October 28, 2003

BZA Testimony - Jane Vanneman

My name is Jane Vanneman. My husband, Reeve, and I have owned and lived in our house at 3071 Ordway St, NW, since January 1993. We live directly across the street from NCRC and face the NCRC property between the main house and the playhouse. I would like to tell you what it is like to live across from NCRC, based upon my experience over the past 10 1/2 years.

All of my comments address two major components of the NCRC program: hours of operation during the academic year and special events on weekends and evenings.

The situation with the existing enrollment, staff and activities on the NCRC property is intolerable for the neighbors. The numbers of children, faculty and staff, and others who come to the property, have oversaturated the neighborhood, with congested traffic, illegal parking, and noise.

I will address four specific points:

1. <u>First, illegal parking, traffic and safety issues</u>

Our traffic expert, Mr. Stephen Petersen, has focused upon the traffic and parking problems caused by the existing

BZA
Case No. 16970
Exhibit No. 260

Board of Zoning Adjustment
District of Columbia
CASE NO.16970
EXHIBIT NO.260

operations of this nursery school, as well as those problems that will result as a consequence of the proposed expansion. While the major entry is on Highland Place, the size of the NCRC population and its faculty, staff and visitors, causes congestion, which overflows to Ordway Street. Since September 2003, we have noticed an increased level of NCRC-related traffic and parking.

There are serious parking and traffic problems on Ordway Street, which have been demonstrated on the video and photographs that have been shown. I have observed these problems almost every weekday morning, the special events on weekends, and NCRC's increasing use of the property during evening hours past 5 pm (which is not permitted by the 1998 order).

Cars often speed on Ordway Street. Cars turn around in the middle of Ordway Street, which is a narrow, residential street. Cars drive up on our yards. Cars park illegally close to our driveways, making it dangerous to attempt to drive into or out of our driveways. Sometimes cars park and block our driveways. When service persons come to our house to perform work, it is frequently difficult for them to find a parking place or they risk getting a parking ticket.

Also, parents and caregivers often take the children out of the cars on the street side of Ordway, and walk the children in the street itself to get to the stairs leading to the nursery

school property, or, they attempt to exit NCRC property on the NCRC stairs between closely-parked cars and then walk in the street to their parked cars. These are clearly unsafe practices. I have a 4-year old granddaughter and a 1-year old grandson, and observing these unsafe conditions troubles me greatly.

At present, there are simply too many NCRC people in cars – whether it be parents or caregivers, faculty and staff, or others visiting the property, for Ordway street to handle safely and legally. The difference between when NCRC is in session and when it is out of session is dramatic, and I speak from first-hand experience.

2. Noise

NCRC asks permission to double the size of its space, primarily by adding onto the main house, and constructing a new large classroom building – both of which would be located very close to the property lines of the neighboring homes and across the street from Ordway homes. The noise from the air handling units on these commercial-size buildings would be objectionable. As it is, the current air handling system on the main house interferes with the peace and quiet of the house next door to NCRC on Highland Place. The capacity of the air handling units

required for the large new classroom building on Ordway Street would inevitably result in noise levels that would be objectionable to Ordway Street neighbors toward the west end of the nursery school property and across Ordway Street as well. My husband and I frequently like to leave our windows open, even in the summer months, to catch the breezes and enjoy the fresh air, but if the BZA approves NCRC's application, we would be faced either with loud commercial air handling units or having to close our windows and run our air conditioning system to block out the noise of NCRC's proposed buildings.

For special events on the weekends, NCRC has used sound amplifying systems, which include loud music and announcements over a public address system for several hours on weekend days. (Again, the 1998 order limits the hours of operation Monday to Friday from 8 am to 5 pm, with no authority for special events on weekends.) It is unlawful for NCRC to use public address systems in a residential neighborhood. The noise is excessively loud for residents on Ordway Street, as well as Highland Place, and sometimes keeps us from going outside to enjoy our yards and the quiet of the weekends. This noise is also highly objectionable because it disturbs our peace and quiet on weekends. Some of the residents around NCRC simply are forced to leave their homes during these special events to escape the noise and chaos.

3. Loss of access to sunlight and sight lines

Ordway Street residents will lose their access to sunlight if this board approves this project. All the neighbors on Ordway Street who face the NCRC property will look out onto a massive facade of buildings.

