

## Jack's July report

At the June 21 ANC meeting, the ANC:

- Passed my resolution supporting a public space application for a small sidewalk cafe at the Pupuseria San Miguel;
- Passed my resolution approving signage and pavement marking plans for the Kenyon/Adams Mill and Harvard Towers intersections;
- Passed my resolution advising the Metropolitan Police Department against its plan to move Mount Pleasant into the Fourth MPD District;
- Endorsed, with conditions, the Latino Fiesta here;
- Passed Gregg's resolution advising the DCRA to stop work on the Mount Pleasant Library until certain safety issues have been addressed;
- Approved a minor change to the ANCID by-laws.

On July 5, the Commission held a meeting for informal dialog with residents, with a focus on the Library expansion. On July 13, the Commission held a special meeting, needed to precede the BZA meeting of July 19. The ANC voted, 3 to 1, to oppose the Library's application for a zoning variance.

The problems with the **Mount Pleasant Library** project have to do with its expansion to "a minimum of 20,000 to 22,000 square feet", a standard imposed by downtown. The library's area is 13,000 square feet, so a big addition was necessary, mainly to provide a 100-person-capacity meeting room.

Tacking a 6,000-square-foot addition onto the library, given its truly distinguished historical architecture, and the cramped lot, was hard. The historic preservation people naturally wanted this addition to be hidden, as far as possible, behind the building. So the Library put the addition where it would be least visible from 16th Street, nominally the front of the building. But there was a problem: zoning requires a 15-foot rear yard, and this meeting-room addition on the rear would fill up all the space on the lot, right up to the property line.

What to do? Well, the Library, with the cooperation of the DCRA Zoning Administrator, decided on a slick maneuver to get around the zoning regulation. There's no zoning requirement for a side yard, so they agreed to call the rear of the building the "side", and the side of the building the "rear", and declare that that met the zoning regulations. (We should all get such generous treatment from the DCRA.)

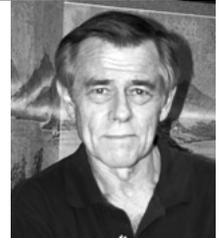
Rather than taking this end run around the zoning regulations, the Library should have gone to the Board of Zoning Adjustment (BZA) from the start for a definitive decision, either a confirmation that this peculiar interpretation was legitimate, or a variance from the zoning regulations. There were clear warnings from the BZA that they would not be as flexible in the interpretation of zoning regulations as the DCRA had been. One BZA board member criticized the DCRA decision as "manipulation of the zoning regulations for a predetermined outcome".

The BZA split 2 to 2 on this question in April, with one BZA seat vacant. In June, a fifth member was added to the Board, and he came down in opposition to the Administrator's decision. On June 21, the Board voted 3 to 2 to reject the

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Jack McKay, July 13, 2011

Jack McKay  
3200 19th St, Tel. 462-8692  
jack.mckay@verizon.net  
<http://DCJack.org>



DCRA Zoning Administrator's interpretation of the zoning regulations, rendering the library's building permits invalid.

Unfortunately, the Library had gone ahead with construction of the addition, gambling that the DCRA decision would prevail. As the Northwest Current editorialized on June 29, "while DC law allows property owners to move forward with a construction project that is the subject of appeal, it seems hardly prudent for a city agency to gamble with residents' money by doing so. . . the library agency should have applied for the variance from the start."

But they hadn't, belatedly applying for the now-necessary zoning variance only late this April, long after construction had begun. So the principal question now is this: can the variance be allowed "without substantial detriment to the public good", as the law concerning zoning variances requires? The issue is access to the rear of the buildings lining the narrow alley behind the library, in case of fire. When the Deauville burned, firefighters desperately ran a fire hose down the corridor of a 16th Street apartment house and punched out a window to get water on the back of the building. Perhaps if they had had better access, the Meridian Hill Baptist Church could have been saved, if not the Deauville. The Library wants to dismiss this concern with the argument that "all firefighting activities are conducted from the street and hoses are carried manually around buildings where necessary to provide access at the rear". I think that's bogus, recalling an angry confrontation with the DCRA when I needed to block just one alley entrance here for just one hour, and they demanded that I provide a fire-department-approved an emergency-access plan, because "they take this [access from alleys] very seriously". And there's the matter of that fire hose down the apartment house corridor.

So I've put this question to the library people: what provision is there for fire hoses being "carried manually around buildings" for access to the rear sides of these buildings? I think a good answer is necessary, if the ANC is to agree that the variance can be allowed "without substantial detriment to the public good".

If the library had not insisted on a 100-person meeting room, then the expansion wouldn't have been necessary, the historic preservation people would have been pleased, the Library's sun room wouldn't have been destroyed, the zoning regulations would not have been a problem, a fire-access passageway would exist, and a whole lot of trouble and expense would have been avoided. Did Mount Pleasant really

need a grand meeting room, something we've done without all along? It wasn't the people of Mount Pleasant who asked for the big meeting room; this was decreed by downtown, a decision imposed on Mount Pleasant by bureaucrats who think they know best what's good for us. Now, thanks to them, we have a real mess on our hands.

