

**Advisory Neighborhood Commission 6E
Virtual Public Meeting
Tuesday, July 11, 2023**

Advisory Neighborhood Commission 6E convened via Zoom Video Conference and/or Telephone on Tuesday, July 11, 2023 at 6:30 p.m.

Present:

Chris Hart (Chair), ANC 6E01
Kevin Rogers, ANC 6E03
Denise Blackson, ANC 6E04
Ahmad Abu-Khalaf, ANC 6E05
Dylan Forest (Secretary), ANC 6E06
Davina Carson, ANC 6E07

Absent:

George Viedma, ANC 6E02
Ritanch Hans, (Vice Chair & Treasurer), ANC 6E09
(Vacant), ANC 6E08

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:30 p.m. by Chair Chris Hart with a quorum of 5 out of 8 Commissioners present.

2. APPROVAL OF AGENDA

MOTION: Commissioner Abu-Khalaf moved and Commissioner Carson seconded to approve the Agenda as amended. The Motion **passed** 5 yeas – 0 nays – 0 abstentions.

3. APPROVAL OF MINUTES

MOTION: Commissioner Abu-Khalaf moved and Commissioner Carson seconded to approve the Minutes of the June 6, 2023 ANC 6E Virtual Public Meeting as submitted. The Motion **passed** 5 yeas – 0 nays – 0 abstentions.

4. UPDATES FROM WARD 6 COUNCILMEMBER ALLEN'S OFFICE – JEANNE MATTISON

Representatives Present: Kate Mitchell, Chief of Staff
 Erik Salmi, Deputy Chief of Staff

- o Finished the Annual Budget process; being finalized by the CFO; takes effect on October 1, 2023;
- o About to break for Summer Recess.
- o Ward 6 Week starts Monday, July 17, 2023;
 - Trivia Night at Union Pub, July 18, 2023, 8:00 p.m.
 - Artechouse, July 19, 2023, 8:00 p.m.

- Tunes in the Triangle, Milian Park, July 19, 2023, 6:00 p.m.
- National Building Museum, July 20, 2023, 10:00 a.m.
- Tickets to Nationals vs. Rockies, July 24, 2023
- Legislation:
 - Prioritizing Public Safety Emergency Act introduced by Councilmember Brooke Pinto. Some provisions that passed are:
 - Gives judges more ability to hold detain adults and children pre-trial who have been charged with serious, violent crimes;
 - Expands the Private Security Camera Program;
 - Creates a new offense for when someone fires a gun in public, but not specifically targeting anyone or anything;
 - Creates bi-monthly whole-of-government shooting reviews that include police, prosecutors, supervision agencies, violence interrupters in the community, and social services agencies.
 - Councilmember Allen introduced the Steer Act that is intended to expand and strengthen enforcement efforts against dangerous driving.
 - Introduced bill to support sexual assault survivors by requiring the District to preserve all evidence collected after a sexual assault, even if the survivor chooses not to report the assault to the police.
 - Council approved Councilmember Allen's E-Bike Rebate Bill: Created a rebate that is available to all residents, regardless of income, which includes a generous rebate on the cost of the bike itself, but also covers a lock, a replacement battery, and adaptive components for riders with disabilities.

A question and answer period followed.

- Commissioner Abu-Khalaf asked for an explanation of the amendment about pre-trial detention. Response: If a young person is arrested for an armed crime, there is a presumption they will be detained. Does not apply to the unarmed crime, i.e., robbery; Councilmember Pinto wanted to expand that detention.
- Commissioner Hart asked what the Council feels this will do to address the crime problem. There is a lack of coordination between MPD and OAG. Response: It is a tool – go up before a judge – the judge looks to see if there is a crime history – it is a very subjective process – it empowers the judge to make a decision but is not a guarantee that the person will be detained.
- Andrea: Do the bills mention the victims of the crimes? Response: Yes, the victim can have a role in participating but the government makes their decision on what the detention recommendation should be.
- Commissioner Nigro asked why the District cannot compel Virginia and Maryland drivers to pay their tickets.

