

## Jack's July report

At the June 23 meeting, the ANC:

- Agreed to purchase replacement parts for Mount Pleasant Main Street's "gum-buster" machine;
- Advised the HPRB again to permit the demolition of the gymnasium/auditorium at Bancroft Elementary, declaring that "not inconsistent" with the District's historic preservation law;
- Advised a District Council committee that a bill under consideration concerning nightlife noise from liquor-licensed establishments should be revised;
- Agreed to hire Leila Corcoran as ANC1D "administrative assistant";
- Formulated an opinion statement concerning the proposed development at 3054 Mount Pleasant Street;
- Engaged Councilmember Nadeau in a 20-minute dialog.

At its June 25 meeting the Historic Preservation Review Board (HPRB) again considered the matter of the **modernization of Bancroft Elementary**, and specifically the need to demolish the old gymnasium/auditorium to accomplish that modernization. My resolution declared that this portion of Bancroft was not in fact a "contributing structure" in Mount Pleasant, being invisible from the street. (Historic Mount Pleasant has declared that the structure "does not hold any significant historic value to either the property or the community"). Unfortunately, the HPRB already had its mind made up, and the topic appeared on their agenda as a "Denial" item. They ignored our resolution, and the HMP opinion, and sent this on to the "Mayor's Agent" as "inconsistent with the [Historic Preservation] Act". In short, the building is a portion of Bancroft, and Bancroft as a whole is a "contributing structure" in Mount Pleasant's historic district, and so it's got to be kept intact, forever, at whatever cost to the education of Mount Pleasant's children.

Is that what Mount Pleasant wanted when, back in 1986, it yielded to the demands that historic preservation be imposed here? Of course not. Nobody at the time said that becoming a Historic District was going to prevent improvements to our 90-year-old school building. The idea was to prevent "incongruous" development, specifically the ripping down of row houses and their replacement by too-modernistic structures. But "preservation" means much more than that: it means preserve everything to look just as it did nearly a hundred years ago. And if the school built according to the standards of 80 or 90 years ago no longer suits our needs, well, that's just too bad. Preservation trumps what's best for your children.

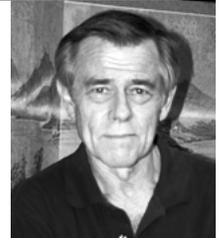
I believe we will overcome this, by persuading the Mayor's Agent that this is a "project of special merit" and should be permitted, however "contrary" to the preservation law it may be. But everything hinges now on that judgment.

The HPRB considered the **plans for 3054 Mount Pleasant Street** (the Mount Pleasant Auto Repair) on July 9. The ANC had passed Adam Hoey's resolution objecting to the plans, arguing that the proposed four-story condominium was not "compatible with the scale, style and rhythm of this commercial area. Sitting at the south-west entrance to Mount

## ANC 1D03 NEWSLETTER #151

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Pleasant St., it would also establish a negative precedent for more commercial condominiums, over scale heights and density". The HPRB accepted these arguments and disapproved, by a 4 to 2 vote, the design. Perhaps the would-be buyers will return with a scaled-down application.

On June 25, I got an agitated phone call from a neighbor, telling me that something terrible was going on in front of my house (at 19th and Lamont). It seems that a dump truck, part of the Capitol Paving crew working on the street, had snagged the street tree – not the first time that's happened. The driver, instead of getting out and diagnosing how to get free of the tree, just put her truck in low gear and hit the gas, uprooting the 35-foot maple.

Well, that was unfortunate, and now we've got just the stump of that tree, rather badly shoved back into the hole left by the uprooting of the tree. Then, less than a week later, that fierce 1 AM storm hit, and in the morning I got an agitated phone call from the same neighbor as before, telling me that I had a tree problem in my back yard. Indeed, a long-dead maple, maybe 40 feet tall, had been uprooted by the wind, and now lay across three of our back yards.

**I'm not having good luck with trees these days.** In January, my fence out front was badly damaged by a large limb coming down off a tree in the park next door. Then the entire tree sagged, and came down against my house, denting the roof cap and threatening worse. We all love trees, but they do have this awful tendency to come down without warning. Well, can't blame that poor maple out front for its unfortunate encounter with a Capitol Paving dump truck.

Mount Pleasant is **not a high-crime neighborhood**, not in comparison to DC neighborhoods to the east of us. But crimes, especially burglaries and thefts from automobile, do happen. Are such crimes here on the increase, lately? No.

Consider burglaries. There have been 18 in the first six months of 2015. The 2011-2014 average was 22, so this is looking like an "average" year.

Or thefts from auto, the crime that most afflicts residents who must park their cars on the street. In the first six months of this year, there have been 70 such crimes. The average six-month count for the preceding four years was 68. Again, it's looking like an average year for theft-from-auto crimes.

There seems, however, to be unusual criminal activity in the south-west corner of Mount Pleasant – small-time thefts, burglaries, and attempted burglaries. I suspect juveniles coming up Adams Mill Road from Adams Morgan.

