

Jack's December report

At the November 18 meeting, the ANC:

- Advised the HPRB to reject the current conceptual design for the Oakwood Terrace lot;
- Advised the HPRB to pay special attention to the appearance of the rear of the Oakwood Terrace building, as seen from 17th Street.

We were nearly unable to hold that next-to-last ANC meeting of 2014. Yasmin has resigned, told that she had to in order to run as a write-in for 1D01. (I dispute that, but the law is ambiguously written – as so many are!) Phil's job is taking him to Jordan for five years. China happened to be on a business trip in California. That leaves Adam and me – but this ANC must have three commissioners present, for a quorum. Fortunately Phil was still in DC, so we managed to have three at the meeting. Barely! This commission needs a fresh start, which it will get, in January.

The only matter considered at that very brief meeting was the proposed development at **3430-3432 Oakwood Terrace**, a very controversial and troublesome project, because the lot in question has been woodland until now, and because it's on a very narrow lot, between Oakwood Terrace and 17th Street, presenting special challenges to a building design.

The original proposal for three flats on this site (a flat is a two-dwelling-unit house) has been scaled back to two. Still, concerns about its appearance remain, and Adam Hoey developed a resolution that addressed these concerns in what I thought was a constructive manner. That resolution, with six specific concerns and recommendations, passed by a 3 to 0 vote.

I focused on the special problem presented by the rear of this Oakwood Terrace structure, that being the view of it from 17th Street. My resolution simply called for extra care to be taken concerning the esthetics of this rear-side of the building, because it will be visible not just from an alley, but from 17th Street.

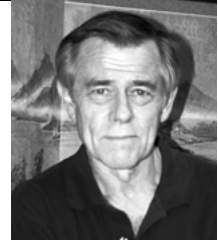
Late on a bitterly cold night in March, 2008, the **Deauville apartment house**, an inexpensive 85-unit place popular among Mount Pleasant's Latinos, burned to the ground, displacing close to 200 residents. No one died, because three first-floor residents who smelled smoke ran through the building, pounding on doors and warning everyone to get out: “¡Vámonos, vámonos que esto se quema!” Alberto Ferrufino opened up Don Juan's Restaurant to provide a warm refuge for residents, many still in pajamas, while firefighters battled the enormous fire, the first five-alarm fire in DC in 30 years.

Six years on, many of those long-displaced residents are now returning. On November 25 Mount Pleasant Street was closed for the grand opening of the Deauville's replacement, the tenant-owned **Monseñor Oscar Romero Apartments**. Outgoing Mayor Gray and Councilmember Graham, who played substantial roles in the purchase of the building by its tenants, for reopening as affordable apartments, attended. Not all of the tenants of 2008 will return, but many will, and that will be a great help to the Latino businesses of Mount Pleasant Street, which have suffered during the absence of so many of their regular customers.

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Jack McKay, December 7, 2014

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The little shop space at the corner of Kilbourne and Mount Pleasant, once Suns Discount, has been vacant for some time. Now **Subway will open a sandwich shop** there. This being a private-sector matter, the ANC has no role to play. If it's consistent with zoning – and it is – then that's that.

I've heard some complaints that a Subway isn't appropriate for Mount Pleasant Street, perhaps because it's a national chain, and there's nothing special or exotic about it. But I argue that anyone willing to invest in our commercial strip, taking over a facility that is small and difficult to adapt to commercial use, should be made welcome. Furthermore, “diversity” is our philosophy, and presumably a Subway will serve residents of Mount Pleasant who like their sandwich fare. It's a franchise operation, so in that sense, it's local.

In September, the Office of the Inspector General (OIG) issued a lengthy report on “**Parking And Automated Traffic Enforcement Ticket Issuance Practices**” in DC. Regarding speed cameras, the OIG report recommended that the District “(1) require a robust justification, accompanied by traffic data, of the need for an ATE device at a planned location; [and] (2) within a reasonable period following installation of the device, require a statistical analysis of the impact of the device on traffic safety at the location”. Excellent advice, I think!

As for parking enforcement, the report noted the DMV policy that anyone receiving a parking ticket is presumed guilty, and must prove innocence. This marvelous quote came from an unidentified “senior official”: “*One of the beauties of parking, it's like the [Internal Revenue Service]. If you get a parking ticket, you are guilty until you have proven yourself innocent.... That has worked well for us.*” Yes, I'll bet it has!

The OIG report argues that motorists should have a “right to specific, reasonable evidence supporting a parking or ATE ticket”. That seems only fair. But the District Council Committee on Transportation and the Environment, conducting a hearing on September 24, harshly criticized the authors of this report. Councilmember Cheh in particular asserted that they had no right to conduct such an investigation. It seems to me that the Council should have accepted this report as a valuable insight to a real problem, namely that traffic and parking ticketing in DC is widely viewed as unfair, motivated more by a desire to extract cash from hapless motorists than by actual concerns of safety or parking regulation. Parking tickets, in 2013, took in \$83 million, and speed-camera tickets, \$89 million. No wonder the District Government loves these programs.

