



ADVISORY NEIGHBORHOOD COMMISSION 6B

ANC 6B FULL MONTHLY MEETING

March 9, 2021 at 7:00 p.m.

Virtual Meeting via WebEx

Meeting Information:

Event address for attendees:

<https://dcnet.webex.com/dcnet/onstage/g.php?MTID=e3d0ec05a3e270eacff9619bb40efc4ac>

Event number: 160 022 0187

Event password: 5y6pJCbbJP7

Video Address: 1600220187@dcnet.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Audio conference:

To receive a call back, provide your phone number when you join the event, or call the number below and enter the access code.

Call-in toll number (US/Canada)

1-650-479-3208

Show all global call-in numbers

Access code: 160 022 0187

FINAL AGENDA

1. Introduction
2. Adoption of Agenda
3. Consent Agenda
 1. February Minutes
 2. Handle 19 Special Call Minutes
 3. Alcoholic Beverage Control Committee
 4. Planning and Zoning Committee
 1. HPA 19-03: Southeast Library Landmark Nomination; Historic Landmark nomination under national criteria A (History) and C (Architecture); Applicant: Beth Purcell, Capitol Hill Restoration Society [6B03]
 2. BZA 20422: 610 South Carolina Ave SE; Special Exception to construct a one story addition to two-story building (Square 0875, Lot 0037); Owner: Michael Hsu and Seema Gajwani; Michael Fowler, mike@fowler-architects.com; Hearing Date: 03/24/2021 [6B03]
https://app.dcoz.dc.gov/CaseReport/CaseReportPage.aspx?case_id=20422
 3. HPA 21-218: 15 8th Street SE, Concept review for 2-story rear addition adjacent to alley; Owner: Ted Jutras and Erica Stanley, tcjutras@gmail.com; Architect: Paula Morris, Morris Architects, morrisarc@aol.com; [6B02]

<https://app.box.com/s/dhn9muwq7e6fqor5v5v40hn1w7yanfma/folder/132203832091>

4. BZA 20429: 411 New Jersey Ave SE; Special exception to construct two new, three-story, principal dwelling units in the RF-3/PDR-5 Zone (Square 0693, Lot 0096); Owner: MADM Development LLC.; Applicant: Martin Sullivan, msullivan@sullivanbarros.com; Hearing Date: 03/31/2021 [6B01] https://app.dcoz.dc.gov/CaseReport/CaseReportPage.aspx?case_id=20429
5. Transportation Committee
 1. Request to convert two 6B04 blocks from One Way to Two Way
 2. Letter to Councilmember Allen on Construction Funding for Pennsylvania & Potomac Avenue SE Intersection Study
4. Presentations
 1. Andrew DeFrank, Ward 6 Community Engagement Specialist, District Department of Transportation (DDOT)
 2. Department of Energy and Environment (DOEE) and GRID Alternatives Mid-Atlantic – [Solar for All](#) and [Solar Works DC](#)
5. Community & Commission Announcements & Speak Out
6. Alcoholic Beverage Control Committee
 1. Letter to ABRA Requesting Delay in Protest Petition Deadline (vote to be taken at Full ANC 6B Meeting)
ABRA-071793: Partners at 723 8th SE, LLC, t/a The Ugly Mug Dining Saloon/Valor Brew; 723 8 th Street, S.E; Request to add Sports Wagering and Game of Skill endorsements to their operations. To offer Sports Wagering through mobile app and offer physical consoles for the electronic game of skill Dragon’s Ascent. Retailer’s Class “C” Restaurant; Applicant: Gaynor Jablonski, gaynorj@districtrg.com
7. Planning and Zoning Committee
 1. BZA 20409: 102 9th St SE; Special Exception to construct a penthouse addition to an existing three-story, attached, principal dwelling unit in the RF-1 Zone (Square 0943, Lot 0801); Owner: Joseph and Elizabeth Lunsford, joseph.m.lunsford@exxonmobil.com; Applicant: Derrick Sieber, derrick.precision@gmail.com; Hearing Date: 03/10/2021 [6B05] https://app.dcoz.dc.gov/CaseReport/CaseReportPage.aspx?case_id=20409 ***Deferred until May 2021 at request of BZA DC Office of Zoning***
 2. BZA 18238A: 413 8th Street SE, Chipotle; Special Exception to extend the terms of the special exception granted on July 19, 2011, for an additional ten (10) years, to allow a fast food restaurant use in the MU-25 Zone (Square 0902, Lot 0828). Owner: Eighth Street LLC., guy@housestudios.com; Applicant: Samuel Porter, Samuel.Porter@icemiller.com; Hearing date: 03/31/2021 [6B03] https://app.dcoz.dc.gov/CaseReport/CaseReportPage.aspx?case_id=18238A
 3. BZA 20437: 1819 A Street SE; Special exceptions To construct a third story and a three-story rear addition, and to convert an existing two-story, detached, principal dwelling unit to a three-story, semi-detached, three-unit residential building in the RF-1 Zone ; Owner: Datis Properties, LLC; Applicant: Martin Sullivan, msullivan@sullivanbarros.com; Hearing date: 04/14/2021 [6B10] https://app.dcoz.dc.gov/CaseReport/CaseReportPage.aspx?case_id=20437
 4. Review of Zoning Administrator Decisions at 207 3rd Street SE
8. Transportation Committee
 1. WMATA FY22 Proposed Budget Impacts on ANC6B Residents and Businesses

9. Hill East Task Force
10. Livable Community Task Force
11. Eastern Market Community Advisory Committee
12. Capitol Hill Business Interest Working Group (*formerly Barracks Row Working Group*)
13. Financial
 1. Treasurer's Report
 2. [Late Breaking] Renewal of ANC 6B advertising in 2019 Fagon's Guide to Capitol Hill
14. ANC 6B Administrative Matters
15. ANC 6B Input on Other Concerns
16. Adjournment

PLEASE NOTE: At regular Commission meetings, any item may be removed from the consent agenda and placed on the regular agenda at the request of a single Commissioner. All ABC, BZA, Zoning, and Historic Preservation cases may be added to this agenda. For additional information, email 6b@anc.dc.gov, or visit ANC 6B's website: www.anc6b.org.

