

December report to constituents

Here is news of the **December 5 ANC meeting**, and other happenings in Mount Pleasant. At this meeting, the ANC:

- Advised the Alcoholic Beverage Regulation Agency (ABRA) to approve an entertainment endorsement for Don Juan's Restaurant, and to provide a "stipulated license" for entertainment "without delay";
- Endorsed the development by Manna of 3125 Mount Pleasant Street as affordable housing;
- Advised the Historic Preservation Office to allow the construction of a ramp front exit on the Walbridge Place home of an elderly couple;
- Invited "Fiesta DC" to make Mount Pleasant the regular location for its annual Latino Festival;
- Passed a couple of minor resolutions concerning the development of the alley and courtyard adjacent to Heller's Bakery.

There are occasional suggestions that **Park Road be made one-way westbound**, symmetric with Irving Street, one-way eastbound. This would solve the problem of eastbound Park Road through traffic encountering the one-way block at Mount Pleasant Street and being forced into side streets to reach 16th. Jim Graham has mentioned a couple of times that that unfortunate situation has got to be changed.

I object that this one-way westbound notion won't work, in practice. Residents arriving from Porter Street across the park, and wanting to go to their homes north of Park Road, aren't going to be pleased by having to go down Adams Mill Road to Kenyon, Kenyon to 18th, then 18th back up to cross Park Road. We're already troubled by many drivers using the alley parallel to Park Road as if it is a regular street, taking the alley to circumvent the traffic light at Klinge/Walbridge. If Park Road becomes one-way westbound, then one might as well declare that parallel alley to be Park Road eastbound, and brace for even more fast-moving traffic in the alley. Hence, I intend to resist efforts to make Park Road one-way westbound.

Last month I wrote of the denial, by the Historic Preservation Office, of a **handicapped-egress ramp for a home on Walbridge Place**. My protest of this decision reached Washington Post Metro columnist Marc Fisher, who visited the elderly couple on December 15 to see the situation for himself. He was, like me, appalled at the callousness of this permit denial, which prevents Mr and Mrs Lucas, 88 and 86 years old, respectively, from modifying their Mount Pleasant home of 46 years to make it reasonably safe and comfortable for their final years. On December 21, Marc's column was given very prominent display in the Metro section of the Post, causing a great outpouring of public support for the Lucas family. A number of law firms have contacted Marc, eager to take on the Lucas' case.

Aside from resolving this specific problem, the historic preservation laws need to be changed. "There is," says Fay Armstrong, president of Historic Mount Pleasant, "no exception for medical disability." Well, there should be. I'm hoping that this incident on Walbridge Place will lead to a reform of the historic preservation laws to allow variances in such cases. You can get around zoning regulations simply by making a good case to the Board of Zoning Adjustment; why is there no similar process for historic-preservation regulations?

This isn't just about the elderly. We may suffer crippling injuries in accidents, too. Will the historic district regulations then prevent us from modifying the exterior of our homes to compensate for our disabilities? Yes, they will. That's not right. I don't think this is what people had in mind when they agreed to make Mount Pleasant a "historic district".

ANC 1D03 NEWSLETTER #52

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The next ANC meeting is on Tuesday, January 2, 7:00 pm, La Casa Community Center, 3166 Mt Pleasant Street. For an agenda, see <http://anc1d.org/>. Three new commissioners will make their first appearance, and ANC officers for 2007 will be chosen.

For 18 months I've been pressing for a change in the District law **prohibiting parking within 40 feet of an intersection**. I know of no other jurisdiction that requires such a large distance. Virginia, typically, requires just 25 feet. Councilmember Carol Schwartz has led the effort at City Council to change this regulation, and has succeeded, in a back-door way. The legal minimum distance remains 40 feet, but there is now a "moratorium" on enforcement of this law, and "**Vehicles displaying a valid residential parking permit may park at all times, within a designated residential permit parking zone, twenty-five (25) feet or more from the intersection.**" Yes, you've got to have an RPP sticker, and the block where you're parked has to be designated RPP. With those conditions satisfied, you can ignore the "no parking" posts and park to within 25 feet of the intersection.

Enforcement of this will be problematical: are the Parking Enforcement folks (DPW employees, not police) aware of this "moratorium"? Should you get a ticket for parking in this manner, and need documentation of this new law, give me a call, and I'll help you fight the ticket.

