

Jack's May report

At the April ANC1D business meeting – held via the internet, employing “Zoom” software – the ANC did the following:

- Agreed to spend up to \$3500 to establish waste food compost collection at the weekly Farmers' Market here; and
- Advised the HPRB to approve the proposed development at 3215 Mount Pleasant Street, “in a substantially similar form as proposed”.

We on the ANC are struggling to function within the constraints imposed by the **Covid-19 state of emergency**. Central to our work is the monthly business meeting, held by law in public view, where the commission considers the “advisory” resolutions for the month and hears from residents about “problems or issues of concern” in Mount Pleasant.

Our monthly meetings at the Mount Pleasant Library, commonly bringing together 30 or 40 people in addition to the five commissioners, are now prohibited, the Mayor's Order of March 24 banning gatherings of ten or more persons. The District Council anticipated the problem of an indefinite cessation of ANC monthly meetings, and on March 18 passed an act prescribing means by which ANCs can continue to function, in public view, but without public meetings.

The new law says this: “during a period for which a public health emergency has been declared by the Mayor . . . Advisory Neighborhood Commissioners may call a meeting and remotely participate in that meeting and vote on matters before the Commission without being physically present through a teleconference or through digital means identified by the Commission for this purpose”.

So, as long as this coronavirus state of emergency exists, we will hold our meetings via the internet. Much of the DC Government is doing the same; the meetings of the Historic Preservation Review Board (HPRB), for example, concerning current permit applications, will be “virtual” meetings, held via the internet. Members of the public can view and participate in these meetings by using Webex software, the system favored by the DC Government. We cannot go downtown and take a seat in the audience, as in the past.

So, our April 28 ANC1D meeting was a “virtual” meeting, held employing Zoom software. Fortunately a couple of the commissioners are already adept with Zoom, and Commissioner Chelsea Allinger, in particular, organized the Zoom “webinar”, and very competently operated the system during our meeting.

It actually worked quite well, with more than 20 participants in addition to us commissioners. It is certainly convenient to be able to attend the ANC meeting from the comfort of home. I've tried in the past to arrange for residents to “attend” ANC meetings via internet connections, and perhaps we should consider that again, once this dreadful coronavirus emergency is over.

And what about **my monthly newsletter**, which I've been printing out and distributing manually to residents of my district for the past 17 years? My March newsletter was just

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Jack McKay, May 19, 2020

Jack McKay
3200 19th St, Tel. 462-8692
e-mail: jack@dcjack.org
<http://DCJack.org>



about ready to go when the Mayor's state of emergency, “stay at home” order hit. I felt I had no choice but to make that newsletter an internet-only document, hoping that residents would find their ways to it.

My April newsletter was also an internet-only work. I still wasn't comfortable with hiking through the neighborhood, onto everybody's front porch, and I figured that residents might not be very happy with that as well.

Okay, now it's May . . . It's clear that internet-only posting is very inferior to the sheet of paper dropped through a residential mailbox. But the “stay at home” command continues, at least through June 8. So reluctantly, I'll stick to internet delivery, hoping that more residents will track my newsletter down on line (at <http://dcjack.org/ANC%20newsletters.html>).

Come June, maybe manual delivery will again be possible. I hope so.

Around March 1, DDOT made major changes to the intersection at **Park/Klingle/Walbridge**, cutting the traffic-handling capacity of that intersection in half. The result was a enormous morning-rush backup extending from the intersection well into Rock Creek Park.

I can't change the intersection lanes back to what they were, but I've asked for changes in the light timing to prevent the morning traffic jams. But the drastic reduction in traffic due to the virus emergency makes it impossible to know if the problem has been solved, or not.

The project for “improvements” to **the park at 19th and Lamont** is proceeding, despite the crippling of much of the DC Government by the coronavirus. The contractor to develop plans for said improvements is Jordan Honeyman, a DC landscape architecture firm. The first order of business is a “community meeting” to explore what Mount Pleasant residents want to see there.

But large meetings are, of course, currently prohibited. So this meeting will also be held via the internet. This will be on Thursday, May 21, at 6:30 pm, using Webex.

The matter of **3215 Mount Pleasant Street** – currently the laundromat – was taken up at the April 30 meeting of the HPRB. The ANC had sent in an exceptionally detailed, two-page resolution to the HPRB, expressing our opinion, which was to “recommend approval . . . in a substantially similar form as proposed”.

The HPRB blew off the ANC1D “advice” with a dismissive statement that the commission “supported the staff report”. In

fact, the key element of the present design – which is very different from the first-round design, as the architect made very substantial changes to make the result mimic the style of the neighborhood – is the addition of a three-story residential building, comprising 15 apartments, on top of the first-floor retail-commercial space. The ANC resolution, written by Commissioner Stewart, supported the full additional height, arguing that “*it would clearly be contrary to the public interest if HPRB prohibited the addition of by right housing units*”. (“By right” means “permitted by the zoning regulations”.)

