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Minutes of the April 20, 2010 meeting of Advisory Neighborhood Commission 1-D

These minutes accepted at the May 18, 2010 meeting.

Call to order

[7:04 pm] Vice Chair Scott called the meeting to order. Present were ANC1D commissioners Edwards, Lepanto, Scott, Bosserman, and McKay, constituting a quorum.

Public discussion

[7:04 pm] The meeting was opened to public discussion. Due to a large number of residents being present, the public discussion period was lengthy. Julian González provided simultaneous interpretation into Spanish, and sequential interpretation into English, according to the language of the speaker.

Chair's report

[7:44 pm] Gregg provided an activity report. He proposed that the informal meeting focus on the Small Area Plan and on the structure of voluntary agreements.

Stipulated license for Don Juan's sidewalk café

[7:58 pm] Jack asked that, as a matter of courtesy, the question of the stipulated license for the sidewalk café at Don Juan's Restaurant be considered. This was agreed to, and Jack introduced this resolution:

Resolved, that ANC1D has no objection to the issuance of a stipulated license to Don Juan's Restaurant for the sidewalk cafe.

Passed, 5 to 0.

Secretary's report

[7:59 pm] Jack noted that minutes of the March 16 meeting had been distributed on March 17, and asked if there were any corrections. No corrections being offered, the minutes were declared accepted.

Treasurer's report

[8:00 pm] Jack presented the financial report for the second quarter of fiscal year 2010, and asked that the Commission approve it for transmittal to the auditor. *Report approved, 5 to 0.*

Jack reported checks to Tony Grillo for \$100 (posters), the Community of Christ \$150 (La Casa, Jan-Feb-March meetings), Rob Waldeck (library report) \$101.50, Rob Waldeck (for B. Fenton, library report subcontractor), \$1700.00. *Treasurer's report accepted by the Commission without comment.*

Unfinished business: Mount Pleasant Town Square and Pedestrian Encounter Zone

[8:03 pm] The Mount Pleasant Town Square and Pedestrian Encounter Zone resolution, tabled at the March meeting, was brought up for discussion. Phil moved that the final sentence of the resolution, "Because the Mount Pleasant Main Street Transportation Enhancement Grant proposal was not developed in broad consultation with the neighborhood, 1D advises that that funding await the results of this Pedestrian Encounter Zone study", be stricken. *Motion to amend passed, 3 to 2 (Phil, Dave, and Jack voting "yes", Storm and, Gregg "no").*

Phil moved that the resolution be modified to include all of Mount Pleasant Street from Irving Street to Park Road. Gregg asked that priority be given to the block north of Lamont. Jack modified the text accordingly.

The text of the amended resolution is as follows:

Resolved, that ANC1D advises the District Department of Transportation (DDOT) to undertake a study of a trial "Pedestrian Encounter Zone" for Mount Pleasant Street NW, from Irving Street to Park Road, but primarily in the 3200 block, yielding a substantial expansion of the effective area of Lamont Park, as well as promoting pedestrian and bicycle use of Mount Pleasant Street.

Why:

There is general agreement in Mount Pleasant that the commercial strip should be made more attractive to pedestrians, and less devoted to automobile traffic. Mount Pleasant Street at this time is a 56-foot-wide barrier between Lamont Park and the shops on the east side of the street. Pedestrians frequently cross this street in mid-block, making their way across two lanes of traffic, two lanes of parked cars, and one center lane used for turning buses and as a truck loading zone. Declaring this barrier a "pedestrian encounter zone" would give pedestrians priority over traffic, legitimizing and enhancing current use.

Such "encounter zones" have found success in Europe, where certain central-city areas have been designated areas where pedestrians, not cars, have priority. Traffic is not prevented from entering the area, but drivers must yield to pedestrians, not merely at crosswalks, but everywhere within this zone. Traffic moves slowly, typically with an 18 mph speed limit. The "pedestrian priority" status tends to shift through traffic to other roads, resulting in areas that approach pedestrian malls in people-friendliness, yet which do not prevent access by delivery vehicles or business patrons.

Mount Pleasant Street is ideal for an experimental implementation of a "pedestrian encounter zone" in the District. This is not an essential through route to any outside destinations. Through traffic can take 16th Street, bypassing Mount Pleasant Street entirely. East-west through traffic is best confined to the east-west arterials, Park Road and Adams Mill Road/Irving Street. The reduction of traffic on Mount Pleasant Street would be enhanced by allowing the long-recommended and planned left turn from northbound 16th Street onto westbound Park Road, avoiding the tedious roundabout of the triangle park on the east side of 16th Street, and so reducing any temptation to cut through Mount Pleasant Street to reach westbound Park Road.

Noisy northbound traffic on this block could be further reduced by revising the routes of northbound Metrobuses to take 16th Street, and the left onto Park Road, instead of coming up Mount Pleasant Street. This would have the additional benefit of allowing the conversion of several bus stops into metered automobile parking areas. These additional customer parking spots could justify the elimination of some of the parking on the 3200 block, further reducing vehicle congestion on Mount Pleasant Street, and promoting the use of this area for pedestrians, instead of for cars.

These preliminary concepts require more detailed and thorough investigation. ANC1D advises such an investigation, a study of this “pedestrian encounter zone” as it might be experimentally implemented here in Mount Pleasant, to see how well this could work in DC.

Resolution passed, 5 to 0.

Reroute Northbound Mount Pleasant Street buses to 16th Street

[8:20 pm] Jack moved the following resolution:

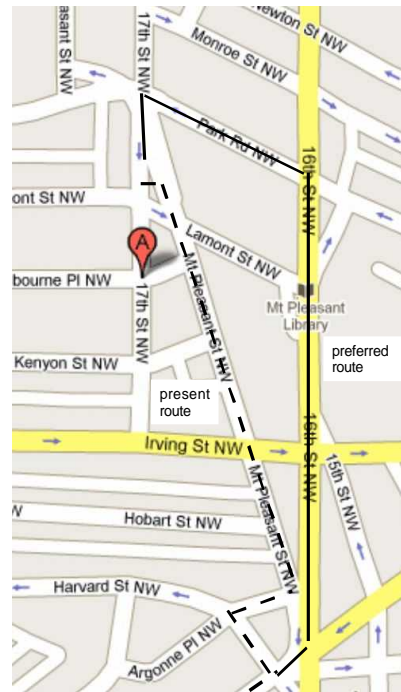
Resolved, that ANC1D advises the Washington Metropolitan Area Transit Authority (WMATA), the District Department of Transportation (DDOT), and the District Council Committee on Public Works and the Environment, to reroute the northbound buses on Mount Pleasant Street Northwest north of Irving Street, to 16th Street.

Why: Mount Pleasant Street is a neighborhood commercial area, featuring numerous restaurants and a couple of small parks. This is a “town square” where residents should be able to socialize outdoors with their neighbors and patronize their neighborhood businesses. Sidewalk cafes are a means of combining neighborhood socialization with neighborhood business patronage, and enhances the environment of Mount Pleasant Street through the visibility of people on the street, as opposed to traffic, vacant sidewalks, and parked cars.

The heavy bus traffic on Mount Pleasant Street significantly degrades this neighborhood outdoors experience. Besides the number 42 bus, which originates in Mount Pleasant, this street is used by H8, H3, and H4 buses as an east-west through route. During the evening hours when residents might like to enjoy sidewalk dining, or music in the park, buses pass by at a rate of 25 or more per hour, roughly one bus every two minutes. The stopping and starting at every bus stop, and every intersection, adds to the noise pollution that makes it impossible to enjoy the sidewalk cafes, and our neighborhood park, in peace.

The background noise level on Mount Pleasant Street is under 70 dB(A), low enough for easy conversation. Each passing bus imposes an 85 dB(A) noise burst on occupants of the adjacent sidewalks. Conversation stops, and musical performances in the park are interrupted. Lamont Park is especially hard hit, as the 42 bus executes a complete circuit of the park, imposing its noise on the occupants of the park four times in succession.

This unpleasant noise burden could be significantly reduced simply by putting the northbound and west-bound buses on 16th Street, turning left onto Park Road into Mount Pleasant, instead of using Mount Pleasant Street as a neighborhood through route. Sixteenth



Street, being a major arterial, is wide, and already used by numerous trucks and buses, so the incremental noise burden of additional buses on this street will be insignificant, compared to its dominance of the ambience of Mount Pleasant Street.

The bus stops along the east side of Mount Pleasant Street could then be converted to parking, which is much needed by residents and commercial establishments.

