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## Minutes of the October 7, 2008 meeting of Advisory Neighborhood Commission 1-D

*These minutes accepted at the November 11, 2008 meeting.*

### Call to order

[7:16 pm] Chair Angelia Scott called the meeting to order at 7:16 pm. Present were ANC1D commissioners Scott, Edwards, Bosserman, Tunda, and McKay, constituting a quorum.

### Public discussion

[7:16 pm] The meeting was opened to public discussion. Tim Lawrence, of 1655 Harvard Street, spoke of his application for a zoning variance. Several other residents, and Fay Armstrong of Historic Mount Pleasant, spoke on this issue. Barbara Hayden mentioned several matters from All-Ways Mount Pleasant.

### Minutes of previous meetings

[7:41 pm] No corrections to the minutes of the September 2 meeting were offered by the commissioners, so these minutes were declared accepted.

### 1665 Harvard BZA application

[7:42 pm] Jack suggested that the 1665 Harvard BZA application be considered immediately, so that the people attending the meeting for that matter alone could leave. The commission agreed to do so. Stormy offered the following motion, read by Jack:

The application calls for variances from the R-4 lot coverage and alley setback regulations. The maximum lot coverage under R-4 regulations is 40%; this design calls for 100% lot coverage. Alley setback is required to be 12 feet from the alley centerline; this proposal calls for a setback of 4.5 feet.

Variances from zoning regulations may be allowed only where such variances “can be granted without substantial detriment to the public good”. An examination of the lot in question shows that this condition *cannot* be satisfied.

This lot is not a regular city lot, but is a small portion of a lot, one of a row of lots along Harvard Street. It is in fact directly behind 1701 Harvard Street, not 1665, and is separated from the 1665 Harvard Street address by a narrow pedestrian passageway. This appears to be

a serious violation of the requirement that any subdivision of a property in an R-4 district allow “adequate yards, courts, light, and air for each dwelling, group of dwellings, or group of buildings resulting from the subdivision” (DCMR **11**, 410.6(c)).

Any building constructed on this tiny lot would face the rear of the home on lot 826, 1701 Harvard Street. With a roof height of 16 feet above the back-yard ground level, only 17 feet from the existing row house at 1701 Harvard, this construction will clearly have an adverse effect on the light and air of that dwelling.

Though some neighbors favor this construction, the residents of 1701 Harvard are very unhappy at the prospect of a garage being built on that location. They have a valid complaint, and ANC1D advises that this application for a zoning variance be *denied*.

*Passed by 5 to 0 vote.*

### **Treasurer’s report**

[7:49 pm] Jack listed the bills to be paid that evening, and asked if there were any objections to these payments: Tony Grillo \$50, Albert Varela \$50, USPS \$240, Laticia Jefferson \$387.50, Adebisi Odegbile \$258.75, and Neil Richardson \$1875.00. The commission offered no objections to these payments.

Jack summarized expenditures and revenues for the fiscal year, which had ended September 30. The revenues from the District exceeded the ANC’s expenditures for the year by \$1,621.13.

Jack presented the quarterly report for the fourth quarter of FY2008, noting the files that would be given to the auditor after the meeting. Chair Scott requested approval by the commission of this quarterly report. *Approved by 5 to 0 vote.*

### **November meeting date**

[7:57 pm] Jack noted that the scheduled date for the November monthly meeting, November 4, was also Election Day, and it was not appropriate for the ANC to meet on that day. The commission agreed to meet on the second Tuesday, November 11. The midmonth meeting would remain on the third Tuesday, November 18.

### **Executive Director’s report**

[8:02 pm] Neil Richardson reported on his activities during September.

### **Unfinished business:**

#### **Priorities for ANC1D staff**

[8:11 pm] This unfinished-business item was brought up for discussion:

ANC1D resolves to advise its Executive Director that priorities for the near future could well include the following issues among those already highlighted by ANC1D resolutions:

Establishing and executing a grants program with substantial outreach toward high and long-term impact.

Dealing with agency projects with potential long-term impacts on large fractions of ANC1D residents. This category includes: the MtP branch library; redesign of streetscape and traffic patterns around 1600 block of Park Rd NW; a Special Planning Area to revitalize the commercial corridor and eastern Mount Pleasant while enhancing our economic and

economic diversity; streetscape conditions and plans especially for the area around the commercial corridor; jitney and shuttle services; parks, pedestrian and transportation linkages with neighboring ANC areas; policing and security.

Dealing with issues around agency handling of notice, acknowledgment, collegial discourse, and Great Weight for ANC1D resolutions; this might include discussions with Chairman Gray's current considerations to rewrite the ANC legislation; and a report for all concerned on the current status of ANC1D resolutions.

Neighborhood outreach, web-site and other technologies for better communications.

Alcohol related issues, include understanding the legal bases of current contested issues.

