

Advisory Neighborhood Commission 1C

Adams Morgan

Minutes of February 2, 2005

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held on Wednesday, February 2, 2005 at the Third District Police Headquarters. Chairman Alan Roth called the meeting to order at 7:08 p.m. Approximately 25 members of the public attended the meeting.

In attendance were: Alan Roth (ANC1C01), Jon Canty (ANC1C02), Bryan Weaver (ANC1C03), Mindy Moretti (ANC1C04), Andy Miscuk (ANC1C05), Graham King (ANC1C06), Josh Gibson (ANC1C07), and Lynn Taylor (ANC1C08).

SECRETARY'S REPORT

Commissioner Moretti, secretary, moved the approval of the January 5, 2005 minutes. The motion was seconded, discussed and approved by voice vote.

TREASURER'S REPORT

Commissioner Miscuk, treasurer, provided a financial update and noted that because paperwork had not been dealt with yet regarding the name changes at the bank he did not have full access to the account information, the Commission's account balance of \$66,923.92 was an approximate balance.

Commissioner Miscuk offered a resolution, provided by Bank of America, to officially change the names on the Commission's bank account to accurately reflect the new Executive Committee. The resolution was seconded, discussed and approved by voice vote.

Commissioner Miscuk made a motion to approve the re-filing of the first page of the FY04 third and fourth quarter reports to correct a clerical error in the reports. The motion was seconded, discussed and approved by voice vote.

Commissioner Miscuk made a motion to approve the FY05 First Quarter report. The motion was seconded, discussed and approved by voice vote.

Commissioner Miscuk made a motion to approve the FY05 budget for ANC1C. The motion was seconded and discussed. Through unanimous consent Commissioner Miscuk amended the budget to strike \$125 for the ANC's Web site domain name from the budget. Commissioner Roth offered an amendment to shift the ANC security fees and Commissioner incidentals from October to February within the budget. The amendment was seconded, discussed and approved by voice vote. The FY05 budget, as amended, was discussed and approved by voice vote.

NEW BUSINESS

Commissioner Roth asked for unanimous consent to move the HPRB application for 1954 Biltmore up on the agenda. Lucrecia Laudi with Hunt Laudi Architects discussed the plans to add a breakfast room to the location. After reviewing the plans and asking questions, the Commission took no action on the application.

PUBLIC COMMENTS

Erika Wade, a student at Howard University wanted to know what, if anything, was being done to discourage Latino youth from becoming involved in gang activity.

COMMITTEE REPORTS

ABC & Public Safety

Teresa Howie, chief, Major Crimes division of the U.S. Attorney's office discussed her offices procedures and philosophies for dealing with major crimes in the District.

Sgt. Moye provided the Commission with an update on crime statistics in the neighborhood including a homicide outside of 1815 Adams Mill Rd., NW. Officer Howard of the Vice Squad explained the bureaucratic procedures that must be followed in order to conduct a sting on an illegal gambling operation. Sgt. Moye also discussed Adams Morgan's designation as a "hot spot." The affected areas are 18th to 17th St., NW from Columbia Rd. to Kalorama Rd.

Commissioner Weaver made a motion that ANC1C permit the ABC & Public Safety Committee to write a letter to Cmdr. McCoy to move Sgt. John Aceto back to the midnight shift. The motion was seconded and approved by roll call vote:

YEA: Roth, Canty, Weaver, Moretti, Miscuk, King, Gibson, Taylor
NAY: None

Commissioner Weaver announced that the next meeting of the ABC & Public Safety Committee will be on Wednesday, Feb. 9 at 7 p.m. at the Kalorama Recreation Center. Commissioner Weaver also announced that there are only two outstanding Voluntary Agreements still in the works for The Reef and Mantis.

Public Services

Commissioner Miscuk made a motion to move the pending grants applications to the end of the meeting. The motion was seconded, discussed and approved by voice vote.

Commissioner Miscuk announced that the next meeting of the Public Services Committee will be on February 28 at 7:30 p.m. at the Kalorama Rec. Center.

Planning, Zoning and Transportation

Commissioner Gibson announced that the next meeting of the PZT Committee will be on Feb. 16 at 7:30 p.m. in the Third District Headquarters. Commissioner Gibson noted that the committee continues to work on the MOU for the Harris Teeter project.