It could be argued that the bus stops on the east side of Mount Pleasant Street are a convenience for users of the bus. But 16th Street is only a block away, not so distant that walking to bus stops on 16th would be a great inconvenience. Furthermore, riders of the H buses passing through Mount Pleasant may be just as likely to originate in nearby Columbia Heights. On the whole, the benefits of shifting these bus routes from Mount Pleasant Street to 16th Street will greatly outweigh the costs.

Resolution passed, 5 to 0.

Rescind Office of Latino Affairs budget cuts

[8:24 pm] Gregg introduced a resolution concerning proposed budget cuts for the Office of Latino Affairs. After some discussion, this resolution was divided into two, one concerning the cuts specifically, the second dealing with the use of OLA funds. The first resolution is as follows:

Resolved, ANC 1D advises the DC Council and the Mayor to restore all the cuts proposed in the FY11 budget of the Office of Latino Affairs (OLA).

Why:

A. DC Latinos, a large and often neglected population, deserve affirmative action by DC agencies to assure equitable delivery of services.

A.1 Latinos represent a large and growing sector of DC's population, and according to the last census, the plurality of residents of the ANC 1D area.

A.2 Recent surveys in 1D's area indicate that the rate of Latino public participation in DC government evaluations of needs is many times lower than other main DC population groups. For example, despite strong outreach efforts and provision of interpreter services, a relatively small proportion of our Latino neighbors participate in ANC and civic group discussions and processes for policy formation.

A.3 Recent surveys and reports in the 1D area indicate that the delivery of DC agency services is strongly and inequitably less to our Latino neighbors. Some examples:

A.3a. The rate of assaults on young Latino men seems many times greater than the Metropolitan Police Department's estimates.

A.3b. The rate of the public health menace of bed bugs has reached epidemic proportions in 1D's area without apposite responses. Perhaps half of 1D's people live in buildings so infested, and these buildings shelter large Latino populations. Other possible epidemics need measurement and addressing with specific responses.

A.3c. The risk of exposure to dangerous and oppressive conditions in Latino dwellings. Specifically, their exposure to fire hazards is much greater than international standards. The recent fire in the Deauville apartment building quickly spread to the building in back, resulting in what was originally three structures all destroyed. The preponderance of 1D's population lives in apartment buildings, with

most of them lacking modern fire-safety features, and most without clear fire-safety or fire-fighting plans.

A.3d. Latinos' access to public parks and recreation facilities is limited by inefficient programs that do not take responsibility for knowing and meeting needs. Many parents complain that one major extinction of a DPR program which had served thousands of youth seem to trigger their kids to turn to gangs for recreation. The largest and most used facility, across 16th Street from 1D, was heavily used by Latinos, but was taken out of service with soccer facilities replaced by tennis courts. Similar facilities, including a small swimming pool, that serve Latinos - our largest population of youth - were never replaced.

A.3e. Library facilities of great cost were designed without a needs assessment or consideration of alternatives that could more efficiently meet the needs of this underserved group.

A.3f. National surveys of the effectiveness of social-service programs show that, across the country, the efficiency of delivery of services with measurable benefits easily varies by a factor of ten for the same resource expenditure. Anecdotally, ANC 1D hears that a similar range of effectiveness holds for DC government-funded agencies that provide service. Some say there are three hundred of such providers here. Again anecdotally, neighbors tell us that there are no reliable guides to assembling services to meet their needs. There is no "users guide" that lists, explains, and evaluates service providers. There are no effective evaluations so that the most effective and innovative providers can expand their offerings and outreach.

B. From the above indicators, it appears that solutions to many of the problems faced by our Latino neighbors must include an energetic adopting of better practices for program management. Such a program could encourage adoption of innovations that could improve the impact of programs by as much as a factor of ten with the same resources.

B.1 OLA should be encouraged, and given the resources, to build pilot programs to address the kinds of problems listed above.

B.1a. A pilot program leveraging the social capital of ANCs and the volunteers of local civic networks, if chosen carefully and monitored for outstanding results, could greatly improve OLA's impact.

B.1b. OLA has already begun, and should be encouraged to expand its innovations. For example: Mt Pleasant is the beneficiary of assistance and advice from OLA in pilot programs to improve public participation by Latinos in neighborhood programs. ANC1D does not have the budget or expertise to seriously evaluate alternatives it has tried over the years to improve participation. Nor does it have the resources to fulfill at an expert level its legal duty to evaluate government programs, or proposal for policy changes in terms of their impacts on Latinos. 1D does have extensive social networks of volunteers. These networks, with technical assistance from OLA, could synergize with and energize DC agencies to finally and efficiently deliver services to our local Latino population.

C. If the cuts proposed in the budget are allowed to stand, then our slowly built momentum – with many years of full-time equivalent work on the serious issues noted above – will likely be wasted. And, volunteers discouraged.

The budget cuts proposed directly cut services to a population that has been amongst the hardest hit in the current recession. Worse, these cuts will kill efforts to better needed programs at lower cost.

Resolution passed, 4 to 1 (Gregg, Stormy, Dave, and Jack voting “yes”, Phil voting “no”).

Use of restored OLA funds

[8:44 pm] Gregg moved the second portion of his divided resolution:

Resolved, ANC 1D advises the DC Council and the Mayor

a) to mandate that OLA use half of any restored funds to develop more effective programs; and

b) to implement change management for speedier discovery and adaptation of innovation.

Why:

Specific programs in the restored resource should include:

1) Research and establish output measures for the impacts of their programs and their grantees on observable improvements in the lives, health, jobs access, and public participation in ANC and other non-partisan government programs and consultations.

2) Research on alternative methods of delivering services, including directly to the apartment buildings where most DC Latinos live.

3) Develop a research-based capacity to help DC agencies and service providers to

a) evaluate alternative means of service delivery, and

b) improve observable impacts on the lives of Latinos.

4) Encourage (and help coordinate grant writing by) service providers serving Latinos. The intent of these resources should be:

a) to develop information technology and combinations of providers, including mergers and reorganizations; and

b) to provide a common data exchange platform, so that Latinos and their households can easily integrate service for long term, integrated personal and family development.

Resolution passed, 4 to 1 (Gregg, Stormy, Dave, and Jack voting “yes”, Phil voting “no”).

Reject the “Public Nuisance Abatement” legislation

[8:46 pm] Dave moved the following resolution, after revision to separate the “citation” portion:

Resolved, that ANC1D advises the Council of the District of Columbia to reject the “Public Nuisance Abatement” text of bill B 18-0595, the “Neighborhood and Victims Rights Amendment Act of 2009”.

Why:

We residents of Mount Pleasant are very familiar with complaints about men who are “public nuisances”, and we understand and sympathize with the intent of this proposed law. But we see that this law could be, and surely would be, abused in our neighborhood, employed not merely to put a stop to nuisance activities, but to harass, punish, and force out of the neighborhood entire categories of people, based on the misbehavior of a few.

Furthermore, the proposed preventive actions, e.g., court-imposed injunctions, are only punitive, and do nothing to address the actual causes of some behaviors defined as “nuisances”.

All of the nuisance activities specified by this proposed law, such as public urination, consuming alcoholic beverages in public, and making excessive loud noise, are already prohibited by law. This new law tacitly admits to the inability of law enforcement authorities to enforce existing laws, and surely that shortcoming should be addressed before imposing a new law on top of the old, as if two laws will be more effective than one.

Furthermore, some of the “nuisance” behaviors specified are minor, e.g., “discarding of food or debris on public space”. This is a license for legal assault on persons guilty of nothing more than littering.

Most troubling is the specification that any “community-based organization” would be empowered to bring charges, with only a “preponderance of evidence” required for conviction, and no substantial requirement that any certain individual be proven to be guilty of a specified “nuisance” action. This is likely to result in what amounts to “class action” suits, as residents unhappy with the behavior of certain groups will charge them all, and try to obtain injunctions against them all, on grounds of the misbehavior of a few. There is no assurance that a “community-based organization” will be reasonable or judicious in its use of this legal power placed in its hands.

Because of the large differences in culture, in economic status, and in ethnic background of the several populations of Mount Pleasant, it is highly likely that certain neighborhood organizations, characterized by high status and traditional middle-class backgrounds, will use this law against residents characterized by low status and recent-immigrant backgrounds. This is a law that will enable the “haves” to punish the “have-nots” for their behavior.

The text specifying that this law “shall be construed liberally in accordance with its remedial purposes” only adds further to the likelihood that it can be and will be misused by certain segments of the population of Mount Pleasant to punish other segments of our diverse population for their differences in economic status and cultural standards of behavior.

Nothing about this law promotes actual solutions to the problems experienced in our neighborhood. Simply compounding the punishment for acts that are already illegal does not address the question of why existing law is an inadequate deterrent. ANC1D believes that constructive efforts, such as education, persuasion, and communication, should be undertaken before simply adding more punitive efforts to existing law.