5. **REPORT OF MAYOR'S OFFICE OF COMMUNITY RELATIONS AND SERVICES (MOCRS)**

Did not join the call.

6. **PSA REPORT: METROPOLITAN POLICE DEPARTMENT 5D (PSAs 501/502)**

Lt. John Sprague reported on crime for the last 30 days compared to the same period last year.

- Increase in Violent Crime, though overall crime down due to a sharp decrease in Property Crime.
- Violent Crime:
 - Homicide on 7/4/23 in unit block of Patterson Street NE; got a lot of great information from the preliminary investigation; appreciates the community stepping forward.
- Robberies: **(1)** attempted robbery of a bicycle on Metropolitan Branch Trail; **(2)** unit block of K Street NE – theft of a watch;

A question-and-answer period followed.

- Commissioner Forest asked if there were any updates about gunshots on Saturday on M Street NE around King Street Oyster Bar? Response: 2 shooters – one on M St and one on N. Capitol St and they were shooting across the street from each other. Have good CCTV footage of one of the suspects; case still open.
- Commissioner Abu-Khalaf asked which buildings were impacted by the stray bullets in the area Commissioner Forest asked about? Response: Building at North Capitol & M Street.

7. PSA REPORT: METROPOLITAN POLICE DEPARTMENT 1D (PSA 103) insert new

Lt. Kniseley reported on crime for the past 30 days the following:

- No Violent Crime over the past 30 days.
- No Burglaries.
- Slight increase in Stolen Autos;
- There was a shooting at 1:00 am Saturday 8th outside of the 7-Eleven, 500 block of K Street. This is actually in ANC 2C. Two people known to each other went into the store – got into an argument – security guard removed them. One shot the other; there is some video.

A question-and-answer period followed.

- Commissioner Hart asked are there any other steps that need to be taken at the 7-Eleven such as bringing in more security guards.
- Commissioner Rogers – **(1)** asked about an incident of two women being hit by a vehicle in the 3900 block of K Street. Response: Incident is thought to have involved only one person; the woman was transported to the hospital; notified the Major Crimes Investigation Unit – it did not meet the threshold; No manslaughter investigation; **(2)** stated a woman at that 7-Eleven threw a box at him.
- Chat: Loitering, drug use and drinking at 5th & H Streets. Response: Doing the best we can with quality of life issues; trying to find a balance.
- Joyce Kinard stated the people at the shelter that closed are loitering on H Street and in Chinatown.

8. PRESENTATION ON PROPOSED CENTRAL CELL BLOCK AT 501 NEW YORK AVENUE, NW – DIRECTOR TOM FAUST (DEPARTMENT OF CORRECTIONS) AND ALLAM AL-ALAMI AND AGYEI HARGROVE (DEPARTMENT OF GENERAL SERVICES)

Slide presentation presented. Highlights:

