

“Open Agenda” Notes for the May 22, 2018 meeting of ANC1D

Agenda approval

Public discussion

“Each Commission shall set aside a portion of each public meeting *to hear the views of residents* within the Commission area and other affected persons on problems or issues of concern within the Commission area and on proposed District government actions that affect the Commission area.”

Chair's report

Vice-chair's report

Committee reports:

Transportation (Jon)

Public Space (Stuart)

Housing (Paul)

Secretary's report

Minutes of the April 24 meeting (draft sent out April 25).

Treasurer's report

Consent items: Checks to James True, \$75, postering for the May meeting; HearSay Interpreting, \$100, interpreting at the May meeting; Julio Lopez, \$30, for assistance at the May meeting.

Unfinished business

Adequate Time to Review Office of Planning Staff Reports (Stuart)

Resolved, that ANC1D advises the Office of Planning (OP) to publish staff reports for zoning relief and historic preservation review cases at least five business days in advance of the hearing at the relevant District of Columbia board or commission (including but not limited to hearings before the Board of Zoning Adjustment, the Zoning Commission, and the Historic Preservation Review Board).

Why:

As ANC Commissioners, we are members of the community who serve our neighbors as representatives to the District of Columbia government. Although each of us brings a diverse array of experience to the ANC, we are not experts in architecture, historic preservation, or zoning

law. Therefore, we often rely on the staff reports published by the Office of Planning to provide background on zoning relief or historic preservation cases. The ANC uses these reports to inform our resolutions that advise relevant District agencies.

The ANC deeply appreciates the hard work that goes into producing each staff report from OP. However, for recent cases, the OP has not released the staff reports until only days before the associated hearing. For instance, last month (March 2018) the OP published a staff report on March 19 for case 19629, which the Board of Zoning Adjustment was scheduled to hear on March 21, 2018.

The fact that ANC Commissioners and community members typically only have two or three days to review OP staff reports reduces our ability to knowledgably comment on applications. The lack of time to review the OP reports places an undue burden on commissioners and community members alike, as we all rush to familiarize ourselves with the report before the relevant hearing occurs. If OP is unable to publish reports at least five business days before hearings, then OP should require that applicants submit their paperwork earlier or automatically postpone hearings. Both options would ensure that ANC commissioners and community members have adequate time to review the reports.

Proposed substitution:

Resolved, that ANC1D advises the Office of Planning (OP) to publish staff reports for zoning relief and cases at least five business days in advance of the hearing at the relevant District of Columbia board or commission (including but not limited to hearings before the Board of Zoning Adjustment and the Zoning Commission).

Why:

As ANC Commissioners, we are members of the community who serve our neighbors as representatives to the District of Columbia government. Although each of us brings a diverse array of experience to the ANC, we are not experts in zoning law. Therefore, we often rely on the staff reports published by the Office of Planning to provide background on zoning relief cases. The ANC uses these reports to inform our resolutions that advise relevant District agencies. The ANC deeply appreciates the hard work that goes into producing each staff report from OP. However, for some recent cases, the OP has not released the staff reports until only days before the associated hearing. For instance, in March 2018 the OP published a staff report on March 19 for case 19629, which the Board of Zoning Adjustment was scheduled to hear on March 21, 2018.

The fact that ANC Commissioners and community members typically only have two or three days to review OP staff reports reduces our ability to knowledgably comment on applications. The lack of time to review the OP reports places an undue burden on commissioners and community members alike, as we all rush to familiarize ourselves with the report before the relevant hearing occurs. If OP is unable to publish reports at least five business days before hearings, then OP should require that applicants submit their paperwork earlier or automatically postpone hearings. Both options would ensure that ANC commissioners and community members have adequate time to review the reports.

New business

1. Terminate Sportsman's Liquors Settlement Agreement

Resolved, that ANC1D advises the Alcoholic Beverage Regulation Administration to approve termination of the settlement agreement for Sportsman's Liquors, License ABRA-070310.

Why: This agreement, now more than 16 years old, is no longer warranted by conditions on Mount Pleasant Street.

2. Approve Special Exception for Bancroft rooftop mechanical equipment

Resolved, that ANC1D advises the Board of Zoning Adjustment to grant, as expeditiously as possible, Special Exceptions for the rooftop air conditioning units to be installed at Bancroft Elementary, 1755 Newton Street NW.

Why: The regulations require, according to the Zoning Administrator, that the screening around rooftop mechanical equipment be set back “a distance equal to its height” from rooftop edges. Three of the five rooftop air conditioning systems planned for Bancroft Elementary fall short of that requirement, and so require Special Exception approvals. Two of those three units are well within the area of the school complex, and so have no consequences outside the area of the school. One is located alongside the 3400 block of Mount Pleasant Street, and will be visible to the nearby residents.

The topography of the area is such that, even if set back according to the regulation, these screens will be plainly visible from the street, and the adjacent residences. In fact, because the houses are built on top of a hill, well above street level, the residents of those homes will have a full view of this rooftop installation, regardless of the setback. The required setback is, in fact, immaterial to the situation, and granting the Special Exception will have no effect.

ANC1D judges that granting this Special Exception “will not tend to affect adversely, the use of neighboring property”, and furthermore asks that it be granted as expeditiously as possible, as the principal interest of the nearby residents is to have this major construction project completed, as soon as possible.