

February report to constituents

Here is news of the **February 7 and 24 ANC meetings**, and other happenings in Mount Pleasant. At the regular February meeting on the 7th, the ANC:

- Authorized minor expenditures for blank CDs (as we make the audio recordings of our meetings available to anyone who asks) and for Gregg Edwards' attendance at a meeting concerning urban development
- Passed a resolution calling for a rehearing by the Public Space Committee of the Bestway permit application
- Passed a resolution advising the Department of Transportation to remove the jersey-wall barriers put up behind the Bestway, to block the Bestway driveway
- Passed a resolution declaring in Mount Pleasant "the appearance of a hostile business environment".

We agreed also to a special meeting on the 24th, to handle urgent items that had been set aside while we concentrated on the extremely difficult matter of the Bestway.

At that meeting, the ANC:

- Passed a resolution calling on the DDOT Public Space Office to issue permits to the Argyle Convenient Store for a wheelchair ramp;
- Passed a budget for the fiscal year, showing a substantial drawdown of savings (for, e.g., interpreting, recording, and projection equipment);
- Agreed on a laptop computer and projector, to display ANC resolutions to the audience while we work; and
- Passed a resolution supporting current efforts to reform rent control in the District.

I alone voted "no" on the **rent-control reform** resolution, simply because the resolution was dropped on us at the last minute, and we had no time to learn what reforms are being proposed, or why. Whether these reforms are needed or not, it's our duty to understand exactly what it is we're voting on, and it's also our duty also to give both sides of any issue a fair hearing. The Mayor is working against these proposals, it is said; I want to know why.

Rent control sounds good, but may have unintended consequences. Owners of rent-controlled apartments may be persuaded by stricter controls to convert their rentals to condos, hardly a blessing for the renters. Rigid rent controls may also persuade owners to let maintenance deteriorate, in order to coax renters to move out of their own accord, making way for higher rents, or condo conversion. Will the proposed "reforms" accelerate the current rate of loss of rental units in Mount Pleasant? We need to know this before voting support for these "reforms".

Maybe this proposed legislation is good and necessary for Mount Pleasant, but, with a resolution handed to us only hours before the meeting, followed by a one-sided statement by a tenant advocate, we had far from sufficient information in hand to make an informed decision. I object to the ANC doing business in such a slapdash and irresponsible manner, and so I voted "no".

ANC 1D03 NEWSLETTER #42

Jack McKay, February 28, 2006

Jack McKay
3200 19th St NW, DC 20010
462-8692
jack.mckay@verizon.net

Next ANC meeting: 7 pm, March 7, La Casa.
Possible topics: nonvoting ANC delegates; ANC Web policy; ANC committee policy; pay phone access; Pupuseria San Miguel liquor license; Webcasts of ANC meetings; ANC staff hire.

As I noted in my January newsletter, the Mount Pleasant Neighborhood Alliance (MPNA) appears to be threatening any resident who, for lack of alley access, keeps a Supercan in a front yard, on what is very commonly "public space" (because our property lines lie well short of the sidewalk). This statement certainly got the MPNA's attention. They've retracted that threat, and now **deny that they ever considered applying the trash laws to residents**. But read their own words: "*Storing refuse on public space is traditionally disallowed, and for good reason: Outdoor refuse storage fosters vermin infestation, which is unhealthy and unsafe for our homes and food-service businesses. . . . Other situations currently being opposed include 1900 (sic) Ingleside, a residential building that illegally stores trash on public space, and the Brown Street Market's dumpster.*" Well, if it's not the MPNA going after the 1901 Ingleside condo owners, then who is? If the MPNA is not, even though they consider the condo's trash storage "illegal", and assert that it "fosters vermin infestation", then on what grounds is the MPNA choosing to exempt residents from what they assert is the law?

The MPNA now proclaims an explicit double standard: they will hold businesses to the letter of the law, while residents will be allowed to keep trash storage on public space, no matter that they are, they say, "illegal", and "foster vermin infestations".

Fortunately, the Public Space Committee has rejected the MPNA claim that trash containers on public space are "illegal", accepting instead my interpretation of the law, namely that the regulation applies only to loose trash, i.e., litter, not to trash in closed containers. In my opinion, residents of Mount Pleasant who must keep their Supercans in front, including the residents of the 1901 Ingleside condos, are legally in the clear, and I'll defend them against any charges that they're violating trash regulations.