- **Project Background:** Renovation of 501 New York Avenue is a sub project to the Daly Swing Project. The Daly Swing Project provides a temporary solution to the current tenants of the Daly Building due to its deplorable conditions (failing HVAC systems, water infiltrations, environment issues/mold, etc.) by providing a temporary swing space for the tenants while the larger Daly Building project is addressed.
 - Daly Swing Project has two tracks:
 - Track One: MPD HQ swing into the Marion S. Barry, Jr. Building – Project already underway with projected completion in February 2024.
 - Track Two: Department of Corrections (DOC) Central Cell Block (CCB) swing into 501 New York Avenue (current MPD Units at 501 New York Avenue NW will be relocating to 2850 New York Avenue NW in October 2023 to make way for this renovation work to proceed.
- **501 New York Avenue Background:**
 - 1930's building with 60's addition
 - Building is the only building that meets the criteria in the DC inventory that had proximity to the courthouse existing holding cells/existing sallyport and a central location in the District for MPD operational requirements.
 - It currently serves as MPD Traffic Safety and Specialized Enforcement Branch (TSSEB).
 - Construction activities are planned to begin around October 2023 and will generally be contained within the 501 site.
 - Interior renovation project is in final permitting.
- **Department of Corrections (DOC) Operations**
 - This location will serve as a temporary home for the Central Cell Block (CCB) holding facility for initial arrestees from MPD or other law enforcement agencies until immediate court appearance (typically no more than 12-24 hours)
 - Overnight detainees are transferred to the courthouse by 7:30 am.
 - Detainees from the Police Districts who have missed arraignment court are received at CCB from 3:00 pm to 10:00 pm.
 - It is expected that maintenance vendors, food deliveries, and waste removal will also take place at this facility.
- Visual renderings provided.
- Building Plans: Provided and reviewed for the Basement Level, Level One, Level Two
- Schedule:
 - Design Complete: February 2021 – November 2022
 - Permitting: December 2022 – May 2023.
 - Construction Bidding, Evaluation, Selection (IFB): July 2023 – September 2023
 - 2850 New York Avenue NE Construction: May 2023 – September 2023
 - ***MPD Move (from 501 New York Avenue to Special Operations Division, 2850 New York Avenue NE)***: October 2023
 - 501 New York Avenue NW Construction (14 months): October 2023 – December 2024
 - DOC-CCB Move-In to 501 New York Avenue: January 2025 – March 2025.
 - ***Daly Building Vacated***: March 2025

A question-and-answer/comment period followed.

- Commissioner Hart summarized the community concerns and stated – **(1)** initial communications about this project were done poorly; **(2)** there is a big concern about the “temporary” nature of the project – there is nothing in the budget about renovating

- the Daly Building; and **(3)** what was the process for determining the location of this project and what other locations were considered? Response: The 501 New York Avenue facility already had the holding cells and a sallyport and a proximity to the courts. Not aware of any other locations that were evaluated.
- Commissioner Forest asked what alternative sites were considered and is there a Plan B? Response: The site selection was a collective decision of the DC Government. It is the only facility that meets our needs: It has existing cells and a sallyport. Unaware of any other building in DC that would meet the functional needs. The budget for renovation of this facility is \$10 million.
 - Commissioner Abu-Khalaf asked what the role of community input at this point is, and raised noise and public safety concerns, asked what type of arrestees, as well as the timeframe. Response: Community input will be received; operational concerns will be addressed. Sound mitigation is part of the renovation effort and sound will be suppressed with new technology; two soft cells will also be added. We hear your concerns.
 - Commissioner Carson asked about the release of individuals from 501 New York Avenue and the safety of children. Response: Any individuals released from 501 New York Avenue will be provided free transportation through a District grant fund. A majority of these individuals go to court, once the court makes a determination - jail or anything else – all this will be done out of the courthouse.
 - ANC 2G Commissioner Nigro stated she is the one who found out about this, she is seeking support from ANC 6E in opposition to this proposal, and to not downplay this.
 - Will Dowling, 475 K Street, stated DOC's proposal will only increase crime and who thought this was a good idea?
 - Gisele Roget asked what remains in the permitting process. Response: Going through the final steps with DOE, DC Water, DDOT, etc.
 - Melanie Kolkin asked why the public was not made aware of this until recently. Response: We did not see this as a change in functionality. It was not our intent to misinform the community.
 - Jammie Oulette stated he lives half a block away and does not want this project to go forward. What type of offenders will there be?
 - Andrea Cortese stated he completely disapproves of this project, will there be more community input, will there be additional police, and will detainees be allowed visitation. Response: Yes, there will be more community input and police presence. Detainees will not be allowed visitors.
 - Only people being released are those where it was determined by the AG to not charge the individual.