When we bought our house in 1993, there were many very large trees on the NCRC lot. Now, NCRC proposes to build an uninterrupted wall of buildings that we would face across the entire length of NCRC's property. Ordway Street at the east end is downhill from the NCRC property; the main house and existing small bike shed are up on a steep grade. [*NCRC photos, starting at page 10 [top right, lower left; page 11, top right, lower right*]

NCRC proposes to build a new, very large maintenance building, at the east end of the property. The proposed size and use of this maintenance building are of a size and use not typically associated with a residence, and this new building would literally be in our faces.

The proposed expansion of the main building, deep into the property toward Ordway street, next to this maintenance building, would cut off virtually all access to sunlight from those houses on our side of Ordway Street, including my house. This is particularly distressing during the winter when the sun is low,

because we face south toward NCRC. Because NCRC would cut down trees for these buildings, the visual effect of a mass of buildings would be even more severe.

Next, moving up Ordway Street towards 34th Street, NCRC proposes to build a 14 foot wall west of the existing playhouse, with fencing to top the wall, and, in addition to that wall, a very large classroom building. [*page 12, NCRC photo]* Our neighbors immediately to the west of us, up Ordway street, would also lose their sight lines all across Ordway. Pedestrians walking on Ordway Street would also see a massive institution instead of homes. The Henry Little house (immediately to the west of the property, on the south side of Ordway), would lose its light looking eastward (toward Connecticut Avenue). NCRC's building proposals are highly objectionable to residents on Ordway Street given the loss of access to sunlight and the sight lines.

4. Finally, a history and pattern of broken promises by NCRC

The NCRC boards come and go frequently, given the young age of the children. In the process, NCRC leaves behind a string of broken promises to the neighbors. I have particular experience with one such broken promise.

I was directly involved in the 1994 situation - NCRC undertook a massive construction project during that summer, in complete disregard for DC laws and regulations. NCRC cut down many very large mature trees, re-did the playground, and engaged in a major renovation of the playhouse, without even applying for any of the necessary DC permits. NCRC completely redesigned the playhouse, constructing a large wood deck on the west end of the playhouse [*NCRC photo, page, 12, lower right*], and also a very large concrete pad and deck into the property, with glass doors on that side of the playhouse - involving a room (library and motor room) that NCRC now says is unsafe. NCRC did not seek approval from the HPRB or from any other DC agencies for building permits for its changes to the playhouse - which involved constructing a very large concrete deck, into the property itself [*NCRC photo page 14, top right*] and another large wood deck on the west end of the playhouse [*NCRC photo, page 12, lower right*]. For this work, NCRC also constructed an illegal, gravel driveway on the west end of the Ordway street side, and installed an unsightly chain link fence - a driveway and chain link fence which the nursery school intended to keep permanently on site for future use for deliveries and other functions. Aside from being illegal, the construction phase was a nightmare for the residents that summer, with the noise, traffic, dust, congestion, and disruption to our lives.

Toward the end of the summer, when a neighbor learned that NCRC had absolutely no permits for the work, the DC government issued a stop work order. The then-present NCRC board and director met with the neighbors; the board and director agreed to remove the chain link fence, take out the driveway, install a grassy raised embankment with permanent landscaping, and install a long, low, wood fence with open slats, so that the Ordway street neighbors would have light and air and a relatively unobstructed view towards Highland Place. At present, the landscaping has matured and there is a vista between Ordway and Highland, connecting the neighbors. [*NCRC photo, page 13, lower right]*

Now, NCRC wants to break that commitment to the neighbors, by proposing to build a large new classroom building, connected to the playhouse by a 14 foot high wall, which will be topped with another fence. Each new NCRC board and director seems to have a new mission, driven by new ambitions. In the process, NCRC completely disregards prior commitments to the neighborhood. This is simply an intolerable approach to the neighbors, many of whom have lived here for decades and many of whom intend to remain here a very long time.

In summary, NCRC's present operations - during the academic

year, and its special events on weekends, and also during the evenings after 5 pm - have already saturated the neighborhood with objectionable traffic and parking and noise. The new buildings would cut off our access to sunlight, and increase substantially the intensity of use on the school property. We respectfully request that you deny the NCRC application.