

November report to constituents

Here is news of the **November 6 and 20 ANC meetings**, and other happenings in Mount Pleasant. On November 6, the ANC:

- Advised the Historic Preservation Office (HPO) to publish staff reports in the DC Register, and on its Web site (my resolution);
- Advised the Historic Preservation Review Board (HPRB) and the DDOT Public Space Committee to eliminate the scheduling conflict of their monthly meetings (my resolution);
- Agreed to schedule two business meetings every month, to meet on the first and third Tuesdays of each month, henceforth;
- Agreed to adopt two versions of the “voluntary agreements” that would permit live music in Mount Pleasant restaurants, one based on the Hear Mount Pleasant form, the other based on a simpler equivalent devised by All-Ways Mount Pleasant;
- Advised the HPRB to approve permits for proposed work on the rear of 1747 Kilbourne Place;
- Advised the HPRB to approve a permit for expansion of the small apartment house at 1823 Newton Street, with the added floor set back 10 feet from the roofline (my resolution).

The ANC also met on November 20, where it approved financial reports for the third and fourth quarters of fiscal year 2007 (ending September 30), approved a letter to the ABC Board appealing its decision to combine two “voluntary agreements” without judgment of their conflicting provisions, and offered advice to the Board for dealing with such situations.

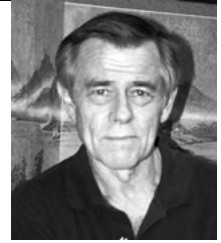
A new Salvadorean restaurant, Marleny's, at the corner of Mount Pleasant and Lamont, has filed for a class DR (wine and beer) license. The ANC “protested”, not out of any objection to this liquor license, but as necessary to establish standing for a voluntary agreement (VA). On November 7, Marleny's owner and her lawyer, Dimitri Mallios, at the ABC Board, readily agreed to the ANC VA, and the Board issued the license on the same day. Mr. Mallios made a point of praising the ANC to the Board, observing that it had been a pleasure to work with us.

The MPNA had previously approached the Marleny's proprietors and talked them into signing their no-music, no-dancing VA. As is standard practice at the ABC, the Board simply added the two VAs, with the proviso that, where they differed, the more restrictive VA would apply. The MPNA VA includes, of course, the usual stifling restrictions: “there will be no live entertainment, cover charge, or dancing”. There's also a bizarre requirement that licensee shall not “obscure the windows of the establishment in such a manner as to eliminate the ability of those outside to see into the establishment from the street”. Apparently MPNA vigilantes want to be able to peer into the restaurant to make certain that

ANC 1D03 NEWSLETTER #63

Jack McKay, November 28, 2007

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



nobody inside is singing or dancing or playing a musical instrument.

The ANC is appealing this decision by the ABC Board to impose the MPNA VA, along with that of the ANC, as equals. Many residents have said that they want to have musical entertainment in their own neighborhood. This dispute isn't about what the restaurants may and may not do; it's about what residents of Mount Pleasant want, and is denied to them by the MPNA, our local Taliban.

The MPNA has recently hired a pricey Connecticut Avenue lawyer to support their fight to continue to ban live music and dancing in Mount Pleasant, over the opposition of the ANC, Hear Mount Pleasant, Mount Pleasant Main Street, and the Community of Christ. MPNA members, that's how your membership fees are being used.

Recently there have been several **gunshot incidents** in Columbia Heights, including a drive-by shooting at 14th and Harvard, and many gunshot incidents around 14th and Columbia. This is believed to be a conflict between African-American “crews” over territory, not a war between drug dealers.

The gunshots of August 28 and September 5 on Monroe Street are now thought to be related to that same fight, due presumably to members of these Columbia Heights “crews” visiting friends in Mount Pleasant. Some of these young men, I am told, used to live in the neighborhood.

The building at **1823 Newton Street** is a modest apartment house which served a low-income rental clientele. A developer proposes to convert the 14 rental units into 10 condominiums. Four of these condos would be in an added top floor, set back from the roofline by 10 feet to create a small terrace while preserving the continuity of rooflines. The Historic Preservation Office wants that setback to be 30 feet, to hide all of that top floor from the street.

I support the 10-foot setback, because I think the requirement that any top-floor addition be completely invisible from the street is excessive, given that this rather plain building is no architectural treasure, and is already very different from its neighbors, so there's no architectural uniformity to preserve. The 30-foot setback would practically eliminate two of the 10 proposed units.

Members of the audience at this ANC meeting were confused over what it was that we were endorsing. “It's turning rental property into condominiums?” asked one. “Yes, it is,” replied Gregg Edwards, ANC Chair. “So you're approving that?”

continued the questioner. "Well, on my part reluctantly, but I am," he replied.

No, we did not! The ANC has absolutely no voice in the conversion of rentals to condos. We were not informed of this conversion, and nobody has asked our advice about it. Once the owner has met the legal requirements for the conversion, he is free to proceed, and nobody cares whether the ANC approves of it or not. We endorsed *only* the historic-district permit application for the rooftop addition, *not* the conversion of rentals to condos.