As you know, the DDOT Public Space Committee denied the Bestway its application for permits for the use of “public space” behind its building. This application included **permission for the existing curb cut**, which has been there for decades. That was on January 26, and on February 6 DDOT put jersey-wall barriers in the street to close off that curb cut. Their argument was that no one could find a permit for the curb cut, and therefore the curb cut had never been permitted. (Consider your own home: do you have permits for everything that’s ever been done, going back thirty years or more, not only for whatever work you’ve had done, but for work done by previous owners? What will you do if the District demands to see permits for all work ever done around your house, and anything for which you cannot show a permit must be ripped out? Don’t count on the DC Government having these old records in their files.)

I protested this action by DDOT, because there was no public safety emergency calling for such drastic action. But DDOT is unyielding, arguing that this is merely a “regulatory enforcement” matter. Then they compounded the damage by coming back to move the barriers from the street onto the curb (to allow parking), and adding a barrier halfway up the driveway, for no purpose other than to complicate the efforts of the workers to haul trash by hand out to the trash truck. The goal is to force the Bestway to take their trash out the front, which is quite impossible.

The ANC called for these barriers to be removed, observing that there was no justification for such harsh action, and that the ANC had not been notified of the pending action. This won’t make any difference, of course. But we’re not giving up on this matter without a fight.

A DDOT inspector told me that he had gotten instructions “from way up” to hammer the Bestway. This has nothing to do with regulatory protections of the public. It’s all about political influence, not the public good.

A fire ignited by an electrical wiring fault burned out **the Argyle Convenient Store** last August. The DC Government has substantially obstructed and delayed the repair and restoration of this shop, a Mount Pleasant institution run by “Rocky” Rakani, without missing a day, for over 20 years. (Some months ago, a would-be robber shoved a gun at Rocky and demanded cash. “Go ahead and shoot,” Rocky said, grabbing the gun, “I’m not giving you anything!” The robber fled. Rocky’s one tough cookie.)

Wayne Gleason is working hard at rebuilding the shop, including changes to the exterior to restore the appearance of decades ago, much to the pleasure of Historic Mount Pleasant. But he’s been afflicted with countless inspectors interfering with the work. He was fined \$6000 for cleaning up the fire damage, and repairing fire-damaged plumbing, before all the permits were in hand; that this was emergency work, the building tenants were complaining of smoke stench, and DCRA was slow in issuing permits, meant nothing. What public good was served by this hefty fine? Would we be better off if the fire-damaged walls and plumbing had been left untended, while Wayne waited for slow-moving DCRA bureaucrats to get around to his permit applications?

Now Wayne has proposed a wheelchair ramp for handicapped access to the store. Fine, why not? But this brought the DDOT Public Space Office into the picture, because the ramp is on the public sidewalk, and they’ve given him more delays, and more trouble. Wayne submitted the permit application on January 17. Public Space routinely issued the permit on February 3. Three days later a DDOT bureaucrat and Mount Pleasant resident “dispatched an inspector and two senior officials from the Department of Transportation public space to revoke the permit. This was ostensibly done because the permit had not been reviewed by the ANC,” Wayne writes. This action was extraordinary; the Public Space Office has never before bothered with ANC review of such routine permit applications.

Public Space did not even inform us of this application until February 23, and then only as an obscure “occupy sidewalk only” for “renovation” item, one line item on a list of 26. The Public Space Office appears to be insisting on ANC review only to obstruct and delay work on the Argyle, for reasons having nothing to do with the safety or welfare of the public. As a DDOT inspector told me, with great self-satisfaction, “he’s not getting his ramp”, as if that’s a good thing for the residents of Mount Pleasant. The DDOT Public Space Office seems to be bent on keeping us safe from wheelchair ramps.

The ANC unanimously passed a resolution at the February 24 meeting calling on the Public Space Office “to issue said permit as quickly as possible.”

At the February 7 meeting, the ANC passed a resolution noting “the appearance of a hostile business environment” in Mount Pleasant. The permit problems at the Argyle are evidence of that.

A malfunctioning **car alarm** went off on Newton Street for about 48 hours nonstop, much to the distress of the neighbors. The police came by, clucked sympathetically, and went away. That’s not good enough. Maybe the officers can’t stop the noise, but they can issue a hefty ticket to the car owner. **Jim Graham** is supporting my call for the police to do so.

The **no-parking signs adjacent to the alley next to 3226 19th** were reinstalled, after excavation for the lead-pipe work last summer, much too far from the alley, 15 and 20 feet away, versus the proper five feet. This has cost residents a good 25 feet of parking space. It took six months of my pestering DDOT, but the signs have now been moved to their proper locations, restoring that much-needed curbside parking space.