

**Advisory Neighborhood Commission 6E
Virtual Public Meeting
Tuesday, April 6, 2021**

Advisory Neighborhood Commission 6E convened via Zoom Video Conference and/or Telephone on Tuesday, April 6, 2021 at 6:30 p.m.

Present:

Michael Eichler, ANC 6E01
Alex Lopez, ANC 6E02
Frank S. Wiggins (Treasurer), ANC 6E03
Rachelle Nigro (Chair), ANC 6E04
Patrick Parlej, ANC 6E05
Denise Blackson, ANC 6E06
Kevin M. Rogers, ANC 6E07

Absent:

None

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:30 p.m. by Chair Rachelle Nigro with a quorum present.

II. APPROVAL OF AGENDA

MOTION: Commissioner Wiggins moved and Commissioner Eichler seconded to approve the Agenda as presented. The Motion **passed** unanimously.

III. PSA REPORTS – 1D, 3D

1D (PSA 103): Capt. Jonathan Dorrrough reported on crime for the past 30 days per the following: Violent Crime is down slightly; Property Crime is up slightly. MPD is seeing a trend as the City reopens – this will affect our numbers. Mount Vernon Triangle (MVT) had a change in its landscape during the COVID-19 Pandemic. MPD has a crime patrol there. Going into the summer, we will see more activity in all areas including MVT and Sursum Corda.

A question-and-answer period followed. Commissioner Parlej asked about a recent carjacking. Capt. Dorrrough responded it was 13–15-year-olds with tasers at the Navy Yard. They will be prosecuted as juveniles. There was another incident involving juveniles and one loss of life. Commissioner Parlej stated he received an email from an Asian American expressing concern that Asian Americans are being targeted. Capt. Dorrrough responded MPD has a strong relationship with the residents in Chinatown and he has not seen an increase in his area of supervision. MPD is continuing to do outreach with the Chinatown businesses.

3D (PSA 308): Capt. Augustine reported the following: 3/13/21: Homicide – 1400 7th Street, NW; 600 block of O Street, NW; uptick in robberies as things open up; Thefts from Auto increasing; 3/7/21: robbery (pickpocket); 3/9/21: robbery – 400 block of O Street; 1300 block of 9th Street, NW; 3/4/21: suspect found; 3/26-27/21: Carjacking – 4th & K Streets, NW – 3 juveniles – then went to 400 block of O Street, NW. MPD Carjacking Task Force stepped in; 1541 New Jersey Avenue, NW – The Garden – marijuana operation going on – made seven (7) arrests. Initiative 71: 2 ounces or less of marijuana okay; any use outside the home is illegal; edibles are 100% illegal.

A question-and-answer period followed. Commissioner Lopez asked why The Garden was targeted and why enforcement was an MPD priority, especially when the Mayor is working to legalize the sale of marijuana in the District. Capt. Augustine responded that MPD enforces the laws, and it is the violence that comes after using marijuana on which MPD is focusing. Commissioner Eichler asked what about the other laws that are on the books that MPD is not enforcing, i.e., illegal encampments on city property, loitering and open-air drug use on the 600 block of O Street, NW, that resulted in a drive-by homicide. Commissioner Wiggins raised an incident where a woman was accosted at 626 S Street, NW, package thefts, drug dealing on N Street migrating to 1200 block of 6th Street, NW. A homeowner at 770 P Street stated his home overlooks the 600 block of O Street, NW and he has heard sounds of gunshots and witnessed far too many shootings in the recent past.

IV. REPORT FROM THE MAYOR'S OFFICE OF COMMUNITY RELATIONS AND SERVICES (MOCRS)

Talib Shakir, Ward 6 Liaison from MOCRS, provided the following updates: **(1)** Re-openings: Entertainment – 25% capacity; Movie Theatres – 25% capacity; still maintain social distancing, washing hands, wearing masks. Fitness Centers and Pools will be opening up; Marathons will be allowed; Public Pools - 50%; Libraries and Museums - 50% capacity depending on the location and the floor size; **(2)** attended a meeting of the French Street Neighborhood Association and was able to assist them with access to rakes and shovels for their cleanup program; **(3)** MPD – mobile team – community sweeps – gun violence initiative; abandoned vehicles; drug activity;

Commissioner Wiggins asked how long the Slow Streets Program will be in place. Commissioner Lopez responded that DDOT may end the program at the end of April or May.

