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April 22, 2015

Samuel D. Zimbabwe, Associate Director email: publicspace.policy@dc.gov
District Department of Transportation
55 M Street, SE, 5th floor
Washington, DC 20003

Subject: Comments on re-proposed regulations on private improvements to DDOT-controlled pocket parks, 24 DCMR 3314

Dear Mr. Zimbabwe:

The Capitol Hill Restoration Society (CHRS) commends the DC Department of Transportation (DDOT) for its commitment to preserve public triangle parks for public use, a vital benefit for Capitol Hill and District of Columbia residents. Our comments, filed before the deadline of May 3, 2015, follow.

Comments

The regulations provide important protections for public access to triangle parks, but only for parks defined as a "triangle park" in 24 DCMR 3399. In our comments filed on July 14, 2014 concerning the proposed regulations, we suggested a modification to the definition of triangle parks, to insure that all triangle parks are defined as a "triangle park" including those that once were triangles at the intersection of an orthogonal street and a diagonal street, but because of subsequently built roads intersecting the triangle, the triangle had been transformed into two spaces, one a smaller triangle, and the other a larger trapezoid or circle. In addition, a park that currently satisfies the definition of a

triangle park may be altered in the future, (e.g., by putting a street through the park) so that it is no longer a triangle. Our concern was and is that these triangles with altered geometry (whether in the past or in the future) are "triangle parks" as defined in 24 DCMR 3399. We suggested a reference to a park's past configuration as a triangle to insure that the definition of a triangle park embraced all parks that people consider to be a triangle park. On Capitol Hill alone, there are a number of these parks.¹ A sample is:

Reservation Nos.	Address	Larger trapezoid section	Smaller triangle section
86, 87	A Street & Mass. Ave., NE	86	87
89, 89A	14th Street. & Mass. Ave. NE	89	89A
231, 232	North Carolina & Independence Ave. SE	232	231
233, 234	North Carolina & 14th Street, NE	233	234
236/237	14th Street and Tenn. Ave. NE	236	237
266	13th Street & Tenn. Ave., NE	266 (same reservation number in 2 parts)	266 (same reservation number in 2 parts)

When we filed our initial comments, we sought clarification that triangle parks such as Reservations 86, 89, 232, 233, 236, and 266 are "triangle parks." DDOT responded to our comments:

"A number of commentators wanted the definition of a triangle park to specify the configuration the park had when it was transferred to the District. The current park configurations are already as they were at the time they were transferred, so no change was made in response to these comments."

We interpret DDOT's response to mean that the parks with altered geometry as of today are triangle parks as defined in 24 DCMR 3399 because they are "*generally* triangular in shape ... located at the intersection of two (2) streets (*generally*, one of which is orthogonal and one of which is diagonal) and has been set aside for public ownership. [emphasis added]. We agree with this interpretation. DDOT should further clarify the definition by adding one or more of these altered geometry triangle parks to its list of examples in the regulations. None of the current examples illustrate this situation."²

¹ Source: National Park Service Map (attached) and www.octo.dc.gov

² "Examples of triangle parks include United States Reservations 142 and 143, located at the intersection of New Hampshire Avenue and 20th Street, NW; United States Reservation 230, located at the intersection of Independence Avenue and North Carolina Avenue, SE; and United States Reservation 61, located at the intersection of Massachusetts Avenue and P Street, NW."

Thank you for the opportunity to submit comments on the re-proposed regulations.