The ANC 6B Executive Committee will meet on March 30 at 7:00 PM to set the April 2021 agenda. This meeting will be a Webex virtual meeting. Meeting link TBA.

Note: The April Meeting Date Has Been Adjusted to Avoid Conflicts with Holidays/Religious Days. ANC 6B's Full Monthly Meeting Is Scheduled For WEDNESDAY, APRIL 14, 2021



ADVISORY NEIGHBORHOOD COMMISSION 6B
Monthly Minutes
for
February 9, 2021

1. Welcome and Introduction of Commissioners

With 6B Commissioners in attendance, the meeting commenced at 7:04 and concluded at 10:35. During this meeting, all votes were unanimous and there were no abstentions. Forty-one persons were present at the outset of the virtual meeting.

2. Approval of the Agenda: Following modifications the agenda was approved (Holman/Sroufe)

Modifications included: (1) reconciliation of names of Residential Members on website with those listed in the agenda. (2) consideration of Handle 19 was added to ABC committee report and discussion.

3. Approval of Consent Agenda

Following modification, the CA was approved. Modification included moving consideration of BZA 20409 to the Planning and Zoning Committee report and discussion.

4A. Presentation Q and A with Councilman Charles Allen

Topics Discussed and Questions Addressed:

Impact of new budget estimate showing large surplus

Capitol Fence and forthcoming town meeting (8:00 pm Thursday, Feb 11).

Vaccine Rollout (inadequate supply; hope for 15% increase)

Education: school opening and education reforms.

Public Safety: car jacking and homicide; Linda Harper, first Director of Gun Violence Prevention

Parks and amenities: EMMP; Garfield; Potomac

Short comings in city's performance (e.g., outreach to elderly)

Jurisdiction disputes about Reservation 13

Trash pickup from alley

Boys and Girls Club site

4.B Presentation

Naomi Mitchell, Community Liaison in CM Allen's office offered additional Commentary re:

Virtual Cherry Blossom Festival, March 20 – April 11: painted cars, kites, blossoms (maybe!)
Chairman Ready will post information on ANC Website.

Vaccine assistance: Capitol Hill Village working with pharmacy in NE to find opportunities for its members.

5, Community Speak Out

Chairman Ready called attention to opportunities to celebrate Black History Month, including a virtual tour of Fedrick Douglas Home, and commemoration of Douglas's 203rd birthday on Feb 13.

Commissioner Samolyk provided an invitation to Folger Park walk with NPS on Saturday, Feb13, at 1:00
(Note: postponed due to weather)

6, ABC Report and Discussion

The ANC reviewed the status of Handle 19 gaming license and the alcohol license protest. Because of the number and importance of pending items no action was taken at this meeting. Chairman Ready announced that a community meeting with the ANC's legal counsel had been arranged to discuss the status and strategy regarding the protest. The virtual meeting is scheduled for Tuesday, February 16 at 7:00 pm.

7. Planning and Zoning Committee Report and Discussion

There were a number of P and Z items approved on the consent calendar; In addition, BZA 20409 was reviewed because of the repeated failure of the architect to provide letters from adjoining neighbors. As the Zoning Board meeting will follow the ANC March meeting the item was designated for re-consideration at that time. (Holtzman/Sroufe).

8. Transportation Committee Report and Discussion

A Committee-drafted letter about disruption created by fencing of the Capitol complex was approved unanimously. It was suggested that the letter be sent to Rep. Norton, CM Allen, and others in advance of her February 11 hearing on this topic.

9.Hill East Task Force

Discussion about FOIA requests for information about Reservation 13 development plans, also raised during CM Allen's discussion were reviewed. Naomi Mitchell questioned possibility of collaboration with ANC7F and Commissioner Gray to increase leverage on the District agencies refusing to share information with ANC6B.

10. Other committees/task forces.

No actions were proposed regarding the Livable Communities Task Force, the Barracks Row Business Interest Working Group, or with regard to the Eastern Market Community Advisory Council.

11.Financial Report

Treasurer Holman called attention to corrections in the Quarterly Financial Report that had been generated by a computer software error. A corrected copy was provided in the agenda materials for the meeting. Changes were insubstantial.

12. Standing Committees Re-Established and Chairs Appointed Unanimously (Ready/Holzman).

- (a) Planning and Zoning Committee – Holman
- (b) Alcohol Beverage Control Committee - Ready
- (c) Transportation Committee – Oldenburg

13. Task Force and Working Group Leadership Appointments

A new title was proposed for the Barracks Row Improvement Group was considered. The “Capitol Hill Business Improvement Group” was approved unanimously (Ready/Sroufe).

Task Forces were approved and Chairs appointed unanimously (Ready/Oldenburg).

- (a) Capitol Hill Business Interest Working Group - Ready
- (b) Hill East Task Force – Krepp
- (c) Livable Community Task Force – Holtzman

EMCAC Representative

Commissioner Sroufe’s re-appointment as ANC representative to Eastern Market Community Advisory Committee was approved unanimously (Ready/Holtzman).

