught Clark in an embarrassing mistake on the environmental screening form it submitted to the city. The submission claimed that no trees would be cut down. If the stop-work order is lifted, the backhoe will return to finish the job.

New Retail Complex Planned For District

Kmart and Giant Food To Anchor Site in NE; Home Depot in Talks

By JACKIE SPINNER
and MARTHA MCNEIL HAMILTON
Washington Post Staff Writers

The D.C. government and a Detroit developer have reached a deal to create the first new major retail center in the District in decades—a complex expected to include Giant Food and national retailers Kmart and Home Depot.

Kmart Corp. and Giant Food Inc., the area's largest grocery chain, already have signed agreements to anchor the new complex at the current site of the D.C. vehicle impoundment lot on Brentwood Road NE. Home Depot Inc., which recently opted out of a lease to open a store at the former Hechinger site on Wisconsin Avenue NW, is negotiating to be the third major tenant, according to sources with knowledge of those talks.

The center—near the Rhode Island Avenue Metro station—would be a major boon to economic development in a working-class neighborhood with a strip shopping center near the Metro but no other sizable retail facilities. It also underscores the potential for the nearby New York Avenue corridor, where Black Entertainment Television Inc. has its studios and where Qwest Communications International Inc. and XM Satellite Radio Holdings Inc. have chosen to locate their high-tech businesses.

In spite of talk of the city's recent turnaround, most of the new commercial activity has been concentrated in downtown or in upper Northwest. The last large shopping center built in Northeast Washington was the red-brick Hechinger Mall at the eastern end of H Street NE. The 20-year-old center is anchored by a Safeway, but the old Hechinger hardware store is vacant.

The stores would be the first in the District for Kmart and for Home Depot, retailers that have favored suburban sites. Landover-based Giant has not opened a new store in the city in two decades.

"We're very excited about it," said Mayor Anthony A. Williams (D). "It means we're getting the job done for the people, and people are willing to invest. Things are actually happening in our neighborhoods. Housing investment. Commercial investment."

Deputy Mayor Eric W. Price said the District will sell the 23-acre parcel to developer Graimark-Walker Urban Land Developments for $3 million. Under the terms of sale, which will be announced today, Graimark-Walker will spend $7 million to $8 million to prepare the raggedy industrial site for development. The D.C. Department of Public Works currently uses the land to house abandoned and seized vehicles.

The sale of the land is contingent on D.C. Council approval.

Kmart and Giant will lease 160,000 square feet at the new shopping center, which could reach 275,000 square feet. Construction is expected to begin in April 2001. The stores would not open until 2002.

The agreement between the city and the developer stipulates that 51 percent of the jobs created at the new retail center must be reserved for D.C. residents. Kmart and Giant together are expected to employ between 400 and 500 people there.

At least 35 percent of the anticipated $27 million in construction contracts are earmarked for small or disadvantaged businesses.

Rick Walker, a partner with Graimark-Walker, which is working with Kmart to develop stores in five other cities, said the D.C. site is unique because it is large enough for several big stores.

"It's very exciting," Walker said. "It's one of the largest urban core sites we've ever had."

Walker declined to discuss the status of the Home Depot discussions or to confirm that they had taken place.

"We're only prepared to say from a developer's standpoint that we're in serious negotiations that we believe will lead to a third occupant," he said.

Home Depot spokesman John Simley said: "We don't have a contract on that. I can't confirm or deny it until we have a contract." But other sources said Home Depot was close to a decision that would bring it to the site.

Kmart has led major retailers in developing an urban model for its stores. Its locations in spots such as New York City's Greenwich Village and Penn Station have been successful.

Walker said his firm intends to apply for financial incentives through various programs that the D.C. government has established to encourage retail development. He could not say how much Graimark-Walker intended

Last year Congress enacted legislation that provided $5 million of Commercial Revitalization Program funding for the city. Price said about $2 million of that will be allocated to offset sales and real property tax abatements granted to Giant under a new city law meant to encourage grocery-store development.

Kmart representatives were en route yesterday to the Washington area for a news conference and could not be reached for comment.

Giant Food spokesman Barry Scher said having Kmart as a potential neighbor was a bonus.

"The synergies of us operating next to a large merchandiser like Kmart is another positive benefit for the community, as well as both retailers, because we would build on each other's business," Scher said. "We haven't dotted all the i's and crossed all the t's, but we're optimistic that we'll have a store at that site."

Giant last opened a store in the District in 1979, at Seventh and O streets NW. Like other retailers, it turned to the suburbs for expansion when the city's population began to decline.

Richard Lake, managing principal with the D.C.-based Madison Retail Group, said Giant's and Kmart's interest in coming back to the city is "a sign of the times." Madison Retail was handling the leasing for the former Hechinger site in Northwest.

Kmart is reportedly looking at three other potential sites in the District, including one in Anacostia.

"A lot of the suburbs are pretty much done," Lake said. "The next frontier is back where they started, the urban core."

D.C. Council member Vincent B. Orange Sr. (D-Ward 5) said residents in his district, where the shopping center will be built, can stop traveling to other communities to buy the most basic necessities.

"We're going to be able to touch and feel economic development in the neighborhoods," he said. "We'll be able to recycle those dollars."

Over the years retail has all but disappeared in major parts of the city, especially in poor parts of Northeast and Southeast. Residents in those communities have had to travel into Maryland or Virginia to shop at a department store or the "big box" retailers suburbanites take for granted.

Price said the D.C. officials are still in the process of identifying potential replacement sites for the impoundment lot and for a salt dome also on the property. He declined to disclose those locations.

and MARTHA MCNEIL HAMILTON
Washington Post Staff Writers

Stores Would Be First in D.C. for Kmart, Home Depot

Staff writer [illegible] contributed to this report

Spencer Says

Boys Town Rejection: Father, He's Far Too Heavy And He Ain't My Brother

A multi-million dollar development with a resume to die for has unified the Eastern part of Capitol Hill like few recent issues: You're either against Father Flanagan Boys Town or you're from another planet.

What's not to like? Let's take the positive side first.

Loveable old Father F. from Nebraska with his flock of frisky foundlings made a movie smash with Bing Crosby and Mickey Rooney that folks still remember. What's more, the message went right into the American lexicon with the phrase, "He ain't heavy, Father...He's m'brother." Father Flanagan, the firm but kindly padre who turned [illegible]g toughs into choirboys, founded Boys Town [illegible]917.

Fast-forward many decades: Father F. is in heaven (since 1948), but his non-profit organization is still doing good works all over the world. Reaching out to "troubled" youths (Oh why, why, can't we just call them punks, or rowdies, or hellions, or hoodlums, or delinquents?) Whether or not they are actually orphans, Boys Town sees Washington as a perfect place to expand its operations.

Never mind the fact that Father F. reasoned that rolling Nebraska farmland was the right place to set the tykes on the correct course. Never mind that the corner of Capitol Hill where the Flanagan organization has bought to build is a drug neighborhood with a list of "police service calls" as long as your arm.

Loaded with cash from sound investments, Boys Town sees a large, long under-utilized piece of property 13 blocks from the Capitol dome—a property formerly owned by retired realtor Beau Bogan, and presently loafing along as an all-day parking lot with a couple of buildings on it. It's outside the restrictive Capitol Hill Historic District, it's on a commercial corridor, and its $8.2 million price is no deterrent to Boys Town.

Boys Town moves swiftly, securing the property, hiring famed land law firm Wilkes, Artis, and engaging the Hill's pre-eminent architect, Amy Weinstein, whose subtle interpretations of period styles have won many admirers on the Hill. Top Hill realtor Pardoe keeps the whole deal under wraps until after settlement.

[illegible]oys Town announces it will build a campus-like [illegible]p of houses on the property, some to house res-[illegible]nts, some for daily activities, and one for administration. All will attractively meld with the mix of 19th and 20th century house styles that line Pennsylvania Avenue, SE.

So far so good? Nah. Then all hell begins to break loose as one by one important local players sour on the idea of the project.

[illegible]s it stands now, ke Advisory Neighborhood Commission members, the Ward's city Councilwoman, plus her Republican ally in this matter, David Catania (at Large), the Capitol Hill Restoration Society and many private citizens are passionately against the project. Opposition is strong in both black and white communities. The only powerful community voice that is neutral is Dennis Bourgault's Capitol Hill Association of Merchants and Professionals (CHAMPS), which takes a cautious wait and see attitude.

A few individuals, such as longtime Soccer on the Hill coach Brian Cassidy, ANC 6B member Kalimah Abdul Sabur, and members of other youth social service organizations have spoken in favor of Boys Town. The organization itself has remained silent; spokesperson Sharon Robinson infrequently answers questions, but pumps out press releases about "The outpouring of support from the Capitol Hill community."

Congress saw fit to give $7.1 million under the leadership of Senate Majority Leader Trent Lott, who is on a Boys Town board. But that is only the beginning.

What happened? The community—if such a thing exists in a village made up of such disparate elements—woke up one morning feeling it had been swiftly had.

First, the secrecy of the deal was unlike others. Capitol Hill brokers, including the well-regarded Kitty Kaupp who brokered the purchase, made not a peep. Usually brokers who net hundreds of thousands on a deal (Kaupp probably got 3% of the selling price, or $246,000) crow all over town, but not this time. With the deal inked, nobody knew anything about Boystown USA.

