

## Jack's June report

On May 18, the ANC did the following:

- Advised approval by the BZA of a "special exception" to permit a garage on the alley behind 1814 Park Road;
- Endorsed a design for a second fire exit for Haydee's Restaurant;
- Expressed general support for sidewalk cafes;
- Advised the Public Space Committee to approve an "outdoor extension" (sidewalk cafe) at Haydee's;
- Authorized an expenditure of up to \$1000 to survey business owners concerning the idea of a Pedestrian Encounter Zone on Mount Pleasant Street.

On June 1, we held an "informal" public meeting, mainly discussing ideas for "revitalizing" the commercial strip. Tarek Bolden, of the Office of Planning, participated. The ANC conducted a small amount of official business, supporting early-opening hours for restaurants during the World Cup, and Don Juan's continuing attempt to win the right to offer live music.

I voted "no" on the **design for a second fire exit** for Haydee's Restaurant. Haydee's wants an increased allowed occupancy, and that requires that the restaurant (or night club, it doesn't matter) have not one but two fire exits. Having heard nightmare tales of crowds caught in burning night clubs, trapped by a single, inadequate exit, this is pretty reasonable. But I voted "no" because the ANC has no business judging the proposed design, which must meet certain building code criteria, such as a minimum distance from the other exit. Either the design meets the code criteria, in which case it must be approved, whatever the ANC thinks; or the design fails to meet the criteria, in which case the design must not be approved, whether the ANC thinks it's adequate or not. Our "advice" is meaningless.

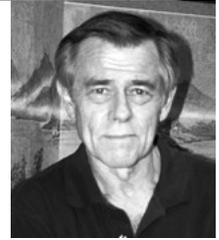
I also voted "no" on **Haydee's "outdoor extension"** (sidewalk café). Yes, I support sidewalk cafés. But the proposed layout of sidewalk tables was not provided to us until about two hours before our meeting began. This gave us no time to review the design, examine the site, and decide for ourselves whether the furniture would interfere with pedestrian flow or cause any other such problems. The Public Space Committee won't consider the application before its June 24 meeting, and probably won't get to it even then. There was ample time for a review of the design and the site before our June meeting, which in turn is well ahead of the Public Space meeting. So why are we rushing this through, without taking the time to do a careful job of reviewing the layout? I support sidewalk cafes, and probably Haydee's has the space for one, but there was no need for this hasty effort.

The ABC Board hearing for **Haydee's night club license** was held on May 26. I thought the hearing went well for Haydee's. Denise Wiktor's "group of five or more" protestants was dismissed immediately, due to failure to submit a required "protestant information document" on time. The MPNA, represented by Sam Broeksmit, attempted to show (1) that Haydee's didn't need a CN license, their food sales being well above the 45% required for a restaurant; (2) that the MPNA-offered alternative of a tavern license would

## ANC 1D03 NEWSLETTER #93

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meet Haydee's needs; and (3) that some of the signatures on the petitions in support of Haydee's were from people who didn't live in Mount Pleasant. The ABC Board refused to allow him to pursue any of these arguments, insisting that the MPNA make the case on the grounds claimed for its protest, namely "peace, quiet, and order", "parking", or "property values". The MPNA wasn't prepared to argue these issues, perhaps because it's hard to prove that simply being a "night club", as opposed to a restaurant with live music until midnight or later, would have a significant effect.

The ANC had judged that allowing dancing and live music until closing, instead of requiring those to cease a few hours before closing, won't make any real difference. The "bottom line" here is that Haydee Vanegas and Mario Alas run a good, neighborhood-friendly business, very popular in the neighborhood, and little actual change is anticipated by changing the license class from "restaurant" to "night club". This allows the patrons to enjoy live music and dancing until later hours.

Curiously, one member of the Board asserted that their decision of 2008, requiring live music and dancing to cease some hours before closing, would still apply, despite the night club conversion. That's entirely illogical, since those restricted hours were set explicitly to avoid "possibly operating as nightclubs and not restaurants". Hey, if it's officially a night club, then what's the point to that provision?

An ABC Board decision is expected "within 60 days".

**Violent crime** is rare on the west side of Mount Pleasant, west of 18th Street. But it does happen.

On Thursday, May 6, at about 5:30 pm, an elderly resident of Adams Mill Road, walking along the short block of Lamont Street off Walbridge Place, saw a group of four unfriendly-looking youths ahead on the sidewalk. He crossed to the other side of the street to avoid them, but one of them crossed the street to confront him, said something, then hit him in the face, knocking him down. The other three young men – late teens, his guess – joined the attacker, the four of them pouncing on his prostrate form to dig through his pockets. Disgusting cowards, picking on an old man who obviously was unable to resist, and bloodying him out of pure meanness.

Then – this is Mount Pleasant! -- a woman driving up Lamont spotted the attack, stopped and jumped out of her car, and demanded that they "leave him alone!" Well, wow, they did, taking flight. Then she called 911, and before long an

ambulance took him to Howard University Hospital, where his split lips were stitched up.