MOTION: Commissioner Hart moved and Commissioner Abu-Khalaf seconded that ANC 6E oppose the proposed Central Cell Block at 501 New York Avenue NW and that ANC convey that feedback to the Department of Corrections (DOC) and the Department of General Services (DGS). **[No vote was taken on this motion.]**

Friendly Amendment: Commissioner Forest moved and Commissioner Carson seconded that ANC 6E oppose the proposed Central Cell Block at 501 New York Avenue NW, unless the following conditions are met:

1. That no detainees are released from the Central Cell Block but are released from the courthouse instead;
2. That DGS include appropriate soundproofing in the renovation of the existing building to prevent disturbances to nearby residents and visitors; and
3. That a clear timeline for the renovation of the Daly Building is established, communicated to ANC 6E, and is funded in the budget.

4. There is consultation with the public before finalization of plans. The **friendly amendment** motion resulted in a **tie vote** - 3 yeas [Forest, Abu Khalaf, Carson– 3 nays Hart, Rogers, Blackson – 0 abstentions.

Original Motion:

MOTION: Commissioner Hart moved and Commissioner Abu-Khalaf seconded that ANC 6E **oppose** the proposed Central Cell Block at 501 New York Avenue NW and that ANC convey that feedback to the Department of Corrections (DOC) and the Department of General Services (DGS). The Motion passed 5 yeas (Commissioners Hart, Abu-Khalaf, Blackson, Carson, Rogers) – 0 nays – 1 abstention (Commissioner Forest).

9. **COBB PARK CONSTRUCTION PERMIT – REQUEST FOR SUPPORT – CHRIS DYER AND DULCE NAIME (DEPARTMENT OF PARKS AND RECREATION) [SMD 6E07]**

Slide presentation provided. Highlights:

- **Project Scope**
 - The initial scope was conceived as a “Phase 1” implementation with a \$50K budget, and a “Phase 2: to be constructed later.
 - DPR received additional funding increasing the budget to \$2.1M in order to complete both phases at the same time.
 - Project will include Fencing, Lighting, Turf, Sidewalks, Seating Areas, Green Spaces, Trees, Drinking Fountains, Play Space.
- **Estimated Schedule**
 - DGS hired Bennett Group Construction in March 2022 to lead the design-build effort.
 - Design & Permitting: Spring/Summer
 - Construction Start: TBD
 - Substantial Completion: TBD

Commissioner Hart asked whether there is going to be a crosswalk at 3rd and H Streets NW. Response: No, this is outside the scope.

Chat: Why is there perimeter fencing only on H Street? Response: Fencing will be around the complete park and the park will be locked at night.

MOTION: Commissioner Carson moved and Commissioner Abu-Khalaf seconded that ANC 6E **support** the application for a construction permit for Cobb Park, 200 H Street NW, and that the ANC convey that support to DDOT. The Motion **passed** 6 yeas – 0 nays – 0 abstentions.

10. **REQUEST FOR SUPPORT: BZA CASE 20520(A), FIRST AND NEW YORK AVENUE NE – JOHN OLIVER [SMD 6E05]**

Slide presentation provided. Highlights:

- Zone D-5

- Requests a 2 year Time Extension of BZA Case No. 20520 due to inability to obtain sufficient project financing due to economic and market conditions beyond the applicant's reasonable control.
- On BZA schedule for July 19, 2023.

A question and answer period followed.

- Commissioner Forest – **(1)** asked whether the project will include the McDonalds building. Response: No, the current plan is to replace it with ground floor retail; **(2)** asked what the breakdown of the housing units and is there any affordable housing. Response: 100% market rate; a few one-bedrooms and studios, mostly two-bedrooms, and very few three-bedrooms.
- Commissioner Abu-Khalaf asked for a brief summary of the project. Response: Single building that can be phased, 13 stories, ground floor retail; 800 units across both phases.

MOTION: Commissioner Abu-Khalaf moved and Commissioner Forest seconded that ANC 6E **support** the request for a two-year time extension of BZA Order No. 20520(A) for Square 671 Lots 3, 4, 5, 6, 7, 29, 30, and 804, and that the ANC convey that support to the Board of Zoning Adjustment. The Motion **passed** 6 yeas – 0 nays – 0 abstentions.