But they soon found out, and the information was a lot less comforting than the cozy spiel dished up on WWW.BoystownUSA, which speaks of a sheltering, nurturing environment for youths "whose lives are out of control" but who learn to "get better" under the 24 hour tutelage of "family leader" couples who live in houses with six to eight youths. The kids get allowances, they are allowed to have pets; they do a lot of chores, they go to school, they get counseling.

What the antis found out was both historical and speculative. Father F.'s Boys Town already has a unit in Washington, not far off the Hill in Northeast at 4801 Sergeant Road NE, a far wilder part of town.

That facility has a long established reputation for police calls, and neighbor complaints.

Researchers for the rump group that was quickly formed by Advisory Neighborhood Commissioner Will Hill and Capitol Hill Restoration Society President Brian Furness told *The Voice* that one sex assault, three suicides, one fugitive case, one kidnap, and one simple assault are already on the Boys Town blotter in Northeast. A police service report lists 70 calls for service between December 1999 and June 2000.

More outrageous to Sharon Ambrose, who vows "It ain't over 'til it's over," is the fact that public money will be used to pay for the land purchase, for a large part of the construction, and for the upkeep of the client population once Boys Town is built. "It's federally funded," she says flatly, "with our money."

Congress saw fit to give $7.1 million under the leadership of Senate Majority Leader Trent Lott, who is on a Boys Town board. But that is only the beginning.

Ambrose told a large audience at a July 13 Hill forum on the project that the boys of Boys Town would be receiving—from public funds—more than twice what the keepers of foster homes receive for their work.

Researchers also found that Boys Town, though an untaxed charity, has an endowment of about $800 million, and an investment income of about $80 million.

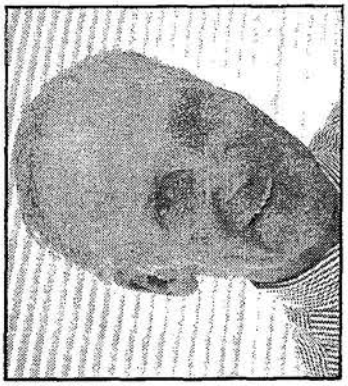
They also discovered important contradictions—that Boys Town will, despite early denials, be importing troubled youths from other locations. That the youths will be virtually free to roam in off hours, in spite of talk of a "gated" campus. That a high ranking member of the Flanagan organization, a Father Val Peter, flew east to meet with Ambrose at her request, but refused to consider an alternate site, only additional sites.

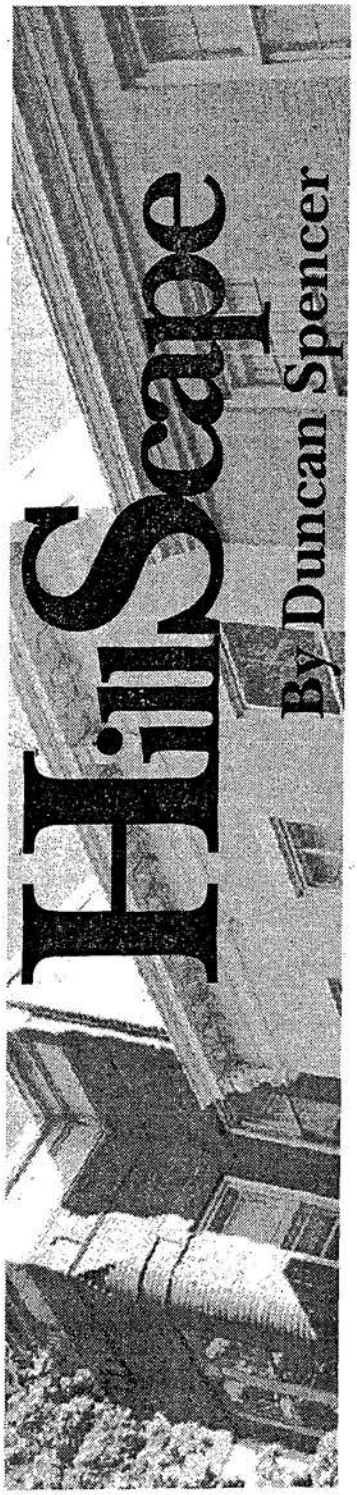
They also discovered that the "foster families" hired to watch over the Boys of Boys Town won't be living with their charges, contrary to releases from the Flanagan organization about "town house" living arrangements. The youths will live in one duplex, the "families" in another.

The ANC voted in July against the project. Ambrose is sworn to oppose to the last. The Mayor's men, led by aide Patrick Kennedy, have listened to impassioned witnesses blast the concept, the secrecy, the public money—and remind Mayor Tony Williams of his inaugural promises to make the city responsive to community wishes and needs.

What's next? There is no zoning angle, no environmental angle, Ambrose says. The Mayor must step in. That's her only hope.

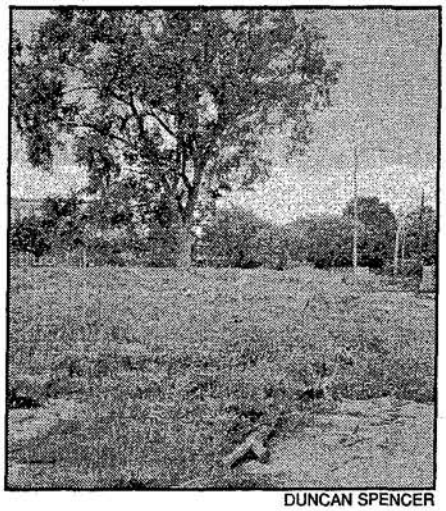
Duncan Spencer is a regular columnist for the Voice of the Hill *and* The Hill *newspapers. His views are occasionally shared by one or another of the publishers.*





BOY'S TOWN

Capitol Hill reform school has deep public pockets



DUNCAN SPENCER

A future Boy's Town site?

Is it **Father Flanagan**? Or Flanagan Inc.?

That's the question neighbors near the 13th Street and Potomac Avenue Southeast site of a huge new development are asking — as they fight to prevent a Midwestern charity institution from building a campus to house close to 50 delinquent and "problem" kids.

At first almost welcomed — who could forget the movie starring **Mickey Rooney** — the project is now an anathema to residents and to **Sharon Ambrose** (D-Ward 6), the Hill's city councilwoman, who calls it "offensive." The new owners of a big triangle off Pennsylvania Avenue plan row houses and short-term care facilities for court wards and other at-risk youth. Father Flanagan Boy's Town of Nebraska paid $8.2 million for the site.

Opponents make three arguments: that it is the wrong type of development (another social service in an area literally flooded with them); that the rough, drug-plagued neighborhood is exactly what "troubled" youths don't need; and that the neighborhood is sure to suffer from an addition of more at-risk youth.

A fourth negative: A Father Flanagan operation in far Northeast at 4801 Sargent Rd. N.E. has proved a source of trouble and frequent police calls.

One of the things which galls Ambrose the most is that the new project will displace an existing agency, Capital Commitments, a job-training firm located in a building on the site which she considers one of the best in the city. "Now we lose this program which has a 90 percent [job] placement rate," she said.

The neighbors have dug into financial records of the Nebraska firm which show the following: Father Flanagan Boy's Town nets over $80 million in interest income from investments alone. It pays top workers salaries of over $300,000. It has an endowment estimated at $800 million. A generous federal government has poured money on the Flanagan organization in spite of its vast wealth, providing, for instance, $7.1 million in funds for Flanagan's D.C. expansion last year. The Flanagan organization has hired top D.C. architect **Amy Weinstein** to design a row house campus on the wedge shaped lot; and their lawyers are the famed Wilkes, Artis, known as the most adept zoning and land use firms in town.

But the best tidbit uncovered by anxious anti-Boy's Town researchers was that Flanagan — long dead himself — still has many friends in Congress, who made sure most of the $8 million purchase price came from public money — taxpayers' money — via a hidden clause in the D.C. appropriations bill.

Members of the Boy's Town's various boards include Senate Majority leader **Trent Lott** (R-Miss.), former House Speaker **Newt Gingrich** (R-Ga.) and Massachusetts Sen. **Ted Kennedy** (D).

"It's very nonpartisan. They're all on the letterhead," snaps Ambrose. "For all intents and purposes, this project is federally funded."

Opponents are scratching their heads because, under D.C. law, Flanagan's has a right to build on the land which is outside the Historic District of Capitol Hill and in a commercial zone. Boy's Town, which has its own Web site, infrequently answers phone calls, activists say, and has a polished public relations approach to fending off complaints.

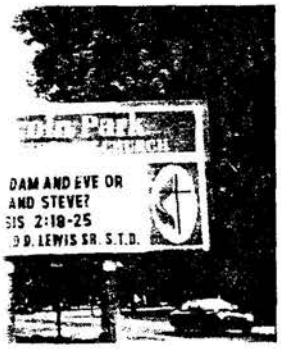
The double benefits of running a charity which is both untaxed and receives large amounts of public money with which it purchases real estate makes Father Flanagan's a financial juggernaut with an edge on private developers. But it raises serious questions about how and why Congress is promoting such a land deal.