Of course, everybody worries about increased demand for curbside parking due to such condo conversions. In Mount Pleasant, 54% of rental households, but only 13% of homeowners, get by with no car. Condo conversion thus implies more cars, but our obsolete zoning regulations require only one car space for every three dwelling units. I have pressed upon the developer the importance of providing off-street parking, and he is investigating ways to expand the existing 5-car garage to perhaps 10 cars.

Early the morning of November 19, a DDOT work crew showed up to **tear down the small concrete-block enclosure attached to the rear of Don Juan's Restaurant**, which is used for out-of-sight trash storage. "No permit," it is said, which is not unusual for old structures in Mount Pleasant. No consideration is given to the consequence, that the trash housed in this enclosure would perforce become visible and unsightly. It should be obvious that Alberto cannot keep restaurant trash in, say, his kitchen.

Remarkably, a band of supportive neighbors appeared and prevented the destruction, one valiant resident planting herself on top of the structure, daring the workers to tear it down.

The work down crew retreated, perplexed (and amused). Representatives of Mayor Fenty and Councilmember Graham arrived, as well as TV trucks from Telemundo and Univision. After a few hours of the standoff, a fax arrived from Mayor Fenty agreeing to hold off on any such action until "a reasonable resolution" to the matter could be found.

It was heart-warming to see numerous non-Latino residents coming to the defense of a Latino business owner.

On the evening of the 19th, the MPNA held a meeting at the Library, a meeting which Mayor Fenty was to attend. Hear Mount Pleasant, the neighborhood group working for an end to the MPNA's ban on live music in Mount Pleasant restaurants, organized a **marvelous demonstration of pro-music residents** to deliver a resounding message to the Mayor. Braving the cold, hundreds of residents turned out, many with hand-made signs calling for an end to the MPNA's suppression of musical entertainment in Mount Pleasant.

Councilmember Graham addressed the group as they assembled at Lamont Park, and agreed to undertake a negotiation to find a compromise between the pro-music and anti-music sides. Then the demonstrators headed quietly for the library, where they were serenaded by the Mount Pleasant Mariachi Band. When Mayor Fenty arrived, he found a sidewalk crowded with opponents of the MPNA.

The MPNA is very well organized, vocal, and effective, while those who disagree with them have, before now, been un-organized and unheard. Hear Mount Pleasant has given a voice to what is clearly a large portion of the neighborhood. This live-music dispute is not dividing the neighborhood, but simply exposes an existing division within the neighborhood.

No doubt the MPNA is upset at the appearance of this vocal opposition. They really should be asking why it is that their actions have brought about such a harsh division within the neighborhood. Certainly the MPNA leaders believe that what they're doing is right for the neighborhood; but clearly, a great many residents disagree.

I'm certain that Mount Pleasant can have entertainment in its restaurants without becoming the congested nightmare that is Adams Morgan, because the total seating capacity of our restaurants is a small fraction of that of Adams Morgan. The live-music ban is not so much a restriction imposed on restaurant owners as it is a denial of such entertainment to residents who want live music in their own neighborhood.

Street robberies continue to plague Mount Pleasant, despite a plain-clothes robbery stakeout by the MPD: nine so far in November, well above our "normal" four or five. Three were towards the west side of the neighborhood: purse snatches on 19th Street and Ingleside Terrace, an assault and robbery in an alley off Monroe. The Ingleside victim resisted, whereupon one of the two robbers pulled a gun on her. It does not pay to resist: the consequences can be far more terrible than the loss of some money.

The **Traffic Study community meeting** on November 27 was a disappointment. The contractor won't talk about traffic observations or recommendations, and in this information vacuum, residents focus on a couple of radical concepts which are not yet even real proposals. Unfortunately, those radical notions are themselves thoroughly misunderstood.

For example: Gregg Edwards has suggested changing Park Road, from 17th Street to 19th Street, to a single traffic lane, westbound. This would yield the following benefits:

- A 30% increase in parking spaces (at least 20 more);
- a safe, striped bicycle lane;
- up to 50% reduction in Park Road traffic; and
- elimination of the noise of diesel trucks and buses laboring up the Park Road hill.

Of course, one lane of traffic means "one way". But people have heard "one way" and think only of *two lanes, one way*, not of *one lane, one way*, and don't realize that the goal is to take one traffic lane and use it instead for residential parking and the bike lane. The harsh reaction to that misconception has prevented any rational consideration of these benefits.

I have not been an advocate of this change, which has some subtle drawbacks (how much eastbound traffic will use our alleys as roadways?); but let's at least talk about what is actually suggested, not some ill-informed distortion of the notion.

The next ANC meeting will be on December 4, 7:00 pm, La Casa Community Center, 3166 Mount Pleasant Street.