V. REPORT FROM COUNCILMEMBER ALLEN'S OFFICE

Naomi Mitchell of Councilmember Charles Allen's office stated the following: **(1)** there will be a mass vaccination site at Arena Stage in Southwest on Friday, April 9, 2021; **(2)** the DC City Council will be on recess next week; **(3)** Councilmember Charles Allen introduced legislation for expanded broadband; **(4)** the budget cycle hearings are delayed until the Federal dollars come in.

Former Commissioner Alex Padro asked about budget priorities for 2022. Commissioner Wiggins asked for assistance with DPW for graffiti removal near Parcel 42.

VI. 476 K STREET, NW, UNO 15 5TH AND LLC AND DLENA DC (DLENA): REQUEST FOR SUPPORT FOR A RETAILER’S CLASS “C” RESTAURANT LICENSE [6E05]

Representatives Present: Stephen O’Brien; Tom McDowell

Stephen O’Brien spoke on behalf of the applicant who is seeking support for a new Retailer’s Class “C” Restaurant license. The restaurant will be serving Mexican inspired brunch, lunch and dinner featuring tacos and enchiladas. Total Occupancy Lod of 260 with seating for 200 patrons. The applicant is requesting an Entertainment Endorsement to provide live entertainment inside the premises only. Applicant is also applying for a Sidewalk Café Endorsement with 45 seats.

Commissioner Parlej stated there was some back and forth about the Settlement Agreement, in that the sidewalk café must close at 11:00 p.m. seven (7) days per week due to noise restrictions. Additionally, Commissioner Parlej stated that the Settlement Agreement contained the following language: “Noise emanating from the licensed premises that is audible in any nearby residential premises is prohibited.” Alex Padro stated the ABC Licensing Committee met and heard a presentation from the applicant. The Committee voted unanimously to support stipulated and permanent licenses, with the provision of outdoor service being ended by 11:00 p.m. The restaurant hopes to open by May 5, 2021.

MOTION: Commissioner Parlej moved and Commissioner Lopez seconded that ANC 6E **support** the request for support of Dlena (Uno at 5th & K, LLC and Dlena DC, LLC) , 476 K Street, NW, for stipulated and permanent Retailer’s Class “C” Restaurant Licenses under the terms of the Settlement Agreement reached and that said support be communicated in writing to the ABC Board and ABRA. The Motion **passed** unanimously.

VII. 36 NEW YORK AVENUE, NW: REQUEST FOR SUPPORT FOR BOARD OF ZONING AND ADJUSTMENT FOR VARIANCE FOR LOT OCCUPANCY [6E06]

Representative present: Cristian Malagon, Owner

Tony Brown, Chair of ANC 6E’s Zoning Committee, stated the applicant is requesting zoning relief for the construction of an Additional Dwelling Unit (ADU) requiring a variance for Lot Occupancy of 68%. The applicant’s proposed ADU will be a two-level garage with a one-bedroom apartment on the upper level. The ADU will be approximately 450 square feet. The ADU will be set back five (5) feet from the alley.

MOTION: Commissioner Blackson moved and Commissioner Lopez seconded that ANC 6E **support** the request for support of 36 New York Avenue, NW for a variance for lot occupancy and that said support be communicated in writing to the Board of Zoning Adjustment (BZA). The Motion **passed** unanimously.