14. Resident Members Appointed Unanimously (Ready/Holman)

6B01

Floyd Brown – Transportation Committee [6B01]
Lauren Freedman – Planning and Zoning Committee [6B01]

6B02

Janice Kruger – Alcohol Beverage Control Committee [6B02]
Bryan Dierlam – Planning and Zoning Committee [6B02]
Kevin Morarity – Transportation Committee [6B02]

6B03

Brian Kirrane – Transportation Committee [6B03]
Gerardo Mijares-Shafai – Planning and Zoning Committee [6B03]
Katherine Szafran – Alcohol Beverage Control Committee [6B03]

6B04

John Manley, Transportation Committee [6B04]
Frances McGaffey, P&Z Committee [6B04]
Clare Palace – Alcohol Beverage Control Committee [6B04]

6B05

Ken Jarboe – Planning and Zoning Committee[6B05]
Ellen Opper-Weiner – Alcohol Beverage Control Committee [6B05]

6B06

Ryan Danks – Planning and Zoning Committee [6B06]
Paul Hyden – Transportation Committee [6B06]

6B07

Sharon Ryan – Planning and Zoning Committee [6B07]
Stefan Katz – Transportation Committee [6B07]

6B08

Carol Grissom – Transportation Committee [6B08]
Amanda Thomas – Planning and Zoning Committee [6B08]
Chander Jayaraman – Alcohol Beverage Control Committee [6B08]

6B09

John Ten Hoeve – Transportation Committee [6B09]
Daniel Garry – Planning and Zoning Committee [6B09]
Ryan Fochler – Alcohol Beverage Control Committee [6B09]

6B10

Francis Campbell – Planning and Zoning Committee [6B10]

15. Adjournment

The February 9 Meeting was adjourned by Commissioner Oldenburg at 10:35.



**ADVISORY NEIGHBORHOOD COMMISSION 6B
HANDLE 19 SPECIAL CALL MEETING
for
February 16, 2021**

Community Session on Handle 19

ANC6B sponsored a community meeting on Tuesday, February 16, to discuss the status of its protest of the Handle 19 sports betting facility alcohol application. Following the community discussion, the ANC went into executive session to discuss the issues raised during the discussion. The following eight Commissioners were visibly in attendance or listed as “participants”: Samolyk; Sroufe; Ready; Oldenburg; Holtzman; Holman; Ryder; Horn. A number of ANC resident members participated, including Chander Jayaraman; some of the residents also protesting the alcohol license were in attendance.

ANC6B chair, Brain Ready welcomed attendees and Attorney Kerry Verdi. He noted that there would be an opportunity for Commissioners and residents to raise questions and make comments following her brief overview and that the meeting was being recorded. Chair Ready also indicated that the Commissioners would meet in Executive Session following the discussion.

Chair Ready had prepared a timeline of events since the outset of the Handle 19 situation. Verdi focused on the most recent events: (1) being contracted by ANC6B to represent it in their protest; (2) ABRA granting of the request for an extension of the protest date (now April 8); (3) ABRA rejection of the ANC6B request for summary dismissal of the Handle 19 alcohol license; and (4) the Office of Lottery and Gaming Executive Director’s Order denying Handle 19’s Sports wagering license.

Questions raised by Commissioners and the community representatives centered on the probability that Handle 19 will either protest its gaming license denial or will restructure and submit a new application. There is no public information available about the reasons for the denial. Questions raised included: Is a liquor license required for a class B restaurant? Is a license the property of the owners or the address? Can the reasons offered by ABRA in rejecting the summary dismissal request be addressed?

After questions were exhausted the community meeting was adjourned, and the ANC convened in Executive Session.

Executive Session on Handle 19

The eight commissioners participating stayed on in the Executive Session with attorney Verdi. She responded at length about ongoing preparations for the hearing and raised some questions for the commissioners to consider.

Discussed items: preparation for the protest hearing; coordination with residents also protesting Handle 19's alcohol application; possible use of expert witness(es); FOIA application; and research underway and under consideration.

Questions from Commissioners surfaced additional concerns: confluence of street traffic at this intersection (and difficulty of assessing this potential problem in time of CV19); the anticipated number of short time stays in the facility to bet and the resulting impact on the neighborhood; distinctions/similarities between Handle 19 and Brig, which ANC6B has approved.

Verdi said that Handle 19's attorney had requested a statement from ANC6B regarding stipulations it might seek in a settlement agreement, and she encouraged Commissioners to consider responding to this request and, if they chose to do so, to identify the central points of a settlement agreement that the ANC would accept. No decisions were made at the meeting beyond recognizing the need to give due consideration to the request of the Handle19 attorney.

Gerald Sroufe, Secretary ANC6B



ADVISORY NEIGHBORHOOD COMMISSION 6B PLANNING AND ZONING COMMITTEE
Virtual Meeting
March 2, 2021, 7:00 p.m.

Commissioners: Samolyk, Sroufe, Ready, Oldenburg, Holtzman, Holman (Chair), Horn, Krepp
Resident Members: Friedman, Mijares, McGaffey, Jarboe, Danks, Ryan, Thomas, Garry

Beth Purcell of Capitol Hill Restoration Society was present to answer questions of the committee related to a nomination, which the ANC supported in 2019. The only question asked was to clarify the standards of review for a contributing building vs a landmark and there is no functional difference.

Motion: Consent (Holman/Ready) to support the application specifically under the proposed criteria

1. BZA 18238A: 413 8th Street SE [6B03]

Chipotle; **Special Exception** to extend the terms of the special exception granted on July 19, 2011, for an additional ten (10) years, to allow a fast food restaurant use in the MU-25 Zone

Attorney: Samuel Porter, Ice Miller **Hearing Date:** 3/31/2021

The committee was updated on the long running negotiation between the applicant and neighbors on the 700 block of E Street SE and 400 block of 7th Street SE. The applicant's attorney and neighbor representative have reached the outlines of an understanding on enclosing the trash area and connecting it to the principal building. The committee was happy to hear this and supported the general thrust of the agreement. The neighbors and applicant are still working on wording to include the conditions in the zoning order. The committee was not able to vote in support or opposition until these guidelines are finished. The ANC is expecting final language by Monday and will have to take this up in the full committee

2. BZA 20409: 102 9th St SE [6B05]

Penthouse addition for a stairway to roof deck. Special exceptions for general penthouse regulations in RF-1 zone.