In Mount Pleasant, neighbors do not hesitate to get involved, rushing to the aid of anyone who is under attack. I've seen this happen again and again, residents jumping from their cars, or rushing from their homes to the street, to render help. Our best defense against criminals is our own neighbors. The police are far too few to be on the spot at just the right time. Our neighbors are our police, watchful, and ready to help, even at the risk of their own safety. This woman – I don't know who this was, and the telephone numbers left with the victim's stepdaughter weren't right – deserves our admiration for her courage in stepping out to challenge four young thugs as they assaulted an old man on the sidewalk.

Oddly, this nasty incident initially failed to appear in the MPD crime records. It seems that the hospital, which is supposed to report such incidents to the police, didn't do so. As for the police, they didn't arrive until after the ambulance had taken the victim away. So, according to the official records, this incident of violence in our neighborhood hadn't happened. If the stepdaughter hadn't phoned me to tell me about it, this incident would never have made it into the crime statistics. But she did, and that's been resolved. Not only is the crime now in the statistics, but our local police officers are aware of it, and may now be on the watch for this ugly little gang.

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As you know, the parking laws allow cars with RPP stickers **to park on RPP blocks to within 25 feet of the inter-section**, versus the 40 feet otherwise required, and where the signposts are placed. Unhappily, the people writing parking tickets have an awful lot of difficulty with the notion that a car can be parked beyond a “no parking” sign, and yet be legally parked.

In May, I received my fifth dismissal of one of these 40-foot tickets. I've protested this bogus ticketing to Lieutenant Pate. It's a nuisance for us, even if we're successful at getting the tickets dismissed, and it's certainly a waste of an MPD officer's time. Surely they have better things to do, like protecting us from assault and robbery.

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Perhaps you've read about the travails of Vincent Gray, Chairman of the District Council, and his fence. He spent a good deal of money to build a big aluminum-picket fence around his house, only to discover – oops! -- it's on “public space”, and **he needs a public space permit for the fence.** Worse, his fence is tall, close to six feet, and the public space regulations limit such fences to three and a half feet.

Well, how many of us have been surprised to discover that chunks of our yards aren't really ours, and there's this whole volume of obscure regulations that we're required to follow? For front yards north of Park Road, this “public space” piece is only a few feet from the edge of the sidewalk, but for many Mount Pleasant yards south of Park Road, as much as 18 feet from the sidewalk is “public space”. In fact, many of our front porches are built as permissible “projections” over public space. (And until a few years ago it was illegal to enjoy an alcoholic beverage on such a “public space” porch.)

So I got a bit of pleasure in seeing a high-ranking city official caught by this “public space” trap. No doubt the fence contractor should have warned him of the potential problem. But he didn't, and there that great big “illegal” fence stands.

On May 27, the Public Space Committee did what it had to do, treating the Council Chair just like any other unhappy resident surprised to discover that his front yard isn't entirely his own. Mr. Gray must either move the fence back onto actual private property, or reduce its height to the allowed 42 inches. It's an expensive proposition, either way. Well, perhaps this will persuade him to support efforts to make these public space regulations less obscure.

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Way back in June, 2004, I happened upon an Urban Forestry worker worrying about **the large oak tree in the park on the northeast corner of 19th Street and Park Road.** The tree is growing just a few feet from the rock wall, and its roots have been pushing that wall out. The rock wall is slowly falling apart in many places, and Parks and Rec has been considering how to repair it. The problem at the tree is that removal of the wall in order to rebuild it, perhaps with a deeper foundation, could bring the tree crashing down.

Then, in 2008, Parks and Rec suddenly decided to cut that great tree down, just to fix the wall. Urban Forestry (a division of DDOT) approved the destruction of the tree, which towers over Park Road. Fortunately I got wind of this before the chainsaws arrived. Residents agreed that that century-old tree was far too valuable to sacrifice without thorough consideration of alternatives.

After several meetings of residents, Parks & Rec, and representatives of Councilmember Graham's office, an agreement was reached to patch and repair that section of rock wall, preserving the tree. That was a year ago, and DPR has only this May succeeded in lining up a contractor, Intown Restoration, to do the job. The rock wall will be repaired, not rebuilt or replaced, and the repairs will match the old wall as closely as possible.

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In May the ANC supported my proposal that bus noise on Mount Pleasant Street be reduced **by shifting northbound buses to 16th Street.** If these buses turn off Mount Pleasant Street at Irving, this could be accomplished by changing just one bus stop, namely that at Lamont Street. The 42-bus end-of-line stop would be moved to 17th and Lamont. Riders boarding the northbound H buses would do so a block north, on Park Road. The southbound run of 42, including the start-point on Lamont at Mount Pleasant Street, would not be changed.

For a minor inconvenience to some bus riders, shifting this one bus stop would take 200 bus runs off Mount Pleasant Street, substantially reducing the noise of buses along Mount Pleasant Street, and in particular around Lamont Park, where bus noise seriously afflicts musical performances.

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The Environmental Assessment for the **Kling Valley Trail** has been released, and will be the subject of a public review at the Zoo Visitor Center on June 23, 6 pm.

The next ANC <i>business</i> meeting will be on <b>Tuesday, June 15</b> , and the next <i>informal</i> meeting on <b>Tuesday, July 6.</b>
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