VIII. PRESENTATION BY NORTHEAST MAGLEV, LLC ABOUT THE POTENTIAL HIGH-SPEED MAGLEV TRAIN FROM WASHINGTON, DC TO NEW YORK CITY

Representatives present: Ian Rainey; Steven Marcus

Ian Rainey provided a slide presentation about the potential high-speed Maglev Train from Washington, DC to New York City. He reported specifically on the Washington to Baltimore segment of the project. Key points made were:

- Draft Environmental Impact Statement (DEIS) available for review at: <https://www.bwmaglev.info/index.php/project-documents/deis>
- Public comment period open until May 24, 2021.
- Remaining DEIS public hearings are: April 8, 2021 (1 pm-3 pm; 6 pm-8pm); April 10, 2021 (10am-12pm; 2pm-4pm);
- Hearings will be broadcast on Project website: <https://www.bwmaglev.info/index.php/virtual-public-hearings>
- Individuals can call at: 855-450-1219
- Testimony can be provided at <https://bwmaglev.info/index.php/virtual-public-hearings>
- SCMAGLEV will divert up to 16.4 million cars off our roads each year.
- Reduce vehicle miles traveled (VMTs) by up to 12%;
- Reduce auto share of the travel market by up to 12%;
- Construction of the station along New York Avenue will require top-down excavation between North Capitol Street and 7th Street, NW;
- Station construction duration is approximately four years. Will be broken into segments to minimize surface disruptions.
- Project Sponsor committed to working with ANC 6E and community directly to understand and address all concerns.
- Ground vibration generated by SCMAGLEV trains was measured at levels below the threshold perceptible to humans.
- SCMAGLEV system meets all electromagnetic field exposure guidelines recommended by the World Health Organization.
- Possible pedestrian walkway through DC Convention Center to the Mt. Vernon Square/7th Street Metro Station.
- Project remains committed to working with DDOT, DCOP, and community to evaluate impacts on traffic and parking.
- Revenues will fully cover the cost of operating and maintaining the system.
- Ticket prices may be as low as \$27 depending on time of day and demand.
- 123,000 Construction Related Job-Years; 38,000 Professional Services Job-Years

*Full presentation will be uploaded to ANC 6E website.

A question-and-answer period followed. Commissioner Eichler noted that the impacts to the neighboring surface streets described in the DEIS, including an additional 40,000 daily private-vehicle trips to pick up or drop off SCMAGLEV patrons is inconsistent with the future vision for a climate-friendly and sustainable DC and 6E community. He urged the project team to reconsider the priorities and ensure that a direct connection to Metrorail is included in the initial phase of the project instead of the extensive facilities described to facilitate customers driving or taking Uber/Lyft trips to/from the station. The community also expressed concerns expressed about parking and the need for a direct connection to Metrorail.

IX. PRESENTATION BY THE DISTRICT OF COLUMBIA OFFICE OF THE PEOPLE'S COUNSEL (OPC)

Representative present: Cheryl Morse

Ms. Morse provided a short slide presentation. Key points made were:

- o OPC is your utility lawyer.
- o OPC can help with disconnections, service complaints, utility bill disputes, payment arrangements, etc.
- o Latest newsletter, *OPC Connection*: <https://conta.cc/3svWnE5>
- o OPC's Response to the PSCs Pandemic Relief: <https://conta.cc/3bjRUhC>
- o #Here2HelpDC 311 Campaign: <https://conta.cc/3bkEC37>
- o Join Email List: <https://tinyurl.com/dfwmwnn2>
- o Contact Info: cmorse@opc-dc.gov

*Full presentation will be uploaded to ANC 6E website.

X. ANC 6E TRANSPORTATION COMMITTEE: DDOT NOTICE OF INTENT: INSTALL A MEDIAN ON NEW YORK AVENUE, NW BETWEEN NORTH CAPITOL STREET AND FIRST STREET, NW

Commissioner Lopez presented that DDOT released a Notice of Intent (NOI) on March 5 to install a raised, brick median on the unit block of New York Avenue NW. The intent of the median is to prevent midblock U-turns and illegal left turns from N Street NW onto New York Avenue NW. The Transportation Advisory Committee (TAC) met on March 30 and unanimously recommended that ANC 6E convey its support of the NOI to DDOT. Commissioner Blackson invited a constituent to share concern about traffic safety issues at the intersection of New York Avenue and 1st St NW caused by the existing median. The Commission **tabled** this matter until its May 4, 2021 Public Meeting pending further consideration from the TAC.