Applicant: Joseph and Elizabeth Lunsford

Architect: Derrick Sieber

Hearing Date: 3/10/2021

The committee had a long discussion on this case noting the troubles the applicant is having getting his application ready for board review. The property owner was present and the committee encourage him to fix the deficiencies in the application discussed by the Office of Planning. Based on the past two meetings, the committee still supports the intent of the stairwell enclosure. The committee decided to support the general intent of the idea but two write a letter indicating our support is limited to the application as captioned and noting our support does not include any needed variances. There still hasn't been positive contact with the neighbors. Commissioner Holtzman and the property owner will continue to be in contact over the next couple of days. The committee made a motion to support in narrow way.

Motion [Holman/Holtzman] to support the application as captioned, noting the problems faced by the applicant, and the lack of positive contact with the neighbors. Sroufe opposed. Ryan abstained.



3. BZA 20422: 610 South Carolina Ave SE [6B03]

Special Exception to construct a one-story addition to two-story building for lot occupancy (53.4% existing, 60% by right, 66.7% proposed).

Applicant: Michael Hsu and Seema Gajwani **Architect:** Mike Fowler, Fowler Architects **Hearing Date:** 3/24/2021

Commissioner Horn Recused

The committee hear plans for a rear screened porch with extensive neighbor support. On the sides of the porch facing the neighbors, the applicant has agreed to only high windows to respect the privacy of the neighbors.

*Motion on Consent [Ready/Holtzman] to support the application. Unanimous support. **Commissioner Horn Recused***

4. HPA 21-218: 15 8th Street SE [6B02]

Concept: Two-Story rear addition adjacent to alley

Applicant: Ted Jutras and Erica Stanley **Architect:** Paula Morris, Morris Architects **Hearing Date:** 3/25/2021 or 4/1/2021

The committee heard plans from the property owner to do two-story rear addition on the alley. The committee liked the brick façade look and generally supported the project. Commissioner Sroufe noted the six over six windows may not have CHRS support but that wasn't an issue for him.

Motion on Consent [Sroufe/Ready] to support the project. Unanimous.

5. BZA 20429: 411 New Jersey Ave SE [6B01]

Multiple special exceptions and variances to construct two new principal dwelling units/rowhouses on a vacant lot

Applicant: MADM Development LLC **Architect:** Mateusz Dzierzanowski, DZ Architecture
Attorney: Alexandra Wilson, Sullivan and Barros **Hearing Date:** 3/31/2021

The committee sees this project returning again for zoning relief after multiple rounds of historic. The committee's continued concern about non-residential use continues to be addressed through design. The project is seeking three special exceptions for 10 foot rule, height, and penthouse setback and one variance for rear yard relief. The penthouse setback relief for a guardrail on a second floor deck will no longer be needed after the zoning commission publishes a proposed rulemaking already approved. The rear yard relief (18.5 feet proposed, 20 feet required) is a variance only because it's new construction. The ANC regularly approved rear yard special exception relief much great than 18.5 feet and the committee felt the building would not unduly impact light/air since it's nowhere near another building. The 10 foot rule, again, is set far away from the adjoining building and has no real impact on light/air.

Motion on Consent [Samolyk/Holman]. Unanimous.

6. BZA 20437: 1819 A Street SE [6B10]

Special exception for number of units on lot (two-by right, three proposed) and for 10-foot rule (12 foot beyond



adjoining property)

Applicant: Datis Properties

Attorney: Alexandra Wilson, Sullivan and Barros **Hearing Date:** 4/14/2021

The committee had a long discussion on this case with the adjoining neighbor. The applicant has adjusted the project to give a 10 foot clear radius to the adjoining property's chimney. The project is adding 4 parking spots where only 1 is required. After long discussion with the neighbors, the committee felt there was more work to be done. Specifically, a construction management agreement with the neighbor, adding permeable parking spaces to help mitigate the impacts of runoff, to address some of the design issues with the front of the building. Commissioner Krepp will continue to work with the neighbors over the next week.

No motion

7. Review of Zoning Administrator Decisions at 207 3rd Street SE

A neighbor of this property reached out to the ANC to ask about pursuing an appeal to grant a building permit for a six-unit building, despite an inconsistent use history and potentially not being grandfathered in.

Brian Wise, adjoining neighbor of 207 3rd Street SE, presented a slide deck showing the continued failure of DCRA to enforce the grandfathering provisions of the zoning regulations which prohibit nonconforming uses after three years of not using that nonconformity. The project at 207 3rd Street SE has been through a series of unclear permit revisions, falsified documents, and other inconsistencies from both the applicant and DCRA. The committee felt an appeal is the right play here and voted to recommend the ANC file the appeal, pending review of a rough draft or outline of the appeal from Mr. Wise and reviewed by Commissioner Samolyk and Resident Member Jarboe.

Motion not on consent [Samolyk/Holman]. Unanimous

Upcoming Case:

April:

6B08 BZA 20445: Variance to expand restaurant use to cellar and second story in RF-1 Zone at 106 13th Street SE. April 21

6B04 Zoning Commission text amendment on applying inclusionary zoning to the NC-6 (Lower Barracks Row) zone.

May:

6B05 BZA 2046: Special exception for three story rear addition. Special exceptions for lot occupancy and 10 foot rule. May 26 hearing. 232 10th Street SE

6B02 BZA 20465: Variance to increase lot occupancy from 66.5% to 72% to construct screened porch in rear dogleg. May 19. 13 7th St SE

6B06 BZA 20461: Special exception for lot occupancy. 1525 K Street SE. May 19 hearing.



