

ANC 6D, MONTHLY BUSINESS MEETING AGENDA, 11/16/2020, Virtual WebEx Meeting | MINUTES *As approved at the January 11, 2021 business meeting*

The following Commissioners were in attendance: Gail CM Fast, Andy CM Litsky, Ronald CM Collins, Rhonda CM Hamilton, Edward CM Daniels, Fredrica CM Kramer, and Anna Special Committee Head Forgie. Executive Director Shaun Carter was also in attendance.

1. Approval of the Agenda 7:00pm, 3min

Motion CM Collins, Second CM Litsky

Consent Agenda, Add: Letter to Zoning regarding lighting on Novel. Added as 7.a.

ABC Committee Report Add 9d. Extension of petition date for WSC20. No issue from CM Daniels.

Remove Special ANC Minutes to Dec Meeting, Remove that portion of 4.

Motion as amended, Litsky. Second, Collins

Vote: 5-0-0

2. Introduction of the Commission, 7:03, 4 min

**3. Announcement of December Business Meeting, virtual, 7:07pm, 1 min
WebEx Meeting, Mon, 12/14/20, 7pm**

4. Approval of September and October ANC Minutes (CM Daniels)

Motion, CM Daniels. Second, Fast. Vote: 5-0-0.

5. Meeting Announcements, 7:10pm, 10min

- CM Daniels – Thank you to residents who continue to follow Covid guidance.
- CM Fast – We are in the process of coordinating a community engagement meeting re: gun violence and Safety. Working through CM Allen's office to schedule this.

Open announcements to floor, 3 min each.

- Naomi Mitchell, CM Allen's Office: (difficult audio connection to hear) Councilmember working to get a date set for meeting re: gun violence in SW; Dec 3 are the Brickies Awards will be online

ANC Swearing-In will be virtual. CM Allen will be in touch regarding how Commissioners would like for this to happen. Just has to happen before Jan 2. Waiting for details about the two write-in seats for ANC6D.

Won't be until Nov 23 when BOE certifies and then make the announcement.

Ward 6 Comp Plan Meeting. Meeting for just Ward 6 is tomorrow night at 6:30pm. If you'd like to testify, register with CM Allen's office via email.

Senior Meals info will be on ANC6D website. Meals will be delivered to their doors. Link placed in chat.

- Mikaela Ferrill. MOCR.

-Any community leaders who'd like to take a walk around neighborhood, please reach out to me. You can also reach us via website MOCRS.dc.gov.

-Echo CM Daniels regarding wearing masks and social distancing as we continue to respond to Covid. Most up to date info is on coronavirus.dc.gov

-10/20, DC began the DC CAN (Covid Alert Notification). Details on the main coronavirus website. You can opt-in.

-Residents are asked to celebrate the holiday with those who live in your home and avoid high-risk activity such as travel outside of the area or hosting large indoor gatherings.

-Leaf collection. Residents no longer need to bag the leaves. DPW.dc.gov for more info. Please place leaves in tree boxes.

-Health Insurance. Open enrollment is now open through Jan 31, 2021. Dhealthlink.com

- Georgine Wallace

- Wed, 11/18, 6pm, PSA 107 Meeting in SW, via WebEx. Email placed in chat.

-SW Library. Not much being done outside. Inside linkage to sewage, etc. Mostly internal work being done.

- CM Hamilton

Dept of Health has a survey. The link will be on the website. Will ask questions about the Covid vaccine. Anonymous survey.

6. Public Safety Report, Capt Durrough, Lt. Donigian, 7:20, 30min

- Capt. Durrough:

- Lt Donigian out on quarantine. Capt Pulliam sick. MPD is encouraging officers to follow guidance. Dealing with protests and crime.

-Violent crime up 71% throughout this ANC. Property crime declining.

-Thefts from auto are back at normal level, but increased. Don't leave valuables in car.

-lots of delivery drivers still leaving cars running and they are being stolen.

-Violent crime, 103 had 4 robberies, 600 block of South Cap Street near rec center
Lefant plaza robbery, Delaware Ave robbery, 300 block of E Street SW near hotel

-ADW, assault with a dangerous weapon, box cutter, 100 block g street. The victim had been involved in several altercations that day.

-PSA 105, 2 ADW. Shooting 100 block P St SW. 2 robberies. One at metro near Safeway, 4th and M. closed with two arrests. Someone assaulted while riding Vespa, it was stolen.