The Rag - July 2000

News Roundup

Lincoln Park Church Sign Controversy; Police Nab Garden Thief: ANC & CHAMPS Hold Boys Town Meetings: CHRS Makes Community Awards

By Bill van den Toorn



...G CHURCH SIGN HAS CAUSED A RIFT ...MMUNITY.

...In Park Church Sign Is Hauled Away

...rd of speed and rigor, a city ...carted off a disputed sign ...d Methodist Church, ...rolina Ave. NE, on ...bors of the church ...foot illuminated sign ugly ...ate. But the church was not ...sider the matter, they say. ...rs showered the Dept. of ...egulatory Affairs (DCRA) ...ts, claiming that the sign ...d illegally.

...ity took down the sign, the ...ied at least two stop work ...re issued by DCRA because ...failed to obtain a building ...use the sign had not been ...e historic preservation of...l.

...account of the episode, the ...st tilted slightly in favor of ...sition, perhaps because the ...d erred in not routing the ...rmit, which the church did ...the preservation office. In ...e neighbors took offense ...ore the sign came down, the ...sed its Sunday sermon topic ...ality in bold print ("Was it ... or Adam and Steve"?). At ...esident took the message as ...and insult to the gay com... ...Harold Lewis reacted ...aints, saying no of... ...nd the church had a ...express its beliefs.

...lice Nab Garden Thief

...ng off with flower pots, trash ...apanese maples, and other ...ross a broad swath of territory near Lincoln Park, the infamous garden thief was finally nabbed by police when a resident, returning home in the late afternoon, spotted him pulling up perennials in her front yard, in the 1300 block of Independence Ave. SE. The culprit, caught with two trash cans filled with plantings, had already hit dozens of blocks in the vicinity over a two-week period. Witnesses said the man was in his fifties and seemed disoriented. Though held for three days on misdemeanor charges, police said he would probably be out on the street again before long.

ANC and CHAMPS Schedule Boys Town Meetings

As we went to press, ANC 6B and CHAMPS (Capitol Hill Association of Merchants and Professionals) were each scheduled to hold a special meeting on the Boys Town project on June 28. The ANC expected to hear from residents, most of whom object to the project. Boys Town, a non-profit group that cares for abused and neglected children, bought a large parcel of land at Pennsylvania and Potomac Avenues SE, where it plans to build four town homes, each of which will house six youth, and a multi-unit facility that will accommodate up to 16 children on a temporary basis.

At a community meeting on May 18, residents complained heatedly about the project. They believe it will thwart needed business development in the area. They also believe their struggling neighborhood already plays host to too many care-giving facilities.

Boys Town purchased the land for $8.2 million and will spend at least $5 million on the construction. Although the group's site director, Connie Washington, denied it, a special appropriation of $7.1 million passed by Congress in 1998 is helping to swing the deal. The appropriations bill states specifically that of the $7. 1 million provided, $4. 1 million represents capital costs to be used to construct one emergency short-term residential center and four long-term residential homes in the District. The project matches the description exactly.

Will Hill, who represents the area on ANC 6B, says that Boys Town has misrepresented many important features of the program and that the Boys Town facility in northeast has created problems for the residents there. Hill is looking to build a groundswell of public opposition that will force Boys Town to abandon the project. At a PSA 112 east meeting last month, an aide to Harold Brazil said the at-large council member, who is up for re-election this year, supports the residents.

Ward 6 council member Sharon Ambrose and her staff, among others, have combed the zoning regulations and other applicable statutes, looking for ways to challenge the project. But they came up empty-handed. No zoning action is required. Nor is an environmental impact statement necessary for the type of construction Boys Town plans. It seems the Boys Town lawyers made sure to dot every i and cross every t before springing the project on the neighborhood.

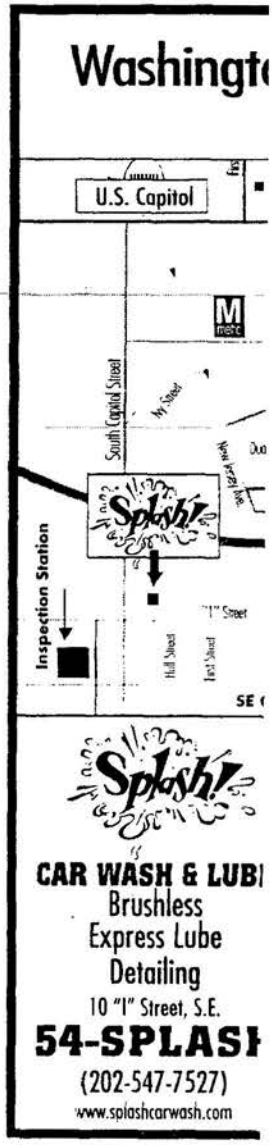
ANC 6B is expected to vote against the project. However, with no governmental action pending or required, the ANC's vote carries no weight officially. But it could add to the pressure Hill seeks to build.



JEFFREY WATSON, DIRECTOR OF THE ARTS WORKSHOP ACCEPTS A CHECK FROM BRIAN GIBNESS, PRESIDENT OF THE CAPITOL HILL RESTORATION SOCIETY

CHRS makes community awards from Tour proceeds

The Capitol Hill Restoration Society has awarded $4,000 to the Capitol Hill Arts Workshop (CHAW) and $3,045 to Trees for Capitol Hill. They were the winners in an awards contest the Society launched, pledging to donate one-quarter of the net proceeds of the house and garden tour. CHAW will use the funds to enhance its programs and paint the exterior trim of its building, the historic B. B. French school at 7th and G Streets SE. Trees for Capitol Hill plans to repair and refurbish the triangular park site at the intersections of 9th and A Streets and North Carolina Ave. SE. Specifically, the cast iron posts and chain fence, dating from the 19th century, will be restored. ■







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Boys Town Plan Troubles Hill Residents



BY BILL CRANDALL FOR THE WASHINGTON POST

City Council member Sharon Ambrose (D-Ward 6) discusses the proposed Boys Town home at an ANC meeting last Thursday.

By Arthur Santana
Washington Post Staff Writer

Plans to build a Boys Town home on Capitol Hill for 40 troubled youths are advancing despite a vote last week by the local Advisory Neighborhood Commission, which expressed concern that the facility might lead to more juvenile crime and other problems in the crime-plagued community.

The 6 to 1 vote last Thursday against the proposed youth home in the 1300 block of Pennsylvania Avenue SE was largely a symbolic gesture, although some opponents of the project hope that D.C. Mayor Anthony A. Williams (D) will heed ANC concerns and urge officials with Boys Town USA to find another location.

The youth organization has paid $8.2 million for the land, however, and construction is expected to start sometime after Thanksgiving, with little that the mayor or anyone else can do to stop it.

Williams "can't demand that they do anything," said ANC Commissioner Will Hill, who drafted the resolution to keep the home out of Ward 6. "He can ask them to do something, and then it's just a matter of courtesy."

Boys Town USA is a nonprofit organization that helps abused, abandoned, neglected and otherwise troubled boys and girls at several homes nationwide. The group operates another home at 4801 Sargent Rd. NE. It wants to build four Victorian town houses on Capitol Hill and expects to finish construction by early 2002, according to Boys Town spokeswoman Sharon Robinson.

Thursday's ANC-6B meeting at Providence Baptist Church drew mostly opponents of the project, including several members of the 1st Police District command staff and D.C. Council member Sharon Ambrose (D-Ward 6). Many expressed concern that locating a second Boys Town home in the District could lead to increased problems on Capitol Hill.

Hill distributed a police report summary of numerous cases of "missing persons, disorderly conduct and assaults" from the Boys

See BOYS TOWN, *Page 7*

BOYS TOWN, *From Page 3*

Town home on Sargent Road. The summary also listed three suicides.

But Connie Washington, site director at that home, said the statistics are misleading. Boys Town officials, she stressed, do call police whenever a youth makes a comment about suicide, but there has never been a suicide at the home.

Similarly, she said, when a youth does not appear after the curfew, a missing person report is filed, even if the youth is merely late. Since Jan. 1, she said, 40 youths have been reported "missing." Of that number, 14 ran away from the facility, although 10 returned.

"We have to go by the book on filing police reports," Robinson said.

Hill said he had not asked police about the cases. But if police are busy checking out the reports, he said, that's critical police time taken away from others in the neighborhood.



Residents crowd an ANC meeting at Providence Baptist Church to discuss the Boys Town plan.

Washington and Robinson stressed that the youths who would live in the new Boys Town quarters will be 10 to 18 years old and be referred by the D.C. Child and Family Services Agency because they are victims of abuse and neglect.

"None of the children are juvenile delinquents or have criminal records," Washington said.

Hill said about 800 people have signed a petition stating disapproval of opening a Boys Town home in their neighborhood. But Robinson said Boys Town has received "hundreds" of signatures from neighborhood residents who support the facility.

Commissioner Kalimah Abdul-Sabur, who cast the lone dissenting vote against rejecting the project and who represents the single-member district where the property is located, said most of those at the meeting were not even from the Pennsylvania Avenue neighborhood.

"Many people in the community support Boys Town's development plans because Boys Town has a proven track record for serving neglected and abused children," he said.

The Boys Town plan calls for a six-foot fence to be constructed around the property. But that was small consolation to Kirk Beatley, who lives about a half-block from the site.

"A six-foot-high fence to a 14- or 15-year-old troubled teenager is no obstacle at all," Beatley said.