XI. ANC 6E RESOLUTION CONCERNING THE DEPARTMENT OF PUBLIC WORKS DATA AND PROCEDURES FOR ILLEGAL DUMPING AND PUBLIC TRASH CANS

Commissioner Eichler presented a Draft Resolution regarding the Department of Public Works Data and Procedures for Illegal Dumping and Public Trash Cans and reviewed the Resolution with the Commission.

MOTION: Commissioner Eichler moved and Commissioner Blackson seconded that ANC 6E support the Draft Resolution as presented which, in general, requests that DPW provide data on the collection and maintenance of litter cans, DPW do more to prevent illegal dumping in the public litter cans, that ANC 6E requests DPS and DDOT to collaborate to replace derelict public litter cans and to consider design improvements for any new cans, and that ANC 6E requests that a task team be formed to work on identifying long-term sustainable solutions to the aforementioned problems, and that said resolution be communicated in writing to DPW.

Friendly Amendment: Commissioner Nigro offered a friendly amendment that DPW add an impactful fine schedule. Commissioner Lopez wished it noted for the record his opposition to the amendment calling for the higher fine schedule.

AMENDED MOTION: Commissioner Eichler moved and Commissioner Blackson seconded that ANC 6E support the Draft Resolution, as amended, to add that DPW add an impactful fine schedule and that the amended Resolution be communicated in writing to DPW. The Motion *passed* unanimously.

XII. ANC 6E RESOLUTION IN SUPPORT OF LONG-TERM AND SHORT-TERM SOLUTIONS FOR HOMELESSNESS

Commissioner Eichler presented and requested ANC 6E support for a Draft Resolution in Support of Long-Term and Short-Term Solutions for Homelessness which he reviewed with the Commissioners.

MOTION: Commissioner Eichler moved and Commissioner Parlej seconded that ANC 6E support the draft Resolution in Support of Long-Term and Short-Term Solutions for Homelessness and encourages the DC Government to consider holistic solutions around the issue of homelessness in the encampment at New Jersey and O Street, NW and the Seaton Elementary School encampment on the 1500 block of 10th Street, NW, and that said Resolution be communicated to Mayor Bowser, Councilmember Charles Allen, DC At Large Councilmembers Anita Bonds, Robert White, Christina Henderson, and Elissa Silverman. The Motion *passed* unanimously.

*Signed Resolution will be uploaded to ANC 6E website.

Commissioner Lopez presented and requested ANC 6E support for a complementary resolution dealing with the homelessness crisis and support for the Way Home Campaign FY 22 Budget Request to invest \$96.1 million to fund Permanent Supportive Housing (PSH) for 2,761 individuals and 432 families experiencing chronic homelessness, help 1,820 individuals to exit homelessness quickly by increasing the budget for short-term assistance, ensure that every person who is at high risk of dying of COVID-19 is offered a placement in non-congregate shelter, purchase bankrupt hotels, maintain street outreach at current funding levels, support grow Project Reconnect, the program that helps individuals who are newly homeless find alternatives to shelter, such as reuniting with friends and families, and invest at least \$100 million of local resources in the Emergency Rental Assistance Program (ERAP) to support tenants who have been unable to pay rent as a result of the pandemic.

MOTION: Commissioner Lopez moved and Commissioner Eichler seconded that ANC 6E support the Way Home Campaign FY22 Budget Request as presented by Commissioner Lopez and that said support be communicated in writing to the Mayor of the District of Columbia with a copy to Councilmember Charles Allen. The Motion *passed* unanimously.

*Signed Resolution will be uploaded to ANC 6E website.