Sincerely,



Lisa Dale Jones
President

Attachment:

National Park Service map of parks in the District of Columbia

cc:

email: publicspace.policy@dc.gov

sam.zimbabwe@dc.gov

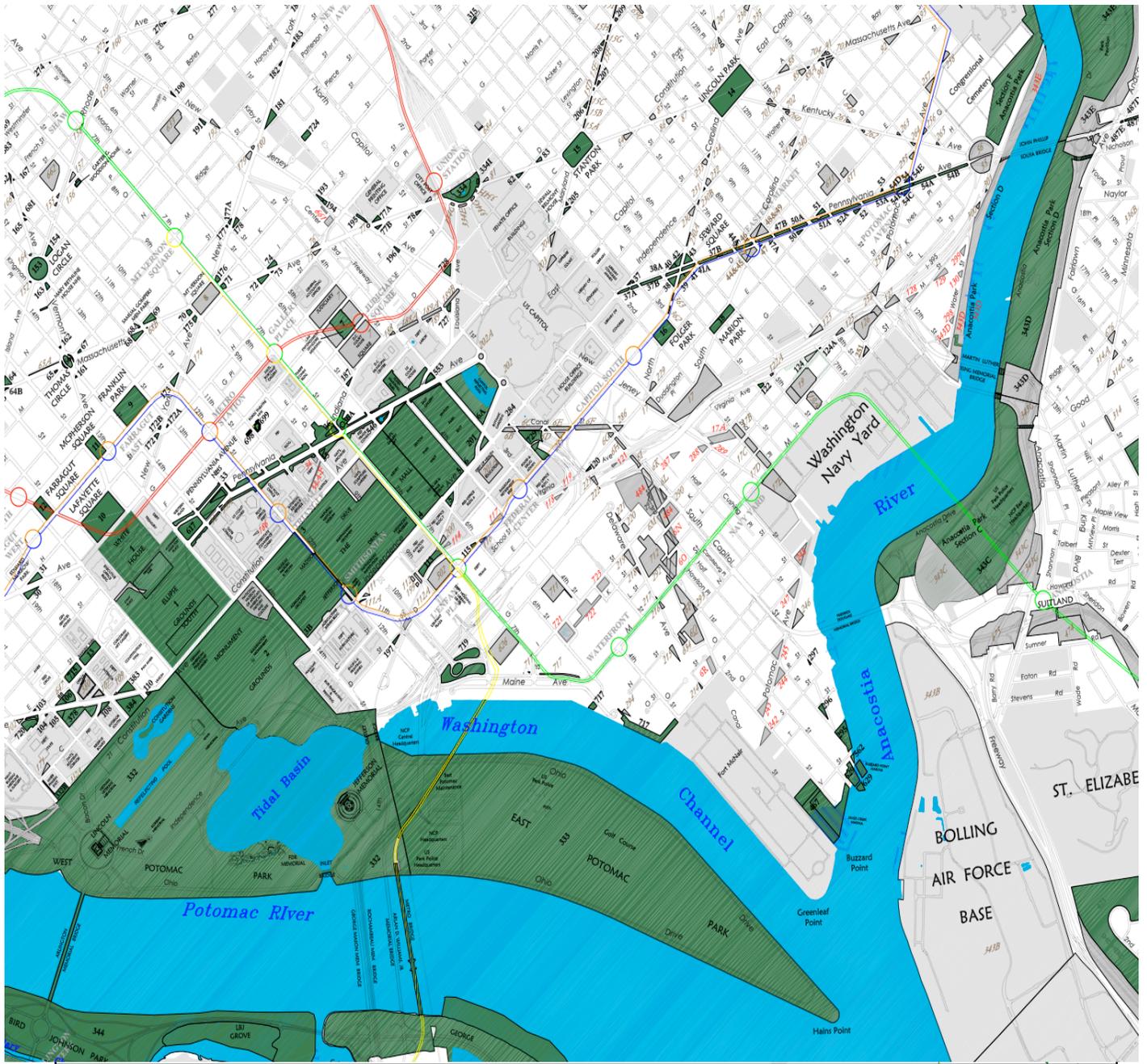
Charles Allen, Ward 6 Councilmember email: callen@dccouncil.us

Phil Toomajian, Chair, ANC 6A email: philanc6a@gmail.com

Kirsten Oldenburg, Chair, ANC 6B email: kirsten6b04@anc6b.org

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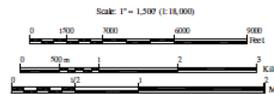
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Map A
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