

**Advisory Neighborhood Commission 6E  
Public Meeting  
Tuesday, December 3, 2019**

Advisory Neighborhood Commission 6E convened at the Northwest One Neighborhood Library, 155 L Street, NW, Washington, DC, on Tuesday, December 3, 2019 at 6:30 p.m.

Present:

Alexander M. Padro, ANC 6E01  
Frank S. Wiggins, Vice Chair, ANC 6E03  
Rachelle Nigro, Secretary, ANC 6E04  
Alvin Judd, ANC 6E06

Absent:

Alex Marriott, Chair, ANC 6E05  
Michael J. Brown, Treasurer, ANC 6E02  
Kevin M. Rogers, ANC 6E07

**I. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 6:30 p.m. and the presence of a quorum was noted. Vice Chair Frank Wiggins presided.

**II. APPROVAL OF AGENDA**

**MOTION:** Commissioner Frank Wiggins moved and Commissioner Padro seconded that the Agenda be approved as amended. The Motion **passed** unanimously, 4 yeas (Commissioners Padro, Wiggins, Nigro, Judd] – 0 nays – 0 abstentions.

**III. PSA REPORTS: METROPOLITAN POLICE DEPARTMENT, 1D, 3D AND 5D**

Crime stats for the indicated periods are as follows:

<b>Crime stats for 1D Police District (PSA 103)</b>	<b>Number of crimes reported between:</b>		
Crime Type	11/1/18-11/30/18	11/1/19-11/30/19	Change
Homicide	0	0	↔
Sex Abuse	0	1	↑
Robbery Excluding Gun	1	4	↑
Robbery With Gun	0	0	↔
Assault Dangerous Weapon (ADW) Excluding Gun	0	0	↔
Assault Dangerous Weapon (ADW) Gun	0	0	↔
<b>Total Violent Crime</b>	<b>1</b>	<b>5</b>	<b>↑</b>
Burglary	1	0	↓
Theft	16	20	↓

Theft F/Auto	13	8	↓
Stolen Auto	1	1	↔
Arson	0	0	↔
<b>Total Property Crime</b>	<b>31</b>	<b>29</b>	↓
<b>Total Crime</b>	<b>32</b>	<b>34</b>	↑

<b>Crime stats for 3D Police District (PSA 308)</b>		<b>Number of crimes reported between:</b>	
Crime Type	11/1/18-11/30/18	11/1/19-11/30/19	Change
Homicide	1	0	↓
Sex Abuse	0	0	↔
Robbery Excluding Gun	5	1	↓
Robbery With Gun	2	2	↔
Assault Dangerous Weapon (ADW) Excluding Gun	1	0	↓
Assault Dangerous Weapon (ADW) Gun	1	0	↓
<b>Total Violent Crime</b>	<b>10</b>	<b>3</b>	↓
Burglary	3	2	↓
Theft	20	24	↑
Theft F/Auto	35	31	↓
Stolen Auto	7	5	↔
Arson	0	0	↔
<b>Total Property Crime</b>	<b>65</b>	<b>62</b>	↓
<b>Total Crime</b>	<b>75</b>	<b>65</b>	↓

<b>Crime stats for 5D Police District (PSA 503)</b>		<b>Number of crimes reported between:</b>	
Crime Type	11/1/18-11/30/18	11/1/19-11/30/19	Change
Homicide	0	1	↑
Sex Abuse	1	0	↓
Robbery Excluding Gun	2	1	↓
Robbery With Gun	4	2	↓
Assault Dangerous Weapon (ADW) Excluding Gun	4	0	↓
Assault Dangerous Weapon (ADW) Gun	0	2	↑
<b>Total Violent Crime</b>	<b>11</b>	<b>6</b>	↓
Burglary	4	4	↔
Theft	30	17	↓
Theft F/Auto	33	37	↑
Stolen Auto	8	12	↑
Arson	0	0	↔
<b>Total Property Crime</b>	<b>75</b>	<b>70</b>	↓
<b>Total Crime</b>	<b>86</b>	<b>76</b>	↓

**1D (PSA 103):** Officer S. Andelman reported the following: Over the last 30 days, there were 33 offenses. Crimes increased by 31% compared to the same period last year.