-1001 4th St SW, homicide. That was a domestic situation. M/F. Female shot male and was pronounced dead on scene.

-106, two robberies, 1200 block half street. Tingey street carjacking, 300 block. Both involved firearms.

Questions from Commission

CM Collins – no questions; concerned with increase in violent crimes.

Captain: Been a rough year and summer and there is a different vibe in the city. Working as hard as they can.

CM Litsky – Glad we are working with CM Allen's office to set up a larger discussion with all of the public safety staff serving SW.

Thank you for the work with the Million Maga March, thousands of people. Helped keep the event quiet.

Captain: there were people on both sides set on causing trouble.

CM Kramer – Is crime going up with guns?

Captain: Our perception is yes, it is. We have gun recovery unit who says this is the worst he's ever seen. We have ghost guns now, buy them online, assemble yourself, no serial number. The number of rounds other guns can shoot increasing. Shot Spotter records shots across the city, but there was an incident the other day in SW and those shots were plenty and rapid.

CM Hamilton – Echoing comments about gun violence. It's terrifying. Mom shot on Half Street in a drive by. Two weeks ago, another incident. Hoping everyone can attend the meeting.

Captain: Not just SW. Seems more acceptable to have guns. Young people with guns. Very concerning. Gun safety has been a priority. Want to work with community to solve this.

CM Daniels – Thank you. Hopefully we can get these guns off the street and these people off of the street.

CM Fast – echo sentiments of colleagues. This has been first time in a long time there has been this much gun violence. Looking forward to community engagement meeting. We have a great relationship with our 1D officers. This issue goes beyond police dept.

Captain: Thank you. We are not perfect. Always room for improvement. We've been focused on improvement for the past decades.

7. Consent Agenda

a. Letter to Zoning Commission regarding accent lighting on Novel. Confusing as to whether this was included in packet from developer. Zoning Commission asked up to investigate.

Motion, CM Fast. Second, Hamilton.

CM Litsky: This is one of the buildings that have slipped lighting schemes in that was not approved by the ANC. Other buildings include The Modern that have done the same. We can deal with The Modern at another time.

Vote: 6-0-0

8. Presentations & Resolutions

a. **SW Community Center – Andrea Lindemann, Ashton Rohmer, Michelle LaFrance, Rachel Locke, 7:50p, 30min.** 4th & M. 6,000 sq ft community center. Rent free for 30 years. Brookfield Dev

www.swdccc.org | info@swdccc.org

In addition to the above new website, the presentation to be placed on ANC6D website. Please see website for complete presentation.

CM Fast: The address is actually 375 M Street SW, not SE. Most likely a typo.

Commission Questions?

- CM Litsky: Target opening date is 2023. ANC able to obtain over half a million dollars from developer for the build out of the center. When will developer need this?

A: Have been in touch with Brookfield. That additional funding would come into play beginning of 2022 when we begin to put out RFP for architect. Brookfield hasn't given date for release of funds for build-out.

- CM Kramer: Thank you. Will get more involved since this is in my SMD. Could you make available those slides for the asset mapping?

A: Yes, slides will be on website, including asset mapping.

Committee Answer: Asset mapping slides will be uploaded to the center website eventually, but this presentation will be on the ANC6D site.

- CM Collins: Thank you.
- CM Hamilton: Thank you.

b. DCRA Q&A – Anthony Diallo, 8:10p, 30min

Account manager for Ward 6 and Ward 6, including community outreach. Background in communications. Been with DCRA for 3 years. Was a professor in Northern VA. Worked at DHS. Was also journalist with Wash Post.

DCRA still working during pandemic. Some working remotely.

Not sure when employees will be back in buildings on a major scale.

- CM Fast: ANC6D has had a quite a few questions about DCRA oversight. Lots of questions from SMD Commissioners regarding their individual districts.
- Chair Forgie

We are working on correspondence regarding Novel Building, 2 I St SE, impacting residents at One Hill South and 10k. Hope this will be on your radar.

Want to re-iterate the ANC's position on AH permits granted to utility companies. We've generated significant correspondence to DCRA, CM Allen, etc on this issue. For any AH permit in a residential zone or 500 ft within the zone of a residential property, the ANC Commissioner must approve this request. Please make sure that utility requests also come through the ANC. The utility companies are receiving after-hours permits without ANC approval or consultation. This is a loophole in the legislation. ANC strongly disapproves of. Residents would benefit from this.

