

Jack's May report

At the April meeting, the ANC did the following:

- Advised HPRB approval of the application for a garage-roof deck at 1800 Kenyon;
- Advised DDOT to install a curb ramp at the southeast corner of Newton and 18th;
- Tabled (again) a resolution advising 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 pertinent hearing.

On April 26, **Monroe Street resident Bob Pohlman** died. Bob worked hard for affordable housing for close to 40 years, first for the District Government, then as director of the Coalition for Non-Profit Housing and Economic Development. He was also just a wonderfully nice guy, a fine neighbor. My heart goes out to Dorothy Pohlman.

In 1985, despite much opposition within the neighborhood, Mount Pleasant agreed to become a **Historic District**, a decision ratified by the Historic Preservation Review Board (HPRB) in 1986. I believe I know what Mount Pleasant wanted from HD designation: was a fending off of modern, "incongruous" development. What Mount Pleasant didn't want was for every house in the neighborhood to be locked forever into its current appearance, with all external changes prohibited.

Well, consider **decks**, which have become popular in the neighborhood. Specifically, a Kenyon Street resident wants to put a deck on top of his alley garage, adding usable space to his back yard. There are many of these garage-roof decks in Mount Pleasant (I have one), most built before 1985, and I argue that that makes this new deck "compatible with the character of the historic district". Maybe it wouldn't have been compatible in, say, 1940, but it was already accepted in 1985, and it is surely compatible now. Who's going to look at a garage-roof deck and complain that it's "incongruous" in the neighborhood? Well, the local preservationists will, but I think they're alone with that complaint.

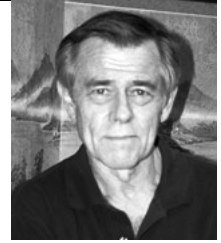
The ANC agreed with my position, and, 5 to 0, supported my resolution advising the HPRB to find this Kenyon Street deck compatible. On May 3 we fought this out at the HPRB. In addition to the ANC resolution, I testified in support of the garage-roof deck applicant, and two commissioners, Jon Stewart and Stuart Karaffa, provided strong written testimony in support.

The Historic Preservation Office (HPO) staff objected to the deck, of course, declaring it "incompatible with the character of the property and the historic district". (Why? Because most of them were built after 1960.) Historic Mount Pleasant (HMP) also objected to the deck, arguing essentially that, because no such decks existed in Mount Pleasant before 1950, no deck could possibly be deemed "compatible with the character of the historic district" today. (That's my recollection of what HMP had to say. HMP does not make its decisions in public session, does not provide its decisions and rationales in writing, and posts nothing on the internet to tell the Mount Pleasant public what they're doing, or why.)

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I thought, frankly, that we didn't have a chance at the HPRB. The board members are historic preservationists, or they wouldn't have been selected for the board. But they were impressed by the vehement ANC affirmation of support for the applicant. Much to my surprise, they voted 6 to 3 in favor of the deck, persuaded by the ANC to overrule both the HPO staff and Historic Mount Pleasant.

This is not to say that the numerous garage-roof decks around the neighborhood are attractive structures. Many of them are pretty homely (including my 44-year-old structure), enclosed by stockade fencing, presenting an outward appearance of un-neighborly, "keep out" privacy. The Kenyon Street deck, however, will have open steel railing, allowing people on the deck to see into the alley, and be seen by people in the alley. This seems considerably more sociable and neighborly than the stockade-barrier fencing commonly used.

At the April ANC meeting, Joanie Majeed, co-owner of the **Mount Pleasant Pharmacy**, spoke about her worry that a CVS would move into the Best World market space, right across the street from her shop. There's an on-line petition objecting to the CVS, reportedly with over 2000 signatures.

I think the CVS would be making a huge mistake in opening a store here. Aside from neighborhood opposition to their presence, there just wouldn't be enough business from the neighborhood to support a large drugstore, and there's little parking to accommodate customers from outside the neighborhood. And I'm sure they're aware of the petition expressing hostility to their moving into Mount Pleasant, so I think (hope) that nothing will come of this.

The property owner wants, naturally, more revenue from his property, reflecting the upscaling of Mount Pleasant (and higher property taxes). If he can find a party willing to pay higher rent than the current occupant, he's got a right to lease to that party. That's why the ANC has no role in this decision.

As for the Best World, which may be reluctant, or unable, to pay the higher lease fees now being asked – Paul Strauss, the lawyer for Best World, said it well: "*All these community folks that want to see a local store stay and not some national chain, it would be really great if y'all did some shopping there*". Indeed, the best outcome of the current situation would be for more Mount Pleasant residents to shop at Best World (and other local markets).

The **primary election** is on June 19, just over a month away. This is too early in the year, everyone agrees – who's even

thinking about elections now? And the November general election is still six months away!