Commissioner Roth gave an update on the status of the Belmont Tower and also commented on the efforts of the Mount Pleasant ANC to deal with “Emergency No Parking” issues in the city.

Commissioner Roth also announced that the PUD application for the Dorchester had arrived in the mail, but that BZA had not set a hearing date yet.

UNFINISHED BUSINESS

Commissioner Weaver reintroduced his resolution to support an inclusionary zoning overlay for areas of the city. The resolution was seconded, discussed and approved by roll call vote:

YEA: Roth, Canty, Weaver, Moretti, Miscuk, King, Gibson, Taylor
NAY: None

Zoning Case No. 04-33 Text Amendment Inclusionary Zoning Overlay

WHEREAS, ANC 1C finds that the District has become one of the strongest real estate markets in the United States. The escalating housing market is imposing significant housing cost burdens on low- and moderate-income residents and threatening to displace residents from their communities.

WHEREAS, ANC 1C finds that the strength of the District derives from its diversity and that mixed-income neighborhoods are thriving neighborhoods. In order to ensure that the District does not become a city of very rich and very poor communities, housing opportunities for low and moderate income households must exist throughout the city.

WHEREAS ANC 1C finds that given the District’s fiscal structural imbalance, the city’s long-term fiscal health requires the adoption of policies to ensure that more of the people who work in the District also live in the District and pay income taxes to the District.

WHEREAS, ANC 1C supports the production of new units of affordable housing for low and moderate income residents that will help prevent displacement and provide new opportunities for District workers to reside in the city;

WHEREAS, ANC 1C supports creating homeownership opportunities for low and moderate income tenants and accepts that homeownership promotes residential stability and long-term affordability, and helps residents build wealth;

WHEREAS, ANC 1C contends that the development of affordable housing for low- and moderate-income workers is vital to attracting and retaining businesses to sustain the District’s continued economic development;

WHEREAS, ANC 1C finds that for almost 30 years, hundreds of cities and counties throughout the United States, including areas neighboring the District, have been using inclusionary zoning to help meet their affordable housing needs and build vibrant, mixed-income communities.

WHEREAS, ANC 1C believes that mandatory inclusionary zoning is a critical tool for achieving the goals of producing affordable housing, discouraging displacement, creating opportunities for homeownership; and maintaining and creating mixed-income communities in the District by leveraging the expertise and capacity of the private market;

WHEREAS, ANC 1C believes a mandatory inclusionary zoning policy is an essential piece of a comprehensive strategy to address the District's shortage of affordable housing.

WHEREAS, the text amendment filed with the Zoning Commission in Case No. 04-33 would establish an Inclusionary Zoning Overlay in the District of Columbia that would meet ANC 1C goals of producing affordable housing for low and moderate income residents and maintaining and creating mixed-income neighborhoods, at little economic cost to the District;

Now Therefore Be It:

Resolved, that ANC 1C supports the adoption of the text amendment submitted to the Zoning Commission in Case No. 04-33, to establish an Inclusionary Zoning Overlay in the District of Columbia.

RESOLVED, that ANC 1C supports the mapping of an inclusionary zoning overlay for those areas of the District where at least 20% extra zoning density bonus could be appropriately provided and obtained within the parameters of the Comprehensive Plan.

RESOLVED, that ANC 1C supports the adoption of an inclusionary zoning overlay that shall apply throughout the District whenever a developer requests and is granted permission to build at a greater density than is permitted as of right.

RESOLVED, that ANC 1C supports the adoption of an inclusionary zoning overlay that applies to new and substantial rehabilitated residential developments of 10 or more ownership or rental units within the mapped inclusionary zoning overlay, with certain minimum percentages of affordable housing should be required to be set aside for low and moderate income residents, and developers can elect to take a 20% density bonus as a matter of right in return.

RESOLVED, that ANC 1C supports the adoption of an inclusionary zoning overlay that establishes tiered income targets, with half of the required affordable units affordable to households at 50% of Area Median Income (AMI), and half affordable to households at 80% of AMI.

RESOLVED, that ANC 1C supports the adoption of an inclusionary zoning overlay that makes the inclusionary units affordable to households with incomes at 30% of AMI or less by providing that the D.C. Housing Authority (DCHA) and qualified non-profits should have the first right to purchase or rent forty percent of the inclusionary units, and any of the units not optioned by DCHA or nonprofits that are affordable to households at 50% AMI should be prioritized for a separate lottery of Housing Choice Voucher holders on the inclusionary zoning waiting list who indicate interest in the units, provided that if there are no voucher holders to rent them, the unclaimed portion of the inclusionary zoning units should be distributed to the general applicant pool.

