

Jack's November report

At the October ANC1D business meeting, the ANC did the following:

- Approved the ANC1D quarterly financial report for Q4FY2020;
- Advised DDOT and DCRA to conduct reviews of the proposed construction at 3430-3432 Oakwood Terrace;
- Advised the HPRB to support permit applications for roll-up vehicle gates at 2051 Park Road and 1745 Park Road;
- Advised ABRA to approve the liquor license renewal application for International Progreso Market;
- Asked DDOT to conduct a Traffic Safety Assessment for 17th Street, between Newton Street and Piney Branch Parkway.

After days of anxious waiting, it is becoming clear that Joe Biden will be the next President, scraping by with 50.5% of the national popular vote. In DC, it was no contest, of course, Biden winning more than 92% of the DC vote, Trump just 5%. Here in Ward One, Biden has 94% of the popular vote, Trump less than 4%. In Mount Pleasant, the vote is 95% Biden, 3% Trump, 2% other.

Two of the five Mount Pleasant ANC commissioners, Jon Stewart and Yasmin Romero-Latin, chose not to run for another term. The new ANC1D, beginning in January, will comprise:

1D01: Jason Hamacher, 664 votes (1st ANC term)
1D02: Robin Sandenburgh, 366 votes (2nd ANC term)
1D03: Jack McKay, 806 votes (10th ANC term)
1D04: Michael Brandenburg, 449 votes (1st ANC term)
1D05: Chelsea Allinger, 705 votes (2nd ANC term)

The **laundromat on Mount Pleasant Street** is going to be converted to a 15-unit apartment house with a retail storefront. Yes, everyone is dismayed by the loss of that service, but the new use of that location, offering higher value for the site, indicates the direction in which Mount Pleasant is going.

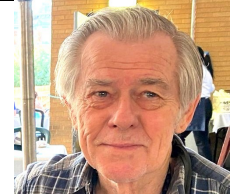
The ANC considered the plans as a historic preservation issue last spring, and advised approval. The applicants noted at the time that they would need “special exception” approval of a couple of zoning matters, concerning the required setback of a top floor, and off-street parking. Those came to the ANC in September, and we supported their application for relief from both requirements. Eliminating top-floor setback makes the building a better match to its neighbors on Mount Pleasant Street, and the off-street parking requirement – just two spots – was clearly going to be difficult to accomplish.

On October 25, the Board of Zoning Adjustment (BZA) considered the special-exception application, and promptly approved the two exceptions requested. Their consideration was made a bit interesting by an objection filed by Historic Mount Pleasant, which argued that the parking situation in Mount Pleasant is difficult, so the developers should not be allowed to omit the two off-street parking spaces required by the zoning regulations. The BZA quickly dismissed that objection. It does seem odd that Historic Mount Pleasant should concern itself with off-street parking requirements.

ANC 1D03 NEWSLETTER #208

Jack McKay, November 8, 2020

Jack McKay
3200 19th St, Tel. 462-8692
e-mail: jack@dcjack.org
<http://DCJack.org>



Two historic preservation permit applications last month dealt with **roll-up steel vehicle gates** – something like armored garage doors, without the garage. I was surprised to find many of them around the neighborhood. It seems that the Historic Preservation Office (HPO) decided it was time to set some standards for the things, so these went to the Historic Preservation Review Board (HPRB) for review.

The response from the HPRB seems to be that they're acceptable, if given a bit of disguise to moderate their metallic, industrial, armored-entrance appearance. Such vehicle gates will be approved “with the condition that the gate itself be refinished in a color (preferably earth-tone) rather than leaving it bare metal”.

The current applications are for two locations on Park Road alleys. With suitable modification, both can be approved. That seems like a reasonable outcome.

The ANC received a query from the Mayor's Office regarding making **Newton Street, from 14th to 19th, a “slow street”**, encouraging pedestrians to walk in the street, thus better able to maintain “social distance” spacing. We have, of course, long heard complaints about speed on Newton, especially between 16th and 18th, near Bancroft Elementary. So, whatever the rationale, anything that promises lower speeds seems advisable. So the essence of the response from the ANC was “no objection”, at least for a trial run.

Besides lower speeds, the “slow street” conversion is supposed to prohibit through traffic. Another longstanding complaint heard here is about morning commuters coming up 17th Street from Piney Branch Parkway, then making their ways to Park Road, via 18th or 19th, and continuing west. I believe this is done to bypass traffic backups at the intersection of Piney Branch and Beach Drive.

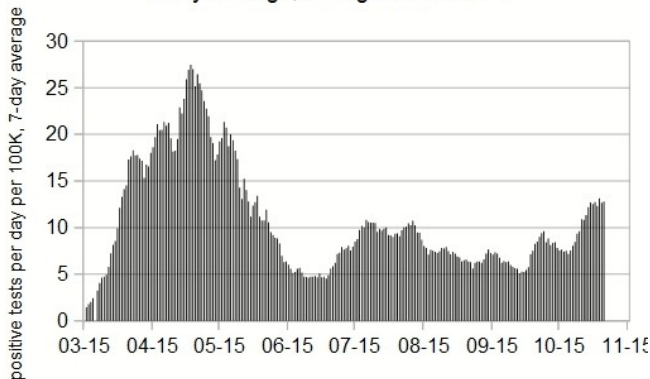
However, DDOT reports that “residents have raised numerous concerns with the effectiveness of the initiative due to confusing signage, poor communication, and perplexing street choices to serve as slow streets. Due to these issues, few residents appear to take advantage of the initiative.”