Lamont Street resident Byron Peck was **robbed at gunpoint** this week, right in front of his house. Byron's a no-nonsense sort, as evidence by the police report: "A robbery occurred on the 1800 blk of Lamont St Nw at approximately 12:15 am on 12-20-06. Complainant reports he was approached from behind by an unknown suspect who stated 'Give me your Money.' When complainant turned around the suspect was pointing at him a gray handgun. Complainant stated "F*** you" and threw his money at the suspect. Suspect fled the scene in an unknown white vehicle."

This is *not* an MPD-approved technique for dealing with a guy with a gun. But you've got to admire Byron's coolness in the face of this threat. In fact, robberies here are way down in Mount Pleasant: just one in all of November, two so far in December, versus our average of three or four per month.

What to do with those obnoxious **styrofoam pellets** that come as packing material? They cannot go into recycling, and you don't want to put them into the trash, where they become nondegradable landfill. Well, the newly opened **UPS Store in Columbia Heights** will take clean styrofoam pellets for re-use. Reports from this store are highly favorable: good service, nice people. It's a family operation, Bhatia parents and son. We will never have a nearby Post Office again; the Irving Street office, moved to far-off Georgia Avenue some years ago, is never coming back. The UPS Store offers shipping, and mailboxes, and packaging materials, and will sell postage stamps, too. Check it out, and let them take your styrofoam packaging peanuts, too. They're on Monroe Street, just the other side of 14th, in the Tivoli building.

Someone is surreptitiously giving Alberto Ferrufino, owner of **Don Juan's Restaurant**, a very hard time about offering **karaoke**. Why does anyone care if karaoke is offered, or not? Karaoke music isn't any louder (Alberto has dealt firmly with a night manager who let the music get too loud, disturbing a neighbor), and no residents are forced to go listen to the singers. Evidently karaoke is very popular among immigrants, who find it a way to deal with their missing their homelands. This should be part of the "diversity" of Mount Pleasant that we so much appreciate. So who is objecting, and why?

Last spring, Alberto applied for an entertainment endorsement to his liquor license, to be allowed to offer karaoke. This ANC passed a resolution calling for ABRA to issue that endorsement, and, after inordinate delays, they did so. Then, in November, ABRA suddenly called Alberto and demanded that he give his entertainment endorsement back, and cease his karaoke offerings. Why? Nobody at ABRA will tell us what's going on, but it seems that "a mistake was made", and Alberto's got to re-apply for his endorsement.

That's why this ANC passed a resolution at the December meeting calling on ABRA to issue the endorsement, and also to issue a "stipulated license" so that Alberto can offer karaoke while waiting for the re-issued endorsement. I understand that this has been done.

The house at **3222 19th Street** has been extremely troublesome for a long time. The owner, incomprehensibly, has left outside walls and windows and portions of the roof wide open to the weather, for years. He moved out about a year ago, leaving the house a dreadful wreck. He didn't abandon the house; he's still around, and shows up occasionally, complicating any effort to do anything about it. Over a year ago the DCRA formally condemned the house as "unfit for human habitation", but condemnation seems to have no consequences.

Early this month, squatters moved in. If there's anything worse than an empty derelict house next door, it's a squatter-occupied derelict house next door. Perhaps the greatest fear is fire, as these people may build fires for warmth in the unheated house. The neighbors called the police, but the police could do nothing, because the occupants of the house claimed that they had permission to be there, and the absentee owner cannot be contacted to refute that claim.

Nick Majett, deputy director of compliance at DCRA, proposed that the property be posted as a dangerous property, so that no one would be allowed inside, even the owner. Then anyone in the house could be removed by the police, no matter their claims of permission to be there. Mr Majett himself arrived on December 11, and put up these posters.

That very evening, the owner himself appeared, much to everyone's surprise. Ignoring the posting, and warnings from neighbors that there were people in his house, he went in, and, in short order, three people emerged and quietly walked away.

Then the owner disappeared again. Two nights later I found the police out in front, having observed someone in the house. This turned out to be the owner again, who was firmly advised by the police that even he was not permitted to enter the house, unless he was undertaking work to make it safe. The owner did take away the ladder that was providing easy access for the squatters. He's been notified that he has until December 26 to undertake repairs to make his house safe.

Now I'm trying to get the roof closed up, to stop water damage, not only to this house, but to the adjacent house. In one of the numerous bizarre turns of event here, it seems that a DCRA contractor removed the roof, presumably as the first step in replacing it, but that job was interrupted, and the roof remains open to the sky, while what was the roof is a pile of rubble in the back yard. DCRA disclaims knowledge of this, but I'm sure the owner didn't commission the job. There's a stop-work order posted out front; does the DCRA issue stop-works on its own jobs? Nobody seems to know what is going on here.