The HPRB, however, did not like the four-story design, evidently preferring that the addition be limited to two floors on top of the existing retail level. One HPRB member denounced harshly the very notion that historic preservation principles should be relaxed to allow for additional residential housing, simply because some of that housing would be “affordable”, inclusionary zoning units.

This has been the history of historic preservation in DC: the preservation mandate supersedes all other considerations. It was not very long ago that historic preservationists prevented the DC Fire Department from widening the doors of the fire house on Connecticut Avenue near Porter, widening needed to accommodate newer, wider fire trucks. Historic preservation would not yield even to considerations of public safety. (The District Council rewrote the preservation law in 2005 to put a stop to that.)

So, for 3215 Mount Pleasant Street, the HPRB “voted to approve the concept for constructing additional stories on top of the existing one-story building but expressed concerns about the compatibility of the fourth floor; the applicant was asked to come back to the Board to show other design solutions for the fourth floor”.

This will be considered by the HPRB at its May 28 meeting. I expect Commissioner Stewart to have an ANCID resolution addressing this issue at our May 26 meeting.

The proposed development of a **small lot of vacant land on Oakwood Terrace** will also be on the May HPRB agenda. This dispute has been active here for nine years, the first development notion having been brought to us in December, 2010. The proposal then was to build three rowhouses on the small, triangular lot. The HPRB was agreeable, “approving the conceptual site plan, height and massing of the three rowhouses and retaining wall, with suggestions for minor revisions as the plan is further developed”.

Nine and a half years later, nothing has been done on that small vacant lot. There's been strong opposition from neighbors, some of whom want the land to remain vacant, while others would allow only a detached house, objecting to the property owner's proposals for rowhouses on the lot.

Now there is yet another submission to the HPRB for this lot, consisting of two rowhouses. This was first to be considered at their April meeting, but that was “deferred”, for reasons unknown to me. It is now to be on the May 28 HPRB agenda. Commissioner Sandenburgh, the ANC commissioner for this location, promises to have a resolution for our May 26

meeting. (Our ANC meetings are scheduled to come just before the monthly HPRB meeting.)

My approach to historic preservation issues has long been to leave preservation demands to the preservationists, in particular, Historic Mount Pleasant. If the preservation demands are burdensome, then the ANC may be able to help a homeowner get some relief.

This particular issue is different, because the essence of it is a property owner wanting to build on vacant land, over the opposition of neighbors, not the HPRB, which has repeatedly supported the proposed construction. Other commissioners have been willing to argue for the neighbors unhappy with the proposed development, and I'm content to leave it to them. I will generally argue that historic preservation is being too demanding, placing excessive burdens on homeowners. It would be contrary for me now to argue that the historic preservationists aren't being demanding enough.

It's been a long, exceptionally cold spring, but summer's heat is coming soon, and with it will come **mosquitoes**.

Long ago, there were only pond-breeding mosquitoes here, the sort we associate with standing water. But around 1986 a shipment of used tires from Japan brought us the so-called Asian Tiger mosquitoes. These are *forest* mosquitoes, breeding in natural woodland cups, not ponds. The female lays eggs on the walls of a natural cup. When rain fills the cup with water, the water collected in the cup rises to the level of the mosquito eggs, which then hatch.

It's time, if you've got mosquito traps, to prepare them for the summer.

This ANC has built up an embarrassingly large bank account over the years, because our expenses are small – no office to rent, for example – and the ANC law imposes severe restrictions on how we're allowed to use our public funds.

Of course, we're looking for **ways to put our funds to good use during this pandemic**. One obvious possibility is to contribute to food purchases for the benefit of the many Mount Pleasant residents who have lost their incomes as a result of the plague. However, the law governing ANC's prohibits the use of our funds for the purchase of “meals”, a provision which has in the been interpreted to prohibit the purchase of any food, for anybody, that might amount to a “meal”. That's not what the authors of the law intended, but lawyers go by what the law says, not what was meant.

That portion of the ANC law was removed in the rewriting of the law last year. I am told by our Treasurer, however, that the ban on food purchases with ANC funds remains.

Supporting the composting of waste food is surely a good use of our funds. The DPW collects waste food at the Columbia Heights Farmers' Market, but not Mount Pleasant, as they will serve only one site per ward. So we're proposing to use up to \$3500 of our funds to set up a collection site at the weekly Mount Pleasant Farmers' Market.

The May meeting of the ANC will take place at 7 pm May 26. It will be a “virtual” meeting, accessible via the internet, using Zoom software.