**3D (PSA 308):** Captain Han Kim stated that Violent Crime is down; there were two robberies with lockups. There are issues on the 7<sup>th</sup> Street corridor – 5 gun arrests and recoveries. Going forward and the upcoming holiday season, Thefts from Auto and Package Thefts will increase, so residents should be especially mindful about leaving valuables in their vehicles and packages on their porches. He urged residents to take advantage of the camera rebate program as a deterrent. He advised the Mayor's Office announced a permanent camera is going up at 8<sup>th</sup> and R Streets, NW.

Commissioner Nigro asked whether he had any updates on N Street, NW, the 600 block of L Street, NW, and Morgan, Kirby and N Streets. Commissioner Padro asked how the Fall Crime Initiative has been going. Captain Kim responded that they are doing a lot of community outreach. Commissioner Wiggins asked about activity at 7<sup>th</sup> and S Street, NW. He also stated that police support is needed at the 7<sup>th</sup> and N Street Park.

**5D (PSA 503) –** No officer was present.

**IV. UPDATE ON THE NEW JERSEY AVENUE SAFETY PROJECT – PRESENTER TBD**

Commissioner Nigro introduced Andrew DeFrank, Ward 6 Community Engagement Specialist, DDOT and stated that there have been complaints about pedestrian safety on New Jersey Avenue, NW. She would like a weekly email from DDOT about this project. Mr. DeFrank responded that, right now, DC Water is about 90% done with their work; there will be two more shutdowns. In 2020, there will be night work reconstruction and overlaying of asphalt. The project is expected to end by the end of 2020. Commissioner Nigro stated more consistent email communication is needed.

**V. CHRISTOPHER WADE, MPD COMMUNITY OUTREACH SPECIALIST**

Christopher Wade introduced himself as the new Community Outreach Specialist for MPD's First District.

**VI. 502 M STREET, NW: DEPARTMENT OF BEHAVIORAL HEALTH, DEPUTY DIRECTOR ADULT SERVICES (RICHARD BEBOUT), PRESIDENT OF MBI (MARY BLACK), BUILDING OWNER (MAX FINLAND)**

Commissioner Nigro stated 502 M Street, NW has turned into a violent situation in her Single Member District. The home houses people who have mental health issues. There have been incidents of violence inside the home and toward her constituents. Her #1 concern is that everyone needs to be safe, including the people inside the home.

A nearby resident stated there have been incidents with the property itself. There have been bricks thrown into houses, screaming at all hours of the night, and property damage where a person kicked through the front door. These behavior issues are a big concern.

Another nearby resident stated that a brick was thrown into their home that, fortunately, was unoccupied at the time. She noted that the President of their HOA reached out to the Department of Behavioral Health.

It was noted that the home used to be owned by Green Door and then taken over by MBI. There are less people coming over to do routine checkups. Residents' concerns have been met with silence. Issues started when Green Door went away.

Richard Debout, Deputy Director Adult Serves, DC Department of Behavioral Health, stated that he was previously employed by Green Door. Green Door was both the property owner and the service provider for all the individuals in the residence. There is now no contract for supportive services. This is Medicaid driven and a Medicaid choice.

Mary Black, President of MBI, stated that MBI took over in 2017. Changes happened in property management and they are continuing to serve. She noted that HIPAA prevents them from disclosing anything. MBI is not responsible for building maintenance. Her staff has been working diligently with the owner, Max Finland, and the community. MBI is an out-patient volunteer provider.

The owner of the home, Max Finland, stated he was here to listen. He was informed that the building needs to be maintained.

Commissioner Nigro stated that all three (3) entities need to work together.

[Commissioner Padro leaves the room at 7:34 p.m.]

**VII. 1200 BLOCK OF 5<sup>TH</sup> STREET, NW (MID-CITY FINANCIAL): REQUEST FOR SUPPORT FOR PLANNED UNIT DEVELOPMENT (PUD) APPLICATION**

The presenters stated the property is currently vacant and will consist of a new 365 unit apartment building (12% affordable at up to 60% of AMI). It will be a mix of unit sizes and types; within 50' height, despite 60' allowable under Planned Unit Development (PUD); 3 and 4 stories, sensitive to neighborhood scale; all parking will occur off of N Street, NW (103 spaces); no retail; there will be a publicly accessible park. The building will have a 6<sup>th</sup> Street, NW address.

