

Jack's October report

At the September meeting, the ANC:

- Agreed to pay a bill of \$5750, in addition to the \$1780 already paid, for gum removal from Mount Pleasant Street sidewalks.

I noted last month that there's a proposal to build a pair of row houses on **the vacant lot adjacent to 1840 Monroe Street**. The project architect notified us shortly before the September meeting that the application, due to go before the Historic Preservation Review Board (HPRB), was being temporarily withdrawn, "in order to have time to work more with the neighbors", so that topic was postponed. This is now on the preliminary agenda for the October 27 HPRB meeting, so it's on the agenda for our October 25 meeting.

I expect there to be some concern about filling in this bit of unbuilt space in the neighborhood. The property owners have a legal right to build on the lot, of course, and the ANC has absolutely no power to "disapprove" the project. Only the architectural details matter, and must satisfy the HPRB. Bringing this project to an ANC meeting is mainly a matter of giving everyone an opportunity to see what's coming and to express opinions about it to the developers.

MPD: "Shortly after 11 PM on October 3, 2016, MPD Fourth District units received a 911 call for a vehicle playing loud music [behind Bancroft Elementary]. Officers responded and located a vehicle occupied by five people in a parking lot. The officers approached the vehicle and observed multiple open containers of alcohol inside the vehicle. The occupants were stepped out of the vehicle and placed under arrest for Possession of an Open Container of Alcohol. During a search incident to arrest of one of the occupants of the vehicle, officers located a semi-automatic pistol inside his pants. A pistol magazine containing ammunition was also located inside the vehicle. **All of the occupants in the vehicle (three juveniles and two adults) were placed under arrest for various firearms- and alcohol- related offenses.**"

The row house at 1833 Lamont Street was sold a year ago (for \$980,000!), and the new owner has obtained permits to convert the house to a four-unit apartment house. It was, until last fall, an owner-occupied home, with a basement apartment and a third-floor rental.

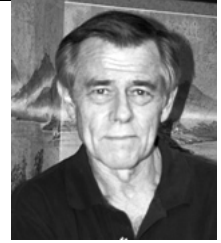
Perhaps there's little difference between three families, and four, living in this house. But there's an important zoning principle at stake. Mount Pleasant is supposed to be a neighborhood of owner-occupied row houses, not an apartment-house district. Our zoning limits the number of dwelling units on a lot, requiring a minimum of 900 square feet of lot area per dwelling unit. The 1833 Lamont lot is 2530 square feet, thus permitting only two dwelling units. So, how is it that the DCRA issued a permit allowing four?

The logic employed by the DCRA (which seems to be incapable of saying "no" to any developer) is that, 49 years ago, the then-owner of the property obtained a Certificate of Occupancy for multiple (unspecified) units. The DCRA concluded that it was thus already an apartment house, and issued the permit for the conversion, never mind that the

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place was not, in present use, an apartment house, and that the lot area was well short of that required for four dwelling units.

Historic Mount Pleasant (HMP) is protesting this decision, and I am grateful to Fay Armstrong of HMP for a detailed evaluation of this matter. Until I heard from Fay, I had no idea that there was a zoning issue here.

The broader issue, beyond this one house, is that deviations from the zoning regulations, once permitted, are allowed by the DCRA in perpetuity, without question, on the assumption that the original deviations were legally justified, on the proper grounds for zoning variances ("exceptional practical difficulties or exceptional and undue hardship"). A property owner is never required to reconfirm that justification, even decades later. And a purchaser of a property can take advantage of any existing zoning variance, however old, without having to confirm that the variance was still valid.

As we have seen before, the DCRA Zoning Administrator is far too liberal in permitting deviations from the zoning regulations, and does so without adequate word of notice to anybody. The DCRA should favor compliance with the zoning regulations, including reconfirmation of old variances, rather than the blind continuation of them. If a developer wants to make substantial changes to a property that is currently not compliant with the regulations, then a new variance should be sought, according to the zoning requirements, with proper notice to the ANC.

Tavern liquor licenses are currently being renewed. Mount Pleasant has five tavern licensees: Haydee's, Don Jaime's, the Raven, Marx, and Sun Cinema. I'll ask the ANC to support the renewal of these tavern licenses.

License renewal time is the appropriate time for requesting termination of the "voluntary agreements" that have been imposed on many liquor licensees. Now called "settlement agreements", because everyone knows that there is nothing "voluntary" about them, these supplementary conditions have the force of law, and are enforced by ABRA inspectors.