Opponents also questioned whether the proposed site is suitable for a youth home, noting that the neighborhood is riddled with open-air drug markets. "Drugs are everywhere in our society," said John Brandscomb, another ANC commissioner. "But there is an overwhelming abundance of them on this side of town."

Ambrose, in a later interview, said "an entrenched drug market" would not be a good place to locate troubled youths. She said the neighborhood already has its fair share of troubled teens and doesn't need Boys Town "to bring in more."

Calling the planned site a prime location for commercial development, she added, "I would like to think that Boys Town would take another look at the site and see how totally inappropriate it is. . . . This is not something that this neighborhood is welcoming."

Hill said many neighborhood residents were upset that Boys Town purchased the land without notifying residents. "They came like a thief in the night," he said.

But Robinson said that adequate warning was made and that the location was not the first choice. She said the site was chosen, in part, because it's easily accessible by public transportation to allow family visits. More than 54 percent of youths at Boys Town are from Wards 6, 7 and 8, Robinson said.

Hill said he would rather see some kind of commercial development there, "something that will benefit everyone." But calling the Boys Town organization "stubborn," he said he doesn't expect that neighborhood opposition will cause the group to change its plans.

District Extra/Thursday, July 20, 2000

CRY FOR HELP

Ambrose: Say no to project

The sweltering crowd of nearly 200 was angry and fearful; though a few in the packed church basement were in favor. The leader, **Sharon Ambrose** (D), the Hill's City Council member, was bitter and almost despairing.

The focus: Father Flanagan's Boy's Town development, a $10 million project to place a campus for troubled, "out of control" youth on a large vacant property at 13th Street and Pennsylvania Avenue Southeast. Ambrose is simply furious — as are many neighbors — that the Omaha, Neb.-based charity orphanage has received over $7 million in D.C. funds for the project. She accused Senate Majority Leader **Trent Lott** (R-Miss.) of tacking the funds to a D.C. budget bill "as a gesture of goodwill to Boy's Town."

"The dollars to support these children will all come from city or federal tax dollars," she told the audience at Providence Baptist Church Thursday. Ambrose closed after a long list of witnesses, most condemnatory, told the audience that Boy's Town would be a disaster for the neighborhood, foreclosing on economic development on the large site, and importing up to 50 troubled youths, some of whom Boy's Town itself describes as "out of control" on its Web site, to an already crime-troubled neighborhood.

Ambrose said the only hope for the Hill to fend off the development was to persuade Mayor **Tony Williams** (D) to offer another site — perhaps at the vast St. Elizabeth's Hospital Campus — where the Boy's Town kids will be protected from a tough neighborhood, and the neighborhood will be protected from them.

One jarring element to the "Public Hearing" was the absence of the Flanagan organization, which opted not to attend.

Those who spoke in favor of the project, like long-time Hill resident and soccer coach **Brian Cassidy**, said that the community was reacting merely from unfounded fear. "The only fear is ignorance," Cassidy said. "This is disgraceful."

But other respected Hill beacons, like Eastern Market Citizens Advisory Committee chair **Ellen Opper-Weiner**, joined the anti-Flanagan forces with a will. The ANC voted not to recommend. Where does it go now? No one is sure. But four mayoral aides were at the packed hall Thursday, "listening," one said.





ANC Votes No on Boys Town, Heart & Soul
July 13 Special Meeting Draws Mob

July 14. ANC6B's July 13 special meeting on the looming Boys Town development at 14th and Pennsylvania Avenue, SE drew a standing room only crowd to the basement meeting hall of Providence Baptist Church.

Nineteen residents and Councilmember Sharon Ambrose pre-registered to speak to the project, and nearly all were inalterably opposed. Glaringly missing was any representative from Boys Town. Sharon Robinson, the nonprofit's spokesperson, says her organization was not consulted about the meeting date, and had a prior meeting commitment in the Northeast community near St. Anselm's Abby where they operate another shelter.

After hearing several hours of testimony, six ANC commissioners voted to oppose the project, and one, Kalimah Abdul Sabur, voted her support. Commissioner Tom Wells, who has some personal ties to Boys Town, abstained. Three commissioners were absent.

Whether the ANC voted aye or nay, Councilmember Ambrose had already made up her mind. She has been trying to throw a wrench into the project for months, even meeting with the executive director of Boys Town, Father Val Peter, who flew in from Nebraska recently for discussions with Ambrose and the Deputy Mayor for Economic Development.

Unfortunately, she reports, the project appears unbudgable.

The groundswell of opposition to Boys Town has been growing since the *Voice of the Hill* broke the story in March of this year. We then reported that the nonprofit made famous by Spencer Tracy in the 1938 film classic had purchased the long vacant 88,000 square foot parcel at Pennsylvania and Potomac Avenues for $8.2 million, with the intent to build a residential childcare facility for 50 troubled youngsters.

Connie Washington, the project's site director, told us that all of the children that will be served are neglected or abused. Candidates for placement are wards of the District that have been referred to Boy's Town by the Child and Family Services Division of DC's Department of Human Services, and most now live in wards 7 and 8—not Capitol Hill's Ward 6.

Speaker after speaker at last night's meeting was calm but passionate in their

condemnation of the project, many expressing particular amazement at the secretiveness of the Boys Town purchase, and its apparent irreversibility.

Ellen Opper-Weiner, who is, among many other things, a 22-year resident of the Hill, felt Boys Town engaged in an apparent deception, "thrusting the facility on us without hearing from residents." She said she was particularly frustrated with Boy's Town's lack of openness since the purchase, and dismayed that the last open commercial tract on Pennsylvania Avenue would be eliminated.

Capitol Hill Restoration Society president, Brian Furness, raised the recent revelation that $7.1 million of the funds to purchase the property came from federal funds that were earmarked for this use--and hidden in a clause in the DC appropriations bill. "This is a public facility in all but name," Furness said, adding that not only is it being built with taxpayer dollars, DC taxpayers will also be responsible for its continued support.

Furness, who has been lobbying particularly hard recently for a more considered approach to developing the far reaches of Pennsylvania Avenue, argued that the project would undermine what should be a "magnificent approach to the Capitol."

Former ANC Commissioner Deborah Bandzerewicz, echoed that view.

Victor Smith, another resident, said: "This is a situation that impinges on a contract the Mayor made with the citizens of DC." Smith said that the Mayor has repeatedly assured citizens "they'd have the right to approve what comes into their neighborhood...Boys Town jammed this down the throats of Ward 6 residents. The Mayor should be asked why this was allowed to happen."

Social worker Patricia Harden, who said she works with "emotionally fragile" children, and lives close to the proposed project, spoke against it for more personal reasons. Despite being the child of two professionals, and being sent to DC's "best private schools," her now 25-year-old son was so tempted by the "glamour" of the drug culture that she was forced to send him to a boarding school to keep him safe.

The vulnerable and disturbed children that will live at the Boys Town facility, she said, won't be able to stay away from those involved in negative activities. They will be confronted with that culture every time they "go into a shop, or walk down the street."

Juanita Thomas, retired school teacher and one of the original ANC commissioners (she was first elected to office in 1976), agreed that the facility's location is not fair to the boys, or the community—but stressed that the needs of these troubled children, must be met. She suggested that the city offer to trade the Dix building, on the grounds of St. Elizabeth's Hospital, for the Pennsylvania Avenue site, saying the building and space would lend itself to the project, and is comparable in size.

Just a handful of residents offered support for Boys Town.

Most vociferous was Bryan Cassidy, the founder of Soccer on the Hill and a 36

year resident, who said the site as it exists is an "undeveloped dumping ground," and decried the "ignorance" of opponents—99% of whom had not "been to the Northeast Boys Town, as I have."

Brenda Floyd, a resident of the Hopkins Housing Project, said Boys Town had already been an agent for good in the community, they had introduced a ten-month parenting program at Hopkins that was very valuable—a program that also made ANC Commissioner Sabur 6B09 a supporter.

Councilmember Ambrose, very much in the opposition camp, was the evening's most awaited speaker.

She applauded the "very good testimony tonight," then acknowledged her frustration. "This whole business with Boys Town," she said, "is offensive." Echoing Furness, she said, as taxpayers "we've paid for every single penny of this and we'll continue to pay…What Boy's Town is offering to do is spend our money inappropriately."

Ambrose said she bypassed local representatives of Boys Town and went to the top of the organization for discussions. Father Val Peter, the executive director, flew in to hear various alternative proposals, including trading this property for another, in a more appropriate location. She says Peter's response was that his board would never approve an alternative and that "we want to build many more sites in DC. If you find me a site, we'll build there too."

But why this site, she said, "this overly priced site. Maybe it's because they can see the Capitol. The source of all their dollars."

The Councilmember reserved a special tongue lashing for Pardoe Real Estate which sold the property to Boys Town. "I'm unhappy with the role real estate agents played in our neighborhood…The Pardoe folks knew the zoning was broad and they hired the best land use attorney's in the city—Wilkes, Artis, Hedrick & Lane—to make sure [there could be no opposition]."

There is nothing," she added bluntly, "that we can do."

Ambrose apologized to the crowd saying she was sorry "I wasn't able to find a magic solution. I don't think there's any way to persuade them to move except by persuading people [to oppose them]." She noted that there were several representatives from the Mayor's office in the audience, who she trusted would relay the community's sentiments.