The applicant made an initial presentation before the ANC in July 2019. They are before the ANC tonight to request support for their PUD application. Their hearing date before the Zoning Commission is January 16, 2020. Construction will begin in the spring of 2021.

[**NOTE:** A quorum of the Commission was not present in order to act upon the presenter's Request for Support. The Commissioners present advised that a Special Call meeting can be scheduled sometime in December to consider the Request for Support.

[Commissioner Padro returns to the meeting at 7:53 p.m.]

**VIII. 1407 5<sup>TH</sup> STREET, NW: REQUEST FOR SUPPORT FOR ZONING RELIEF FROM E-304.1 REGARDING LOT OCCUPANCY PURSUANT TO E-5201.1 [6E02]**

The presenter is asking for relief from lot occupancy. This is a non-conforming lot. A majority of the lots on the block are over maximum. Lacked a Certificate of Occupancy (C of O) due to previous developers not having received a final Certificate of Occupancy approval. There is no change in the project from the existing state. The existing rear deck will stay, but this will remain in a state of non-compliance. The rear stairs will be at 69.95% lot occupancy.

The presenter met with ANC 6E's Zoning Committee. The Zoning Committee unanimously voted to approve the additional lot occupancy increasing to 69.95% which is less than the 70% maximum allowable.

**MOTION:** Commissioner Padro moved and Commissioner Judd seconded that ANC 6E **support** the request for support from 1407 5<sup>th</sup> Street, NW for zoning relief to increase the lot occupancy to 69.95% and that said support be communicated in writing to the Board of Zoning Adjustment (BZA). The Motion **passed** unanimously, 4 yeas (Commissioners Padro, Wiggins, Nigro, Judd) – 0 nays – 0 abstentions.

**IX. 1101 5<sup>TH</sup> STREET, NW: REQUEST FOR SUPPORT FOR LOT OCCUPANCY VARIANCE, FLOOR OCCUPANCY VARIANCE, AND PERMISSION TO ALLOW THE OPERATION OF AN ART STUDIO [6E04]**

The applicant is seeking a request for support for lot occupancy variance, floor occupancy variance, and permission to allow the operation of an art gallery.

ANC 6E's Zoning Committee met and voted unanimously to approve this application for HPRB Concept and to approve for a gallery on the first level of the building. Secondly, the Zoning Committee unanimously voted to approve special exceptions for: (1) additional Floor Area Ratio (FAR) of .45%; and (2) Lot Coverage already at 100% and remain at 100%.

**MOTION:** Commissioner Nigro moved and Commissioner Padro seconded that ANC 6E **support** the request for support from 1101 5<sup>th</sup> Street, NW for special exceptions for Floor Area Ratio (FAR) and lot coverage, and permission to allow the operation of an art gallery, and that said support be communicated in writing to the Board of Zoning Adjustment (BZA). The Motion **passed** unanimously, 4 yeas (Commissioners Padro, Wiggins, Nigro, Judd) – 0 nays – 0 abstentions.

**X. 424 M STREET, NW: REQUEST FOR SUPPORT FOR CONCEPT DESIGN BEFORE THE HISTORIC PRESERVATION REVIEW BOARD [6E04]**

This development was previously a 4-unit development and will be increased to an 8-unit condo building. Scope of Work: Exterior repair to existing contributing 2-story over cellar brick building. Replace windows with new energy efficient windows to match existing. New front stoop and stair with new window wall beneath. Existing framing and floors to remain. Reconfiguration of interior walls. Underpinning of cellar to increase ceiling height, no addition above existing contributing building. Removal of non-contributing rear addition. New 4-story over cellar rear addition, wood frame construction with hardie panel cladding.

The presenter has met with HPRB and Zoning. Seeking approval from HPRB. Proposed lot occupancy is 58%. ANC 6E's Zoning Committee met and unanimously voted to support their HPRB application.