RESOLVED, that ANC 1C supports the adoption of an inclusionary zoning overlay that requires developers to build inclusionary units within the larger market rate development and permits exceptions only when the development can demonstrate that on-site development would create undue economic hardship. When exceptions are granted, the developer shall be required the developer to construct the same number of units either off-site either within the same ward or within two miles of the development project, or make an in-lieu payment to the Housing Production Trust Fund. A developer also should be able to apply for an exemption from the requirements of the program where compliance would deprive the developer of all economically viable use of the property.

RESOLVED, that ANC 1C supports the adoption of an inclusionary zoning overlay that requires that affordable units be similar to and compatible with market rate units in outward appearance, number of bedrooms, and location throughout the project, but permits the size of affordable units to be reduced to a minimum standard and does not require that interior finishes, appliances, and amenities be compatible with market rate units.

RESOLVED, that ANC 1C supports the adoption of an inclusionary zoning overlay that requires long-term affordability control periods, in order to build a stock of affordable housing, encourage neighborhood stabilization, and promote economic and racial diversity. This goal should be balanced with the objective of maintaining the opportunity for families to build wealth through homeownership by permitting owners of the affordable units to receive the increase in the total unit value correlating with the Consumer Price Index. In addition, owners shall receive a portion of the equity in the unit at the time that the unit sold following the expiration of the control period.

RESOLVED, that ANC 1C urges the Zoning Commission to schedule a public hearing on Case No. 04-33 as quickly as possible.

RESOLVED, that ANC 1C urges the Zoning Commission to adopt the text amendment submitted in Case No. 04-33 as quickly as possible.

NEW BUSINESS

Through unanimous consent, Commissioner Roth moved a resolution supporting the renaming of a community park after the late Carolyn Llorente up on the agenda. Commissioner Roth, chairman, then handed the gavel to Commissioner King, vice chairman. The resolution, once introduced by Roth, was seconded, discussed and approved by roll call vote:

YEA: Roth, Canty, Weaver, Moretti, Miscuk, King, Gibson, Taylor
NAY: None

Resolution Supporting Naming Triangle Park After the Late Carolyn Llorente

WHEREAS, until her untimely death in September 2003, Carolyn Llorente was a beloved and devoted member of the Adams Morgan community who served, among other things, as a co-founder and treasurer of Friends of Marie Reed School, co-chair of the Adams Morgan Heritage Trail Project, tenant association leader at The Promenade, and a two-term Advisory Neighborhood Commissioner, and

WHEREAS, by resolution on October 1, 2003, Advisory Neighborhood Commission 1C committed itself to investigating opportunities to name a suitable neighborhood landmark after Carolyn Llorente to honor her life and contributions to our community, and

WHEREAS, a currently unnamed triangle park near her former home has been identified for such designation by her husband Fernando, her close friends and neighbors at The Promenade, Adams Morgan Main Street Group (with whom the Department of Parks and Recreation has a formal "Adopt-A-Park" agreement), and other friends in the community,

NOW, THEREFORE, BE IT RESOLVED, that Advisory Neighborhood Commission 1C recommends that the triangular park bordered by 19th Street, Wyoming Avenue, and Columbia Road, NW be named in honor of Carolyn Llorente, and be it

FURTHER RESOLVED, that ANC 1C requests Councilmember Jim Graham, the Council of the District of Columbia, and the Department of Parks and Recreation to work together to pass legislation officially designating said park as "Carolyn Llorente Park" and to work with the community to mark the site permanently with a suitable plaque honoring Carolyn Llorente's life and contributions to her community.

