

## Jack's December report

At the November 27 meeting, the ANC:

- \* Supported a zoning variance for 1741 Kilbourne Place, to allow three dwelling units on a row-house lot that is, according to R-4 zoning, large enough for only two;
- \* Supported a zoning "special exception" for a child care center at 3220 Park Road (the Argyle);
- \* Advised the Council to do Residential Permit Parking by neighborhoods, rather than block by block;
- \* Endorsed certain specific provisions of Councilmember Graham's Alcoholic Beverage Amendment Act of 2012.

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The resolution concerning RPP – **Residential Permit Parking** – is mine, done in anticipation of a District Council Committee hearing on RPP policy on December 7.

RPP is supposed to prevent commuters from using our neighborhood streets as free, all-day parking lots. But with block-by-block zoning, commuters simply seek out whatever blocks remain unzoned, and park there, suffering only a longer walk to their destinations. Residents of blocks that aren't RPP-zoned not only get all the commuters, but are themselves denied RPP permits, so they can't park for long in most of their own neighborhood. (Mount Pleasant is now about 95% RPP-zoned.) The 2003 Parking Task Force (on which I was a participant) complained that block-by-block zoning causes such residents to be "treated in the same way as a visitor or commuter".

The less-noted problem of block-by-block zoning is that all the residents of the neighborhood whose cars aren't registered in DC, and so cannot get RPP permits, park their cars on the remaining unzoned blocks. Note: residents of the District are required by law to register their cars in the District. But all too many don't, and their cars end up concentrated on just a few blocks of the neighborhood. Those hapless residents thus get a triple whammy: they get the commuters, they get the residents whose cars aren't registered in DC, and they're denied RPP permits themselves.

It's an absurd system, and it's time the law was changed, so that a neighborhood is either entirely RPP-zoned, or entirely unzoned. Maybe the District Council will now finally agree to do that.

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I noted last month that there was a "**robbery with knife**" at Adams Mill and Walbridge, at about 8 pm on October 27. The truck in which the two robbers fled the scene was found shortly later on Georgia Avenue. The two are currently in jail, held without bond, and are scheduled to go on trial for armed robbery in February.

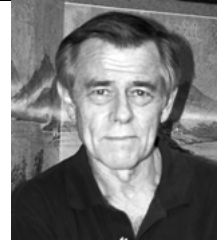
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Councilmember Jim Graham's "Omnibus Alcoholic Beverage Amendment Act of 2012" is the result of a task force effort to **reform alcoholic beverage regulation** procedures, and specifically the rules for so-called "voluntary agreements". Recall that these VAs were used here to ban dancing and live music in Mount Pleasant restaurants, as if residents are somehow affected by people dancing in Don Juan's, Don Jaime's, or Haydee's. Overcoming those bans was a long and arduous battle.

## ANC 1D03 NEWSLETTER #123

Jack McKay, December 9, 2012

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The resolution endorsed certain specific provisions of Jim's bill, namely that members of an *ad hoc* "group of five" protestants must reside within 400 feet of the protested establishment, that VAs negotiated by such little groups will be displaced by any VA negotiated by an ANC, and that a civic organization protesting a liquor license must give the restaurateur a chance to address the organization before the protest is filed.

It must be understood that this deals only with "protests" of applications for "substantial changes" to liquor licenses, not to complaints about an ongoing business. It's all about imposing "voluntary agreements" on liquor licensees before they get their licenses, not about objecting to problems caused by an existing business.

On December 4 the Council removed from CM Graham's bill, by amendment, the 400-foot residence requirement, so a resident can live miles away from a liquor licensee, yet "protest" that license.

Concerning complaints, as opposed to protests, there's been some complaint about loud patrons and music disturbing a resident across the Irving-Mount Pleasant intersection from Haydee's. A neighbor volunteered to arrange an informal meeting between the resident and Haydee Vanegas, which took place in late November. That's easily the best way to resolve such problems. I've found our restaurateurs to be very willing to take steps to solve such problems, once they're made aware of them.

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The final **vote totals** are in for the November election, now including the "provisional" ballots. For ANC:

1D01: Yasmin Romero-Castillo, 466; Frank Agbro, 368; write-in, 11  
1D02: Adam Hoey, 464; write-in, 25  
1D03: Jack McKay, 856; write-in, 58  
1D04: Phil Greiner, 473; write-in, 20  
1D05: China Terrell, 540; Arturo Griffiths, 370; write-in, 20

So that's the ANC for 2013-2014. I'm hoping that the new commissioners, Adam and Phil, will bring new energy to this commission.

As for the presidential vote: in Mount Pleasant (and a bit of Columbia Heights), Barack Obama got 5755 votes (91.6%), Mitt Romney, 304 (4.8%).

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We eagerly await the opening of the **Beau Thai Restaurant** on Mount Pleasant Street. "Early January" is the current projection.