ANC1D understands also that there are real problems with groups of antisocial youths and men creating atmospheres of intimidation in public areas. The proposed “public nuisance” law is, however, far too broad, and will surely be used against residents whose behavior may be unpleasant, but is not threatening nor intimidating to other residents of our diverse neighborhood. The law should be rewritten to address those real threats to public security, whereas in its current form it covers far too broad a range of so-called “nuisance” activities.

Resolution passed, 5 to 0.

Citation procedure for nuisance-grade offenses

[8:53 pm] Jack moved the portion of the preceding resolution that had been separated:

ANC1D advises that the Council consider the possibility of implementing an offense-citation procedure for dealing with nuisance-grade offenses.

why:

Persuasion and education efforts could be supplemented by a “citation” procedure for dealing with nuisance-grade offenses. This amounts to issuing a “ticket” for offenses, comparable to a ticket for illegal parking, or minor traffic offenses. The penalty would be modest, but would serve as a deterrent to nuisance activities. This approach would be far less costly in police resources than arrest, detention, and charging.

Resolution passed, 4 to 0 (Gregg, Stormy, Dave, and Jack voting “yes”, Phil abstaining).

Ask DC government bodies to address ANC 1D resolutions on the MtP Library

[8:59] Gregg moved the following resolution:

Resolved, ANC 1D advises the DC government bodies listed in Appendix A to accord 1D's resolutions the Great Weight due in considering permits and the changes in facilities and services associated with the redevelopment of the Mt Pleasant Library. In particular, 1D asks, in accordance with law, that this resolution be acknowledged within ten days, and that all the points be answered in particularity from the perspective of 1D.

DCRA and other permitting agencies should not issue permits, and permits should be withdrawn if already issued, until the points raised in the resolutions are resolved in accordance with the ANC law.

With the provisos listed in Appendix B, this resolution readopts all previous 1D resolutions on the MtP Library, listed in Appendix C.

Here, and new, the resolutions reinterpreted but largely unchanged except for the insertion of a scheme of points, where each point is to be specifically answered in accordance to the directives of case law. There are 183 points remaining not legally answered out of 13 resolutions. The points are arranged for convenience in an outline format but with the intent that each point be considered as a point of advice requiring an answer, regardless of where it appears in an outline structure.

The additional change of this resolution is that whereas the original resolution was directed to one or a few agencies, now the resolutions are directed to a larger number of bodies. Wherever concerns are listed as points of discussion, the intent of this resolution is to ask that they be considered as points of advice to all agencies noted in Appendix B, requiring Great Weight acknowledgment and answers.

The "Why" parts of the various resolutions, as well as the Appendices, must be considered as included in this resolution with no difference in importance than had they been inserted at their point of mention.

Why

Many bodies of DC government have failed to faithfully observe the ANC law and case law on handling of ANC resolutions. This resolution compiles and updates those resolutions, and further separates out the points to be answered. The intent here is to clarify the status of the resolutions, and especially, how the underlying issues are to be addressed.

Explicit statement that the "why" portions and appendices must be considered as fully and unweakened parts of the resolution may seem foolish; it is here because DCPL tried to evade the ANC law by ignoring them.

Appendix A

The point of listing liaisons is to include in this resolution a request to forward so that inattention cannot be blamed on 1D's failure to track down who, by the ANC law, is the latest designated liaison. This excuse has been used before.

The Mayor of DC.

The Mayor's Agent - for handling historical preservation issues. Apparently, the current incumbent is the Director of the Office of Planning; if not, then resolutions should be forwarded.

The Council - this includes the relevant committees, especially the Committee on Libraries, and the Member for Ward One, and the At-Large Members.

DCPL - DC Public Library. The ANC liaison appears to be currently Archie Williams; if not, then resolutions should be forwarded.

The Library Board - The Board of Trustees of the DC Public Library. John W. Hill Jr. is President; an executive order places responsibility for obeying the ANC law on the heads of independent boards and commissions.

OP - the Office of Planning. The ANC liaison appears to be currently Geraldine Gardner; if not, then resolutions should be forwarded.

dDoT - The DC Department of Transportation. The ANC liaison appears to be currently Aaron Rhones; if not, then resolutions should be forwarded.

DPR - The Department of Parks and Recreation. The Interim Director is Jesús Aguirre.

DCRA - the Department of Consumer and Regulatory Affairs. The ANC liaison appears to be currently Nicholas Majett; if not, then resolutions should be forwarded.

HPRB - Historic Preservation Review Board. This independent Board is chaired by Tersh Boasberg, but is housed in the Office of Planning.

FEMS - Fire and Emergency & Medical Service. The ANC liaison appears to be currently William Wright; if not, then resolutions should be forwarded.

Office of Zoning (OZ) also support the Board of Zoning Adjustment (BZA) and the Zoning Commission (ZC). The ANC liaison appears to be currently Sara Bardin; if not, then resolutions should be forwarded.

Agencies dealing with seniors and the handicapped include:

Disability Rights, Office of - The ANC liaison appears to be currently Susie McFadden-Resper; if not, then resolutions should be forwarded.

Aging, Office of - The ANC liaison appears to be currently Courtney Williams; if not, then resolutions should be forwarded.

Appendix B - 183 points in 13 resolutions.

The newly authorized resolutions, in Reverse Chronological Order of their original passage, are

1. 20100316__ANC1D advises the DC Council to disapprove DCPL contracts for the Ward One (MtP) Library

15 points.

For: the Mayor, the Mayor's Agent, the Council, DCPL, the library Board, OP, dDoT, DPR, DCRA, BZA, FEMS, agencies dealing with seniors and the handicapped.

2. 20091006__The HPRB should send DCPL's MtP library back for redesign.

58 points.

For: the Mayor, the Mayor's Agent, the Council, DCPL, the library Board, OP, dDoT, DPR, DCRA, BZA, FEMS, agencies dealing with seniors and the handicapped.

3. 20090721__Reform the Mount Pleasant Library plan

3 points.

For: the Mayor, the Mayor's Agent, the Council, DCPL, the library Board, OP, dDoT, DPR, DCRA, BZA, FEMS, agencies dealing with seniors and the handicapped.

4. 20090616__Library Design Modifications For Fire Safety

5 points.

For: the Mayor, the Mayor's Agent, the Council, DCPL, the library Board, OP, dDoT, DPR, DCRA, BZA, FEMS, agencies dealing with seniors and the handicapped.

5. 20090317-05 The Mount Pleasant Library

4 points.

For: the Mayor, the Mayor's Agent, the Council, DCPL, the library Board, OP, dDoT, DPR, DCRA, BZA, FEMS, agencies dealing with seniors and the handicapped.

6. 20081202-13 Freeze on the Ice Cube blockage by DCPL.

The concerns about the planned large structure to the back and west side of the present library building remain with the new structures, and still remain to be answered. Re-passing this resolution asks that the concerns be addressed in terms of the proposed new added structures.

16 points.

For: the Mayor, the Mayor's Agent, the Council, DCPL, the library Board, OP, dDoT, DPR, DCRA, BZA, FEMS, agencies dealing with seniors and the handicapped.

7. 20080902-07 DCPL should engage in serious discourse with MtP & ANC1D For: the Mayor, the Mayor's Agent, the Council, DCPL, the library Board, OP, dDoT, DPR, DCRA, BZA, FEMS, agencies dealing with seniors and the handicapped.

4 points

For: the Mayor, the Council, DCPL, the library Board.

8. 20080812-03 ANC1D advises DCPL to delay closing the MtP Branch Library until it follows the law on engagement.

35 points.

For: the Mayor, the Mayor's Agent, the Council, DCPL, the library Board, OP

9. 20080812-02 Delay closing Mt Pleasant Branch Library until funds are available for a local temporary facility.

0 points remaining. This was answered satisfactorily by intervention from Councilmember Graham. No further response is needed.

10. 20080723-05 ANC1D advises DCPL to delay closing the MtP Branch Library until it follows the law on engagement.

6 points.

For: the Mayor, the Council, DCPL, the library Board, OP, dDoT, DPR, DCRA.

11. 20080701-15 ANC1D Asks the DC Council and Mayor to Delay Reconstruction of the Mount Pleasant Library and Insist on Local Engagement.

12 points.

For: the Mayor, the Council, DCPL, the library Board.

12. 20080318-17 Advice to DC Public Library Board for a more systematic upgrade, not just a refurbishment, of the Mount Pleasant Branch Library.

21 points, because this resolutions endorses a resolution of a civic group, and thus these points must be given Great Weight answers.

For: the Mayor, the Council, DCPL, the library Board, OP, dDoT, DPR, DCRA.