A neighbor asked who was responsible for dealing with tall **weeds growing in a treebox space**, that strip of dirt between the sidewalk and the curb. Well, it's not perfectly explicit, but I believe that we residents are responsible, under this regulation:

*DCMR 21, 702.2 Each owner, tenant, or lessee (or the agent of that person) who has control of or occupies any building that contains three (3) or fewer dwelling units within the District shall maintain in clean condition the public space between the curb line (or lateral lines of the roadway) and the property line of that building.*

I would say that "clean condition" implies "no ugly weeds". In any case, neither DPW nor any other District agency is going to come out and trim our treebox spaces for us. It's up to us residents to keep everything out front, all the way to the curb, nice. (Note that this includes renters, who cannot pass this buck to their landlords.)

An anguished resident e-mailed to protest a notice for a **3-day parking ban on Newton Street**, for DDOT work. I was able to find out that it would be really only one day – the extra days were "in case of rain". Happily, July 10 was rain-free, and the job was done, a "slurry seal" applied to Newton Street, all the way from 16th to 19th.

But parked cars were a huge complication to this job. DDOT put up no-parking placards all along Newton Street, and sent letters to Newton Street residents, and even rang doorbells on Newton Street, trying to get parked cars removed. But the fact is, many of the cars parked on Newton Street don't belong to Newton Street residents. Many, I think, are owned by residents of apartment houses along 16th Street, where there is practically no curbside parking, so those residents park their cars back in the row-house area. They're not going to be reached by mail, nor by doorknob flyers on Newton Street, and if they don't happen to visit their cars during that 72-hour placarding period, they get no warning that their cars must be moved.

MPD tow trucks must have hauled away 20 or 30 cars. No doubt those owners will be dismayed by \$50 tickets. But the worst complication was to the actual work, stalled for hours, the DDOT contracting crew standing idly and waiting while the parked cars were being towed away. The job should have been complete by 4 pm, but work was still being done at 7 pm, adding to the inconvenience imposed on Newton Street residents.

The MPD didn't get all of the parked cars, and in the end, the crews had to work around the last two remaining parked cars. So they'll have to return to finish that job, with new "Emergency No Parking" placards for residents. There has got to be a better way to notify automobile owners that their parked cars have to be moved.

Last March the ANC passed my resolution in support of Councilmember Grosso's bill that would **extend voting rights in local elections to persons "lawfully admitted to the United States 39 for permanent residence** as defined in section 101(a)(20) of the Immigration and Nationality Act", including those who have not achieved citizenship. By one estimate, 62% of immigrant residents of the District are not

citizens. According to the 2010 census, 34% of Mount Pleasant residents are foreign-born. It follows that perhaps 21% of the residents of Mount Pleasant are noncitizen legal residents, and are unable to vote in local elections.

I testified to the Council on July 8 in of CM Grosso's bill. "These residents pay taxes, they operate businesses, they send their children to our schools, they are subject to our laws and regulations, they contribute to the economic and cultural vitality of our neighborhood, they're our friends and neighbors – but they have no voice in the operation of their local government, nor the people who represent them," I said. And I recalled the 2005 effort by this ANC to permit non-citizen voting in a special election to fill an ANC vacancy. Though the noncitizen votes could be only "symbolic", as the District would not permit those votes to count, the gesture of inclusion to Mount Pleasant's foreign-born residents was valuable.

There was other testimony in support of CM Grosso's bill, coming from Latino organizations that could be expected to be supportive. Our testimony was particularly valuable because the ANC is not an organization that could be expected to support automatically voting rights for immigrants. This Commission has been a vocal advocate for noncitizen voting rights since 2003. Though three of the five current commissioners are immigrants, and so might be expected to be automatic supporters of local-election voting rights for immigrants, that was not the case in 2003-2005. We support these voting rights as representatives of native-born US citizens, too. It's only right that all the residents of Mount Pleasant have a say in our local government matters, including the selection of their ANC representatives.

It's not well known that, for the first 150 years of the United States, resident aliens were commonly allowed to vote in state and local elections. This practice began to end early in the 20th century, in a reaction against the large immigrations of the late 19th century.

*"At the turn of the twentieth century, anti-immigration feeling ran very high, and Alabama stopped allowing aliens to vote by way of a constitutional change in 1901; Colorado followed suit in 1902, Wisconsin in 1908, and Oregon in 1914. Just as the nationalism unleashed by the War of 1812 helped to reverse the alien suffrage policies inherited from the late eighteenth century, World War I caused a sweeping retreat from the progressive alien suffrage policies of the late nineteenth century. In 1918, Kansas, Nebraska, and South Dakota all changed their constitutions to purge alien suffrage, and Texas ended the practice of non-citizen voting in primary elections by statute. Indiana and Texas joined the trend in 1921, followed by Mississippi in 1924 and, finally, Arkansas in 1926. In 1931, political scientist Leon Aylsworth noted: 'For the first time in over a hundred years, a national election was held in 1928 in which no alien in any state had the right to cast a vote for a candidate for any office – national, state, or local.'" (Wikipedia).*

It's time DC led the way in reversing that practice.

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