**Report of the ANC6B Transportation Committee Meeting
March 3, 2021**

Commissioners Present: Alison Horn, Kirsten Oldenburg (chairing), Brian Ready, Edward Ryder, and Gerald Sroufe.

Resident Members Present: Kevin Moriarty (6B02), Brian Kirrane (6B03), John Manley (6B04), Stefan Katz (6B07), Carol Grissom (6B08) and John Ten Hoeve (6B09)

Demonstration of ANC6B Traffic Calming Inventory Draft

Brian Kirrane, Resident Member 6B03, presented the draft Traffic Calming mapping inventory he has developed with Mark Sussman. The interactive map of 6B currently contains markers for each intersection by which users can add data characterizing aspects of individual intersections.

After some discussion, the Committee suggested that the system be posted on the 6B website for further testing.

Request to Convert Several Blocks in 6B04 to Two-Way

Kirsten Oldenburg, Commissioner 6B04, presented rationale for converting the 1100 block of 9th SE and 800 block of L SE from one way to two-way streets. Background information is attached as page 3.

After a brief discussion, Commissioner Oldenburg moved, with a second by Commissioner Horn to recommend the Commission support the conversion of the two blocks. The Committee supported the motion by a unanimous vote and placed the item on the consent agenda.

Discussion on the Baltimore/DC Maglev DEIS

Stefan Katz, Resident Member 6B09 and Jerry Sroufe, Commissioner 6B02 provided summary information and their thoughts on the project DEIS. This project does not directly affect ANC6B residents & businesses as the terminus in DC would be at Mt. Vernon Square. But it would reduce user travel time between Baltimore and Washington to 15 minutes.

Building the system is projected to occur in 2028 although the study is already behind schedule. DC's Office of Planning has questioned the DEIS on the DC station location, complications of tunnel boring, impacts to existing infrastructure and the fact that the study does not include a No Action option. For DC, Stefan noted that the socio-economic impact could be massive, with a major employment gain and transportation environment significantly changed. In addition, multi-modal transportation may increase vehicular traffic and land use for a parking lot seems excessive. Daniel Ridge commented that the boring would not be problematic; DC is already experiencing boring for two DC Water tunnels.

No vote was taken but RM Katz and Commissioner Sroufe said they would prepare draft comments of the DEIS for consideration at the April 7 meeting. Comments are due to Maryland Transit Administration by April 22, 2021.

Letter to CM Allen on Construction Funding for Penn-Potomac Project

Commissioner Oldenburg noted that engineering this DDOT project is finally nearing completion. Plans are to initiate construction in Spring 2022. DDOT has requested \$18 million to cover construction costs.

Commissioner Oldenburg moved, with a second by Commissioner Sroufe, to recommend the Commission send a letter to Councilmember Charles Allen asking him to protect these funds during the upcoming FY22 budget process. The Committee supported the motion by a unanimous vote and placed the item on the consent agenda.

WMATA Fiscal Year 2021 Budget Proposal

Commissioner Horn presented a draft resolution on the impacts of proposed WMATA changes on 6B residents and businesses. Beginning January 2022, significant cuts in bus routes are proposed along with Metro rail reductions in service resulting in earlier closing and extended waits between trains.

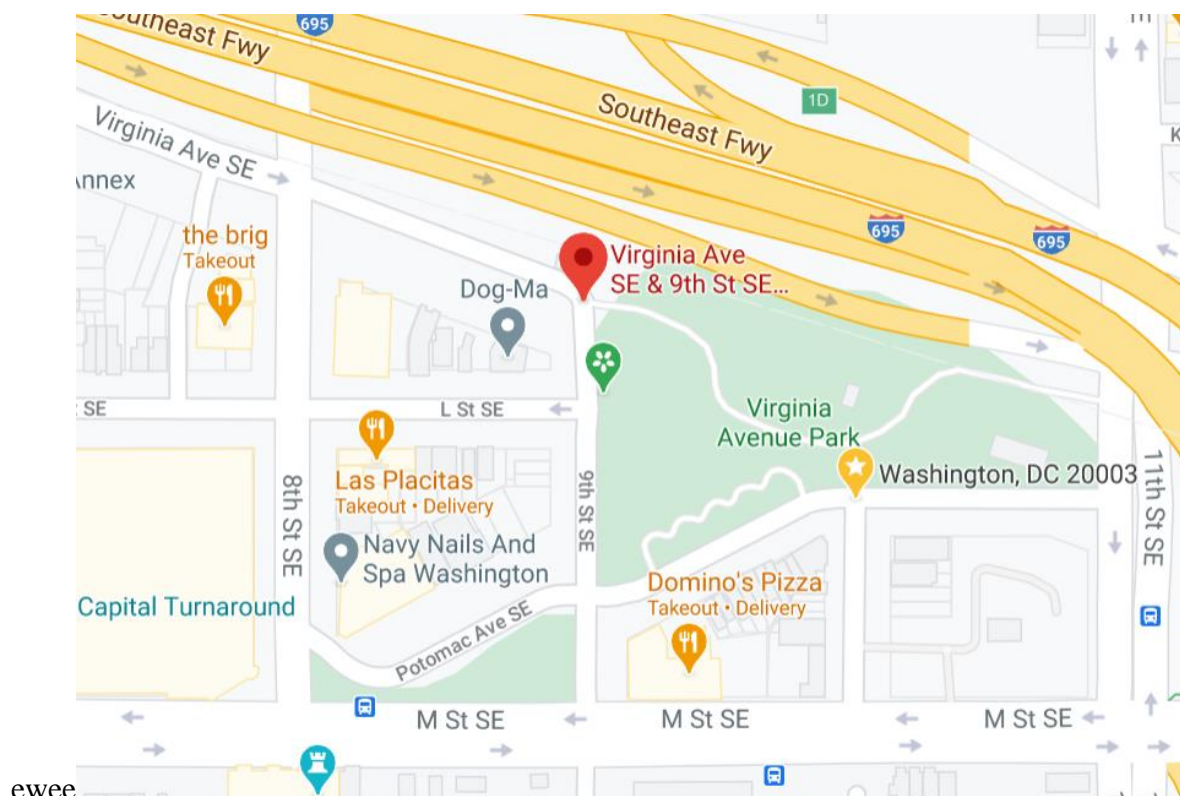
While committee members indicated it was important that we participate in commenting on the changes, the draft resolution did not seem to provide sufficient specifics on how our constituents would be affected, especially once the pandemic ends and more normal life resumes. Commissioner Horn moved, with a second by Commissioner Ready, that the Committee recommend the ANC supports sending comments to WMATA to be provided at the March 9 meeting. The Committee voted unanimously in support of the motion. The item was not placed on consent as Commissioner Horn will provide a revised draft.

