

Jack's February report

At the January meeting, the ANC:

- Elected commission officers for 2017: chairperson, Yasmin Romero-Latin; vice chairperson, Jon Stewart; treasurer, Stuart Karaffa; secretary, Jack.
- Established three “standing committees” for the year: Transportation (Jon Stewart), Public Space (Stuart Karaffa), Housing (Paul Karrer).
- Advised the Historic Preservation Review Board (HPRB) to approve the proposed alterations for 3109 18th Street;
- Endorsed Mayor Bowser's Immigrant Justice Legal Services Grant Program;
- Advised the Department of General Services to enhance site security at Bancroft Elementary, the victim of extensive vandalism the weekend of January 13.

Councilmember Brienne Nadeau attended the January meeting, and administered the ANC oath of office to Paul Karrer, who hadn't been able to attend the mass swearing-in at the Convention Center on January 2. With that, the mostly-new ANC1D was ready to set to work.

I'm encouraged by what I saw at this **first meeting of the new commission**. The commission agreed, by unanimous consent, to have Yasmin Romero-Latin as chairperson for the year, recognizing that she's got ANC experience (2011-2014). That our elected chairperson is Latina shows that the Mount Pleasant immigrant community is a full partner in the leadership of the neighborhood. We will continue, of course, to offer simultaneous Spanish interpretation at our meetings.

Jon Stewart offered a resolution in support of the homeowner at 3109 18th Street, Mr. Jon Cooper, applying for a **historic preservation permit**. Mr. Cooper needs to add to his house to provide living space for his disabled daughter and a caregiver. This is on the rear of his house, and ordinarily would not be a problem, hidden behind the house. But his house abuts an alley, and the opening of the alley makes the rear of his house visible from 18th Street.

I have long argued that, when Mount Pleasant rather reluctantly submitted in 1985 to becoming a historic district, what residents wanted was only a ban on developers coming to the neighborhood and replacing row houses with modern-architecture dwellings (see the open-garage units on 18th Street at Park Road for an example of such “incompatible” development). I do not believe that residents wanted to be locked permanently into the current appearances of their homes, regardless of changing needs. However, that's what we've got.

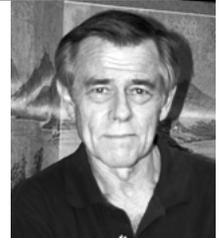
The letter of the District's historic preservation law is explicit: alterations are allowed, if they are “compatible with the character of the historic district”. Hence, an addition to a home ought to be allowed, if designed to be “harmonious” with the neighborhood. All of Mr. Cooper's neighbors are agreeable to his proposed alteration, so they consider it “harmonious”.

But that's not how the historic preservationists see it. And, unfortunately, it's the passionate historic preservationists who decide such matters. The rule imposed in practice by the Historic Preservation Office, and by Historic Mount Pleasant,

ANC 1D03 NEWSLETTER #167

Jack McKay, February 12, 2017

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



is that alterations must be *totally invisible* from the street outside the residence. If an alteration is visible, it's incompatible. The HPO runs “flag tests” to determine such visibility. And if any of the “flags” are visible from the street, then that's that, however “compatible” and “harmonious” the added structure may be.

Commissioner Stewart testified at the HPRB hearing on February 2 in support of Mr Cooper's proposed alteration, which is a substantial downsizing of his original proposal, rejected by the HPRB last August. The HPRB was more receptive to Jon Stewart's arguments than to mine, and was affected also by Mr. Cooper's personal concerns, even mentioning the desirability of “aging in place”. In the end, the Board “acknowledged the ANC resolution and agreed that the proposed structure may be sufficiently inconspicuous as to be compatible”. Well, that's better than an outright rejection. We'll see where this goes, and if Mr. Cooper can have his addition.

About a year ago, DDOT issued a “proposed rulemaking” that **doubled and tripled many of the fines** for moving-violation citations. It also proposed some new violations, including “failure to yield right-of-way to a transit bus”, with a fine of \$500. (Think about that, next time you see a Metrobus pulling out into traffic.) “Failure to come to a complete stop before turning” right-on-red would have a quadrupled fine, to \$200. The stated purpose of the heavy fines was to “help achieve the goal by the year 2024 of zero fatalities and serious injuries” in traffic.

Last March the ANC passed my resolution objecting to these heavy fines. I argued that they would do little to reduce traffic deaths and injuries, and would be extremely hard on low-income families. What does a \$200 fine do to a family man just scraping by, paycheck to paycheck? Does a fine really have to be brutal to be an effective deterrent?

I was far from alone in protesting these exorbitant fines, and in January, DDOT issued a revised rulemaking, still increasing moving-violation fines, but not so dreadfully. The fine for “Failure to come to a complete stop before turning” would now be merely doubled, from \$50 to \$100. “Failure to yield right-of-way to transit bus”, currently not a violation, will result in a fine of “only” \$100.

This remains an ineffectual means of bringing about greater compliance. When the probability of being cited and fined is minuscule, then the size of the fine hardly matters. In Sweden, for example, a doubling of the already-hefty fines for speeding resulted in “no change in subsequent driving

behaviour”. Hence, the increased fines to be imposed by this DDOT rulemaking will not result in significantly increased compliance with traffic laws, and therefore will not increase anyone's safety.