**MOTION:** Commissioner Nigro moved and Commissioner Padro seconded that ANC 6E **support** the request for support for concept design from 424 M Street, NW, and that said support be communicated in writing to the Historic Preservation Review Board (HPRB). The Motion **passed** unanimously, 4 yeas (Commissioners Padro, Wiggins, Nigro, Judd) – 0 nays – 0 abstentions.

**XI. 1015 7<sup>TH</sup> STREET, NW (@1015, LLC T/A @1015): REQUEST FOR SUPPORT FOR RENEWAL OF CLASS "C" TAVERN LICENSE [6E04]**

Commissioner Nigro stated that there is a Settlement Agreement in place, but that repeated requests for a copy of their security plan have been ignored. Accordingly, she recommended that ANC 6E protest the renewal on the basis of adverse impacts on peace, order and quiet.

**MOTION:** Commissioner Nigro moved and Commissioner Padro seconded that ANC 6E **protest** the 1015 7<sup>th</sup> Street, NW, t/a @1015, for renewal of their Class "C" Tavern License, and that said protest be communicated in writing to the ABC Board and ABRA. The Motion **passed** unanimously, 4 yeas (Commissioners Padro, Wiggins, Nigro, Judd) – 0 nays – 0 abstentions.

**XII. 606 FLORIDA AVENUE, NW (RITO LOCO/EL TECHO): REQUEST FOR SUPPORT FOR MODIFICATION OF ABC RESTAURANT LICENSE SETTLEMENT AGREEMENT TO ALLOW ONE DAY SUBSTANTIAL CHANGE PERMITS [6E02]**

Commissioner Padro stated that Rito Loco/El Techo is requesting a modification to their Settlement Agreement to allow for one day substantial changes to allow, for example, for an additional hour or so of service on New Year's Eve. Presently, there is no service after midnight on weekdays. Since New Year's Eve falls on a Tuesday, they are requesting to stay open until 1:30 a.m.

**MOTION:** Commissioner Padro moved and Commissioner Wiggins seconded that ANC 6E **approve** the Settlement Agreement amendment of Rito Loco/El Techno, 606 Florida Avenue, NW, to be able to allow for one day substantial changes and that said support be communicated in writing to the ABC Board and ABRA. The Motion **passed** unanimously, 4 yeas (Commissioners Padro, Wiggins, Nigro, Judd) – 0 nays – 0 abstentions.

**XIII. 1539 7<sup>TH</sup> STREET, NW (THE PASSENGER): REQUEST FOR SUPPORT FOR RENEWAL OF ABC TAVERN LICENSE [6E02]**

Commissioner Padro stated the establishment has no adverse history or complaints from neighbors and that the ABC Licensing Committee recommended support of the renewal of their ABC Tavern License.

**MOTION:** Commissioner Padro moved and Commissioner Judd seconded that ANC 6E **support** The Passenger, 1539 7<sup>th</sup> Street, NW, for renewal of their ABC Tavern License and that said support be communicated in writing to the ABC Board and ABRA. The Motion **passed** unanimously, 4 yeas (Commissioners Padro, Wiggins, Nigro, Judd) – 0 nays – 0 abstentions.

**XIV. 505 O STREET, NW: BERNARD BERRY – SEEKING SPECIAL EXCEPTION RELIEF, INCREASE LOT SIZE FROM 61.3% TO 68.6% [6E02]**

Bernard Berry is adding interior space to the rear on the first and second floor to create a terrace on the third floor. From the third floor terrace, a spiral staircase will connect to the roof. The allowed lot coverage is 60%, the existing lot coverage is 61.3%, and the proposed lot coverage is 68.6%.

ANC 6E's Zoning Committee met and voted unanimously to approve the additional lot occupancy increasing to 68.6% which is less than the 70% maximum allowable.

**MOTION:** Commissioner Padro moved and Commissioner Wiggins seconded that ANC 6E **support** the request for special exception relief of 505 O Street, NW and that said support be communicated in writing to the Board of Zoning Adjustment (BZA). The Motion **passed** unanimously, 4 yeas (Commissioners Padro, Wiggins, Nigro, Judd) – 0 nays – 0 abstentions.

