

## Jack's June report

At the May 21 meeting, the ANC:

- Advised the Historic Preservation Review Board (HPRB) to consider residents' concerns about the planned development on Oakwood Terrace (5 to 0 vote);
- Advised the DDOT Public Space Committee to approve the application by Don Juan's Restaurant for tables along the 17th Street frontage (5 to 0 vote);
- Advised DDOT to explore the feasibility of converting the area alongside the 7-11 into a public park (4 to 1 vote);
- Advised DDOT approval of a number of resident-proposed changes to the Adams Mill Road construction (5 to 0);
- Established a policy for providing ANC letters of support for the use of Lamont Park (5 to 0); and
- Agreed to move the monthly business meetings to the Mount Pleasant Library, beginning in October, when the library will be open Tuesday evenings (3 to 2 vote).

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Back when I started this ANC work, I said that **no one should ever have to attend an ANC meeting** to find out what the ANC was doing. Hence, these newsletters, now ten and a half years of them, hand-delivered to almost 800 residences in my single-member district, and posted on-line as well, to reach residents who don't live in my district.

Unfortunately, no other ANC commissioner has matched my effort, and they currently puzzle over how to keep their constituents informed. This has come up recently in the Adams Mill Road project, and the Oakwood Terrace proposed development. Residents have complained bitterly that they weren't informed about these things, and the ANC should have told them about them.

Yes, but what can we do to inform residents about ANC activities, and other issues in the neighborhood? Residents who don't check into the ANC web site, and who don't participate on the Mount Pleasant Forum, and who don't get my monthly newsletter, are unavoidably left uninformed.

A couple of ANC commissioners have decided that the answer is to get lots of residents to come to our ANC meetings, as if residents have nothing better to do than to blow an evening listening to us. They sent out an urgent message calling on residents to come to the May ANC meeting: "There are several CRITICAL issues being discussed for our neighborhood. Please attend your ANC 1D meeting. Every voice matters! And your presence & participation make a difference!"

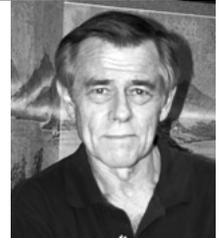
That brought about a truly dreadful ANC meeting. Far more people showed up than could fit into La Casa. The meeting ran for *four hours and 20 minutes*, far longer than any previous ANC meeting during my ten-year tenure. What resident wants to suffer through that? Was this necessary, just so that more residents could see what the ANC was doing?

As for affecting the ANC proceedings of the evening, as that frantic message implied, this massive public participation changed nothing. We had done our homework during the month between meetings, had met with residents, had held public meetings concerning, in particular, the Oakwood Terrace development, so we went into this meeting knowing how we would vote on the resolutions of the evening.

## ANC 1D03 NEWSLETTER #129

Jack McKay, June 9, 2013

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Concerning Oakwood Terrace, Adam Hoey had composed a suitable resolution, which was going to get a unanimous vote, even if nobody from Oakwood Terrace showed up for the meeting.

We could have had a normal 90-minute ANC meeting, passed exactly the same resolutions, by exactly the same votes, and not disrupted the lives of the dozens of residents called to this meeting.

I repeat: No one should ever have to attend an ANC meeting to know what the ANC is doing. Rather than calling out dozens of residents to attend ANC meetings, my fellow commissioners should do a better job of communicating with their constituents between ANC meetings.

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The **Oakwood Terrace development** was a case in point of inadequate ANC outreach. Back in 2010, resident Carmel Greer proposed the development of some currently vacant acreage she owns on Oakwood Terrace, along that narrow spit of land where Oakwood converges with 17th Street. In December, 2010, the Historic Preservation Review Board (HPRB) approved, in concept, the development. That conceptual approval expired after two years, so recently Ms Greer returned to request a renewal, and contacted us about it.

This was followed by an eruption of dismay among residents of Oakwood Terrace, and 17th Street, people understandably unhappy at the replacement of greenspace with building. Some complained that the whole thing was a surprise, a secret. Well, no. My constituents on 17th Street were told of it in my September, 2010 newsletter. "*I'm sure some neighbors will be unhappy at seeing this wooded lot built on. So let's have a conversation about it*", I wrote. That word evidently never reached the Oakwood Terrace residents.

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Concerning **Oakwood Terrace**, the HPRB heard testimony on the topic on May 23. This is a challenge for the Board. The Historic Preservation Office staff report, initially prepared in 2010, and updated in 2013, advises approval of the proposal, with certain details to be resolved. The HPRB "renewed the conceptual approval of the proposed site plan, height, massing of the new construction, including the 17th Street wall, but with the applicant to return to the Board with further development of the design."

The law concerning such new developments is specific: "The permit *shall be issued* unless the Mayor, after due consideration of the zoning laws and regulations of the District of Columbia, finds that the design of the building and the character of the historic district or historic landmark are

incompatible”. That is, the burden of proof is on the District to show that the design is “incompatible”. Failing that, the permit must be issued. There's no provision in the law for taking neighbors' objections, or ANC resolutions, into account.