13. 20080318-16 DC Public Libraries should alert ANCs, including 1D, on planned changes in service, and allow response

4 points.

For : the Mayor, the Council, DCPL, the library Board.

Appendix C - ANC1D resolutions on the Mount Pleasant Library, with points noted

Full Resolutions in Reverse Chronological Order.

ANC1D advises the DC Council to disapprove DCPL contracts for the Ward One (MtP) Library

Resolved, ANC 1D advises the DC Council – and in particular the Committee on Libraries, Parks & Recreation – to disapprove contracts submitted by the District of Columbia Public Library (DCPL) for the Mt Pleasant Branch Library, and to indicate that no contracts will be approved until several conditions are fulfilled, listed below:

1. Local needs: DCPL submits a revised design after serious consultation with the local ANCs that

1a. Reflects the distinctive needs of the neighborhood and local users by asking ward one ANCs for their ideas, and funding a study of local needs and alternative approaches.

1b. Respects the almost unique historical traditions of this Carnegie library by not encumbering it with a distracting and discordant 'hunchback'. The two other Carnegie branch libraries (Southeast & Takoma Park) did not suffer such bloat.

1c. Facilitates rather than hinders future emergency access by a ladder fire truck to about a dozen older apartment buildings, by using an expansion of the ground floor entrance reduces the difficulty of access by seniors, handicapped, and families with infants and kids.

1d. In particular, 1D urges the DC Council to make clear to DCPL that – compared to decades of better future benefits and the very large capital costs – designs must be based on local needs and neighborhood distinctiveness, not a DC-wide template.

1e. 1D urges the DC Council to give priority to the safety needs of neighbors by waiving the "by-right" development of this government agency so that these issues may be addressed, say by the Board of Zoning Adjustment, and by the Historic Preservation Review Board.

1f. Specifically, 1D advises the DC Council to require that the design be developed in collaboration not only with ANCs but the Department of Transportation, the Office of Planning, and the Department of Parks and Recreation so that this investment can be leveraged with the neighboring facilities for greater public benefit. The Office of Planning (and 1D) has observed that this could be a gateway that would greatly enhance cross-ANC traffic, and aid the smallest main commercial corridor of ward one's four ANCs.

2. Uphold the law: DCPL fulfills its legal duty of DCPL to notify and give Great Weight to local ANCs of planning and design process, and does so by demonstrating utmost respect for code and case law to answer each point raised by ANCs in particularity from the perspective of the ANC and with evidence-based arguments.

2a. In particular, 1D urges the DC Council to make clear to DCPL that there are no rewards for shirking or skirting the ANC and other laws.

2b. 1D urges the DC Council to insist that the law be upheld – the main entrance of any substantially rehabbed public building must be accessible to all.

3. Larger, longer-term benefits: DCPL revises the design and process to facilitate adapting to major changes of the next half century in technology and public engagement.

3a. In particular, 1D urges the DC Council to make clear to DCPL that an approved design must provide for low-cost and high flexibility to adjust spaces to meet the needs of future studies that have been promised but not done.

3b. Similar flexibility is needed for DCPL to anticipate and adjust to the radical changes now arising from new technologies and patterns of information development and application.

3c. Already, arguments for using better present practices to increase effectiveness by a factor of ten has been brought to DCPL's attention, which they have ignored.

3d. A further gain in cost-effectiveness seem possible and even likely. It appears that the DC Council need require changes in DCPL's management culture, and in the facility plan to facilitate systematic learning.

20091006__The HPRB should send DCPL's MtP library back for redesign

Resolved, ANC1D, asking Great Weight, advises the Historic Preservation Review Board, the Mayor's Agent, the Mayor, the Board and Staff of the DC Public Libraries, to heed the following points:

I. 1D advises HPRB &c to oppose DCLP's rear addition design.

A

1. DCPL's proposed design does not meet the Guidelines for Additions to Historic Buildings (Guidelines) published by the Historic Preservation office.

2. Nor does it appear to 1D – and its hundreds of residents attending the sixteen meetings called on the design – to preserve and extend the historic qualities of the Mt Pleasant Branch Library.

3. This library, listed on the DCPL website at the address of 1600 Lamont St, is described in the 1985 application for the Historic District as the primary contributing building to this

District. Thus, it is of paramount importance that the many qualities and architectural cultural objects and tropes be preserved.

4. As this review below reveals, the addition proposed for the Mount Pleasant Branch Library fails to meet numerous basic tests of compatibility and should not be approved by the Historic Preservation Review Board without significant revisions.

B.

DCPL's design fails ID's observation, that of its residents and, in rare unanimity among ID's civic associations, and the Guidelines for the following points:

1. Setback (distance from property lines): While the addition is on the rear, it is visible from behind the library on both sides. It does not respect existing setbacks from either side lot line.
2. Orientation (direction the building faces): The library faces northeast while the addition faces due north and invites replacement of the monumental entrance by one adjacent to rear trash storage of two neighboring buildings.
3. Scale (relative size of building in relation to its neighbors): The library is a monumental structure surrounded by other large buildings and also several small townhouses. The addition is also of monumental scale but too large vis-à-vis the library. An addition to a historic structure should defer to and not compete with it.
4. Proportion (relationship of dimensions of building elements): Location of windows in addition are at the same height as the library where they exist but they are smaller and partially obscured by pieces of wall cladding, neutralizing the visual effect.
5. Rhythm (spacing of repetitive façade elements): The rhythm of the library is given primarily by beautifully articulated windows with multiple lites in a simple limestone façade, while the addition offers a busy wall pattern with simple windows partially screened by the wall material.
6. Massing (use of projections such as steps and porches): The projection of the addition to the west property line with the associated ramp creates a new dominant projection that detracts from the massing of the existing building.
7. Height (of walls, cornices, and other projections): The apparent heights of the walls of the addition are at the level of the cornice of the library, but the addition has no cornice or other projections or raised details. The totally smooth surfaces contrast unfavorably with the classical details of the library.
8. Materials (for walls, windows, roofs and other visible elements): The library is limestone with a limestone-colored terra cotta cornice, wooden double hung windows, and a peaked red tile roof. The addition appears to utilize limestone blocks for the basement level but then switches to elongated terra cotta baguettes arranged in obvious columns into which the windows partially disappear. The material of the windows is not identified but the configuration (single lites) does not match the library. What appears as a roof from a distance is actually a slanted open screen to shield the view from below of equipment on the flat roof.
9. Colors (of materials): The library is grey below and red above. The addition proposes a mixture of red and grey on the exterior walls, with red baguettes being interspersed with grey on the second floor and the rooftop screen being entirely red. The colors are within the same range but the arrangement is jarring.

10. Roof Shapes: The screen projecting above the roof of the addition is slanted at the rear to imitate the lines of the library roof but juts straight upward on the atrium side of the addition. The roofs in fact do not have similar shapes and do not appear compatible.

11. Details and Ornamentation: “An addition should consider the amount, location and elaborateness of existing details and ornamentation in its design,” but should not copy them or obscure, damage or remove them. With the exception of the sun room, which would be removed, the proposed addition would not damage existing exterior details.

But its very plainness and lack of attractive detail clash and are thus incompatible with the library.

12. Reversibility: Again, with the exception of the sun room, the proposed addition could in theory be removed at a future date without significant damage to the original exterior structure.

II. 1D advises HPRB &c to oppose DCLP's ADA access design.

The large and complicated ramp design destroys the historical symmetry of the structure by attaching a mass that from a westerly approach dominates the appearance of the building, as supported by the following points from the vantage of the neighborhood:

1. As testified in 1D's many (16) public meetings, the popular impression is predominantly:

1a. It is ugly, and destroys the previous symmetry.

1a1: The new form in its size distracts attention from the whole, historically open and balanced current structure.

1a2: The proposed ramp includes many discordant parts. While the present structure harmonizes its many parts, DCPL's west-side structure is a jumble.

1b. It is too large for its function, so that the new mass of about a hundred tons seems not just a deviation but an obsession for some unknown motive.

1c. When approached from the west, the fence, the size, the complexity of masses, the incongruity of the extended structure that is revealed in transit presents an experience that attracts interest and is completely different from the slow reveal of neo-classic renaissance detail of the current building.

2. It is difficult and maybe dangerous in sense, in stark negative contrast to the clean classicism of the current building.

2a. Much like a structure that includes a menacing overhang of a large mass, the long ramp bespeaks inconvenience, a long hike with twists and turns.

2b. Since the ramp is for wheelchairs, the long rise provoked many handicapped observers in 1D meetings to express alarm at the implicit dangers of runaway chairs, or abuses by skateboarders.