She closed by singling out ANC6B Commissioner Will Hill for praise for his efforts. Her acknowledgement of Hill brought a standing ovation from the audience.

A brief break divided the testimony from the equally brief official ANC6B meeting. The Commissioners quickly approved a resolution to oppose the Boys Town project.

There was a second issue on the agenda of the special meeting: the renewals of the liquor licenses of four local restaurants.

As anticipated, the renewals for Anatolia Turkish Café, Café Italiano and Ellington's on 8th received no opposition. However, the ANC's Alcoholic Beverage Committee, issued a recommendation to oppose the license renewal for Heart and Soul, a restaurant that, the report says, "clearly operates as a nightclub on Saturday nights…[and] is disruptive to the neighborhood's peace, order and quiet." The report also notes "there is a pattern of non-compliance with District laws and the terms and conditions of their liquor license."

The ANC's recommendation will be passed along to DC's Alcoholic Beverage Control Board, which has the ultimate say on license renewals.

News

Boys Town Plan Concerns Some Child Advocates; A Growing Presence in Washington, D.C.

JAKE THOMPSON

03/20/2000
Omaha World-Herald
Sunrise
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Just 12 blocks southeast of Capitol Hill, bordered by a housing project, an old school, brick row houses and a convenience store, sits a three-acre triangle of land **Boys Town** USA plans to transform into a residence for troubled young people.

The land along Pennsylvania Avenue is a parking lot now, but **Boys Town** spokesman John Melingagio said Friday that the Omaha-based organization will probably build a youth-care facility on the property, which it recently bought for $8.2 million.

The site will provide some or all of Boys Town's five basic programs, including emergency shelter, foster care and training for families.

In addition, Boys Town has bids on two other sizable tracts of land in Washington. They will add to Boys Town's existing facility - which includes a 30-day emergency shelter and foster-care residential home that opened in 1993 in northwest Washington.

"We are expanding our efforts there," Melingagio said. "It'll be based on the needs of children and families in the area."

Every day, reports emerge from the capital about young people plagued by violence, broken homes and physical and sexual abuse, he said.

Yet while Father Edward Flanagan's Boys Town often is praised by politicians and others for caring for youths and struggling families nationwide, several child-welfare advocates question its growth plans.

Perhaps some of the criticism is the result of the current climate in the nation's capital.

Children's advocates and politicians are in an uproar in Washington because a 23-month-old girl, Brianna Blackmond, was slain by her mother after being taken out of foster care and returned to her home early this year.

Her case prompted social workers to yank dozens of children out of potentially risky homes, a move that has overloaded the city's child- welfare system.

On a larger scale, Boys Town also is landing in the middle of a debate across America about caring for children who live in turbulent or poverty-stricken homes where they are not provided proper attention or nurturing.

The debate focuses on whether institutional settings, such as the residential campuses Boys Town has in Omaha and elsewhere, draw too many children into foster care. Some question whether the boys and girls might be able to stay home if more intensive family- preservation services were beefed up for them and their parents.

Boys Town is a national player in child welfare. It provides residential care and family-preservation help, as well as short-term emergency shelters, parent-training classes and long-term foster care in Omaha and 18 other satellite operations, including Washington, New York, New Orleans and Los Angeles.

Melingagio said Boys Town offers a wide range of services seeking to meet as many needs as possible.

Its work is cut out for it in Washington. Recently, the nonprofit Center for the Study of Social Policy studied children's service needs in Washington and found severe shortcomings.

The study suggested that too many teen-agers are in group homes because there aren't enough foster families to take them. The study also indicated that children wait up to three years in foster care before they are adopted or are reunited with their families.

The center's deputy director, Judy Meltzer, said she would reserve judgment until she hears exactly what Boys Town plans to do. But she didn't embrace the idea of a large facility.

"There is not a need for an emergency shelter or an institution," Meltzer said.

She said the city has two critical needs: more affordable housing for low-income families and more neighborhood-based family foster care.

"If they would build homes on the land for single families, that would be great," Meltzer said.

She said she hoped that Boys Town would work with neighborhoods, social-service providers, city officials and others involved in trying to help children.

Richard Wexler echoed Meltzer. Wexler, the executive director of the National Coalition for Children Protection Reform in northern Virginia, said building more foster homes or emergency shelters exposes children to abuse from workers or other children.

"If they're going to expand family-preservation efforts, that would be good," Wexler said of Boys Town. "If it's to expand what they're famous for, it's a huge waste of money."

Boys Town would be better served if it took money for bricks and mortar and poured it into programs helping families stay together and in providing more in-home foster care, he said.

About half the youths in foster care probably should be there for their safety, Wexler said. The others could remain at home if the strain on families could be curbed.

Parents have basic needs that need to be fulfilled, such as counseling, funding for deposits on safer apartments, help with energy bills, new washing machines or job training, Wexler said.

"What D.C. needs are more efforts to keep children out of the system in the first place," he said.

He wondered if Boys Town's efforts were thanks to "another federally funded boondoggle."

"They've got an endowment that rivals the budgets of some Third World countries," Wexler said.

He was referring to Boys Town's success in 1998 in persuading Congress to earmark $7.1 million in spending to enable the organization to double the size of its northwest Washington facility. That triggered grumbling in the city and from at least one foster- care advocate.

The northwest Washington site served 360 children in 1998 and 156 families. That site has a 30-day emergency shelter, a one-year residential shelter and administrative offices.

Melingagio said the three new sites in Washington are being purchased with money generated from the sale last December of 70 acres of land Boys Town owned at 132nd and West Dodge Road in Omaha.

The sale price wasn't disclosed, but the money will be used to broaden Boys Town's satellite programs, he said.

Boys Town has a good working relationship with social-service agencies and providers and will look to them as it expands its services in Washington, Melingagio said.

"There's always going to be someone that opposes progress," he said of Boys Town's critics. "We can't let that stop us. We've got a mission here and kids that need help, and we'll just hang in there until it happens."

Boys Town hopes to open its new Pennsylvania Avenue facility by year's end, Melingagio said. But getting things done in Washington has proven especially trying.

Melingagio quoted Father Val Peter, Boys Town's executive director, who has said, "snails accomplish the will of God slowly."

A Growing Presence in Washington, D.C.

What: Youth-care faciliy offering emergency shelter, foster care and/or training for families.

Cost of site: $8.2 million

Existing Facility: A 30-day emergency shelter and foster-care residential home.

What's next: Bids offered on two other tracts of land.
Color Photo/1





SLANG ATTACK

Boys Town rips Hill opponents

Breaking priestly silence, though a thousand miles from the site of the furor, the Rev. **Val Peter**, head of the D.C. branch of Girls and Boys Town USA has launched a harsh attack on critics of the project, slamming D.C. Councilwoman **Sharon Ambrose** (D-Ward 6) as a racist.

"She's a loud-mouthed racist," Peter charged in the news columns of the hometown paper of the Father Flanagan Organization, the *Omaha* (Neb.) *World-Telegram* last Friday. Though he has made no public appearances here and declined to meet with opposition leaders under mayoral auspices, Peter made a free-swinging attack on Ambrose and others who don't want the 40-bed home for juvenile delinquents to be built at 14th and Pennsylvania Ave. S.E.

Peter blamed "middle-class Washingtonians" for "discriminating against the needy children whom Boys Town wants to serve, most of whom are black" in the story by **Jake Thompson** of the *World-Herald* Sunday.

Ambrose's harshest words against Peter came a few days before when she spoke to a rally of over 200 Hill residents opposing the $13.5 million project, calling Peter, "A very strange person," who, in her view, "is not interested in working with this community."

But Ambrose last week merely chuckled at Peter's blast. "I don't think Father Flanagan — or even Spencer Tracy — would have said that," she told The Hill.

The slinging match between the two comes after months of tense confrontation in which opponents have tried to seek a compromise with the Boys Town organization while questioning its motives and its lavish finances. A total of $7.1 million in taxpayer money came to Boys Town through the D.C. Budget to help expand Boys Town programs here; the city is pledged to pay $150 per day for housing and guidance for each youth remanded by the D.C. Court System.

Boys Town, meanwhile, has waged its own publicity war, claiming that residents welcome the project. Peters has said about 100 local signatures were on a letter he sent Mayor **Tony Williams** (D) favoring the project; but opposition leaders claim over 1,500 signatures which are opposed.

EMPTY OFFICE

Eastern Market suits stun city

It's a dingy one-room affair with a table, chair and little else. A padlock is on the door. Someone has spray painted "office" on the door, yet no one's ever at home.

But by the simple device of setting up an office at Eastern Market (next to **Chris Calomiris'** vegetable stand on the east side of the South Hall) and hinting that they might sue, the **Glasgow** brothers, **Richard** and **Chad**, have paralyzed the city agency responsible for market operations.

Lawsuits are the latest fashion in the market feud which has gone on since the April day two years ago when new legislation was passed by the D.C. City Council to kick out the old and install new management to begin a restoration of Capitol Hill's social and grocery icon on 7th Street.