At the July 13 special meeting of the ANC, Gregg's resolution opposing the Library's variance passed by a 3 to 1 vote, Gregg, Stormy, and Yasmin voting "yes", Laura "no", China absent. I declined to vote, still torn between the two sides, and relieved to be in a position where my vote was not going to affect the outcome.

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There are plans to have the annual **Latino Fiesta** here in Mount Pleasant, still the center of Latino culture in the District, on September 25. The ANC has always welcomed the Fiesta, and we want it to continue to be here in Mount Pleasant. Last year the sponsors tried to move it to Columbia Heights, but came back to Mount Pleasant at the last minute when the District refused to permit them to close any portion of 14th Street, due to the fire station at 14th and Newton.

Of course, there are problems with this big festival in Mount Pleasant, including the practice of too many trucks parked on neighborhood streets by Fiesta booth operators. These not only take up parking on a day when thousands of people come in cars to our neighborhood, but cause visibility and safety problems. We're doing what we can, working with the Fiesta sponsors, to head off such problems, so that residents will tolerate the inconveniences imposed by the Fiesta, and we can continue to have it here in Mount Pleasant.

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I mentioned in the June newsletter that MPD Chief Lanier intends to **shift Mount Pleasant from the Third MPD District, into the Fourth**. Instead of being joined to Adams Morgan and Columbia Heights for policing, we'll be joined to Crestwood and 16th Street Heights, something which makes no sense to me at all.

The Chief presented her plan to revise MPD District boundaries not as a proposal for public review, but as a done deal: "in 2011 MPD will realign police boundaries", said the June 8 announcement. Councilmember Jim Graham posted his opposition to this plan on June 14, noting that it would divide up Ward One between the Third and Fourth MPD Districts, complicating policing all over the ward. We organized a community meeting on June 22 to get resident response to the notion.

Well, there was no doubt about how Mount Pleasant residents feel about being shoved off into 4D. Many recalled the struggle in 2004 to get Mount Pleasant out of distant 4D (we used to be PSA 410) and into 3D, along with the rest of Ward One. Mr Graham noted that Mount Pleasant, as the remote southwest corner of 4D, would be the "Guam" of the district. I described that situation as making Mount Pleasant a "bump on the rump" of that district.

I noted that crime in Mount Pleasant is closely coupled to our neighboring Ward One communities, and top-grade communication and collaboration between Mount Pleasant and Columbia Heights police is necessary for effective policing. I cited the example of the robbery on Newton Street

in May, the perpetrator caught a few days later at 14th and Irving, an example of crime crossing easily between our two neighborhoods. Having the two areas in two different MPD districts, working under different commanders, and on different radio frequencies, out of different police stations, will do communication and collaboration no good.

At the end of the meeting, I asked how many residents favored the move to 4D. *Not one person did*. Mount Pleasant is notorious for conflict and argument, so this unanimity of opinion is truly extraordinary. I know of no one here who thinks that moving Mount Pleasant into 4D would be beneficial to Mount Pleasant.

My June 21 resolution opposing the move passed by a slender margin, 3 to 2, with one abstention. Gregg, Stormy, and I – the older, experienced commissioners – were the "yes" votes. China and Yasmin voted "no", and Laura abstained. On the July 5 meeting, I requested a vote on the proposition that Mount Pleasant opposes the transfer to the Fourth District. China, Laura, and Yasmin voted "yes", so the Commission is now unanimous in opposition to the Chief's proposal.

Perhaps more significantly, CM Graham is fighting hard to keep Mount Pleasant in 3D, with analytical support from me.

For eight years now, I've been pressing for a **reconstruction of the Kenyon/Adams Mill/Irving intersection** to permit drivers westbound on Kenyon to make the left turn onto southbound Adams Mill Road. That's a very popular maneuver, despite the several signs prohibiting it, due to the visibility hazard caused by cars stopped for the light in the straight-through lane of Adams Mill Road concealing cars coming down the right lane from view.

DDOT is currently checking with us for approval of the final details of the plans. We're close, and work may begin early in 2012. The work includes reconstruction of the intersection at the top of the Beach Drive ramp, in front of the Harvard Towers building, as well, ending the current confusing situation that causes drivers in the left lane to find themselves directed into the Zoo, while drivers who want to make the left turn onto Adams Mill Road must be in the right lane.

A DDOT consultant wanted to eliminate parking on one side of Kenyon Street, asserting that a 30-foot-wide street was too narrow to permit parking on both sides of a street. I pointed out to DDOT that *all* the streets in Mount Pleasant are 30 feet wide, and we manage just fine with cars parked on both sides. DDOT now says that "we are not going to eliminate parking". I'll hold them to that.

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I noted last month **an unusual number of burglaries** in Mount Pleasant, nine in May, well above our average of two or three per month. The June count of burglaries remains very high, eight reported for the month. Of these eight, all but one occurred east of 18th Street, and all but two, east of 17th. That's the nature of crime in Mount Pleasant: it's concentrated in the blocks adjacent to our 16th-Street border with Columbia Heights.

The next <i>business</i> meeting of the ANC will be on <b>Tuesday, July 19, 7:00 pm</b> . The next <i>informal</i> meeting is scheduled for <b>August 2, 7:00 pm</b> .
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