The ANC resolution on the matter simply called on the HPRB to consider the objections raised by the neighboring residents. That's all the ANC can do.

At the May 21 meeting, the commission spent 95 minutes observing a sharp dialog between Ms Greer and residents, then took up the corresponding resolution, which was passed in eight minutes, by unanimous vote. What did the residents accomplish by staying at this ANC meeting until 10 pm? Nothing whatsoever. It was a waste of their time.

This was, in my ten-plus years on this ANC, the worst meeting ever. I have proposed that, instead of marathon business meetings, we resume the practice of monthly “informal” meetings, at which presentations can be made, and issues such as Oakwood Terrace discussed in detail.

The ANC passed a resolution calling for our **meetings to be moved to the Mount Pleasant Library**, probably in October, when the Library will be open Tuesday evenings. This was over the strenuous objections of Yasmin Romero-Latin and me. The commissioners voting for this move – China, Adam, and Phil – want a larger room, so that more residents can come spend their evenings at ANC meetings.

I think La Casa is centrally located and serves our needs well, whereas the Library is at a far edge of Mount Pleasant, isn't equipped for conference audio, and will, due to Library closing times, force early termination of our meetings.

I'm proposing separate ANC-sponsored meetings dedicated to public dialog about neighborhood issues, to be held at the Library, where there's space for more people than La Casa can hold, and where the entire duration of a meeting can be devoted to a single issue. This was done, for example, in April, for the Adams Mill Road work, and that did reasonably well (though the audio system at the Library is poor).

Residents have been upset by a number of **robberies, and attempted robberies, on and near Brown Street**. That's always been a troubled area, because it's so close to 16th Street, yet it's deserted after midnight, with not even many passing drivers to notice a crime in progress. It's an ideal location for robbers in search of victims. The recent wave has apparently targeted Latino men, who are known for carrying large amounts of cash, and who may fear even reporting such a crime, if their immigration status is in doubt. From 4D Commander Missouri: “Two complainants report being assaulted and robbed by two suspects around 3am in the 3400 blk of Brown St NW. There is no useable lookout for the suspects.” (A resident said that the offenders were young Latino men.)

Lieutenant Pate has asked for a community meeting to talk about the problem, and the ANC has agreed to turn over the first 45 minutes of our June 18 meeting to Lt Pate for this purpose.

One commissioner has recently asserted that there has been a “**rash of crimes**” here in Mount Pleasant. Well, I don't think so. Compare the May totals with the monthly averages for the past 29 months:

	<u>May</u>	<u>2011-2013 average</u>
Robberies	6	4.0
Burglaries	5	4.8
Thefts from auto	12	11.1

The May 2013 numbers are quite close to the averages. This isn't a “spike” in crime. It's the *normal* rate of crime in this part of the District. As I've noted before, Mount Pleasant has an exceptionally low crime rate, lower than anywhere else in DC but for far upper Northwest, west of Rock Creek Park. But it's not zero. This is inner-city DC, not Bethesda or Chevy Chase.

Robberies are always a special concern, of course. As is generally the case, the May robberies are all on the east edge of Mount Pleasant: four on 16th Street, two on 17th.

I voted “no” on the resolution to consider **turning the public space next to the 7-11 into a public park**. I have nothing against such a park, of course. The problem is that it's a bad precedent to deprive a property owner of his “parking”, without his consent.

What's a “parking”? Many of our streets are zoned to be much wider than is actually paved for roadbed and sidewalk. Lamont, Kenyon, Kilbourne, Irving, and 17th, 18th, and 19th Streets south of Park Road, are 90-foot rights of way, where only 54 feet is actually paved for road and sidewalk. The remainder, 18 feet back from the sidewalk on each side of the street, is the “parking”, meaning that it's supposed to be maintained like parkland.

The law says that these bits of public space “*shall be under the immediate care and keeping of the owners or occupants of the premises abutting on the public parking*”. Hence, our front yards may be “public space”, but they're ours to use, including fencing to keep the public out. We just can't build anything permanent on them.

Well, what if somebody decides that your front yard ought to be turned into a public park, whether you like it or not? That's the problem, and that's why this proposal for the 7-11 is a bad precedent. Essentially, if the owners of the 7-11 were in favor of opening their “parking” to the public (which it is, in practice), then this proposal for a park would be perfectly easy to support. But evidently he's not in favor of it, which is why this group wants to take it away from the 7-11 and turn it over to Parks and Rec.

I think, as in the case of the “parkings” that are front yards for many Mount Pleasant residents, the adjacent property owner – you! – ought to be able to decide what's done with your “parking”, your bit of front yard/public space.

**The Adams Mill Road/Kenyon/Harvard intersection project** is reportedly on schedule for September completion.

The next meeting of the ANC will be on **Tuesday, June 18, 2013, 7:00 pm**.