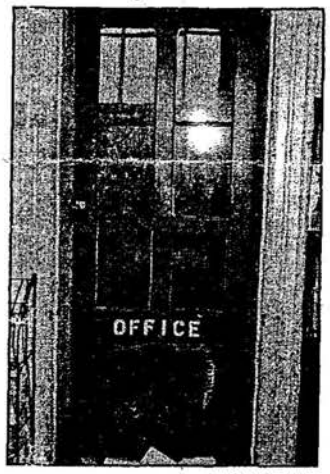
North Hall tenant **John Harrod** has staved off eviction from his 25 year hold on Market Five Gallery by going to court. The Glasgows say they won't turn over the South Hall keys until "legal issues have been resolved" (though they have not filed suit). And last week outdoor flea marketeer **Tom Rall**, the man who really invented the Sunday extravaganza that draws tourists and visitors to 7th St. S.E. during the temperate seasons, is seeking legal counsel to defend his business against takeover.

All the suits or threats to sue make one point — that the Eastern Market legislation is unfair interference with established businesses.

The Glasgows, for instance, feel that they were unfairly excluded from consideration for the newly legislated post of market manager, and now are being deprived of part of their livelihood in running the market. Harrod sued partly because he claimed — but did not receive — "grandfather" treatment in the legislation which guaranteed a place for existing businesses.

And Rall is seeking help from the law because, as he has said many times, "Why should I just turn over a business I've spent so many years building up to someone who has had nothing to do with it?"

The city, and particularly the Office of Property Management (OPM), which oversees Eastern Market, has been frozen by the legal assault. After promises that he would "move quickly" to start legal eviction proceedings against the Glasgows after the April 1 showdown at the market at which Richard Glasgow refused to turn over the keys to the market. OPM point man **Andrew Reece** has been unable to persuade the D.C. Corporation Counsel to move quickly on eviction. "Of course," said Eastern Market Community Advisory Committee (EMCAC) Chair **Ellen Opper-Weiner**, "he's afraid to."



DUNCAN SPENCER

A door worth fighting for.

Reece told The Hill legal action by the city would come this week.

But it was just such an eviction action by the city which led to Harrod's counter suit which has dragged through the courts for over a year. The Glasgows' empty office is simply a reminder that for over 40 years their family corporation, the Eastern Market Corp., managed the market without legislation or committees or lawsuits and certainly without much help from a city which at one point wanted to tear down the market to create a parking lot.

Meanwhile erstwhile "manager" of the market **Stuart Smith** of Eastern Market Venture has declared he wishes to step back until the legal wrangling is over. And Reece, who announced a month ago he was leaving OPM but would remain responsible for the installation of the new manager, seems to be fading from the scene without a replacement.

BIG OIL SLIPS

Gas station or crime magnet

Big Oil — as represented by smooth-suited lawyer **Patrick Brown** of BP Amoco — may not have the last word on a giant gas station slated for the 300 block of H St. N.E., says neighborhood activist **Pat Lally**, whose day job is representing New York Mayor **Rudy Giuliani** in NYC matters before Congress.

Though BP Amoco has already bulldozed the entire block of row houses on the north side of H St. between 3rd and 4th sts. N.E., the oil giant has yet to get approval from the Board of Zoning Adjustment (BZA), which must rule on business expansions, even in cases where the zoning is not in question.

BZA has twice met on the BP Amoco case and twice taken it off the agenda with critical comments that BP Amoco has not held a "productive dialogue" with community opposition groups, which include Hill organizations like the Stanton Park Neighborhood Association, Capitol Hill Restoration Society and Near Northeast Neighborhood Association. Also a sticking point. A letter of opposition from the Metropolitan Police Department's 1st District, stating the proposed eight-bay station and food mart is sure to become a crime magnet.

Rather than engaging locals, including Councilwoman **Sharon Ambrose** (D-Ward 6) BP Amoco has left letters from organizations unanswered, and in March moved to dismiss a staff report from Andrew Altman's D.C. Office of Planning, a report which opposed the expansion. BZA ruled against the motion, noting the number and diversity of opponents to the project.

BZA also noted that Advisory Neighborhood Commission 6A (Northeast Capitol Hill) has failed to advise with a local vote on the issue. Residents cried foul when ANC 6A voted against the gas station expansion, only to have that vote thrown out by the leadership. A third hearing of the case is on the BZA schedule for June 19.

Opponents first fought on the grounds of preservation, arguing that the small row houses represented a priceless slice of working-class Washington before the turn of the century — but bulldozers settled that issue. Now the argument is that the huge station — will become a "disincentive" to local-oriented businesses.

THE HILL HEARS ...

• More Hill voices raised in questioning the city's $1.7 million 8th St. S.E. re-do, which will install period lighting, pretty granite curbs, bricks and other street-side amenities, if as one observer put it "the centerpiece (the Eastern Market) still looks like an abandoned warehouse." ...

• Quote: **Chad Glasgow**, talking about his (and brother Richard's) refusal to turn over management of Eastern Market to duly appointed management team Eastern Market Venture April 1. "We were not about to turn the place over to someone who had absolutely no conception of what went on here ... not with the history of legal questions all unanswered." ...

• An apologetic **Ronald T.T. Nelson**, who thought he was elected by Advisory Neighborhood Commission (ANC) 6A to represent the Northeastern sector of Capitol Hill on the Eastern Market Citizens' Advisory Committee, only to find that the vote on the matter has been ruled out of order by the ANC's leadership. Nelson blames "the current chaos with 6A" for the error.

COMMENTS TO PENDING ENVIRONMENTAL ASSESSMENT AND IMPACT ANALYSIS

BY THE D.C. DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS

FOR THE PROPOSED CONSTRUCTION OF A

COMMUNITY-BASED RESIDENTIAL FACILITY AT

14th STREET, PENNSYLVANIA AVENUE AND POTOMAC AVENUES, SOUTHEAST

BY FATHER FLANAGAN'S BOYS TOWN, OMAHA NEBRASKA

++

Comments And Request For Relief

Request For A Hearing Pursuant To Health And Safety Code 6-983(b)

Request For Public Information Pursuant To DC Code 1-1521 Et Seq.

++

Property Owner/Developer:	Father Flanagan's Boys Town Omaha, NE
Comments Submitted By:	Southeast Citizens for Smart Development, Inc. 701 14th St., SE Washington, DC 20003
Comments Submitted to:	Mr. Denzil Noble, Acting Interim Director Business Licensing Regulatory Administration Department of Consumer & Regulatory Affairs 941 North Capitol Street, N.E., Room 2000 Washington, D.C. 20002
Date:	June 29, 2001

INTRODUCTION

These Comments and Request for Relief are submitted by the Southeast Citizens for Smart Development, Inc. ("SCSD"). SCSD is a community-based not-for-profit organization that was formed in response to the proposed development by Father Flanagan's Boys Town of Omaha, Nebraska, (the "Owner" or Developer") of a community-based residential facility at the intersection of 14th Street & Pennsylvania and Potomac Avenues, Southeast, Washington, DC. In furtherance of community initiatives to analyze, and where appropriate, oppose or object to the proposed development, these comments are submitted for consideration, further analysis, and appropriate responsive relief and action by all of the relevant City agencies with jurisdiction over the planning, permitting and environmental assessment of this proposed development.

The SCSD, along with other community groups and individual residents in the affected area, believe that the proposed development can or will have significant adverse impacts on the environment, and on the safety and welfare of residents in the surrounding area. Thus, we request that all appropriate City agencies address the issues raised and indicate to us in writing whether the concerns raised by these Comments have been analyzed prior to permit issuance; and if not, what steps will be taken, or directives issued to the Developer, to analyze and respond to or mitigate the adverse impacts which will be caused by the proposed construction.

In this regard, we note that numerous City regulations, policies and other authorities mandate that facilities, such as that presently planned by the Developer, not adversely impact the

surrounding neighborhood. For example, regulations applicable to "Youth Care Homes and Community Residential Facilities" state that "facilities shall not have an adverse impact on traffic, noise, operations, or the number of similar facilities in the area"; and neither shall the "cumulative effect" of such facilities impose an adverse impact. See Exhibit A, at11 DCMR 358.6 & 7.

In addition, the Ward 6 Comprehensive Plan states that one of its proposed actions to implement the Ward's human services objectives must be to "[p]revent further concentration of community-based residential facilities ("CBRF's") in Ward 6 neighborhoods and require future development of the CBRF's to be in accordance with the District-wide CBRF plan.. . ." See Exhibit B, at 10 DCMR 1731.1(b). We specifically request a copy of the District-wide CBRF Plan and request that further review and analysis be done to determine whether the Developer's proposal conforms to that Plan. From our review of the noted regulations, we submit that it does not conform.

Request for Public Hearing: Consistent with DC Health and Safety Code 6-983(b), we request that a formal public hearing within the community be convened to address the major impacts of the development in our neighborhood. See DC Health and Safety Code 6-983(b); see also Exhibit C (List of 25 registered voters in affected district requesting a hearing). This list will follow.

Request to Decline Issuance of Construction Permits or Partial Approval For Excavation Work Pending Further Government Analysis and The Completion Of A Public Hearing: Furthermore, we request that no construction permits be issued for the proposed development at this time pending further analysis and report on the issues of environmental concern outlined here. This planned project represents a Major Action within the community.