This ANC has long considered these agreements to be unnecessary. The Marx Cafe is requesting termination of the three agreements imposed on them. I'll sponsor a resolution at the October ANC meeting in support of the Marx Cafe.

Progress for the Paisley Fig. They seem to have settled their historic preservation issues, and are wrestling with other District permits. Before long there should be a new restaurant and bakery at the Heller's Bakery site!

I don't have space to deal with this here, but DDOT is about to implement partial enforcement of those **red-top meters for handicapped parking** – not yet in Mount Pleasant, but downtown, and later here. It's a very confused and confusing situation. More next month!



The **bike lanes on Klingle Road** are complete, and now provide a child-on-bicycle-safe route into Rock Creek Park, and a lane up out of the park too, so bicyclists don't have to compete with pedestrians for the sidewalk. I triggered the development of that bike/pedestrian lane into the Park, with an e-mail to DDOT, and Councilmember Nadeau, exactly one year ago. (“Why didn't we think of that?” was the response from the DDOT bicycling folks.) Last December the ANC passed my resolution calling for implementation of a bike lane into the park on Klingle Road, and DDOT did the rest.

Election Day is November 8. Ward One residents can vote early, from October 28 through November 4, at the Columbia Heights Community Center, 8:30 am to 7:00 pm. That's on Girard Street, at 15th. On Election Day, residents who ordinarily go to Bancroft Elementary to vote, must instead go to the Mount Pleasant Library, Bancroft being closed for its renovation. Other Mount Pleasant residents will vote at the Columbia Heights Education Campus, directly across 16th Street.

Yes, I'm on the ballot, running for yet another term as your ANC Commissioner. A Park Road resident is running in opposition to me, so residents of my single-member district will have a choice to make. I do hope to be chosen by you to continue this work.

My guiding principle, as a resident of Mount Pleasant for 42 years, is *preservation of the diversity that makes this neighborhood a special place*. This is a neighborhood where everyone feels welcome, and no one feels like an outsider in somebody else's neighborhood: black or white, Anglo or Latino, gay or straight, rich or poor, African or Asian or many-generations American, whatever. Mount Pleasant is proof to the rest of the country that *diversity works*, and no one should fear having neighbors who come from different backgrounds or live different lifestyles or speak other languages or follow other religions. Yes, we can all get along, and we can learn from, and enjoy, the diversity that surrounds us.

Our ANC is the only one in DC that provides simultaneous English-to-Spanish interpretation at every meeting. Residents who are more comfortable with Spanish than with English can participate fully in this ANC's work.

When I started on this ANC, 14 years ago, Mount Pleasant was notorious as a hostile place for neighborhood businesses. We've changed that, bringing live music back to the neighborhood, ending those obnoxious “voluntary agreements”, and welcoming new businesses, like Beau Thai and the Purple Patch, and now the Paisley Fig, to the neighborhood. Just a decade ago, Mount Pleasant Street was desolate and lonely after dark. Now the Street is well populated into the night, enhancing public safety, while causing little disturbance to nearby residents.

Robberies in Mount Pleasant are less than half as frequent as a decade ago. No, I can't claim any credit for that, but I do work closely with the Metropolitan Police to maintain communication between the police and the public. “Community policing” is a reality, here in Mount Pleasant.

I can claim credit for the bike lanes on Klingle Road, now providing safe bicycle routes into and out of Rock Creek Park.

Most residents understand now that, with their RPP (residential permit parking) stickers, they can get an additional 15 feet of parking at many intersections. Yes, I did that, working directly with a Councilmember.

Because I've been on this ANC for 14 years, plenty of people downtown know me, and pay some attention when I call. Because I'm retired, this ANC work gets my full attention, and I'm on call, all day, every day. So when something comes up during the work week – the water shutoff problems on Park Road in early September, for example – I can be there, to do what I can to help get a problem resolved.

About this newsletter: Before I was on this ANC, I was irritated at how difficult it was to know what the ANC was doing. I promised that, as long as I was on the commission, my constituents would be kept informed about what I, and the commission, were doing. *No other ANC commissioner does such a newsletter.* (And it's done entirely at my own expense.)

Come November 8, you can decide whether I should continue this work (and the newsletters!), or not.

The next meeting of the ANC will be on Tuesday, October 25, 7:00 pm, at the Mount Pleasant Library.