

## **Minutes of the January 2005 Meeting of the Cleveland Park Citizens Association**

**Meeting Date:** Tuesday, January 11, 2005  
**Location:** Cleveland Park Library  
3310 Connecticut Avenue, NW; Washington, DC

Cleveland Park Citizens Association (CPCA) President George Idelson called the meeting to order at 6:30 pm. 49 persons signed the attendance sheet; 18 were members. Also in attendance, in addition to the speakers, were Commissioners from ANC 3 and other ANC's, and staff of Council member Kwame Brown. Minutes of the December meeting were not available for approval.

Several brief presentations preceded the main program.

### **I. Trash behind 3500 block of Connecticut Ave.**

Perry Reith, Senior Asset Manager of Grosvenor USA Limited, reported that his company has taken over from the former Starwood owners, was sensitive to community issues, and wants a good relationship with the neighborhood. He invited people to contact him or the new management agency, Trammell Crow Company, about any problems.

Karen Krackov, Senior VP of Trammel Crow, described recent actions to resolve serious problems reported by residents regarding uncollected restaurant trash dumped in the alley behind the 3500 block of Connecticut Avenue. Trash was dumped on the ground, and not collected, because it were not, as required, inside a trash compactor. Trammel Crow visited every restaurant, provided written instruction in English and Spanish on proper use of the compactor; increased compactor pickups to 6 days a week and added recycling for cardboard items (which will greatly reduce trash volume). Restaurants have been informed that further trash problems will threaten their lease. The area is being monitored regularly by Trammel Crow. Ms. Krakov believes the trash problem is now resolved, but invited residents to contact her about this or any other issue. (202-295-3457 or Kkrakov@trammellcrow.com.)

### **II. Changes at Uptown Theater**

Windy Cooler-Stith (a member of a union representing screen projectionists) described recent actions by the Loews Cineplex theatre chain, which, she alleged, will seriously denigrate the quality of film projection and may be a step toward closing the Uptown. Loews has just fired 3 long-time skilled projectionists and installed an automatic "platter" system. The company has already closed the Avalon, and will close the Cinema at the end of January. She reported that Loews has closed more than 30 urban large-screen theatres around the country in order to funnel business to their more profitable multiplex theatres.

Ms. Stith said that the automatic platter system will adversely affect the quality of film viewing at this "last standing movie palace" in DC, valued for major film showings. After introducing this system in other cities, Loews closed many major theaters. She urged neighborhood action to try to stop this process.

Ms Stith was invited to provide further information to CPCA's Executive Committee meeting the following night. Lois Orr, President of the Cleveland Park Historical Society expressed strong interest of CPHS in this issue, citing effective activities the Society took several years ago to ward off a threat to the Uptown, an historic preservation site. Ms. Orr agreed to attend CPCA's Executive Committee meeting for the briefing.

### III. Greetings from D.C. At-Large Council Member Kwame Brown

Mr. Brown said he wanted to thank CPCA for the excellent forum the Association sponsored for At-Large candidates last year. This, his first opportunity to present his program to voters, became a model for subsequent forums in other areas, contributing greatly to his election. "It all began here," he said, promising close attention to concerns of this community.

### IV. Program: "What Does Your Advisory Neighborhood Commission Do for You?"

*1. ANC Basics" Presentation by Gottlieb Simon, Director, DC Office of Advisory Neighborhood Commissions:*

Mr. Simon gave a PowerPoint presentation on how and why ANC's were created, their organization, functions and powers. He explained that DC has 286 "Single Member Districts" (SMD's), each representing 2000 residents. "Residents" include everyone in the census, not just voters --adults, children, citizens, non-citizens. SMD's are combined in groups to form 37 ANC's. ANC 3C has 9 SMD's, more than average, and is unique in that one of the 9 is in Ward 1. The others are within Ward 3. ANC's were created by Congress in 1978 as part of the Home Rule Charter that grants the rules for citizen participation in city policies and programs. ANC's provide an opportunity to develop political leadership, since the District lacks the political ward organizations that perform this function in other cities. Mr. Simon noted that Phil Mendelson and several other DC Council members had been elected to office following their service on ANC 's.

ANC's have important powers:

- City government agencies must give the ANC or relevant SMD 30 days notice of actions that will affect their neighborhood.
- ANC's have the right to receive government funds and to have staff and equipment (an annual appropriation is divided among ANC's in proportion to their population) This year's citywide appropriation was \$819,000.
- City agencies are required to give "great weight" to ANC recommendations. When they don't, they are required to provide very specific counter arguments in writing.

*2. Panel Discussion: Phil Mendelson, City Council Member At-Large; Nancy MacWood, Chair, ANC3C; Gary Kopff, former Chair, ANC3C and Mr. Simon*

- Mr. Mendelson, who had served for many years as member and Chairman of ANC3C, emphasized that ANC's can be very effective if they are vigorous and proactive. During his tenure, in various confrontations with developers, when presentations to city agencies were unsuccessful, ANC commissioners went to court and won significant victories. Although the ANC itself cannot go to court, individual Commissioners may file suit, and ANC's have obtained pro-bono legal assistance to litigate for them.
- Mr. Kopff added vivid examples of early legal action protesting the illegality of ABC's refusal to give "great weight" to ANC's opposition to a local bar expansion. Others observed that the decision in Mr. Kopff's suit helped define and strengthen the "great weight" requirement.
- There was considerable discussion about the real strength of the "great weight" requirement, in view of recent and other Board of Zoning Adjustment (BZA) actions ignoring ANC's positions. It was clarified that this only requires that an agency provide a written articulation of its reasons for not accepting arguments presented by the ANC. Mr. Mendelson said that if the rationale is "off the wall," the ANC –

through a single Commissioner – may appeal the denial in court on the grounds that it is “arbitrary and capricious,” “clearly in error;” or “contrary to law.”

- Ms. MacWood summarized the range of ANC3C activities, including: hearing and voting on residential and commercial renovation applications including historic preservation issues; helping residents develop their applications; testifying before the BZA; brainstorming neighborhood problems; representing the neighborhood before the City Council and other city agencies. These activities implement 3 main functions:
  1. Assisting on quality of life issues in the neighborhood
  2. Advocating for the community before city agencies
  3. On controversial community issues, providing opportunity for differing positions to be aired and distilled so as to reach consensus.

The panelists agreed that ANC’s are more effective when they join forces and arguments. Mr. Kopff noted that ANC3C positions have been strengthened by collaboration with the Cleveland Park Historical Society; CPCA, Friends of Tregaron, McLean Gardens and Tenley organizations..

**V. Adjournment.**

The meeting was adjourned at 8:45 PM

Respectfully submitted by

Evelyn Idelson and George Idelson