In particular, we request that no partial approval for excavation, or excavation and foundation work, be granted pursuant to 12 DCMR 108.2 "Issuance of Permits-Approval in Part", because the zoning is now a contested issue due to the development's apparent non-compliance with proximity requirements. See Exhibit A at 11 DCMR 358.3. We note, as well, that as recently as June 21 & 22, contractors and construction equipment were on the site excavating with a backhoe. Workers at the scene gave conflicting information about the scope and purpose of their work when asked by a SCSD member. One worker claimed that the crew was working on water lines, while the foreman of the crew claimed that the crew was doing soil samples. It is notable that no soil boring machine was present at the site to take core samples, so the accuracy of the foreman's response is unclear. Regardless of the work being performed, there was no construction permit on display. We understand that not having a properly displayed permit is a violation of District regulations, and should be investigated immediately pursuant to a written request submitted to Mr. Vincent Ford by the SCSD on June 22, 2001. See 12 DCMR 109.1. (Unlawful to fail to keep applicable permits and approved plans on site where work being performed, and available for inspection).

Request for Complete Environmental Impact Statement: The SCSD specifically requests that a complete Environmental Impact Statement be required of the Developer to address the environmental impact issues raised. See DC Health and Safety Code 6-983, et seq.

Request for Information Under the DC Freedom of Information Act: **Finally, throughout these Comments, we identify issues, unanswered questions, and inquiries about the proposed project which neighborhood residents have raised about the proposed development. Consistent with the District's Freedom of Information Act statute, please consider all inquiries set forth in these Comments as specific requests for information under**

that statute. See DC Code 1-1521 et seq. The SCSD hereby requests all relevant documents under the District of Columbia's Freedom of Information Act which are responsive to this Request For Relief. SCSD will be in contact with the DC Department of Consumer & Regulatory Affairs and all other DC agencies with jurisdiction over this project, in order to obtain any additional relevant documents.

AREAS OF ENVIRONMENTAL CONCERN

PRIOR USAGE OF SITE

REVIEW FOR AND INVESTIGATION OF POTENTIAL HAZARDOUS WASTES OR POLLUTANTS IN THE SOIL, GROUNDWATER, OR IN BURIED CONTAINERS

It is unclear to the community at this point whether any type of environmental analysis has been performed to determine the prior uses of this site. The site has contained residential housing and commercial establishments including a parking lot, car wash, and upon information and belief, a dry cleaning establishment. The current zoning also permits light industrial usage. We urge the City to perform a detailed review of land records to establish, as a matter of fact for the environmental impact assessment record, what types of prior uses have actually taken place on the site. For example, we request the City to determine whether this site contains any of the following hazards:

Lead

Underground Storage Tanks

PCBs

Dry cleaning fluid residue

Asbestos

Lead: It is unclear whether any testing, investigation or soil analysis has been performed to determine the presence or quantity of lead contaminated soil on the site . In prior environmental impact studies performed for proposed construction and expansion of the Southwest Freeway in this neighborhood, more than 60,000 pounds of lead contaminated soil was discovered. (Please note: The SCSD has informally inquired of various DPW staff to obtain a copy of the referenced EISF, but none has been located yet. We therefore formally request, pursuant to the DC FOIA, access to a copy of the completed EISF). This discovery of lead contamination dramatically impacted the proposed highway expansion because the public and worker safety hazards it presented at the time, coupled with the exorbitant decontamination costs, convinced the project proponents that the proposed construction was not feasible.

We believe that given the discovery of such a vast quantity of lead contaminated soil in the immediate area of the construction project now proposed by the Developer here, the City must protect its citizens and workers, by ordering soil analysis and investigation for lead contamination in advance of any permit issuance. If any contaminants are found, the City must compel the Developer, as a condition precedent to construction, to identify and disseminate information to residents on the quantity of contamination, proposed site decontamination protocols, schedules of such work, and protections to be made to limit lead contaminated dust from dispersing throughout the community in the process. Further, the City needs to ensure that all workers performing lead decontamination work are properly protected by enforcement of District and federal OSHA guidelines.

As a final note on this issue, the community wishes to learn about the investigations pursued during the demolition permitting process which has already taken place. The Developer

recently demolished two residential structures on the site, as well as a former car wash building. Because these structures were built prior to 1978, it is a virtual certainty that they contained lead-based paint. Please advise in writing what efforts were followed by the relevant District permitting agencies to ensure that any lead contamination within the demolished structures, was properly investigated and whether or not appropriate remediation measures were followed.

Underground Storage Tanks: With the many residential and other commercial establishments that have occupied the site over the last century, it is probable that one or more used underground fuel storage tanks ("UST"). The houses may have used above ground storage tanks for heating oil. If so, the likelihood of soil contamination on the site may be significant. We therefore request that soil sampling and other investigations be performed, prior to the issuance of any construction permits, to ensure that any contaminated soil is identified and properly disposed according to prevailing environmental standards.

PCBs: It is unclear whether any transformer equipment has ever been dumped or stored on the site over the years. But given the commercial zoning, and the blight of this site during the past several decades, it is possible that PCB-contaminated equipment or materials may have been dumped on this site. Consistent and concurrent with the soil sampling and environmental investigations outlined for lead and USTs, above, we request that this issue be fully investigated by physical testing before any permits are issued. Further, the City must require full disclosure to the community about the investigation, proposed remedial measures, and schedules for same.

Asbestos: As noted above for the other potential pollutants, it is unclear what investigations, public notice or remediation protocols were required or followed during the recent demolition of the noted residential and commercial structures for asbestos contamination. Did the District's permitting process require an investigation by the Developer prior to demolition?

How was asbestos removed to ensure that no friable asbestos was released during the process? If such measures were not taken, what measures will be taken now to alleviate the soil of any residual asbestos contamination.

This information is important to the community and will allay the fears of residents that the Developer is inclined to ignore resident environmental health and safety concerns. This concern, it must be emphasized, is real and documented. For example, the Developer long ignored resident pleas and the Board of Zoning Adjustment's (BZA) directives to address storm water runoff issues at its present CBRF facility in northeast until it was politically expedient and necessary for facility expansion. See Exhibit D. Accordingly, at this juncture and prior to issuance of any construction permits, it is reasonable and appropriate for the relevant City agencies to investigate further this community concern, and not rely exclusively on the Developer's self-reporting of a hazard-free site.

WATER QUALITY IMPACTS

REVIEW FOR AND INVESTIGATION OF STORMWATER RUNOFF, COMBINED SEWER OVERFLOWS, AND OVERALL IMPACTS TO THE ANACOSTIA WATERSHED AREA AND ENDANGERED SPECIES

Storm Water Runoff: This one (1)+ acre parcel on which Developer plans to build residential facilities and an administrative complex , encompasses a major tract of land in this community. In view of the long-term storm water runoff problems suffered by residents adjacent to the Developer's northeast CBRF complex, we request that the City closely scrutinize the Developer's proposed plans on this key environmental issue. See Exhibit E. This issue applies equally during construction and after final completion of the proposed project. Indeed, the fact

that the current proposed development will encompass more than 60% of the site with structures and parking areas, suggests that this site will generate substantial stormwater runoff. Because of the proximity of the site to the Anacostia Riverfront, and its stormwater catch basins that pour directly into this threatened and polluted water body, the City must analyze this issue fully and direct the Developer to expand and enhance any proposed stormwater mitigation measures it may have submitted to the City. These stormwater mitigation measures should be in keeping with and furtherance of existing Anacostia Watershed Initiatives.

Finally, during construction, the City must direct that erosion control measures be maximized and that applicable regulations be fully enforced. The Developer's disregard for stormwater runoff controls is well documented (See Exhibits D & E). The same disregard for erosion control measures has surfaced at the present site. In this case, the existing silt fence, an erosion and sediment control staple device, which was placed around certain areas during demolition, does not appear to have been replaced or properly maintained since the demolition work. Silt, weeds, litter and other detritus, emanates from the site during rain events. Apparently, no erosion control contractor has been engaged by the Developer to maintain the site. We understand that this inaction on sediment control is a violation of applicable construction regulations and threatens to allow more silt to flow into the Anacostia River.

We therefore request that the City closely review the stormwater management proposals for this site, if any, made by the Developer; and that the City review and upgrade to the maximum allowed by DC regulatory authority, all construction sediment control and stormwater management requirements, as a condition precedent to permit issuance; and investigate and implement enforcement measures for violation of current sediment control regulations at the site.

Combined Sewer Overflows: On this site, the Developer plans to expand significantly its current CBRF operations in Washington, which are presently operated out of its facility located at 4801 Sargent Road, NE. Developer's annual report for 2000 states that, during the year 2000, its facility served 765 children in Washington. See Exhibit F, at 14 - 15. According to latest information, the Pennsylvania/Potomac Avenues, SE site will double the size and capability of the Developer's current operations in Washington. Neighbors can thus expect increased annual neighborhood impacts from up to 1500 clients, plus attendant staff, visiting families, supply and maintenance services, etc. (i.e., twice the present 765 children served at the Sargent Road, NE facility). This increased number will certainly have an impact on water and sewer usage for this site, which was formerly a parking lot and now stands vacant and unused.

