

**Leeway Overlee Civic Association
Minutes of General Membership Meeting
Tuesday, April 29, 2008 at Lee Community Center:
Arlington's Accessory Dwellings Proposal; East Falls Church Planning**

1. Civic Association President Suzanne Kray-Idziak called the meeting to order at 7:35 pm and introduced **James O'Daniel, the police officer who patrols our neighborhood**. Answering questions, he said that Arlington is not planning camera enforcement of stop lights, although the county will have four traffic cameras installed. He issued 540 tickets last year. [In 2006, Arlington Police (ACPD) officers issued more than 60,000 traffic tickets and made 662 DUI arrests.] One resident recommended enforcement of speed limits on the downhill portion of Kentucky St., north of 22nd St. Concerning recent crimes, the neighborhood has seen a number of thefts—from cars and houses that have been left unlocked. (Lock your cars and houses!) Two people from a multi-generational house on Lexington St. are in jail, and two moved away. Concerning attacks on the bike trail, one person was arrested.

2. The agenda was approved and the **Treasurer's report**, showing a balance of \$4,023.70 (a decrease of \$302, reflecting \$135 in income from membership fees, against \$437 in expenses, mostly newsletter printing), accepted. Paid membership is now approximately 200, reflecting significant increase since dues were raised to \$5/person or \$10/family. Reading of Minutes from the February 13, 2008, meeting was deferred, pending completion. Ms. Kray-Idziak then invited reports on old business.

3. Civic Association VP Jenni Michener reported that the Commerce Bank has two years to build its new bank on the site currently occupied by the **Pure gas station at 5510 Lee Highway**. However, it will be 120 days before Pure leaves. In the meantime, the site will undergo testing in preparation for remediation.

4. Arlington County Civic Federation (ACCF) delegate Vicki Howard reported that in construction of the **Lee Center Garden**, bulldozers had gone within 100 inches of some trees, closer than the 340 inch perimeter allowed, and potentially damaging some. Governor Kaine had signed a law on March 4 authorizing localities to require developers to preserve some trees during development.¹ Others noted that many trees which were expected to be preserved at the former AT&T property had been cut. Trees were also being cut by the developer of the lots at Nottingham and N. 23rd Sts. A proposal to have the Civic Association ask the County to develop guidelines to implement the new law was moved, seconded, and approved unopposed.

5. ACCF delegate Jerry Auten reported that a group has been meeting for six months to discuss **development around the East Falls Church metro**. He asked members to take,

¹ While the current code allows for clear-cutting all trees from a site and replacing them with new plantings, the amended code outlined in the six-page bill (HB 1437/SB 710) provides incentives for preserving existing trees and woodland. The new legislation also increases the tree canopy requirements for low-density residential development, for instance one to two dwelling units per acre, from 20 percent to 25 percent and up to 30 percent, depending on the zoning. There are other incentives as well, including preserving or planting native species that provide habitat for wild animals and for trees that are particularly good at cleaning air.

fill out, and submit a questionnaire if they were interested. Arlington County point of contact is Richard Tucker, Staff Coordinator.

6. A member reported that neighbors had organized to work with the developer of the **AT&T site**, Jimmy Audia, where 16 houses are being built. Concerning the remaining radio tower, WAVA-AM is still a tenant. However, Mr. Audia is motivated to negotiate its removal, as that would increase the value of the houses.

7. Turning to new business, Ms. Kray-Idziak reported that 60% of residents have to sign a petition for a status change. Amy Appelbaum noted that the Nominating Committee is accepting **nominations for Civic Association officers and delegates**. The election will take place at the June meeting. Jerry Auten noted that the County was accepting comment on a new draft traffic calming study. Concerning the traffic circle at Lexington and 27th Sts., residents should contact Susan Finotti at (703) 228-3735.

8. Ms. Kray-Idziak then introduced the evening's speakers, starting with **Fran Lunney, coordinator of Arlington County Housing Planning** (flunney@arlingtonva.us, 703-228-3785). Ms. Lunney explained that her office advises the County Board on housing issues. The Housing Commission has recommended to the Board to allow **accessory dwellings**. An accessory dwelling (AD) is a second dwelling with kitchen and bath either within or external to the primary dwelling. This would legalize some currently illegal units and allow better enforcement against remaining illegal units. However, the recommendation excluded external dwellings and would require owner-occupancy, a fire egress, and on streets more than 65% parked, off-street parking. Nor would ADs be allowed on undersized lots. ADs' size would be limited one-third that of the main unit or 750 s.f. The rationale was to increase the supply of affordable housing and to allow elders to age in place. The staff had been going to community meetings, about 40 since January, to discuss the proposed changes. The request was to go to the County Board on May 17.

9. The second speaker was **Larry Mayer, Arlington County Civic Federation President**, who answered questions about the proposal, notably its enforcement. ADs would have to have a certificate of occupancy (which means meeting safety standards: fire-rated divisions; access to electrical box; seven foot ceilings). Lacking one, owners could be fined \$1,000. The C of O, once provided, would lead to assessment at a higher rate; this is an incentive for the County to enforce compliance. The County estimates there are between 1,000 and 1,400 illegal units now. However, County inspectors can be refused access if they do not have a warrant, and magistrates rarely give warrants for housing inspections (28/year, estimated). County staff believed that legalizing ADs would improve housing safety.

10. Many residents expressed skepticism and opposition to the proposal. They noted it was a very sweeping change; that owners had very little motivation to comply; that developers would be motivated to add ADs to any new construction to maximize their profit on a given lot; and that there was no restriction on rent to ensure that units would be "affordable." Further concerns were expressed about safety, parking, and neighborhood character: "we all bought into a single family neighborhood;" changing it to double occupancy was not fair. The meeting concluded at approximately 9:30 p.m.

--Submitted by Ladd Connell, Secretary