**XV. WALKER JONES EDUCATION CAMPUS: REQUEST FOR CROSSING GUARDS AT THE INTERSECTION OF M STREET, NW/NE AND NORTH CAPITOL STREET, NW [6E07]**

Alex Lopez, Chair of ANC 6E's Transportation Advisory Committee, stated that the Committee met and recommended that ANC 6E: **(1)** ask DDOT to assign a traffic control officer to the intersection of M Street, NW/NE and North Capitol Street, NW/NE between AM and PM school arrival and departure periods ; **(2)** ask DDOT to eliminate one of the dual left turn lanes at North Capitol and M Street and implement the changes that DDOT recommended.

**MOTION:** Commissioner Wiggins moved and Commissioner Padro seconded that ANC 6E: **(1)** recommend that DDOT immediately assign Traffic Control Officers to the intersection of M Street, NW/NE and North Capitol Street, NW during the AM and PM school arrival and departure periods, with a focus on when school children are present; **(2)** further, that in the short term, DDOT eliminate one of the dual left-turn lanes from M Street, NW eastbound onto North Capitol Street, NW northbound; and **(3)** install automated traffic enforcement (speeding and red light cameras) at this intersection. The Motion **passed** unanimously, 4 yeas (Commissioners Padro, Wiggins, Nigro, Judd) – 0 nays – 0 abstentions.

**XVI. RESOLUTION SUPPORTING CONSTITUENT REQUEST FOR A TRAFFIC SAFETY ASSESSMENT ON 6<sup>TH</sup> STREET BETWEEN M STREET, NW AND RHODE ISLAND AVENUE, NW [6E02, 6E03, 6E04]**

Alex Lopez, Chair of ANC 6E's Transportation Advisory Committee, stated there has been incessant speeding on 6<sup>th</sup> Street between M Street, NW and Rhode Island Avenue, NW. Further, Amy Leffler, ANC 6E resident submitted a Traffic Safety Assessment Questionnaire requesting that DDOT conduct a Traffic Safety Assessment. The Transportation Advisory Committee requested ANC 6E support for a resolution to this effect.

**MOTION:** Commissioner Wiggins moved and Commissioner Padro seconded that ANC 6E requests that DDOT conduct a Traffic Safety Assessment, consistent with the request of ANC 6E resident Amy Leffler, and implement a Traffic Calming Plan for 6<sup>th</sup> Street, NW between M Street NW and Rhode Island Avenue, NW and with the intent of prioritizing the safety and well-being of pedestrians, cyclists, and other non-motorized-vehicle traffic; and

FURTHER, that ANC 6E requests DDOT to consult with the ANC and the ANC 6E Transportation Advisory Committee on the planning, design, and implementation of the Traffic Safety Assessment and Traffic-Calming Plan for 6<sup>th</sup> Street, NW, between M Street, NW and Rhode Island Avenue, NW, and that such planning, design, and implementation be complementary to all other existing and anticipated roadway safety, pedestrian safety, and bicycle safety efforts in proximity to this area. The Motion **passed** unanimously, 4 yeas (Commissioners Padro, Wiggins, Nigro, Judd) – 0 nays – 0 abstentions.

**XVII. RESOLUTION SUPPORTING THE EXTENSION OF THE BIKE LANES AND CROSSWALK IMPROVEMENTS ON 7<sup>TH</sup> STREET, NW BETWEEN N STREET, NW AND MT. VERNON PLACE, NW [6E05, 6E07]**

Alex Lopez, Chair of ANC 6E's Transportation Advisory Committee, stated that the 7<sup>th</sup> Street, NW bike lanes end abruptly at N Street, NW, forcing southbound cyclists and motor vehicle drivers into a dangerous lane merge through the intersection with N Street, NW. The Transportation Advisory Committee requested ANC 6E support for a resolution to this effect. Commissioner Frank Wiggins voiced his strong opposition to the extension of bike lanes on 7<sup>th</sup> Street, NW.