Will this work on Newton? Will there be dismaying side effects? We want to hear from residents about this effort to “calm” local traffic. If it works, wonderful! If it results in serious inconveniences to Mount Pleasant residents, we'll see what we can do about it.

The **coronavirus pandemic** continues. The Northeast has been doing relatively well in recent weeks, perhaps because the plague struck early and hard here, and people have taken

DC test positives, per 100K population

7-day average, through November 7



the matter seriously. In the Midwest and the Mountain West, people have not been much affected until recently, as the plague spread late into rural parts of the country.

The recent increase, enormous in states such as Wisconsin, North Dakota, and South Dakota, is evident here, but at a far lower level. In early October, the District was reporting about 40 new covid-19 cases per day. Now the count is over 90 per day, and is still increasing. The rate of 90 new cases per day amounts to 13 per 100,000 population. Compare Wisconsin, where the current rate is about 90 new cases per 100,000 population per day – *seven times* what we're experiencing.

A criterion for the transition from Phase 1 to Phase 2 of the coronavirus pandemic recovery – moderated restrictions, permitted by a lower rate of infection – is a daily rate of less than 5 per 100,000 population. Not only are we at more than twice that rate, but the current trend is an increase, not a decrease. In short, the end to the mask wearing and social distancing and other pandemic mitigation measures is not in sight.

How many residents know what a “parking” is? **Many of our front yards, and our front porches, are on public space**, not our private lots. This is because the roadway width designated for our neighborhood streets is, for many streets, much greater than is actually used for street and sidewalks. Commonly the DDOT right-of-way is 90 feet wide, of which 54 feet is used for pavement and sidewalk. The excess, 18 feet on either side of the street, is turned over to the “care and keeping” of the abutting resident, and becomes the resident's front yard. These public-space yards are called “parkings”, not having anything to do with cars, but to say that they're to be maintained in the manner of parkland.

An HPO document describes the matter well: “By the 1860s however, it became clear that the extreme width of many of l/Enfant's rights-of-way were excessive . . . In response to this reality, Congress passed the Parking Act in 1870, and in 1871 the Projection Act. Both Acts allowed for the private use, with certain restrictions, of public space in front of buildings on exceptionally wide streets.

“Although named the Parking Act, the legislation had nothing to do with parking automobiles. Rather, it refers to maintaining a “park-like” environment in the public space while allowing property owners to fence the area and treat it as their front yards. The Projection Act allowed the front facades of buildings along the same wide streets to contain porches, bays, towers and turrets that projected over the property line and into the right-of-way.

“In many of the city's row-house neighborhoods [such as Mount Pleasant] the private use of public space extends 14 to 18 feet over the property line, which is typically where the front facade is located. . . . To retain the park-like appearance envisioned in the 1870 Act, landscaping is restricted to flowers, ground cover, grass, low shrubs and trees. Vegetable gardens, shrubs and hedges over three feet high and substantial paving of green space is not allowed.”

Mount Pleasant streets with wide “parkings” on each side of the street include Lamont, Kilbourne, Kenyon, Irving, and 17th, 18th, and 19th.

That unused DDOT right-of-way is the reason why our houses are set back so far from the street, resulting in the spacious “suburban” feel of Mount Pleasant. We can fence in our “parkings”, and build front porches over them, but we may not build on them, nor pave them, nor plant tall hedges around them (who knew?).

Hence, many of our front yards are not our private property but are, technically, “public space”. That doesn't mean “open to the public”. Our front yards are our front yards, despite being DC property. But what we're allowed to do in these public space front yards is limited by public space regulations, and commonly public space permits are needed for ordinary improvements, such as fences, hedges, and paving.

This leads to some confusing legal situations. With the matter of replacing lead water lines with copper, for example, homeowners were financially responsible only for the portion of the pipe that was on the private-property side of the line, while the District paid for the portion from that “building line” to the water line in the street.

The first pass of **leaf collection** is under way as I deliver this newsletter. The DPW initially planned to have residents put their leaves in paper bags for collection, as I wrote in my October newsletter. Evidently there was a lot of complaint about that, and DPW abruptly changed course, reverting to the regular leaf collection method of vacuum trucks sucking up leaves piled in our treebox spaces. (Not in the street, please, where the leaves clog gutters, and the leaf collection crews can't reach leaves under parked cars.)

The November meeting of the ANC will take place at 7 pm, November 17. Due to the ban on gatherings of more than 50 persons, and the closing of the Library meeting room, it will have to be a “virtual” meeting, accessible via the internet, using Zoom software. See the ANCID website, anc1d.org, for details.