2b1 The long narrow route is hardly inviting. These observations are seconded in the latter from Sarah's Circle in the appendix.

2b2. The ramp is over a hundred feet long, and much is obscured. There are almost no humane and user friendly touches that best applicable design could provide.

The lack of these facilities reinforce the impression that the ramps import is to denigrate its users. This point is reinforced in the next point.

2c. In contrast to the sense of personal elevation intended with the current steps, or the welcoming and broad incline possible with a terrace entrance, observers at 1D meeting complained that the difficulty presented, and the rear entrance bespeaks an insult.

2d. It is as though the intent of segregating children (who, as contemporary documents attest, should be neither seen nor heard) have been broadened to an entire underclass. DCPL's architects may have intended, as they testified, to provide a greater welcome to the handicapped. Instead, from 1D's audiences, they have done the opposite.

The oppressive appearance noted by many in 1D's meetings contrast to the ease and functionality of the current design, and modest ADA ramp. ANC1D has before resolved to recommend development of the terrace alternative. That alternative can better provide an inviting enhancement of the current design, the principal historic presence in Mt Pleasant, to serve as a gateway.

3. The closed and convoluted spatial logic goes against the logic of open and comprehensible forms of the current building's classical and renaissance origins.

3a. The gated garden could easily attract crime in a high crime area. The architecture of classical and renaissance times also reflect their experience with elevated levels of assaults and personal danger. These very human realities strongly condition human perception, much as a menacing overhang might.

3a1. There are many assaults in this block, so a low gate and patchy environment goes against the previous open design. As shown by surveys by a local neighbor's association, there is a real basis for fear, as there was in classical and renaissance times when the external open architecture of the current building originated. DCPL's design includes many hiding spaces.

3a2. A locked gate and many hidden spaces within the garden and ramp area bespeaks danger and hidden hazards.

3b. The layout lacks the immediate comprehensibility of the current design. The use of perspective and harmonious repetition is completely lacking in DCPL's design.

Because of this, the addition degrades and detracts, and is neither a compatible extension, nor an upgrade.

4. The layout and equipage goes against the empirically derived requirements, for example as shown in Whyte's *The Social Life of Small Urban Spaces*.

The current design is based on examples in architect Tilden's work that did provide most of Whyte's prescriptions. This design seems to go against the feel of the earlier scheme and its intuitive invitation as a space that welcomes approach. By contrast, adding contributing structures should both conform the intuitive scheme of the present style, and extend its functionality. The following are principles established by Whyte as functional. Essentially all are contravened by DCPL's design.

4a. There is very little natural flow. Instead the garden is a cul-de-sac. The same space if integrated more into the flow for a terrace entrance would satisfy this requirement.

4b. There are no natural landmarks within the space to provide orientation and easy description as meeting places.

4c. There will be low-to-no sunlight except in summer midday, as the garden and ramp are on the north side of the proposed large and tall add-on structure and in the shadow of large buildings both east and west.

4d. There is little sitting space. If the terrace entrance were used, the garden would be joined with a much more inviting outside sitting area with sun and many benches. It could then accommodate schools and other groups.

4e. A variety of sitting places, from one to three feet in height. In DCPL's design, fences, gates, landscaping get in the way in chopping up the space and offering little sitting and variety for diverse human interaction.

4f. To quote Whyte: "Inviting, easy access for all – and , by the way, for kids, and the handicapped." As discussed in other points, this space is neither easy or inviting.

Whyte provides many more points, and much like the starters above. Most are lost in DCPL's proposed design.

III. ANC1D advises HPRB &c to require DCPL to set a program that informs the design based on a needs survey in conjunction with the four ANCs served by this library.

1. The current program was instituted without legal notice and ethical engagement to ANCs.

2. The structure was not designed with flex space, and so fails to adopt prudent design that respects the unknowable future.

3. The choices for ADA access, and one of the principal driving forces for the design logic, was specified based on current usages, not best practice and technology for access and security.

4. The rationale for meeting space, staff space, computer access, and children's programs were all made with incomplete and inadequate information easily available to a more collaborative process:

4a. The proposed meeting space does not afford as much space as now present – 120 often in meetings and another 80 in the space adjoining via double doors. This space can easily be almost doubled without building a rear extension.

4b. Staff space is feasible on the Terrace level, especially since much of the equipment could be moved behind the roof line.

4c. Computer access in modern practice should be distributed throughout all functional areas. For almost two decades now, computing in modern practice is ubiquitous.

DCPL fails to keep up with modern thinking.

4d. Childrens' programs - according to much of DCPL's staff - could be better handled with simple reconfiguration of current space, using flex-space principles and dividers. Currently, the program reaches less than a fifth of needs of the ca. sixty educational programs within six or seven blocks.

5. DCPL now does not know the neighborhood. They wrongly testified that the majority of residents support the plan.

5a. This is contradicted by extensive public participation efforts by 1D. The only majority vote they ever achieved was in one meeting when a large contingent of DCPL staff and consultants voted and still a strong majority of residents opposed the DCPL design.

5b. Notably, DCPL ran the meeting, and there was no substantial presentation of alternatives and their consequences, the standard required by the code of ethics of the International Association for Public Participation. A list of the 16 meetings (co)sponsored by 1D is in the appendix.

Appendix 1: Letter dated September 24, 2009, from Sarah's Circle, opposing the ramp design

SARAH'S CIRCLE Where seniors create a home, serve the community and celebrate life.

2551 17th Street, NW; Suite 103

Washington, DC 20009

September 24, 2009

Reference: Mt Pleasant Library

To whom it may concern:

Sarah's Circle offers affordable housing and wellness services to 39 very low income senior citizens living in an apartment building at Fuller and 17th Street NW. Our philosophy includes promoting and advocating for opportunities, e.g., library access, that promote learning and intellectual stimulation.

While that philosophy supports renovation of the Mt. Pleasant Library to make it more accessible, we are opposed to the current plan of a very long and elevated ramp to the back of the building.

Many of our residents have mobility challenges. This requires us to put the highest priority on access with the least degree of difficulty. That would appear to be the lower level front entrance.

It is interesting to note that, in addition to advocating for a smaller ramp because of easier access, one resident said, "People like me have had to go into buildings from the back years ago because I'm black. I don't go in from the back anymore!"

Sarah's Circle encourages the Library to spend its resources modernizing the current lower level entrance/ramp at the front of the building. We are opposed to the ramp as currently proposed.

Very Truly Yours

Executive Director

Appendix 2: Meetings focused on ANC1d Mount Pleasant Library Issues

01] 2008 03 18 (tu) ANC1d meeting.

2 resolutions passed on MP Library.

1. "DC Public Libraries should alert ANCs, including 1d, on planned changes in service, and allow response"

2. "Advice to DC Public Library Board for a more systematic upgrade, not just a refurbishment, of the Mount Pleasant Branch Library"

02] 2008 07 01 (tu) ANC1d meeting.

Resolution passed on MP Library.

"ANC1d Asks the DC Council and Mayor to Delay Reconstruction of the Mount Pleasant Library and Insist on Local Engagement"

03] 2008 07 23 (we) ANC1d meeting.

Resolution passed on MP Library.

“Delay closing Mt Pleasant Branch Library until funds are available for a local temporary facility”

04] 2008 08 12 (tu) ANC1d Special meeting.

Topics: Library and ABC.

Resolution passed on MP Library.

“ANC1d advises DCPL to delay closing the MtP Branch Library until it follows the law on engagement”

05] 2008 09 02 (tu) ANC1d meeting.

Resolution passed on MP Library.

“DCPL should engage in serious discourse with MtP & ANC1d”

06] 2008 11 11 (tu) ANC1d meeting.

2 resolutions passed on MP Library.

3. “An honest public participation program for the future of the Mount Pleasant Branch Library.”

4. “Presentation to the Library Board.”

07] 2008 11 19 (we) 1c & 1d Commissioners w/DCPL.

Commissioners Gregg Edwards and Chris Otten met with the DCPL Board at MLK Library. ANC1c and 1d Resolutions were presented. The proposition was stated and confirmed by Historic Mount Pleasant President Faye Armstrong that the staff’s proposed design is unacceptable to rare unanimity of Mount Pleasant organizations, including 5 civic associations and the ANC.

08] 2008 12 02 (tu) ANC1d meeting.

Resolution passed on MP Library.

“Freeze on the Ice Cube blockage by DCPL”

09] 2009 02 17 (tu) ANC 1d meeting.

Agreement on an Informal Meeting on MP Library as stated topic.

Stated topic: MP Library, to be held at the Library on 2009 03 03.

Changed later to 2009 03 17 at La Casa.

10] 2009 03 17 (tu) 1900 ANC meeting. w CM Graham

La Casa 3166 MP Street NW.