Pest and trash related issues, including bed bugs.

Formulation of continuing ANC1D programs, and staff support. This might include: best practices for handling Zoning Commission, Historical Preservation, and Board of Zoning Appeals, including information guides both for owners seeking changes and for neighbors wishing consultation.

Survey of the situation, demographics, needs for and conditions of current government policies and services that affect Mount Pleasant.

*Passed by 5 to 0 vote.*

## **New Business:**

### **Remove hazards & illegal tree box barriers from Mt Pleasant Commercial Corridor**

[8:13 pm] Gregg moved the following:

ANC1D advises the DC Department of Public Works to remove any tree box barriers that are contrary to the DC Municipal Regulations from the Mt Pleasant Commercial Corridor and the immediate side streets.

Why: Mt Pleasant Street has many stretches of narrow sidewalks, and at some times of the day and week, heavy traffic including many seniors and disabled. A number of our neighbors have been injured by tripping on tree box barriers, so these can be a public health hazard.

*Passed by 5 to 0 vote.*

### **Don't raze 3130 NW 16th until shown to be in public interest**

[8:21 pm] Gregg moved the following:

Resolved, that ANC1D rescinds its resolution of approval for the razing of 3130 16<sup>th</sup> St NW, and furthermore advises the Historic Preservation Office and the Mayor's Agent that in judging special merit for raze applications for contributing structures in historic districts, the provision of at least 30% low-cost housing must be an essential factor.

*Passed by 5 to 0 vote.*

### **October Focus Forum on MtP Parking alternatives, and dDoT proposals**

[8:32 pm] Gregg moved the following:

ANC1D resolves to ask its staff to organize a meeting, preferably in October 2008, to engage a broad range of residents and workers to consider parking alternatives for the 1D area. ANC1D invites DC experts to contribute to the planning of the meeting and welcomes their participation but not as lecturers. ANC1D appropriates up to \$500 for staff time and materials in addition to the prior appropriation for publicity and light snacks. The staff is authorized to collect and prepare information on best practices and their results, and the experience of other neighborhoods and jurisdictions.

Why: ANC1D is exploring ways to develop policy and resolutions that (1) combine evidence and arguments that build on the experience of others and the interests of the people of Mt Pleasant, (2) help engage the participation of all sectors of Mt Pleasant in contributing to the results.

*Passed by 5 to 0 vote.*

## **Honest public participation for reconstruction of the street and sidewalks of 1600 Park Road NW**

[8:39 pm] Gregg moved the following:

ANC1D resolves to appropriate up to \$1000 for costs and staff expenses for a public participation program that deals with the interests of local residents and users of the 1600 block of Park Rd, and the design of the upcoming reconstruction of the roadway, sidewalks, and water-runoff and sewer system.

ANC1D invites Ward One Councilmember Jim Graham to chair a meeting of residents and perhaps building owners, and asks that he help by assigning some of his staff with the process. ANC1D invites participation and assistance of the staff and contractors of the DC Department of Transportation (dDoT). Specifically, ANC1D once again asks that dDoT acknowledge and answer ANC1D's several resolutions on this issue in accordance with the law, and that it similarly responds to the resolutions of the civic groups active in that area.

ANC1D suggests that the residents and the users of the block's public thoroughfare support the ANC1D process and do not respond to dDoT until it obeys the law and simple civic courtesy by answering resolutions and cooperating with best practice public participation processes.

Why: The appearance of a run-around and evasive tactics by dDoT is raised by funding a show-meeting without assurances of substantial handling of issues and concerned already raised by residents. Such a meeting could be quite superficial and is no substitute for dDoT's following the law, their duty under the executive order, their oath of office to uphold the law, and simple ethics of civic participation.

Given the years of failure by dDoT to follow the law and to engage with ANC1D and local groups, a show of good faith due diligence must now mean:

- (1) Clean hands requires fulfilling all legal requirements, including the law and executive order on ANCs.
- (2) The requirements of federal policy for substantial public participation requires careful answering in writing the resolutions of local civic groups.
- (3) Catch up on the missing public participation and engagement with local groups requires following the program designed by ANC1D staff in conjunction with the staff of CM Graham.

*Passed by 5 to 0 vote.*

## **Open up the MtP Transportation Study**

[8:41 pm] Gregg moved the following:

ANC1D resolves to advise the DC Department of Transportation (dDoT) to upgrade its processes of participation, including a broader and more representative advisory committee, and a more even handed treatment of alternative approaches. In addition, we ask the Mayor and Councilmember Graham to intervene because this situation has been protested for over a year, and because dDoT refuses to obey the ANC law in acknowledging and responding to ANC1D resolutions.

*Passed 4 to 1 vote (Jack opposed).*

## **Adjournment**

[8:49 pm] Gregg moved adjournment. *Approved by 5 to 0 vote.*