11. **REQUEST FOR SUPPORT: MODIFICATION OF CONSEQUENCE OF APPROVED DESIGN REVIEW, 901 N. CAPITOL STREET NE (ZC ORDER 21-09) – PATRICK MYERS [SMD 6E07]**

Representatives Present: Patrick Myers
Lawrence Ferris
Dan Avrit

Slide presentation provided. Highlights:

- 3 parcel site; multi-phase project;
- Phase 2 is new hotel building with ground floor retail;
- One change being requested is how the project is phased: 899 N. Capitol going first, the hotel (901 N. Capitol) is Phase 2; followed by 999 N. Capitol as Phase 3.
- Modification of Consequence includes minor changes to the windows and roof area, area for signage for retail, and added more green space.

MOTION: Commissioner Carson moved and Commissioner Abu-Khalaf seconded that ANC 6E **support** the modification of consequence of the approved design review for the property located at 901-999 North Capitol Street NE and that the ANC convey that support to the Zoning Commission. The Motion **passed** 6 yeas – 0 nays – 0 abstentions.

12. **PRESENTATION REGARD PROPOSED DEPARTMENT OF GENERAL SERVICES PROPERTY ACQUISITION FOR USE BY DEPARTMENT OF HUMAN SERVICES – 25 E STREET NW – TAI MEAH [SMD 6E07]**

Representative Present: David Rose, DHS

Slide presentation provided. Summary of highlights:

- **Comparison between Low Barrier Shelter (LBS) and Non-Congregate Shelter (NCS).**
 - LBS: All clients offered a bed subject to availability; admissions first-come, first-served.
 - NCS: Clients will be issued a bed subject to an admissions criterion such as medical vulnerability
 - Bed Configuration
 - LBS: High density
 - NCS: Pairs – two to a room with a bathroom for each suite.
 - Gender
 - LBS: Single Sex (*except LGBTQ)
 - NCS: Men, women, and non-conforming genders will be served.
- **Advantages of Non-Congregate Sites**
 - Many clients avoid low barrier shelters.
 - Clients with medical vulnerabilities cannot be adequately served in LBS.
 - Creates “flow” throughout the CoC.
 - Supports the Mayor’s commitment to making homelessness rare.
- **Who will be Served at E Street?**
 - Medically Vulnerable
 - Specialty Beds
 - Clients who are matched to a housing resource through CAHP.
 - Individuals who cannot be served in other shelters.
- **Overview of Operations**
 - Length of Stay: 6-12 months
 - Services: Consistent medical services; Intensive Case Management.
 - Provider Selection: Nov/Dec 2023
- **Proposed Scope of Work**
 - Painting; construction of warming kitchens, dining/lounge area, laundry room, and storage.
 - Upgrading security and IT infrastructure.
 - Construction of new administrative spaces.
- **Timeline**
 - Contract Executed: (Fall '23)
 - Renovations: (Fall '23 – Winter '24)
 - Provider Onboarding: (Spring '24)
 - Client Move-In: (Spring '24)
- **How We Engage**
 - Communication with ANC and attendance at meetings.
 - Communication with MOCRS
 - Attendance at community meetings
- **Contact Info:**
David J. Ross, Chief of Staff, David.ross@dc.gov
Tai Meah, Deputy Chief of Staff of Legislative Affairs, Tai.meah@dc.gov

A question-and-answer period followed.

- Commissioner Hart stated he agrees with the NCS model. **(1)** He asked what type of comments/resolution is expected from the ANC. Response: Public Comment Period ends July 28, 2023. Welcome to present your comments in any way to DGS; **(2)** asked about security for the residents. Response: 24 hour security will be provided

inside the shelter. Outside security: DHS will be partnering with MPD and sister agencies as needed. More information will be provided in February 2024.