Background Info for Conversion of 6B04 Streets to Two-way

1100 Block of 9th Street SE
800 Block of L Street SE

These blocks--along with the 800 block VA Ave and 1000 block of 9th SE--were one way for years to facilitate circulation of traffic entering the then-SE/SW Freeway at the corner of Virginia Ave & 9th SE. This eastbound entrance existed prior to the 11th Street Bridges project. That project replaced this entrance with an eastbound ramp off 8th Street between I Street and Virginia Avenue SE.

Commissioner Oldenburg (6B04) started working on this conversion request with DDOT in 2014 and the ANC sent a resolution to DDOT in December 2014 asking for the conversions. However, the process was halted with the start of the CSX Freight Tunnel project. Subsequently, the 800 block VA Ave and 1000 block of 9th SE were converted to two-way as part of the 2018 Virginia Avenue Streetscape, a community benefit of the tunnel project. A further delay occurred in converting the remaining blocks when, right after the tunnel was finished, DDOT permitted the condo project at 818 Potomac Ave SE to use lanes in both 9th and L Street for construction staging. This project is now nearing completion.



Letter Re: ANC 6B Opposition to FY2022 Proposed WMATA Budget and Service Cuts

Advisory Neighborhood Commission (ANC) 6B writes this letter in response to WMATA's proposed budget and service cuts for Fiscal Year 2022.

ANC 6B, which covers the Southeast portion of Capitol Hill, is home to approximately 27,000 DC residents. Thousands of others visit ANC 6B for work, school, or to visit our neighborhood businesses. Metro, both Metrorail and Metrobus, is an essential method of transportation for ANC 6B residents and visitors. Thousands of our constituents depend on Metrobus and Metrorail to get to work, school, healthcare appointments, grocery stores and more. Additionally, thousands of residents of the DC Area depend on Metrobus and Metrorail to get to their places of employment in ANC 6B, to attend schools in ANC 6B, or to visit our restaurants and businesses.

The Capitol South, Eastern Market, Potomac Avenue and Stadium-Armory Metrorail stations are located within ANC 6B and are served by Metrorail's Blue, Orange and Silver Lines. ANC 6B is served by numerous Metrobus lines, including, but not limited to the 30N, 30S, 32, 34, 36, 90, 92, 96, 97, B2, D6 and V4. These bus and rail services are vital transportation links for our communities, providing access to job centers and schools as well as mobility within our neighborhoods.

The Commissioners of ANC 6B believe that Fiscal Year 2022 is a critical time for our region to recover from the COVID-19 pandemic, and that drastic cuts to transit service would cut off our residents from their jobs, healthcare and schools at a time when the DC region should be working to reopen and recover.

Proposed WMATA Service Cuts in ANC 6B

In the FY2022 budget, WMATA proposes to reduce Metrorail service to every thirty (30) minutes on the Blue, Orange and Silver line trains and to end service at 9:00PM each night. WMATA proposes to entirely eliminate the 30N, 30S, 34, 97, D6, M6, and V4 Metrobus routes and to eliminate the portion of the B2 route serving ANC6B. These cuts are scheduled to go into effect in the second half of FY2022, beginning in January 2022.

ANC 6B notes the following anticipated impacts of the proposed cuts to Metrobus and Metrorail service in our area.

The proposed cuts would eliminate low-cost, environmentally-friendly modes of transit for essential workers living and working in ANC6B.

Many of the employees of businesses located in ANC 6B, including essential workers at the Eastern Market Medstar clinic, grocery stores, and restaurants along Pennsylvania Avenue and in the Barracks Row and Eastern Market areas rely on WMATA service to get to and from work. Closing the Metrorail system at 9:00PM nightly would eliminate an affordable, environmentally-friendly option for these workers, many of whom are not high-wage earners.

The proposed cuts would cut off residents from area schools and hospitals.

In January 2022, mid-way through 2021-2022 school year, WMATA proposes to eliminate a number of bus lines that students at area schools rely heavily on. Notably, WMATA proposes to eliminate the section of the B2 bus that serves ANC 6B, cutting off a route that many Eastern High School and Eliot-Hine Middle School students use to get to school and home, and that residents of areas in ANC6B such

as Potomac Gardens take to Anacostia High School in Ward 8. WMATA offers no alternative route for these students at a time when DCPS will likely be asking them to return to in-person learning. The reductions in frequency of Metrorail service in January 2022 will also impact our area students who rely on Metrorail to get to school, particularly those transferring from another Metrorail line, who would have to endure lengthy delays in their commutes to school.