Commissioner Weaver offered a resolution to support pending tenants' rights legislation and authorizing Commissioner Weaver to testify before the Council of the District of Columbia on behalf of ANC1C. The resolution was seconded, discussed and approved by roll call vote:

YEA: Roth, Canty, Weaver, Moretti, Miscuk, King, Gibson, Taylor
NAY: None

***ANC1C Supports DC Council Bills B16-47 through B16-51
"Tenant Rights in the District of Columbia Package" Including
"Rental Housing Conversion and Sale Act"***

Whereas, The Committee on Consumer and Regulatory Affairs, will hold a public hearing on "Tenant Rights in the District of Columbia" on Wednesday, February 16, 2005;

Whereas, the District of Columbia is dealing with a crisis in preserving affordable housing as it relates to tenant protection laws in the District,

Whereas, ANC 1C has a long history of protecting and fighting for affordable housing and the ability of property renters to become property owners in Adams Morgan;

Whereas, ANC 1C has voted twice to support "the Rental Housing and Conversion and Sale Act (Originally B15-133 and now B16-50) to restore tenants' opportunity to purchase their building when the owner decides to sell;

BE IT RESOLVED, that ANC 1C supports the B16-47, which will extend rent control until 2010, B16-48 that requires landlords to disclose rent-ceiling calculations, B16-50 – that increases protection for tenants to buy their buildings, B16-51 that will extend the timeframe for challenging rent increases;

BE IT FURTHER RESOLVED, that ANC 1C authorizes the Commissioner Bryan Weaver to speak on behalf of ANC1C before The Committee on Consumer and Regulatory Affairs on this matter, on Wednesday, February 16, 2005 at 10 a.m.

Commissioner Moretti offered a resolution supporting DC Bill 16-28, which would permit the establishment of off-leash dog runs in the District of Columbia. The resolution was seconded, discussed and approved by voice vote:

Resolution Regarding Establishment of a Dog Run in Adams Morgan

Whereas ANC1C has been informed that legislation has been introduced to the Council of the District of Columbia (#16-28, the Dog Park Establishment Amendment Act of 2005) to enable the Department of Parks and Recreation to establish off-leash exercise areas for dogs (dog runs) in the District of Columbia; and

Whereas DPR will assume responsibility for the development, implementation and enforcement of regulations and guidelines under which all dog runs will be operated; and

Whereas an association (DCDOG) has been created in the District to facilitate the implementation of the enabling legislation and the ensuing DPR regulations and guidelines; and

Whereas it is anticipated that in each community where a dog run will be established, a locally controlled association will be formed to work with DPR to voluntarily oversee and help enforce DPR-established regulations and guidelines;

Whereas an association (amdogs) has been created in Adams Morgan to facilitate the development and implementation of a dog run at Walter Pierce Park;

BE IT RESOLVED that ANC1C supports amdogs' efforts to establish a dog run at Walter Pierce Park; and

BE IT FURTHER RESOLVED that ANC1C fully supports enabling legislation allowing DPR to develop and maintain dog runs within the District of Columbia.

Commissioner Roth made a motion that he be authorized to write a letter on behalf of the Commission to Mayor Williams and Chief Ramsey commending MPD Commander Robert Contee for his coordination and cooperation with the community in connection with recent the Inaugural Ball at the Washington Hilton, and especially for working with the community to minimize inconvenience to residents from parking and traffic restrictions. The motion was seconded, discussed and approved by voice vote.

Commissioner Weaver made a motion that the Commission write a letter to the Mayor's office requesting that Gail Montplaisir be removed from the Building Code Advisory Committee in light of her firm's connection with various questionable actions and lack of candor with the community that arose during the construction of the Belmont Tower. The motion was seconded, discussed and approved by voice vote.

Commissioner Miscuk made a motion that ANC1C approve a \$1000 grant to the Community of Hope Clinic for a phlebotomy chair and the costs associated with the purchase and shipment of the chair as well as for costs associated with blood testing. Commissioner Roth moved to amend the motion to eliminate the blood testing costs of \$400 so as to leave only the \$600 requested for the phlebotomy chair. The amendment was seconded, discussed and approved by voice vote. The motion, as amended, was further discussed and approved by voice vote.

Commissioner Miscuk made a motion that ANC1C approve a \$1000 grant to City Arts to install lighting for a mural at 18th St. and Florida Ave., NW. The motion was seconded, discussed and approved by voice vote.

By unanimous consent the Commission approved Harris Teeter as the topic for the March 15 public forum.

COMMISSIONER ANNOUNCEMENTS

Commissioner Gibson noted that there would be a special meeting concerning the proposed "hot spot" on Feb. 3 from 7 to 9 p.m. at the Third District.

ADJOURNMENT

Commissioner Moretti called for adjournment at 10:35 p.m. The motion was seconded and approved by voice vote.