Diallo: We have been listening. Director Chrappah has been in communication with CM Allen about this. Sent a letter to CM Allen.

Fast: We received the communication letter. The letter and response is inconclusive. Basically says that DCRA will be investigating it but we haven't received any follow up or any course of action.

Diallo: Idea moving forward is that we can stream-line AH permits by having DDOT be the sole issuer of AH permits. So DDOT can work with ANCs regarding making sure that the ANC is aware and has input re: any AH permits being issues. There was a lot of confusion about who gives what permit in public and private spaces. Both agencies have been issuing permits. Idea moving forward is that one entity will issue these permits.

Forgie: We would appreciate official correspondence stating that this is the plan and what procedures you would ask Commissioners to go through to ensure that these permits are only issued with ANC approval.

Diallo: This has not been finalized yet. DCRA Director and DDOT Director are for this and it should be finalized at some point.

Fast: We would like to receive a letter collectively from DDOT Director and DCRA Director concerning how you are going to stream-line this permit. We need more than a letter but clear explanation of how this is going to work. When there is a violation, who is going to handle the violation and how is it going to be taken care of?

Can we get this before the end of year?

Diallo: I don't know.

Naomi (CM Allen's Office): We will follow up.

- **CM Collins:** If some new system is going to come in place, then it will have to be reflected in the DCMR.

Why does DCRA find it amenable to have after-hours work done at all for non-emergency construction. Utilities, etc. should be part of the overall construction process. We shouldn't be taking citizens at 3am subject to drilling, loud noise, etc. Why does DCRA think that this is okay for after-hours work that is non-emergent?

Diallo: Would be horrendous for any agency to want to disturb any resident in the wee hours of the morning. After-hours permits are supposed to be based on two things. 1) utility company has an emergency that may be a health hazard to community. 2) If we have previous approval from ANC saying that the work is doable after-hours for whatever reason.

CM Collins: I raised issue in July in a non-emergency situation at the Kylie project in SW. Didn't receive any response from DCRA. Received your response in Oct, clearly after the work was done. It was not an emergent situation.

Diallo: We are trying to work out the process.

CM Collins: Why was it so difficult to obtain info as to who issued the permits, dates, etc? I asked for this in July and never received it. There is clearly a breakdown somewhere in this process. The way the process works now is to no one's benefit, especially when work begins at midnight and continues to 4am.

- **CM Litsky**

I'm also concerned with the manner in which DCRA has been issuing permits for street work. This past fall or summer, it took intersession from CM Allen's office and more than four hours for construction to stop on 4th street that was to have begun on a Fri night into Sat morning. No permits. Someone came from DDOT to tell them to depart.

Glad that DDOT will have some control and input in helping streamline this. None of this should be happening unless it's an emergency. Comcast needing to lay extra cable to compete with Verizon is not an emergency.

Hopefully, Andrew can provide an update on this from DDOT as to how quickly these responsibilities will be transferred.

AH not in public way, DCRA is still in control of this.

DCRA had shut down the work of this particular site three times. If DCRA shuts down work at the site, shouldn't they have to tell the ANC about this?

Diallo: Most important thing is shutting it down. It becomes public record. The SWO (Stop Work Order) becomes public record.

CM Litsky: So, you're telling us we have to go find this information. It should be provided to the ANC. I only found out about the SWO because a site employee told me about it. Any time this happens, the SMD Commissioner should be made aware of this.

Not only per SMD, but based on the work throughout the city, it would be helpful for all Commissioners to know of violations throughout the city. When these new rules are established we need to know who's in charge of what. Not just ANC6D, but everyone.

- **CM Kramer:**

(Bad audio, hard to hear) Last week installation of monopoles. Permit written improperly. Difficult to work between two agencies to determine what's going on.

Went out to address workers 10:30p or later regarding work outside of home. They had no valid permit. They left. Indicates a communication problem somewhere along the chain.

I look at the building permits that are issued each week.

Before this new plan of approving AH permits goes forward, this should come before the ANC so that we have input into this process.

- **CM Hamilton:**

Sounds like the process you will be working towards will be better. One of the residents along Half Street that was constructed. It doesn't allow for rear egress. Renovated home containing multiple units. We want to make sure everyone is safe. We've had several home fires during pandemic.