Councilmember Jim Graham facilitated the meeting. Large turnout.

ANC-1d hosted a meeting to formulate a resolution bearing the weight of the community in regard to the Mount Pleasant Library project. This follows on the heels of the March 3, 2009 meeting

which brought about pledges of collaboration with DCPL. In attendance were DCPL staff including, Archie Williams - DCPL Intergovernmental Liaison, Chris Wright – Construction Manager, and Joi Mecks – Marketing Director.

The Mayor's Office of Community Outreach Services were there as well represented by Yaiza Burrell and Rachel Kanter.

4 point resolution passed on MP Library.

“Resolved, that ANC1d will work with Council Member Graham to present the concerns of the Mt. Pleasant and Greater Ward 1 Communities to the Library Board of Trustees and entreat them to come to the March 26, 2009 meeting to discuss with great forthrightness and earnestness, the following:”

1. To abandon any consideration of expansion or additions to the existing Mt. Pleasant Library, except possibly to accommodate mechanical upgrades.
2. To restore and renovate the library within the existing walls
3. To examine the question of where else in Ward 1 library services are needed and might be located;
4. To consider alternative design concepts that might meet the needs of Ward 1.

It is the intent of the Commission that points 1 & 2 occur simultaneously with points 3 & 4.

This 1d resolution was approved unanimously in response to the vote of a meeting of over 50 Ward 1 residents in attendance.

11] 2009 03 23 (mo) ANC1d Commercial Corridor.

Topic: Mount Pleasant Library and alternative location on MP Street.

The unanimous sentiment of this large meeting was that the designs and programs submitted by DCPL are lopsided, and do not meet the programmatic needs of the neighborhood.

12] 2009 04 21 (tu) ANC1d meeting

Resolution Passed: “Mount Pleasant Library”

This resolution is essentially the same content as that of 2009 0317. The Library Board did not respond except to not bother to discuss it seriously. Now, the last chance is upon us to ask the DC government to intervene:

ANC1D asks Councilmember Graham and the Committee on Public Libraries, Parks and Recreation - Mayor Fenty, DCPL and its Board, to follow the recommendations that emerged from a series of ward-wide

Meetings on next steps in providing library services:

13] 2009 05 04 (mo) ANC1d & CM Graham, Fire Chief Held at the MP Library.

Large turnout of community. Over 100 people. ANC1d Commissioners McKay, Bosserman, Edwards, Lepanto. CM Jim Graham, DC Public Library, Fire Chief Rubin and EMS Staff, Mayor's Office.

The international fire code appendix recommends 20' of clearance for ladder trucks. Chief Rubin acknowledged this need.

However, on 2009 06 03 DCPL went ahead with their plans, irregardless of the fire-safety issues.

14] 2009 06 16 (tu) ANC1d meeting.

Resolution passed on MP Library.

“Library Design Tweaks For Fire Safety”

15] 2009 07 21 (tu) ANC1d meeting.

Resolution passed on MP Library.

“Reform the Mount Pleasant Library plan”

16] 2009 09 15 (tu) ANC1d meeting.

Agreement to have MP Library as one of stated topics 20091006.

Additional meeting

2009 06 03 Meeting on the MtP Library. Facilitated by CM Jim Graham.

A majority of 1D Commissioners were present.

A majority of residents and commissioners present voted against DCPL’s proposal.

However, with the large contingent of DCPL staff voting unanimously for the design, the total number of votes were slightly in favor of the design.

20090721__Reform the Mount Pleasant Library plan

Resolved: ANC1D advises the DC Public Library, and asks the Mayor and Councilmembers and the District offices dealing with the aged and handicapped to intervene with the Library Board and Fire and Emergency Medical Services, to substantially reform the proffered plan for the MtP library’s ramp and emergency access to buildings behind the Library. The staff is authorized spend up to \$600 and to work with DC offices and 1D groups to evaluate and report on the challenges to the welfare of local residents of the ramp design.

Why:

1. The proposed ramp distributed to 1D does not reflect current designs posted on the DCPL website.
2. The proposed ramp is over a hundred feet long, with no resting points for the elderly and handicapped, and is a continuing and significant burden and even danger.
3. The proposed ramp blocks the possibility of emergency vehicle, including ladder trucks, access to over ten apartment buildings with perhaps a thousand residents whose safety could be much better assured with such an access.

20090616__Library Design Modifications for Fire Safety

Resolved: ANC1D acknowledges the hard work and effort by DCPL design staff to make changes to the design of the Mt. Pleasant Library Renovation Plans, referred to as Design Scheme F and presented at the meeting on June 3rd at the Mount Pleasant Library and attended by Council Member Jim Graham and several members of ANC 1D.

1. ANC 1D advises the Mayor, DCPL, DCRA, and DCFEMS that despite great progress, we still have significant concern that the current designs of a patio, garden and access ramp along Lamont Street permanently forestall emergency access by large fire-fighting equipment, thereby potentially endangering many residents of the ten or more multi-story apartment buildings to the south.
2. The first priority should be the safety of the residents in these buildings in case of fire. ANC1D requests the DC Council to assist in clarifying and in providing any law changes needed to secure an access route without serious blockages (no cars or masonry fences) that would be in keeping with Appendix A of the most recent International Fire Code.

Why:

1. Over a thousand residents are at risk in case of a fire spreading in one or several buildings in this closely packed area. Almost all of the buildings lack sprinklers and modern fire exits, so fires can quickly isolate and overwhelm many residents.
2. It is essential that a ladder truck be able to reach residents from the space between the buildings. Given the condition of most buildings, a few minutes saved by removing blockages could mean saving many lives.
3. DCPL's current design should be modified to accommodate a minimal barrier along the South side of Lamont Street and the Library's Western property line. DCRA and the DC Council must work with DCPL and other property owners to accommodate an emergency path.

20090317-05 The Mount Pleasant Library

Resolved, that ANC1D will work with Council Member Graham to present the concerns of the Mt. Pleasant and Greater Ward 1 Communities to the Library Board of Trustees and entreat them to come to the March 26, 2009 meeting to discuss with great forthrightness and earnestness, the following:

- 1) To abandon any consideration of expansion or additions to the existing Mt. Pleasant Library, except possibly to accommodate mechanical upgrades.
- 2) To restore and renovate the library within the existing walls
- 3) To examine the question of where else in Ward 1 library services are needed and might be located;
- 4) To consider alternative design concepts that might meet the needs of Ward 1.

It is the intent of the Commission that points 1 & 2 occur simultaneously with points 3 & 4.

20081202-13 Freeze on the Ice Cube blockage by DCPL

ANC1D resolves to advise the DC Public Library (DCPL), Office of Planning (OP), and the Office of the Deputy Mayor for Planning and Economic Development (DMPED):

1. to explore alternative concepts for this space, such as a mews or development of the clear space between the buildings facing the 3100 blocks of 16th and Mt Pleasant Streets NW, while not selling public space to become private.
2. ANC1D requests that DCPL's branch library plans be altered, in ways consonant with previous resolutions, and that the huge potential advantages of leveraging an expanded but more flexible library space be provided for.

Why:

1. DCPL's proposed 'Ice Cube' – to be constructed over the parking lot on the western side of the Mt Pleasant Branch Library – would annul the best possibilities of developing this large block by plugging its most critical point of access.
 - 1a. Worse, it would hinder the economies of scale and scope coming out of connecting similar developments in adjoining blocks.
 - 1b. It would foreclose the possibility of a back-path whereby fire and emergency vehicles could access a large cluster of apartment buildings with thousands of residents.
 - 1c. It would interfere with safety and convenience of several apartment buildings, especially its neighbor 3155 Mt Pleasant St NW.

1d. If the available funds were instead directed to improving the utility of internal space, providing for modular technological improvements in the future, and extending the space in the rear of the current branch, then the parking lot space could be used temporarily for many other purposes, and the benefits of leveraging the space preserved.

2. The recent fire at the Deauville Apartments – which totally destroyed this habitation, and the spread of the fire and total destruction of the building behind it – vividly demonstrates the imminent threat to thousands of residents in that block.

2a. An emergency access route could have saved much of those buildings. While luckily no one died, hundreds of lives have been disrupted.

2b. Without some simple and low cost design changes, the potential of more than a thousand deaths remain, a threat that could be greatly mitigated by opening access.

3. This open space – especially if connected to the development of similar back-spaces in adjoining blocks – could provide space for hundreds of small shops and offices that together would constitute one of the DC area's largest incubators for innovation and local growth of good jobs.

3a. Not only would this help energize the DC economy, such a development would help promote walkable neighborhoods where far fewer cars would be needed, and where energy consumption and pollution production could be cut drastically.