This increased impact matters when combined sewer overflows are considered. Combined Sewer Overflows ("CSO") , are discharge pipes which pump raw sewage, combined with stormwater, into the Anacostia River during storm events which overwhelm the sewage system in general and the Blue Plains Wastewater Treatment plant in particular. Based upon our preliminary investigation, one of the largest CSO discharge points in the City is adjacent to RFK, i.e. the Northeast Boundary Swirl Concentrator Facility. See Exhibit G. In fact, this CSO discharge point is so significant, that the City's discharge permit, known as the National Pollutant Discharge Elimination System or "NPDES" permit, includes specific effluent monitoring requirements for this outfall, i.e. Outfall No. 019. See Exhibit H.

This same NPDES permit also requires consideration of "sensitive areas" such as that of the Anacostia River. According to the permit, "EPA expects a permittee's long-term CSO control plan to give the highest priority to controlling overflows to sensitive areas. . . For such areas, the long-term CSO control plan should (a) prohibit new or significantly increased

overflows." See Exhibit H. We question whether adequate review and consideration of this issue has been performed by the responsible City agencies, and whether the necessary documentation has been requested by the City and provided by the Developer.

Due to the combination of both sewage and stormwater in this part of the City, with an aged and outdated sewer system, any significant impacts involving local development should be analyzed for potential contribution to combined sewer overflow events. This is particularly important at this juncture because the Environmental Protection Agency ("EPA") has made CSO overflow events a key enforcement initiative. See EPA Combined Sewer overflow Control Policy, EPA Office of Water (4201) (April 1994). Such enforcement potentially means increased costs, penalties, fines, and injunctive measures against the City and its taxpayers. In fact, administrative orders or consent decrees may already be in force which could be impacted by the proposed development.

These enforcement issues are key for several reasons, including the need to preserve future grant funding for the District's Water & Sewer Authority, "WASA's" wastewater treatment mission, since non-compliance can have an adverse affect on the City's ability to obtain additional grant funds through the EPA's Clean Water Act grant programs. For example, a proposed bill known as the Chesapeake Bay Watershed Nutrient Removal Assistance Act is currently moving through Congress. This legislation will provide Washington's wastewater treatment facility, plus 286 others around the region, with millions of dollars in grant funds to upgrade current facilities to remove biological nutrients from effluent. See Cong. Rec. S6323 (daily ed. June 14, 2001). This new initiative to enhance water quality in this region is important to the community and must not be squandered due to unrelated noncompliance with NPDES permits, caused by poor planning for local development.

Moreover, even assuming arguendo, that the Developer's proposed facility may not, by itself, contribute substantially to future CSO overflows, any impact must be analyzed with an eye towards the aggregate impacts of other recent, ongoing development in the neighborhood. In addition, any review of aggregate or cumulative impacts must also analyze whether this development will limit future growth by virtue of capacity limitations on the system.

We in the community are encouraged by WASA's good faith efforts to establish a long-term CSO compliance plan, which appears to be making great strides in cutting down on CSO overflows. We note, however, that wet weather overflows continue from the CSOs closest to the proposed project and neighborhood. See Exhibits G & H.

Anacostia Watershed Impacts: Impacts to the Anacostia River should be reviewed particular to ensure that CSO overflows, or other wastewater treatment issues, do not impact water quality. We note that the NPDES permit expressly directs WASA to prioritize CSO control on the Anacostia. "The long-term CSO Control Plan should give priority to CSO control projects on the Anacostia River and any implementation schedule should sequence projects to mitigate impacts on the Anacostia River." See Exhibit H. It is evident from WASA activities that WASA has indeed been taking measures to restore and reclaim the Anacostia River and reduce the impact of CSO overflows. Our concern is to ensure that large-scale projects in the nearby neighborhood, such as that proposed by the Developer, does not reverse this trend. Thus, further review and investigation is necessary before construction permits should issue.

Impacts to Endangered Species: Recently, Congress inquired into the issue of river cleanliness and impacts on endangered species due to pollution dumping in the nearby Potomac River. The dumping of drinking water filtration byproducts into the

Potomac River by WASA may by endangering shortnose sturgeons. See Exhibit I. Given this recent development, community members are concerned whether any environmental assessment has been performed to determine the impact of Developer's proposed new construction on this water quality issue. Because the Anacostia River basin serves as home to nesting bald eagles, it is imperative to ensure that Anacostia River water quality is not compromised in the development process. Pending further review of this matter, no construction permits can be issued.

Accordingly, before any construction permits are issued by the City, we request that the overflow issues raised here are addressed by the "WASA", and by all other agencies with jurisdiction, to ensure that all potential water and sewer use impacts to this community have been thoroughly reviewed and assessed, consistent with the Clean Water Act, the Endangered Species Act, and other applicable statutory and policy guidelines.

AIR QUALITY IMPACTS

REVIEW FOR AND INVESTIGATION OF INCREASED TRAFFIC EMISSIONS, CONSTRUCTION DUST AND PARKING CHANGES

Increased Traffic Emissions: With a projected annual influx of more than 1500 clients, staff, families, service providers, contractors, etc., this area can expect a significant impact on air quality. Neighborhood residents can expect to see increased traffic caused by delivery or service trucks to the facility, contractors, maintenance vehicles, landscape and physical building maintenance staff. Each of these service contractors or providers, such as food service, for example, will bring in service delivery trucks, expand the need for solid waste refuse collection, and otherwise create increased vehicular traffic for this neighborhood. In addition, each of the

residents, whether short or long term, will likely be bused by City school buses, vans, or private transportation services to and from school or other functions.

The City must review this additional vehicle influx for impacts to the quality of the air in the surrounding neighborhood. Such an inquiry is important not only for existing residents, but also for the proposed new residents. It is also equally important to review these potentially adverse air quality impacts on the public school, Friendship Edison Charter Elementary School, which is located directly across the street from the planned development on Potomac Avenue, SE. These children deserve the City's highest consideration and implementation of air quality improvement, as the school is already located at a busy bus/metro stop location with hundreds of diesel-burning Metro buses traversing this route daily, in addition to the school buses and automobiles which already serve the school directly. This issue must be explored fully and addressed through the planning and regulatory process before construction permits issue.

Construction Dust: In addition to the long-term impacts on air quality caused by the anticipated daily operations of the proposed facility, the short-term air quality impacts of the proposed construction must be thoroughly reviewed and analyzed before construction commences. Residents are entitled to rely upon the City to enforce all existing air quality measures during construction in order to reduce and eliminate any unnecessary release of airborne particulates. As noted above, the Developer's current and prior compliance history with stormwater runoff and sediment control issues at this site and at its Sargent Road, NE location, demonstrates that the City must employ oversight and vigilance of this project in order to ensure that proper protective and mitigation measures are implemented, maintained and observed through each step in the development of this site, up until the final completion of the project.

Finally, prior to issuance of any construction-related permits, the City must ascertain and receive a written report regarding what measures were followed during the recent demolition work at the site in order to ensure that the release of any asbestos dust or lead paint dust was minimized and/or abated during that work, so as not to pose a health hazard to the surrounding community.

Parking Changes: For many years, the proposed site served as a parking lot for the nearby Potomac Avenue Metro stop, with space for more than 100 cars. With the elimination of that parking area, it is unclear what impact that change has had to neighborhood side street use for parking and associated air quality issues. With even less parking that before, residents can expect more cars traversing the neighborhood side streets searching for parking. More cars mean more emissions. With even less parking than was available before, residents can expect more cars standing and idling in the immediate vicinity, either to serve residents in the planned facility or else to wait for limited parking that may open up. All of these consequences of the parking lot closure impact air quality and must be reviewed by the City.

In addition, with the Developer's plans to build an administration building to accompany the CBRFs on the site, the issue of staff parking must be considered and addressed. In addition, the issues of event parking must be considered. Recently, neighbors of the Phillips Collection in northwest demanded, and received, changes to and reductions in size of proposed construction due to, among other things, the anticipated parking congestion caused by events at the site. See Exhibit J. We request that further review be made of parking accommodations and crowd management at events to be held at the site by Developer. For example, how many parking spaces will be provided on the property, and who will use these spaces? Also, how many and what size events will be held at this facility? What plans have been devised for parking, traffic

control and pedestrian safety during such events? These issues must be addressed fully through an environmental impact study before construction permits can issue.

NOISE IMPACTS

REVIEW FOR AND INVESTIGATION OF ADVERSE NOISE IMPACTS DUE TO CONSTRUCTION AND SUBSEQUENT LONG-TERM OPERATIONS

Construction Noise: Much like the issue of construction dust, raised above, the issue of noise pollution during construction is critical for nearby residents, the adjacent public school, and neighboring commercial establishments. It is unclear what measures the Developer proposes for reducing construction noise. In what is already a busy intersection, added construction operations are likely to raise the noise level above acceptable thresholds. See 20 DCMR 2803.

Operational Noise: Of even greater concern to the community is the anticipated operational noises which will be present long-term. For example, the additional service vehicles and traffic generated by the facility will raise neighborhood noise levels as will emergency generators, dumpsters and even service entrances and loading docks. It is well established that noise at the Developer's Sargent Road, NE facility, operation noises have been excessive and disruptive to the community. The Board of Zoning Adjustment ordered the Developer to install acoustical walls at portions of its northeast facility, a facility which expands over some 12 acres. See Exhibit D. Here the area available to absorb noise produced at the facility is barely over one and one-half acre and directly abuts residences, a public school, and operating commercial establishments. As a related point, neighbors are concerned about possible large events at the site and the nighttime din such events create. What analysis has been done on this issue?