- Commissioner Forest asked whether residents will be able to store food and cook, are there curfews, will residents be transferred to another shelter without notice, and security of residents' belongings? Response: No, there are no kitchens in the units; up to two meals are provided. Curfews: Shelter is open 24/7; Moved without Notice: Only if they violate the program rules; Security of belongings: There will be a closet and lockable dressers.
- Chat: Will the provider be a non-profit or for profit entity? Response: Both entities will be allowed to apply during the selection process.

MOTION: Commissioner Carson moved and Commissioner Abu-Khalaf seconded that ANC 6E **support** the proposed acquisition of 25 E street NW for the purpose of non-congregate shelter operated by the Department of Human Services The Motion **passed** 6 yeas – 0 nays – 0 abstentions.

13. **REQUEST FOR SUPPORT: NEW UNENCLOSED SIDEWALK CAFÉ – BAAN SIAM, 425 I STREET NW – TOM HEALY [SMD 6E01]**

Tom Healy stated the following:

- Patio has been operating for the past two and a half years under the old regulations.
- We are making no changes, no new construction;
- There have been no complaints from the community.
- We contributed about \$70,000 in sales tax to the City just for the patio alone.
- Asking the ANC to support what they currently have.

MOTION: Commissioner Hart moved and Commissioner Forest seconded that ANC 6E **support** the application per the proposed layout for a new, unenclosed sidewalk café for Baan Siam, located at 425 I Street NW, and that the ANC convey that support to DDOT. The Motion **passed** 6 yeas – 0 nays – 0 abstentions.

14. **REQUEST FOR SUPPORT: NoMa BID APPLICATION FOR PUBLIC ART BUILDING COMMUNITIES GRANT – BRIAN SMITH, NoMa BID [SMD 6E06]**

Representative Present: Duilio Passariello, Artist

Artist Duilio Passariello provided a slide presentation and highlighted the following:

- The proposed sculpture will be horizontal, positioned at ground level, and illuminated at the bottom with LED lighting.
- NoMa will be engraved across the bottom panels of the sculpture.
- Dimensions: 20 feet long x 34 inches wide x 18 inches high.
- Will be connected to public lighting.
- Seating planks will be wood.
- Will be positioned under a canopy of trees.

MOTION: Commissioner Forest moved and Commissioner Carson seconded that ANC 6E **support** the NoMa BID's application for a Public Art Building Communities Grant and that the ANC convey that support to the Commission on the Arts and Humanities. The Motion **passed** 6 yeas – 0 nays – 0 abstentions.

15. **UPDATE FROM ANC 6E WEBSITE COMMITTEE – COMMISSIONER ABU-KHALAF**

MOTION: Commissioner Abu-Khalaf moved and Commissioner Forest seconded to **table** this item until the September 5, 2023 ANC 6E Public Meeting. The Motion **passed** 6 yeas – 0 nays – 0 abstentions.

16. **OPEN FORUM**

Commissioner Forest wished it noted for the record his reasoning for abstaining from the vote to oppose the Proposed Central Cell Block at 501 New York Avenue NW. He noted that while DOC did absolutely no community outreach, the deplorable and inhumane conditions at the Daly Building merit the proposed move to 501 New York Avenue NW and it appears to be the only suitable facility. He could not support a total opposition, which is why he offered the conditions he did in the Friendly Amendment that ultimately resulted in a tie vote.

17. **NEXT MEETING: SEPTEMBER 5, 2023 (ANC 6E WILL RECESS IN AUGUST)**

18. **ADJOURNMENT**

MOTION: There being no further business to come before the Commission, Commissioner Forest moved and Commissioner Carson seconded to adjourn the meeting. The Motion **passed** 6 yeas – 0 nays – 0 abstentions. The meeting adjourned at 10:36 p.m.

Respectfully submitted,
(Transcribed from Recording)

Karen Jehle
Recording Secretary
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