3b. DCPL could then play a major role in vitalizing this development with information services needed for an innovative economic enclave.

4. If plans are not changed now, our chance to mitigate these threats and leverage the opportunities will be permanently lost.

4a. The proposed structure more points backwards to a 19th century crystal palace built for elite grandeur. Instead, it could inspire a forward vision with an architecture that preserves the best of the past while – behind the facade – dramatically supports personal and economic growth for all parts of our population.

4b. A revised design could serve both the interests in residents' health/safety and their hopes for breakout improvements.

20080902-07 DCPL should engage in serious discourse with MtP & ANC1D

ANC1D resolves to advise the DC Public Library (DCPL) and the DCPL Board:

1. To correctly engage ANC1D, the democratically elected branch of the DC government, by DC Charter and DC law authorized to represent Mount Pleasant.

2. The responses so far from DCPL do not demonstrate the legally required accordance of Great Weight. For example, DCPL fails to provide detailed evidence and arguments to each particular of ANC1D's resolutions, often included in the part of the resolutions denoted by "Why".

Why:

1. As the appeals court ruled in *Kopf v. DC ABC Board*, an agency need not only show it paid attention to ANC resolutions, but must in each specific, "articulate why or why not the particular ANC itself, given its vantage point, does or does not offer persuasive advice under the circumstances..."

2. Please note that DCPL's opinion from its vantage point is not the test, and a mere restatement of its opinion does not in itself constitute any kind of admissible answer.

20080812-03 ANC1D advises DCPL to delay closing the MtP Branch Library until it follows the law on engagement

ANC1D resolves to advise the DC Public Library (DCPL):

1. To delay closing the Mount Pleasant Branch Library until it follows the ANC law on communication with ANC1D, and until there is a chance for substantial consideration of alternative approaches.
2. ANC1D asks the Mayor, Deputy Major, and DC Council for their assistance in this matter, specifically the Ward One Councilmember and the chair and members of the committee on Libraries.

Why:

1. DCPL has not complied with the ANC laws, nor has it acknowledged nor substantially answered previous ANC1D resolutions on the Mount Pleasant branch library.
 - 1a. Similarly, it has neither acknowledged nor answered resolutions from civic associations whose members are users of the library.
 - 2b. It has not answered critiques of the "community meetings" and does not welcome substantial "input" or "participation", nor reveal much about the situation.
3. These meetings do not replace the legal requirements for substantial communication required by law.
 - 3a. In fact, the very function of the meetings is questionable given Director Cooper's revelation that almost all of the design decisions have been made.
 - 3b. Yet, the recent certified letter suggests there will be more design meetings. This notice is incomplete in many ways.
 - 3c. The laws are clear in requiring relevant agencies to acknowledge and address affected ANC's concerns: § 309.10(d)(3)A) states that "The issues and concerns raised in the recommendations of the Commission shall be given great weight during the deliberations by the government entity. Great weight requires acknowledgement of the Commission as the source of the recommendations and explicit reference to each of the Commission's issues and concerns."
4. Furthermore, D.C. Code § 309.10(h)(1) states that "Each Commission may initiate its own proposal for District government action.
 - 4a. The District government entity to which the proposal is made shall acknowledge the proposal in writing to the initiating Commission within 10 days of receipt of the proposal and shall issue a status report to the initiating Commission within 60 days of receipt."
 - 4b. And, according to the text of § 309.10(i)(1) "Each commission shall have access to District government officials and to all District government official documents and public data pursuant to § 2-531 et seq. that are material to the exercise of its development of recommendations to the District government."
5. DCPL is advised to abide by the requirements set forth in the Real Property Disposition Economic Analysis Amendment Act, and the Amended Act of 2006, D .C. Code § 10-801, which requires the Mayor to describe the manner in which economic factors are weighted and evaluated, including estimates of the monetary benefits and costs to the District for contemplated changes to the library structures or associated public property.

4a. § 10-801(f) requires: "The Mayor shall take any steps necessary to ensure continuous community input in the disposition of any real property."

4b. Changing services in public facilities including a public library is undoubtedly a change in disposition, and so invokes the requirements of continuous community input, transparency and economic accountability under § 10-801 et seq.

5. The Mount Pleasant Branch Library sits close to the four corners of the four ANCs in Ward One; this is one of, if not the principal branch library serving Ward One.

5a. The failure to give legally required notices and to sincerely work with ANCs 1A (across the street), 1B and 1C (both two blocks away) constitutes a serious failure in DCPL handling its legal duties, a failure that by itself requires a remediating delay and re-engagement.

5b. Much harm can be inflicted on the residents of Mount Pleasant and Ward One by a rushed design and construction.

6. ANC1D and other civic groups have expressed concerns that the essentially 19th century design theories will greatly constrain the usable potential of the rushed construction for a half century or more.

6a. Director Cooper announced at the 10 June 2008 meeting that she has decided against flex space that allows adaptation and learning in the use of the building. Flex space has been the best practice for building adaptable structures for over forty years, reinforced by scientific studies that show that less than 10% of the life-cycle value is delivered by the initial structure, and less if that structure requires expensive alterations to adjust the space to changing needs.

6b. The delays implicit in Director Cooper's announced decision translate into large future losses of services to users, and a large net present value loss arising from designing a public building without benefit of genuine public discourse.

6c. In this way, failure to delay and mitigate would contribute to substantial harm Director Cooper, again in the 10 June 2008 meeting, announced her decision to keep a design based around large public rooms with a sense of grandeur. Interviews with library staff suggest that such aesthetics the already present aggregation of public space into a few large rooms are already in place and seriously constrains current use to perhaps 20% of current demand for established programs, and perhaps much more for potential programs.

7. A rushed design and construction precludes the possibility of seeking synergies and many additional public benefits that likely will arise out of the current Comprehensive Plan, and the strong possibility of a Special Planning Area focused in a one block wide strip with the branch library almost in the middle.

7a. To rush this plan evades the benefits possible from a synergy in working with the Department of Parks and Recreation, whose headquarters is just across the street, and whose programs offer many points of contact if not overlap.

7b. It evades the synergies possible with working with the over fifty education programs within six blocks, including the more than \$50 million newly opened Columbia Heights Educational Campus across the street.

7c. For a third of a century, a "silo" approach -- to designing public services agency by agency without regard for synergies -- has been depreciated as simplistic.

7d. It is well accepted that having a single agency, like DCPL, design a building and program in isolation loses the possibilities of greatly extended public benefits, and loses one of the few means for increasing public sector productivity.

7e. The stagnation of public sector productivity seems to be one of the major sources of slowed economic growth over the last third century, and has been blamed for impoverishing the country by 40% compared to the trend-line of the previous century. In this way, failure to delay and mitigate would contribute to substantial harm.

8. DCPL's failure to follow public policy and the ANC law evades the synergies of a potential public-private partnership involving a planned unit development where representatives of almost a dozen neighboring buildings have expressed interest; the prospect for such a PUD has included the mutual benefits of a cultural force centered in the library and operating with an endowment deriving from air-rights at the rear (not messing with the historical façade) of the library.

8a. It evades the awesome potential leverage of anchoring several hundred alley oriented low-cost live-above store fronts in the two large blocks of and across the street of the branch library.

8b. An entrepreneurship center with a library to support an outcrop of the knowledge economy is already proven to be part of some cities stoking ten times the growth of good jobs than others. DCPL current design approach contributes to great harm.

9. Yes, the loss is important of potential outreach to underserved but yearning to learn neighbors that live nearby in the DC region's largest concentration of low-cost housing and immigrants.

9a. Perhaps the worst impact of DCPL's apparent approach, if not delayed and changed, is the loss of a sense of neighborhood civic effectiveness.

9b. This factor – which has emerged out of statistic studies on what makes neighborhoods work in the sense of more effective schools, lower crime rates, higher health status and longevity, lower recidivism,...– is directly linked to experience of fate control, and thus with the behavior of city agencies.

9c. When DCPL does not follow the ANC law, rudely and systematically ignores civic association resolutions for decades, and puts on "community meetings" that are not open, fair, balanced, and welcoming, then a sense of neighborhood effectiveness withers, along with many other component of Quality of Life measures.

20080812-02 Delay closing Mt Pleasant Branch Library until funds are available for a local temporary facility

ANC1D resolves to advise the DC Public Library (DCPL) to delay closing the Mt Pleasant Branch Library until there are funds available for a temporary facility within three or four blocks of the current facility. ANC1D requests the assistance of the Mayor, Deputy Mayor, and DC council to become actively engaged in fulfilling this advice, requests the Councilmember for Ward One and the chair and members of the Council committee on Libraries to assist, and requests Councilmember Jim Graham to withdraw his letter asking DCPL to proceed without delay and instead send a letter supporting this resolution.