XIII. REQUEST FOR LETTER OF SUPPORT FOR FRIENDS OF BUNDY DOG PARK, INC. TO FORM A PARTNERSHIP WITH THE DEPARTMENT OF PARKS AND RECREATION FOR A DOG PARK IN PART OF THE NJ AVENUE AND O STREET PARK

Representatives present: Alexandra Rosen; Louis Rosa

Alexandra Rosen and Louis Rosa spoke regarding this topic. They noted Bundy Dog Park is not an official DPR dog park now, there is no water source at the existing park, the park is not accessible, there has been an influx of dog ownership, and petition signatures were gathered through DPR regulations. They stated that these issues could be solved if there was a dog park included as part of the NJ and O Street park redevelopment. Commissioners Lopez and Parlej expressed concerns about voting on this proposal before the 7 April Department of Parks and Recreation Community Meeting on the NJ and O Street park redevelopment. Commissioners Nigro and Eichler stated that the purpose of this ANC action was to advance the application of Bundy Dog Park for a partnership with the Department of Parks and Recreation, not an ANC6E endorsement of the dog park concept.

MOTION: Commissioner Nigro moved and Commissioner Eichler seconded that ANC 6E **support** the request for support for the Friends of Bundy Dog Park Inc. to form a partnership with the Department of Parks and Recreation (DPR) for a Dog Park in part of the New Jersey Avenue and O Street Park and that said support be communicated in writing to the Department of Parks and Recreation (DPR). The Motion **passed** 6 yeas – 0 nays – 1 abstention (Commissioner Parlej).

XIV. APPROVAL OF MINUTES OF MARCH 2, 2021 PUBLIC MEETING

MOTION: Commissioner Eichler moved and Commissioner Wiggins seconded to approve the Minutes of the **March 2, 2021** ANC 6E Public Meeting with any edits to be submitted to the Recording Secretary. The Motion **passed** unanimously.

XV. APPROVAL OF TREASURER'S REPORT

Treasurer Wiggins stated the balance in the checking account as of March 31, 2021 was \$49,277.13.

MOTION: Commissioner Wiggins moved and Commissioner Parlej seconded to accept the Treasurer's Report as presented. The Motion **passed** unanimously.

XVI. APPROVAL OF EXPENSES

A. MOTION: Commissioner Wiggins moved and Commissioner Eichler seconded to approve for payment the invoice submitted by Karen Jehle in the amount of \$250.00 for recording services for the **ANC 6E April 6, 2021 Public Meeting** and website maintenance. The Motion **passed** unanimously.

- B. **MOTION:** Commissioner Wiggins moved and Commissioner Rogers seconded to approve for payment the Zoom Invoice in the amount of \$68.89 submitted by Commissioner Nigro for videoconference services. The Motion ***passed*** unanimously.
- C. **MOTION:** Commissioner Wiggins moved and Commissioner Blackson seconded to reimburse Commissioner Nigro in the amount of \$55.97 for the cost of making copies of the agenda for this meeting. The Motion ***passed*** unanimously.
- D. **MOTION:** Commissioner Wiggins moved and Commissioner Nigro seconded to reimburse Commissioner Wiggins in the amount of \$50.10 for the balance due for the USPS Post Office Box at Brentwood Station. The Motion ***passed*** unanimously.
- E. **MOTION:** Commissioner Wiggins moved and Commissioner Eichler seconded to support the submission of Quarterly Financial Report (QFR) FY 21 Q1 (Oct '20 – Dec '20) and FY 21 Q2 (Jan '21 – Mar '21). The Motion ***passed*** unanimously.

XVII. ANNOUNCEMENTS - None

XVIII. NEXT MEETING: TUESDAY, MAY 4, 2021

XIX. ADJOURNMENT

MOTION: There being no further business to come before the Commission, Commissioner Nigro moved and Commissioner Rogers seconded that the meeting be adjourned. The Motion ***passed*** unanimously. The meeting adjourned at 10:09 p.m.

Respectfully submitted,

Karen Jehle
Recording Secretary
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