The awkward scheduling comes about because the Federal Government set a minimum time to allow for the return of absentee ballots, especially those coming from military people serving in distant countries. That minimum pushed the September DC primary into August, which was considered unacceptable due to the number of residents who would be away on summer vacation. Ditto July. Ergo, the primary is in June, right after schools close, but (hopefully) before people leave for vacations.

On the June ballot – yes, the primary – is an initiative, **Proposition 77**, which would replace the District's “tipped minimum wage” (a pitiful \$3.33 per hour) and require restaurant employers to pay the regular minimum wage (currently \$12.50 an hour). DC law requires that the wages plus tips add up to at least the minimum wage, and the employer is required by law to make up the difference, if the tips fall short. Basically, we customers are expected to pay three-fourths of the wages of restaurant servers.

This new law would require the employer to pay the regular minimum wage, so tips would be unnecessary, or would lead to higher pay for the workers. That seems pretty reasonable, though of course this means much higher payroll costs for restaurateurs. How would this affect our local restaurants?

I'm not going to take a position on that issue, knowing too little about it, and I'm happy that nobody's asked the ANC to endorse this initiative. It's a citywide matter, not an issue specific to this neighborhood, and not something that we on the ANC are especially qualified to judge. As a resident, I can consider this issue in general; as an ANC commissioner, I would have to hear from our local restaurants, and judge what's best for the neighborhood.

Aside from the merits of the proposal, I think plebiscites are a terrible way to enact laws. That's the District Council's job. Evidently the sponsors tried to get the Mayor and the District Council to take up this issue, but they declined. (Why? Our DC Council is pretty liberal in outlook.)

Had the Council taken up the matter, then there would have been hearings, pro and con arguments would have been heard, and perhaps the legislation would be modified to suit the District's situation – but none of that happened. And that's why I object to plebiscite democracy: we don't get a full, both-sides exploration of an issue, and we don't get laws carefully written for our specific conditions. That's what our legislators are elected, and paid, to do.

Work on **Bancroft Elementary** continues. The ANC has been notified of a problem: zoning regulations require that rooftop air conditioners be set back some distance from the edge of a building, presumably to minimize their visibility from the street below. There will be five such rooftop air conditioners at Bancroft, and it happens that three of them cannot be placed as far from the building edge as zoning requires.

Two of those three are entirely within Bancroft, and aren't a problem for the Mount Pleasant public. The one along Mount

Pleasant Street will be visible from across that street. In fact, of course, the residences across that street are high above the street, and this rooftop air conditioning unit will be quite visible, whether placed 8 feet back from the roof edge, as zoning requires, or 6 feet 4 inches, as now designed. As for visibility from street level, how serious a problem is that?

I can't see a problem with this, and I'll present a resolution at the May ANC meeting advising approval of a “special exception” to permit these rooftop air conditioning units. Surely what's most important now is to get the Bancroft construction done, and get our neighborhood school back.

Winter has finally come to an end, and **the temperature's rising fast**, as we go virtually overnight from needing heat to needing air conditioning. Along with the higher temperatures come mosquitoes, and houseflies.

Flies love dog poop. Happily, most dog owners are now conscientious about cleaning up after their pets, at least out on the street. In years past, dog poop was everywhere. Now, along sidewalks, it's rare.

But how about in our back yards? Dog poop in a back yard is a fly factory, as well as an odor problem. Worse, parasites thrive in dog excrement. As one website warns, “*Dog poop may contain whipworms, parvovirus, hookworms, threadworms, roundworms, campylobacteriosis, coccidia, and giardia. When you leave it all over the place, these parasites may contaminate the soil and water and may cause infection for pets and even for the owners, especially the children.*” Another website has this to say: “*If you have young children accessing the area, it's advisable to clean up dog waste immediately, or at least once daily*”. The message is clear: we should clean up our dog's poop in our own back yards.

The Board of Zoning Adjustment (BZA) met on May 2 to consider, again, the proposal to **build a row house at 1844 Monroe Street** right up to the property line of 1850 Monroe. I think the prospect of a 35-foot-tall building going up right next door, with not even a few feet of side-yard space, is appalling, and the ANC last November passed my resolution opposing construction to the property line. But the BZA decision is on hold while the Zoning Commission tries to figure out what the actual rule is, or should be.

The Zoning Commission has proposed a rule eliminating all side yards in our RF-1 row-house zoning. Everyone could build right up to the property line, with zero space between a building and its neighbors. In March, this ANC advised the Zoning Commission to reject that rule, and require some open space at the end of a row; that is, five-foot-wide side yards.

It's worth noting that the two row houses to be built on the 1844 Monroe lot will each be 25 feet wide, half again as wide as the existing row houses on that block. Yes, the developers could give up five feet of their 50-foot lot for a bit of open space at the end of the row!

The BZA decision concerning Monroe Street was put on hold again, postponed to June 13, awaiting a Zoning Commission decision.

The next meeting of the ANC will be on <u>Tuesday, May 22</u> , 7:00 pm, at the Mount Pleasant Library.