Why:

Again, the concern of ANC1D is not just the impact of loss of local library service on Mt Pleasant, but on library users in most of Ward One. The MtPL is close to the four corners of all four ANC areas in Ward One, and serves almost equally all four areas.

Since ANC1D's last resolution requesting a local facility, it has become apparent that the current financial condition of the DC government would make fulfillment of our earlier request inconvenient if not politically impractical. Indeed, we hear informally that the

current plan would be to close both the Petworth and Mount Pleasant (MtPL) branch libraries at the same time, and open a temporary facility near the Petworth metro station, which is a walk of one mile from the MtPL.

Incorporating, to avoid repeating, the arguments in our previous resolutions asking for delay and for a local temp facility, ANC1D notes that the likely Petworth facility would substantially disrupt the library usage for most of the over fifty educational programs located within six or seven blocks of the current facility, and all serving Ward One.

The delays we suggest need not be major: A rehab project could start soon if designed with flex-space and with provision for later add-ons that could facilitate at least the above mentioned opportunities for leveraging this facility to better serve our neighbors.

20080723-05 ANC1D advises DCPL to delay closing the MtP Branch Library until it follows the law on engagement

Resolved, that ANC1D advises the DC Public Libraries to refrain from any decisions concerning the renovation of the Mount Pleasant Library until ANC1D has been given an opportunity to review specifically the plans for those renovations, and further to undertake consultations with residents of Mount Pleasant, and with ANCs and residents of neighboring communities as well.

Rationale:

- 1 We have not had the opportunity to review any such plans, and
- 2 furthermore we are concerned that the residents of neighboring communities which are equally important users of Mount Pleasant Library have not been consulted.
- 3 A rushed design and construction precludes the possibility of seeking synergies and many additional public benefits that likely will arise out of 3a the current Comprehensive Plan, and 3b the strong possibility of a Special Planning Area focused in a one block wide strip with the branch library almost in the middle.
- 4 To rush this plan evades the benefits possible from a synergy in working with the Department of Parks and Recreation, whose headquarters is just across the street, and whose programs offer many points of contact if not overlap.
- 5 It evades the synergies possible with working with the over fifty education programs within six blocks, including the more than \$50 million newly opened Columbia Heights Educational Campus across the street.
- 6 The delays we suggest need not be major: A rehab project could start soon if designed with flex-space and with provision for later add-ons that could facilitate at least the above mentioned opportunities for leveraging this facility to better serve our neighbors.

20080701-15 ANC1D Asks the DC Council and Mayor to Delay Reconstruction of the Mount Pleasant Library and Insist on Local Engagement

ANC1D resolves to ask the DC Council, DC Public Libraries and Mayor

1. to Delay Reconstruction of the Mount Pleasant Library and
- 2 insist on Local Engagement.
3. Further, ANC1D asks that the ANC law mandating acknowledgement and response to ANC1D resolutions be adhered to.

4. ANC1D advises the DC Council, the Mayor, the DC Public Library (DCPL) Board and administration to assure that DCPL changes its misleading practice of holding "community design" meetings that do not seriously engage residents and other users (like schools) in finding needs and interests.

5. ANC1D authorizes its staff to set a high priority for these changes, and authorizes an expenditure of up to \$3000 to clarify the legal situation sufficiently so that users can decide upon appropriate legal responses. The staff should advertise for and select consultant services to assist towards the success of this project, and seek other partners (on a matching fund basis) and participants.

Why:

1. DCPL has ignored its duty and the law by not responding to ANC1D resolutions on this matter.

1a. Instead, DCPL at great expense has put on so-called "community design" meetings which have mostly been top-down lectures with negligible participation by users and residents, and with small and unrepresentative response from local residents.

1b. At the second such meeting, June 10th, Director Cooper noted that almost all of the decisions had already been made, and that much of the presentation by the architects had already been ruled out by her decisions.

1c. Similarly, there has been no response to the petitions by local civic groups.

1d. This kind of pseudo public meetings appears Machiavellian and would be a farce except for the expense, and for the distraction away from a sincere effort at understanding and providing for the needs of potential users.

1e ANC1D notes that this misbehavior by DCPL seems to be part of a larger pattern around five branches and not just Mount Pleasant, a pattern that has aroused law suits, protests by other ANCs, and the mobilization of neighborhood groups.

2 ANC1D invites participation by other ANCs and civic groups to encourage or force DCPL to obey the law, and start to reap the benefits from a more progressive policy: Encouraging participation from all parts of the city towards greater literacy, public education, and an imaginative engagement in a creative civilization.

3 DCPL's current behavior belies its intended public purpose. We call on other organs of government and civic groups to persuade DCPL away from its patterns of misbehavior that so misrepresent the ideals of civilization supposedly carried in its collections and by its dedicated staff.

20080318-17 Advice to DC Public Library Board for a more systematic upgrade, not just a refurbishment, of the Mount Pleasant Branch Library

Resolved, ANC1D advises the DC Public Library System and Board, the DC Council, and the Mayor, to hold back on the currently planned "light" rehab of the Mt Pleasant Branch library until this Commission, and other groups served by the library, can consider alternatives, some that might offer far better use of the funds.

Why:

1 ANC1D believes that the renovation of the Mount Pleasant Library could complement a number of other public/private opportunities in the immediate vicinity including

1a. the potential relocation of the Department of Parks and Recreation Offices;

1b. the availability of several commercial properties for sale adjacent to and in the vicinity of the library; and

1c. the shared needs of other District Offices to reach residents in Ward 1.

2 This confluence of opportunities should position the District of Columbia Public Library System in

2a. a central role of bringing District Offices together and

2b. re-envisioning the Mount Pleasant Library and

2c. its role in serving the Midtown communities of the District of Columbia.

3 ANC1D would like to see joint planning and implementation by the Public Library System, Housing and Community Development, Planning and Economic Development, Public Schools and Parks and Recreation;

4 The citizens of Ward 1 would like to see an approach to library services that places the resident first and eliminates the bureaucracy that plagues every interaction District residents have today with their government.

5 ANC1D realizes that such coordination, planning, and community involvement will take time.

5a. The Commission believes that reasonable delays in order to produce a better outcome would be worth the time and welcomed by the community.

5b. The Commission also feels the architecture and engineering work being contracted for at this time is needed and would contribute to an expanded project once those ideas are explored.

6 ANC1D feels the residents of Ward 1 deserve more than a gently restored branch library. The Commission sees great promise in this renovation and in the expanded consideration of the entire service area of this branch.

7. ANC1D asks that due consideration be given to the unanimous resolution of the All-Ways Mt Pleasant Neighbors Association, which reads:

1] A modest rehab will not empower the branch library to engage with the many potential partners across the ward.

2] A modest rehab might well disqualify us for a half century from getting the kinds of building changes that we strongly need, for example:

a) More and more flexible space, especially providing diversity and adaptability impossible in the old conception of grand reading rooms that require highly constrained behavior by isolated individuals;

b) A mechanical and technology module that can be cheaply upgraded as we go through major technological revolutions in energy and information systems;

c) An openness to the world and neighborhood, that while preserving the current grand entrance, also invites all to enter at the ground floor, without a sense of stigma for seniors, toddlers, and the handicapped;

d) An opportunity to expand the space, or to better use the land nearby for future needs and revenue streams.

3] A modest rehab would preserve a conception of libraries that arose in the late 19th Century, and is increasingly at odds with the rapidly changing and broadening needs for the 21st.

20080318-16 DC Public Libraries should alert ANCs, including 1D, on planned changes in service, and allow response

Resolved, ANC 1D advises the DC Public Library System and Board to provide early and continuing information on plans for changes in the Mt Pleasant Branch Library. This is a legal responsibility of DCPL for all ANCs.

1. Specifically ANC1D reminds DCPL that this Commission has a legally required role to play, so that it can consider and comment on the renovation of our branch library prior to action being taken by the District government.

2. Therefore, prior to development of construction documents; prior to closure of the branch library facility; prior to selection of an interim facility; and prior to the altering of library hours, the Commission requests notice and great weight consideration by the administration of the Library System.

Why:

1 This is the role set out in the DC Charter for ANCs, and has been reinforced by numerous further legislation and court decisions, including some recent ones with DCPL as a party.

2 The Public Library provides a fundamental service to our residents and it is imperative that their voices be sought as changes are proposed.

Resolution passed, 4 to 1 (Gregg, Dave, Stormy, Jack voting “yes”, Phil “no”).

Adjournment

[9:00 pm] Gregg moved adjournment. By unanimous consent, the meeting was adjourned at 9 pm.