In addition, WMATA proposes to eliminate the D6 bus, which provides an important link between ANC 6B, downtown DC and Sibley Hospital. Reductions in the hours and frequency of Metrorail trains on the Blue, Orange and Silver lines would also make it more difficult for ANC 6B residents to access medical services at area hospitals such as Medstar George Washington Hospital.

The proposed Metrorail cuts will lengthen commutes for ANC6B residents and increase traffic congestion in our neighborhoods.

WMATA proposes a reduction in Metrorail service to 30% of pre-pandemic levels starting in January 2022. Many residents of ANC6B anticipate returning to work within the next year, and rely on Metrorail as a mode of transportation to their places of work. The reduction in frequency and of Metrorail trains, the proposed 9PM closure time, and the closure of Metrorail stations such as Federal Center SW, Federal Triangle, Mount Vernon Square, Archives, and Judiciary Square, which are in close proximity to a large number of office buildings and businesses will harm our residents and our local economy as our region works to rebound from the pandemic.

The proposed WMATA cuts would harm businesses in ANC 6B.

Starting in January 2022, WMATA proposes to cut five bus lines serving the commercial corridor that includes of Pennsylvania Avenue SE, Eastern Market and Barracks Row, and to dramatically reduce the frequency and hours of Metrorail service to this same corridor. These cuts would make it difficult for low-wage workers in the hospitality industry, whose shifts often end after the proposed 9PM close of Metrorail service, to return home after work. The cuts would also make it more difficult for DC area residents and visitors to travel to ANC6B to visit our local shops and restaurants, thus prolonging the recovery time for these industries that have been hard hit by the COVID-19 pandemic.

ANC 6B Recommendations

Advisory Neighborhood Commission 6B urges the Washington Area Metropolitan Area Transit Authority (WMATA) to adopt a FY2022 budget that preserves and expand access to transit wherever possible. Specifically:

- The Commission urges WMATA to take measures to seek additional funding of service - including seeking the full 3% subsidy increase allowed under the compact from partner jurisdictions - especially as jurisdictions continue to report budget surpluses.
- The Commission supports the proposed restoration of service, including late-night service, to the 90 bus lines and the preservation of current service levels on the lines.
- The Commission opposes the proposed cuts to or the elimination of the 30N, 30S, 24, 97, M6, B2, D6, and V4 lines, and urges WMATA to seek additional subsidy from the appropriate jurisdictions to continue to serve those routes to the extent possible.
- The Commission opposes the FY 2022 proposed reduction in frequency of in Metrorail service on the Blue, Orange, and Silver Lines that many 6B residents, essential workers, students and people patronizing 6B businesses rely on as a mode of transportation.

- The Commission urges WMATA to consider publishing rail timetables as a low-cost, customer-friendly improvement as rail levels of service have declined.
- The Commission urges WMATA prioritize bus routes for service preservation that have no feasible alternative for communities on that route and that serve essential facilities like hospitals, shelters and schools.
- The Commission urges WMATA to prioritize bus routes that serve large numbers of students in the District of Columbia who will depend on Metrobus as schools reopen and to publish their analysis in support of these routes.
- The Commission urges WMATA to reopen the public comment period for the FY2022 budget before the final six months “fiscal cliff” budget period that results in substantial service cuts in January 2022, especially if there is a possibility of additional federal or jurisdictional funding.



ADVISORY NEIGHBORHOOD COMMISSION 6B
EMCAC Report
for
March 9, 2021

Commissioners -- The central issues before the Eastern Market over the past month(s) are familiar. They are well stated in recent testimony provided by EMCAC chair, Donna Scheeder for the Performance Oversight Hearing of the Department of Government Services.

Council of the District of Columbia
Committee on Facilities & Procurement

Performance Oversight Hearing - Department of General Services

Statement of Donna Scheeder, Chair
Eastern Market Community Advisory Committee
March 8, 2021

I am the Chair of the Eastern Market Community Advisory Committee (EMCAC). EMCAC is designated by statute as the advisory committee to the Department of General Services (DGS) for matters concerning Eastern Market. EMCAC was created by the 1999 Eastern Market Legislation (now, DC Code §37-101-113) that placed the Market under the jurisdiction of the District's Office of Property Management (now DGS), required unified management of the Market and created the Eastern Market Community Advisory Committee (EMCAC) to advise OPM about the operation, management and capital improvements for the Market.

Eastern Market like most organizations in the District of Columbia had a very difficult year due to the effects of the pandemic on its business. Since there will be a budget oversight meeting, I will not address the fiscal issues in this testimony. Instead, I will focus on two major areas of concern, the need to implement the recommendations made in the strategic study, unmet needs for security at Eastern Market and our on-going effort to establish a dispute resolution process for merchant and vendor complaints about management of the market.

Last year I was very pleased to report that thanks to efforts of the Council, DGS and DMPED efforts were underway to produce a strategic business plan for Eastern Market and the Eastern Market Special Use area. I stated in my testimony that "Once this work is done DGS must focus on the implementation of the business plan. This will require additional dedicated funds and DGS needs to be planning for this

now. Eastern Market has been waiting for 10 years for a plan and the Market cannot afford to wait another 10 for funding for its implementation”.

The plan was completed and released on October 7, 2020. EMCAC reviewed the plan and as we are eager to begin the work of implementation, we sent a letter to Director Anderson on October 31 stating our eagerness to proceed and asking for clarification on the following issues:

However, in order to proceed quickly, there are a number of instrumental questions about how to proceed now that the plan is available for public comment and for action.