**MOTION:** Commissioner Nigro moved and Commissioner Padro seconded that ANC 6E requests that DDOT immediately install high visibility, ladder-style crosswalks at all pedestrian crossings for the following signalized intersections:

- 7<sup>th</sup> Street and N Street, NW;
- 7<sup>th</sup> Street and M Street, NW;
- 7<sup>th</sup> Street and L Street, NW; and
- 7<sup>th</sup> Street and Mt. Vernon Place, NW/New York Avenue, NW.

FURTHER, that ANC 6E requests that DDOT extend the bike lanes on 7<sup>th</sup> Street, NW south to Mt. Vernon Place, NW/New York Avenue, NW, to create a continuous bike lane corridor between Florida Avenue, NW and Mt. Vernon Place, NW/New York Avenue, NW;

AND FURTHER that ANC 6E supports the traffic configuration proposed in DDOT's 30% Design Submittal of April 2015 for the 7<sup>th</sup> Street NW Bicycle Lane Project from New York Avenue, NW to N Street, NW for the bike lane created by DDOT. The Motion **passed**, 3 yeas (Commissioners Nigro, Padro, and Judd) – 1 nay (Commissioner Wiggins) – 0 abstentions.

#### **XVIII. TREASURER: APPROVAL OF ANC 6E QUARTERLY FINANCIAL REPORTS**

The Treasurer was absent.

#### **XIX. OLD BUSINESS**

**Installation of Gas Meter in Public Space:** Commissioner Padro stated that a resident of Wiltberger Street brought to his attention the fact that Monument Realty has installed a gas meter in public space that is completely blocking the sidewalk on the east side of Wiltberger Street. At the ANC 6E February 5, 2019 Public Meeting, ANC 6E asked DDOT to expand the sidewalks on the east side of the block in light of the impending construction of two new development projects there. That recommendation was ignored, with the result that this sidewalk will now be impassable for all pedestrians.

**MOTION:** Commissioner Padro moved that ANC 6E recommend to DDOT that the sidewalk on the east side of Wiltberger Street be expanded in order to improve pedestrian safety. The Motion **failed** for lack of a second.

\*\*This matter will be added to the agenda for the ANC 6E January 7, 2020 Public Meeting.

#### **XX. NEW BUSINESS**

None.

## **XXI. APPROVAL OF MINUTES – 11/5/2019 PUBLIC MEETING**

**MOTION:** Commissioner Wiggins moved and Commissioner Nigro seconded that the Minutes of the ANC 6E Public Meeting of **November 5, 2019** be approved. The Motion **passed** unanimously, 4 yeas (Commissioner Wiggins, Padro, Nigro, Judd) – 0 nays – 0 abstentions.

## **XXII. APPROVAL OF TREASURER’S REPORT**

The Treasurer was absent.

## **XXIII. APPROVAL OF EXPENSES**

**MOTION:** Commissioner Wiggins moved and Commissioner Judd seconded that the invoice submitted by Karen Jehle in the amount of \$250.00 for recording services for the **ANC 6E December 3, 2019 Public Meeting** and maintenance of the website be approved. The Motion **passed** unanimously, 4 yeas (Commissioners Padro, Wiggins, Nigro, Judd) – 0 nays – 0 abstentions.

## **XXIV. ANNOUNCEMENTS**

- A.** Naomi Mitchell of Councilmember Charles Allen’s office stated that the DC City Council today voted to recommend that it expel Councilmember Jack Evans for ethics violations.
  
- B.** Mikaela Ferrill, Ward 6 Liaison for the Mayor’s Office of Community Relations and Services (MOCRS), stated that the Mayor’s 21<sup>st</sup> Annual Senior Holiday Celebration will be held on Thursday, December 19, 2019 at the DC Armory from 10:00 a.m. to 2:00 p.m.

## **XXV. NEXT MEETING: TUESDAY, JANUARY 7, 2020**

## **XXVI. ADJOURNMENT**

**MOTION:** There being no further business to come before the Commission, Commissioner Wiggins moved and Commissioner Judd seconded that the meeting be adjourned. The Motion **passed** unanimously, 4 yeas (Commissioners Padro, Wiggins, Nigro, Judd) – 0 nays – 0 abstentions. The meeting adjourned at 9:01 p.m.