Lately I've been battling with the bureaucrats again about parking tickets issued to cars parked **closer to an intersection than the 40-foot signposts indicate**. District law allows motorists to park as close as 25 feet from an intersection, if it's an RPP-posted block, and the car has the requisite RPP sticker. That law has been in place for eight years, since 2006, but some Parking Enforcement people just cannot comprehend that a car parked past a "no parking" sign can in fact be legally parked. Then they compound the error by labelling tickets P055 – "No Parking Zone Anytime" – instead of P025 – "Parking within 40 ft of intersection". That not only fails to specify the actual parking violation, but increases the fine, from \$20 to \$30. It took two months, and countless e-mails, but eventually Director Howland of DPW revoked the tickets, agreeing that they were wrongly issued.

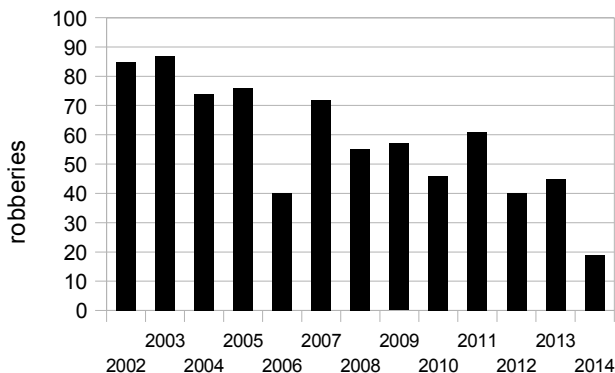
It shouldn't be that hard. Bogus tickets shouldn't be issued in the first place, of course. But if one is, it ought to be easy to get a fair, competent hearing of one's defense. But the "guilty until proven innocent" policy is hard to fight. As Director Babers of the DMV wrote, the very issuance of a ticket is "prima facie evidence" of a violation, and if you didn't actually do anything wrong, well, it's up to you to prove it.

It's annoying, certainly, that you can't leave a car parked on the street with anything of value visible within it. **Thefts from automobile were up in November**, 21 for the month, well above our average of about 13 per month. I find no seasonal pattern to these crimes. As for location, they happen everywhere, though mostly on quiet side streets.

Robberies in Mount Pleasant display a very pleasing long-term decline, as the chart below shows. Only a decade ago, Mount Pleasant was suffering about 80 robberies a month. (A robbery is defined as a person taking property from a person with force, or the threat of force, and is classified as a crime of violence. A burglary is not a robbery.) Now we're down to half that count, or less.

Some arrivals to Mount Pleasant, no doubt coming from the safety of distant suburbia, are dismayed by the crime that occurs here in the center city, while those of us who have been here for many years are amazed that crime has decreased to such low values.

MtP robberies per year
(2014 through November)



The **November 4 election** results have been updated with counts of absentee and provisional ballots, and have now been "certified". The Mount Pleasant vote for mayor:

Mayor	Mt Pleasant votes	Mt Pleasant proportion	Citywide proportion
Bowser	1996	47.8%	54.5%
Catania	1782	42.7%	34.6%
Schwarz	205	4.9%	7.0%

Catania did better in Mount Pleasant than in the city as a whole. As for us ANC candidates:

SMD	ANC commissioner	Votes	Proportion
1D01	Frank Agbro	555	66.2%
1D02	Adam Hoey	259	64.3%
1D03	Jack McKay	675	74.8%
1D04	Rosa Rivas	353	64.4%
1D05	Arturo Griffiths	291	34.1%
	Ilana Harrus	270	31.6%

The "proportion" column shows the ratio of the votes cast for the candidate to the total number of ballots cast in that SMD. Some were write-ins, but most of the non-votes were ballots on which the ANC was simply ignored. In my SMD, for example, there were 902 ballots total, of which 6.0% were for write-in candidates, and 19.2% were "no votes" for ANC.

That race in 1D05 (the south-west portion of Mount Pleasant) was remarkably close, just 21 votes – 2.5 percentage points – separating Arturo and Ilana. There were 268 ballots in that SMD cast for no candidate, a number much larger than the difference between the two candidates' totals. That election could easily have gone the other way.

Recall that **the primary election** was held on April 1, absurdly early in the year, in a misguided attempt by the District Council to comply with a new Federal regulation requiring that absentee ballots be mailed to military and overseas voters at least 45 days prior to an election. The Board of Elections said it could do this only if the primary were in early August. Nobody wanted a summertime election, so this was pushed back into the late spring. Then some bright soul proposed that, to save money, it be merged with the Presidential primary, hence, early spring, and April 1.

Besides causing the District primary to be far earlier than anyone was ready, this early date resulted in a very long lame-duck period for elected officials for whom the primary is tantamount to the general election (e.g., Mayor Gray, and Councilmember Graham). The Council recognized its mistake immediately after the election, and this won't happen again. In the future, District-wide primary elections will be held on the first Tuesday in September. The Board of Elections is being told to improve efficiencies to meet the 45-day requirement, because early August just isn't feasible.

The next meeting of the ANC will be on **Tuesday, December 16, 7:00 pm, at the Mount Pleasant Library.**