Also to the point, the offenses covered by this rulemaking, such as “failure to come to a complete stop before turning”, are not the causes of serious injuries and fatalities on our roads. I argue that most deadly accidents are due to *drunk* driving, *drugged* driving, *distracted* driving, or *drowsy* driving. What's being done about those? In this proposed rulemaking, nothing.

A horrific example of the true cause of deaths on our roads came on the night of February 6, when a 65-year-old woman was run down and killed in a crosswalk on U Street NW, near 10th. The driver fled, but his damaged car was shortly located, and he was arrested and charged with drunk driving. That's your true highway killer; not the minor moving violations which DDOT is proposing be so heavily punished.

Heller's Bakery has been vacant now for two years. But the end is in sight: **the Paisley Fig Bakery** is preparing to open at that site. Let's make owners Owners Lizzy Evelyn and Nick Pimentel welcome in Mount Pleasant!

The ANC will do what it can to help them succeed. They're on the February agenda for endorsement of their application for a tavern license. Also on the agenda will be endorsement of a tavern license for a new restaurant that will take over the Radius Pizza space on Mount Pleasant Street.

Why “tavern” liquor licenses, rather than “restaurant” licenses? Because restaurant licenses entail stringent food-sales requirements to prove that a place is really a restaurant, and not a bar masquerading as a restaurant. Are “taverns” in Mount Pleasant anything to worry about? I think not: the Raven, the Marx Cafe, Haydee's, and Don Jaime's all have tavern liquor licenses, and all contribute to making Mount Pleasant a vibrant, but not traffic-congested, neighborhood. Mount Pleasant is not about to become, as some have feared, another Adams Morgan.

Crime happens in Mount Pleasant, though at a rate much lower than almost anywhere else in DC, barring Far Northwest. Still, it's something that one must always be concerned about. The theft of delivered packages from our front porches seems to be all too frequent lately. But the number of thefts reported in Mount Pleasant lately – eight in December, eight in January – is about our average.

Robberies and burglaries are showing very nice downward trends. There were zero robberies reported in Mount Pleasant in January. As for burglaries, the total reported for 2016, 17, is about one-third what it was just a few years ago, and one-fifth the total reported in 2011.

The most common crime here is, of course, theft from auto: 10 in December, 9 in January, numbers about average for the year. But even this count is decreasing, and is little more than half the annual count of just three years ago. Let's hope that trend continues.

Of course, crime happens, and incidents here commonly lead to calls for “more police” on the streets. But crime prevention

isn't that easy, especially in a low-crime neighborhood such as ours. The probability that a police officer on random patrol will come across a crime in progress is negligible. And the guys doing crimes are alert enough to be certain that no officers are in sight before they do their thing. Police on visible patrol in the neighborhood may make residents *feel* safer, but they will not in fact *be* any safer.

Acting Chief of Police Peter Newsham is quoted in the January 30 City Paper, concerning police staffing, “I don't think anyone who knows anything about crime would agree that more police equals less crime”. Crime prevention is more difficult than that.

I am reminded to advise residents that DDOT does not automatically send out new **Visitor Parking Permits**, one to each household; residents must apply on-line for the 2017 permits.

We have heard many complaints about the proposal by DDOT to **eliminate two bus stops** on 16th Street, in an effort to speed bus travel. Such bus stop consolidation typically encounters public resistance: “Changes to stop spacing engender greater resistance than do other actions” for expediting bus travel, says one report.

This commission is showing great vigor in assessing the current proposals to eliminate the Lamont and Newton bus stops. Is this change justified? Or will it merely compel bus passengers to walk greater distances, for a negligible improvement in bus speed? We will evaluate this as well as we can, and advise DDOT accordingly.

Everyone knows that “taxation without representation” is wrong, and it's unfair that we residents of the District pay Federal taxes, but have no vote in Congress. The same is true for legal residents of the District who are not citizens: **they pay District taxes, but have no say in District government.**

It's not very widely known that citizenship has not always been a requirement for voting. The citizenship requirement for voting came about largely as a reaction against the waves of immigration in the late 19th and early 20th centuries. Now we take that for granted, but it has not always been that way.

In 2003, the Mount Pleasant ANC endorsed local-election voting rights for legal, noncitizen residents. In 2015, this commission endorsed Councilmember Grosso's bill to permit legal residents to vote in District elections. CM Grosso has renewed that effort this year, and I will ask the ANC again to advise passage of his bill.

I reported last month that we residents can **park up to 15 feet beyond the no-parking-to-intersection signposts**, on RPP blocks. But there's a new MPD officer who didn't get that lesson, and wrote a bunch of tickets before I could get Lt Pate to stop him.

Those tickets “will not be submitted” for processing, writes our Lieutenant. Anyone who has such a ticket should check on-line to be sure of that.

The next meeting of the ANC will be on Tuesday, February 21, 7:00 pm, at the Mount Pleasant Library.