1. The report apparently has been released without a letter of transmittal or similar document affirming that it has been officially received and/or approved for implementation by DGS. Implementation cannot be successful without a statement of support from the Office of the Director of DGS that states that the implementation of the recommendations now represents a policy objective for the agency. This is an issue due to the fact that DGS has the authority to implement these recommendations and the Implementation Committee can only advise them on what should be done until some kind of authority is legislatively provided to the committee. EMCAC recommends that such a statement be issued quickly.
2. The respective roles of EMCAC and the Implementation Committee proposed in the announcement of the report are ambiguous. How are the two groups intended to proceed with the implementation of the recommendations?
3. Regarding the topic of collaboration, we note that EMCAC is to be represented on the Implementation Committee but that EMCAC itself, is a legislatively created body with mandated responsibilities and authorities that it will be required to fulfill until such time as the legislation is changed. During this time the Implementation Committee and EMCAC will need to work closely together.
4. Procedures for selecting the Implementation Committee called for in Recommendation 1.1 are incomplete. What agency or individual will receive the nominations for membership on the Implementation Committee? What agency or individual will select its members from among the applicants? What agency or individual is intended to provide leadership to the effort?
5. The current report is incomplete in that there is no economic analysis of the recommendations. Implementation cannot proceed without this information. What is the plan for providing this analysis?
6. We will appreciate additional information about the resources, political as well as financial imagined for supporting the efforts of the Implementation Committee. Implementation will require a professional staff, including some individuals with political expertise necessary to deal with Council processes because of the plethora of binding legislation and contracts related to every aspect of the Eastern Market – ranging from the EMSU to the proposed establishment of the Eastern Market District (p.15) to designated membership of EMCAC. and including the numerous contractual arrangements now in place. As already stated, there is a need for expertise to evaluate the need and how to implement several of these recommendations as they will have an impact not only on the current revenue streams at the Market but also the basic character of the Market and its significance to the community and the City. The

recommendations require financial acumen and expertise concerning public/private organizations that does not exist on the present EMCAC, within DGS, and is not likely to be found through the solicitation of persons volunteering to serve on the Implementation Committee. A start to accomplish that is to have a full description and evaluation of the finding of JLL, the project consultant for commercial property managers described at page 25 of the Report, and a full description of the basis for the conclusion of JLL that Eastern Market is “well positioned to attract customers.”

The DGS response to our request for clarification was one half hour meeting where we were asked to clarify our vision of implementation which we did by basically referring to the implantation recommendations in the report. That was followed by a 4-sentence e-mail on January 4 which is the only written response we received. It states they are formulating additional responses and look forward to continuing to work with us. It is now March 8th and we still have no answers to our questions. EMCAC is beginning to suspect that our greatest fear will be realized. Will this report be put on a shelf to gather dust as so many of these studies do?

Finally, as reported in last year’s testimony, the Tenant’s Council has continually identified the need for an independent entity to review disputes that Tenants have with market management which usually involve the enforcement of market rules. On January 20, 2020 EMCAC wrote to Director Anderson that the Eastern Market Community Advisory Committee has been aware for some time of the need to establish dispute resolution process for the vendors at Eastern Market. To address this our Mayor's representative Jonathan Page and our representative from the Capitol Hill Restoration Society developed a solution and they are recommending use of the Ombudsman's Office as outlined in an attached letter. This proposal has been “under review” ever since and we still do not have a response to our recommendation.

EMCAC realizes this has been a difficult year. We are appreciative of DGS’s efforts to reopen our outdoor weekend markets as quickly as possible, and efforts to fix the HVAC system at the Market. However, while we realize this has been a difficult year, these three matters take on an even more urgent nature. It is my fervent hope that action will be taken swiftly so that I will not be before you again with these same issues.

Thank you for the opportunity to include this statement in the record.

The Eastern Market Community Advisory Committee, EMCAC, remains concerned about the security provided to Eastern Market, especially on weekends when the 200 and 300 blocks of 7th street are closed for outdoor vending. There have been a number of incidents and complaints regarding conditions at the Market. These issues have been raised at our public meetings and were summarized in a letter sent to the Director on February 23rd. While I have been told that a meeting was held to address these issues, as yet I have no written response. The unmet needs for security include the following items:

Conform to city regulations regarding street closings

First, EMCAC is concerned that conditions at the Market are a prime example of city agency not following the city regulations that promote public safety on public space. As the District strictly controls the operations of street closings by legally requiring barriers, MPD presence, Fire approval, Insurance etc., they offer none of these protections to the public when closing 7th Street. Eastern Market street closing and operations ignore and violate numerous mandatory requirements of District

regulations. This is done in disregard to public safety. If Eastern Market was to commit an application for street closing it would be denied by not meeting the regulatory threshold required by the city.

Reduce Terrorist Threat Level

Not only is there a public safety issue for pedestrians, shoppers and tourists lack of security also makes Eastern Market a more attractive terrorist target due to its lack of any precautions. This is particularly concerning now that access to the Capitol complex is cut off possibly making the market a more attractive target. The Council recognized this issue by appropriating money for a security study that was carried out. It identified a number of strategies that can be employed. However, no further action has been taken to implement the recommendations in the study.

Provide a police presence for Crime Prevention and Crowd Control

Currently there is no continuous presence of security personnel at Eastern Market. The Market Manager has informed EMCAC that the protective service drops by from time to time and will come when summoned. There are reported incidents of drivers ignoring the barriers and driving down the street when it is closed, as well as incidents of theft from vending stands. In addition, during the pandemic there are additional regulations that must be adhered to. Drop by protective services presence is insufficient to prevent and respond to these problems. An onsite presence is needed particularly on weekends to meet the need for:

- Enforcement of closed access for vehicular traffic, especially when vendors are setting up and breaking down
- Crime prevention of theft, pickpocketing and other violations
- Parking enforcement

Updated evacuation plan

While an evacuation plan was prepared in the wake of 911, it does not appear it has been fully implemented or updated. DGS must ensure that there is an updated plan, training and instructions provided and that there is an adequate public address system that can inform pedestrians, shopper, merchants, vendors and DGS staff of an impending threat and the actions to take.