

Jack's February report

On January 19, the ANC did the following:

- Elected officers for 2010: Gregg Edwards as Chair, "Stormy" Scott Vice Chair, and me as Secretary and Treasurer.
- Established a policy that ANC contractors must have monthly work plans for Commission review.

On February 2 the ANC held an "informal" meeting, with the proposed night club license for Haydee's Restaurant a major topic. On February 15 the ANC held another informal meeting, this time dedicated to the night-club topic. On February 16, at the regular monthly meeting, the ANC:

- Approved a "representations of future operations" statement from Haydee's
- Endorsed the application for a night-club license by Haydee's Restaurant.
- Amended a library study resolution to have Mr. Rob Waldeck lead the proposed study.

Yes, this newsletter is late! It was supposed to go out around February 8. That didn't happen, because on February 5-6 the snow gods punished us with 18 inches of white stuff, our second once-per-decade snowfall this winter. Then, on February 9-10, came yet another 11 inches, our *third* once-per-decade snowstorm! **I've seen DC paralyzed by snowstorms before, but this one was the worst ever.**

People laugh at DC for going crazy over even little bitty snowfalls, but this was enough snow to give any city trouble. February has been, in fact, the snowiest month in DC in 110 years, with 32 inches so far. As Senator Dick Durbin of Illinois said, this was "a heck of a snowstorm . . . this one was the real deal". Compare Chicago, 1979: "Streets were not plowed, garbage was not collected and mass transit was staggered. Chicago was the city that could not get to work." Sound familiar? Chicago was paralyzed by 35 inches of snow in two weeks; we got 32 inches in nine days.

The trouble with so much snow, as everyone knows by now, is that there's no place to put it. A six- or eight-inch snow can be managed by just plowing it aside until it melts. But an 18-inch snowfall, if one simply piles everything from the street and sidewalk onto the treebox, as we're supposed to do, results in a heap 10 feet tall. On a multilane street, shoving the snow aside and piling it up just doesn't work, so it's got to be trucked away and piled up somewhere else. That's a very slow and laborious process, and this city isn't accustomed to or equipped for doing that. All things considered, this city has done pretty well in handling a once-a-century event.

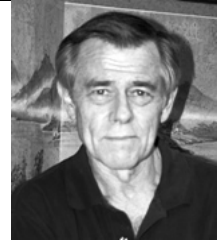
As for my newsletter, I'm not going to attempt delivery wading through knee-deep piles of snow and negotiating icy sidewalks and steps. So here it is, a couple of weeks late.

On January 21 the ANC was advised that Haydee's Restaurant has applied for a **night club liquor license**. I promptly posted the notice on the Mount Pleasant Forum, initiating a public debate on this controversial issue. The ANC's February 2 "informal" meeting focused on this application, pro and con, and a special such "informal" meeting was held on February 15, in order to have maximum

ANC 1D03 NEWSLETTER #89

Jack McKay, February 21, 2010

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



public discussion prior to the February 16 ANC business meeting.

Why do the owners, Haydee Vanegas and Mario Alas, want to have a night club (CN) license, in place of their restaurant (CR) license? For one thing, the CR license compels them to terminate live music and stop patrons from dancing two or three hours before closing. It's said that bands don't want to come play for hours kept short by these requirements, and patrons object to being told that they have to sit down and stop dancing. For another, Haydee's is having difficulty meeting the food sales requirement for restaurants, namely that food sales amount to 45% of their gross revenues.

There are no night clubs in Mount Pleasant, and none in Adams Morgan, either. Some (but certainly not all) night clubs become notorious trouble spots, attracting patrons with bad, even violent, behavior. We hear too many reports of late-night patrons pulling guns and assaulting people on U Street, and in Adams Morgan, in or near certain late-night entertainment places.

Would this happen at Haydee's? Not likely, given the cheerful, family-friendly nature of the place as managed by Haydee and Mario. They have promised that, as a night club, the restaurant would continue to be run as it is now, just with music and dancing up until closing time.

I pressed for some written assurance that the restaurant would remain a restaurant, despite the night club license. They offered a four-point agreement, including the statement that "Haydee's will not advertise itself to be a nightclub. Instead, it will continue to operate primarily as a full-service venue for positive social engagement, that is, a venue that serves food, with a broadly attractive menu and pricing, whenever there is entertainment and drinking." This was approved by the ANC on February 16, and that was sufficient for me to vote in support of the night-club license application. The ANC vote was unanimous, six to zero, reflecting the broad support that Haydee and Mario have from the neighborhood. Sentiment expressed during the two informal ANC meetings in February was overwhelmingly in support of this change.

Support is not unanimous, of course. I understand that the MPNA is pressing for a more modest approach, perhaps a tavern license with a special endorsement for a dance floor larger than the 140 square feet allowed under the basic license. That sounds okay to me, and avoids the "night club" label.

Much will happen before this change comes to pass. The petition date (by which date those who object to this

“substantial change” must notify ABRA) is March 8, and the hearing for the application is set for March 22.