In mid-November, I received a call about news photographers staking out a residence on Park Road. It turned out that **Paula Broadwell, of the General Petraeus matter**, was staying in one of the grand Park Road mansions. For a while we had TV trucks with antennas on giant poles cluttering the street and fouling the air with nonstop diesel exhaust. We got a first-hand view of paparazzi stalking a victim, right here in Mount Pleasant. The report of the Daily Mail (U.K.) on this incident is amusing:

“When Paula Broadwell the biographer mistress of David Petraeus was discovered to be hiding out at her brother's handsome Washington D.C. townhouse, many would have thought that as far as boltholes go she did just fine.

“After figuratively going to ground following the revelation of her affair with CIA chief Petraeus and his resignation, the married mother-of-two was photographed earlier in the week with glass of wine in hand preparing an evening meal in the grand kitchen of the \$2.3 million home.

“Since then, she has evaded the massed ranks of the media who have camped outside the Mount Pleasant home, but with seven bedrooms and five bathrooms, cabin fever might not set in for the 40-year-old West Point graduate any time soon.”

It was a relief for us nearby neighbors when Ms Broadwell left for North Carolina, and the guys camped out on Park Road, and on the alley above Park Road, went away, giving us back our quiet neighborhood.

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**Haydee's Restaurant** has filed a request to be open 24 hours for food service only – no music, no alcohol, just food – in short, an early-morning Latino breakfast service, as currently Haydee's cannot open for business before 11 AM. There's been some vocal objection to this, on the grounds of “noise”. It seems to me that music and alcohol until 2 AM raises reasonable concerns of noise, but breakfast? I doubt that patrons arriving at 4 or 6 AM for breakfast will be particularly noisy about it.

But this amounts to a “substantial change”, so Haydee's has to file a liquor license application for it, even though the early-morning food service will not include alcoholic beverages. (The request also asks for an additional half hour for the alcohol and music operation, but objections voiced to the application have dealt solely with the 24-hour food service component.)

In the end, what matters is what's good for Mount Pleasant, not what's good for Haydee's. I'm sure there are residents whose jobs start very early, or end very late, and who would like to have an early-morning food service available here. So I intend to support this application.

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In April I reported on an effort by the DC Government to convert 1500 parking-meter spots to “**red top**” meters, reserved for the handicapped. That's about one metered spot of nine, apparently an attempt to have one handicapped spot on each side of every commercial block.

That effort came to an abrupt end on December 4, as the Council voted down the bill that would have established this program. As happens often with parking legislation, the effort

managed to irritate everyone, including the intended beneficiaries. The non-handicapped public would lose a lot of parking spaces, and many wondered why so many would be set aside, a proportion of metered parking spots much greater than the proportion of handicapped drivers. (Disclosure: my wife currently has a handicapped placard.) What's startling to me is that the handicapped drivers who were to benefit from this legislation objected vehemently, because they're accustomed to being allowed free parking at meters. So the legislation, having managed to antagonize everyone, died.

The problem with allowing handicapped drivers to park at meters for free is that this has been subject to fraud and abuse. If handicapped drivers have to pay for parking, then there will be much less incentive to use bogus or borrowed handicapped placards.

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On November 27, **Adams Mill Road from the Zoo gate to the Kenyon/Irving intersection** was made one-way northbound. Residents who cut through the Zoo to reach Beach Drive will have to get there via Harvard Street, or Kingle Road, for the next several months.

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I complained last month that, when a Lamont Street resident was **hit in a crosswalk** outside the Zoo back gate, she was socked with a jaywalking ticket, while the driver of the car that struck her was not cited; literally, adding insult to injury. Lieutenant Pate of the MPD agrees that this seems awfully unjust. But there's no District law, it seems, explicitly requiring drivers to refrain from plowing into pedestrians crossing the street against a light. Hence, no ticket for the driver. In court, though, there is a general principle that a driver has a legal responsibility to avoid a collision, if reasonably possible.

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**The property at 1855 Lamont** is in dreadful condition, and seems to deteriorate further with every passing month. This place used to be a home for juvenile offenders, who caused neighbors some problems, but it was a tolerable neighbor. In 2004 the youth home was vacated, and everyone expected that someone would spruce up that valuable property and convert it into a residence. I've encountered a couple of the would-be developers, and encouraged them to fix the place up, presumably to sell it at a nice profit.

Well, the past eight years have been so awful that the next-door neighbors would certainly welcome the return of the juvenile offenders. A succession of attempts have been made to renovate the house, each one apparently leaving it in worse condition than before. As of August, this was declared a “Class 4 blighted” property, bringing a huge increase in property taxes, to more than \$100,000 a year, intended to force a negligent owner to do something about their property.

The **earliest sunsets of the year** occur right now, the sun setting at about a quarter to 5 pm. By the end of December, even as the days grow shorter due to later sunrises, we'll have gained 10 minutes of late-afternoon sunshine. The early darkness remains a serious problem for commuters, especially pedestrians and bicyclists.

The next meeting of the ANC will be on <b>Tuesday, January 15, 2013, 7:00 pm.</b>
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