On January 13, Don Jaime's Restaurant was called before the ABC Board on a complaint of “voluntary agreement” violations. Don Jaime's shocking offenses: no signs, in English and Spanish, advising patrons about “respecting the community” and to “keep noise to a minimum”. These were his first ABC violations ever. You would think that the ABC Board would be content to let this go with a caution to obey every provision of the VAs. Not so.

Immediately before the Board hearing, the District Government lawyer agreed to settle the matter for a \$250 fine. The ANC was already calling for no fines, given the triviality of the violations. Hear Mount Pleasant, author of one of the two VAs, sent in a letter calling for no fines. Even the MPNA, author of the other VA, might have done the same, had they been paying attention. But the ABC Board rejected the government lawyer's agreement, and insisted that the issue go to a full-bore hearing, spending two hours of everyone's time in sworn testimony. Your tax dollars were paying for the lawyer, the ABRA inspector, and for the MPD officers who were cooling their heels waiting for the next case, delayed by an hour by these proceedings.

I testified in support of Don Jaime's, speaking for the ANC. We await a decision.

At 10 pm on Saturday, January 23, there was a robbery, using a gun, on the 3100 block of 18th Street. We're seeing too many robberies in Mount Pleasant, way too many using guns, and this one was farther west than they usually happen.

Lately there's been much talk that crime is down in DC. Homicides have hit a low, and that's marvelous, but it's not true that the District “is experiencing a historic drop in the crime rate”, as the Washington Post claimed in an editorial on January 13. The Post published my reply to this editorial, in which I noted that **robberies in the District are up by 22% since 2000, and in 2009 hit a 12-year high**. The Metropolitan Police are quick to claim credit for the drop in homicides -- “we're making an impact”, says Chief Lanier -- so will they accept responsibility for the increase in robberies? Not a chance.

In October, 2006, Mount Pleasant resident Jose Villatoro, husband and father of two young girls, was shot dead in Southeast DC, as he trimmed grass on his landscaping job. This was a crime exceptional in its viciousness even for the worst parts of the District. Jose's offense: he had spattered a few grass cuttings on the clothes of a 23-year-old passerby, one Lankford Harrington, who pulled out a .357 Magnum and shot Jose four times.

On January 29 Harrington was sentenced to 61 years in prison. To the astonishment and disgust of DC Superior Court Judge Geoffrey M. Alprin, Harrington expressed no regret, no remorse for this wanton murder.

Jose's wife Carmela, and their two daughters, remain in Mount Pleasant today. The little girls, now 5 and 10 years old, are students at Bancroft. I hope they are doing well, despite this unspeakable tragedy.

This ANC is on record in opposition to **single-sales bans**, arguing that such bans do not cure indigent alcohol abusers, but merely push them into other neighborhoods, or to bootleggers. Alcohol addicts are not so easily cured that making it difficult for them to buy their liquor does the job.

A particularly absurd invocation of this law was perpetrated last February at the Woodner Grocery. No street drinker is going to get his liquor at the Woodner; they can't even get in past the desk. Anybody buying a single inside the Woodner is surely going to take it up to his apartment, and what's wrong with that?

But never fear, the DC Government is protecting us from single sales at the Woodner Grocery. An inspector entered the Grocery, pulled a 24-ounce can of Budweiser from a cooler, paid for it, and then charged the proprietor with a violation.

The Woodner Grocery will settle this “violation” for a \$500 fine. Guess we can all sleep better at night, knowing that the Woodner Grocery won't be selling single bottles of beer to Woodner residents.

The **snow-plowing of our neighborhood streets** was hit-or-miss, with no systemic approach evident. Ingleside residents complained to Councilmember Graham on February 10, whereupon three snow-clearing trucks were sent out, which promptly got stuck in the snow and had to be dug out by residents.

The 1900 block of Lamont was even more neglected, perhaps because it doesn't go through to any other streets. On February 16, my requests to the Mayor and to DPW having been fruitless, I e-mailed the Councilmember, who replied “how is this possible” -- and in four hours, a sand/salt truck appeared. Thanks are due to the Councilmember, without whose intervention that steep block of Lamont might be still today be a slab of ice.

Readers will recall that I've been nagging DDOT about that **metal plate in the Park Road/Walbridge Place/Klingle Road** intersection for months. DDOT was unable to figure out which District agency was responsible for that plate. A snowplow forced the issue, ripping the plate loose, opening the pit and exposing the WASA manhole. DDOT put the plate back, and then somebody finally got around to filling the deep hole and removing the plate, on February 4, some 11 months after the pit was dug and covered with the steel plate. I think DDOT filled the hole, then sent a bill to WASA.

Thanks are due to the snow-plow, I guess. None are due to WASA, which dug the hole in the intersection without telling DDOT about it, then covered it with the steel plate and went away and forgot all about it. No thanks to DDOT, either, which was ineffectual in dealing with the problem.

Guess it's academic now, but we residents are responsible for clearing snow and ice from all sidewalks abutting our homes, within 8 hours of daylight after the snow has stopped. Renters, too, not just homeowners. Too many residents have been walking in the streets to avoid ice-covered sidewalks.

The ANC's next <i>informal</i> meeting will be on Tuesday, March 2 . The next ANC <i>business</i> meeting will be on Tuesday, March 16 .