Vanessa Ruffin: No egress. Max density would be 5 bedrooms. This particular home in question has 8 bedrooms. Used to be upstairs/downstairs flat. Residents along block haven't had any info to change the density or zoning for this project. Interior design of the building seems to be biased towards the developers and not the residents. Structure has a pop-up. Two large windows on first floor. Upstairs unit has no access to those windows to get out. Four bedrooms on the third floor. We give a lot of grievances to developers, large scale, but this is getting out of hand. This is a small project. City is supposed to be looking at this, but they are not. These concerns are being swept away. This is a private residence, being rented out, that has several violations. Most egregious issue is that there is one way in, no way out besides coming down to first floor. No rear fire escape. No rear door. Two windows but doors. I've never seen this in 60 years as a DC resident. How did it receive occupancy permit?

Address is 1216 Half Street SW.

Developers often use prior owner's info to get work done though the owners/residents are long gone.

- **CM Daniels**

When it comes to DCRA, this is a abstract agency made up of people. I've pointed out many times to Nicole Rogers, Permit Center Manager at DCRA, that contractors were finding loopholes in order to get these AH permits issued. I've stepped into the street as an illegal construction inspector. The permits states that they aren't within 500 feet of property, when they clearly are. Response from DCRA is that she will take a closer look.

We can send letters all day, we need to be addressing Nicole Rogers and Director Chrappah.

I issued a SWO to Courtyard Marriott Navy Yard when they were boarding up their building at 2am the day before the election.

I later received an email from Anthony to say that this was legal. Same thing was happening at CVS Navy Yard when they were boarding up, forcing residents to walk in the street. I'd be interested to hear what Andrew DeFrank has to say about this. This is a public space violation.

Regarding AH permits – these are people issues, system flaw, staffing flaw. I wish we would stop issuing letters to DCRA and DDOT when these issues need to be addressed by the Directors directly. I've emailed DCRA director regarding another issue with no response.

I sat through the training to become an inspector with DCRA after they came under heat due to the fire incident that the Mayor stepped into, which is the reason why they hired inspectors from throughout the city. These are people issues that need to be addressed.

Can businesses board up at anytime they see fit without a permit? That was an awkward night for me to issue a SWO only for DCRA (Diallo) to say that it was okay. Also, I couldn't reach Clarence Whitescarver to deal with this issue. MPD shows up and says "this is a DCRA issue."

Can businesses work whenever they want?

Fast: Let's address when they can board up.

Diallo: Boarding up was due to threat of protest and fear before Election Day. Rare occurrence. I'm not calling you any names, but I don't recall sending out an email to say a business could do what they want when they want. I did say that because of Mayor's agreement saying businesses can protect their properties, there was no set hour when they could board up. So the response was that they could board as quickly as possible. It shouldn't have occurred that late at night. That was one-time occurrence.

Fast: We, in 6D, are living in the largest redevelopment in the city between Navy Yard and SW. What we heard tonight from you is that the two Directors, DDOT and DCRA, and CM Allen's office will work to streamline this AH process including utilities who utilize the word 'emergency' that allows them to do their work. We will be looking for follow-up from both agencies and need to know who'll take lead on this. When it comes to enforcement, how does this work when you're woken at 3am by a resident who is concerned.

ANC needs input on the NOI for the process to streamline permitting.

Can you speak to what residents do when they feel that a building may be hazardous to the health and safety of occupants? Send out inspector or...?

Diallo: Have been working on this concern. Inspector was sent out. Because they had two rear windows, the egress suffices. The constituent disagreed with the inspector's findings. Sent email to Mr. Whitescarver and Nicole Rogers to discuss the concerns at 1216 Half Street SW. No violations.

Ms. Ruffin: Request made to fire dept. Fire Marshall came out and also did a report. These are row houses attached to other families. Review process. Seems to be favoritism towards developers and interest towards finance that has exceeded confines of requirements of the community. Not just egress but over-density.

CM Fast: Density is Zoning issue. We will have to investigate how this was approved via Zoning.

Just for the record, two windows in back of a building on third floor. If fire/ems can't get to it, this is a problem. If this requires further investigation, I would ask that DCRA investigates. We don't want another Kennedy Street incident.

We will draft our concerns and comments and look forward to get a response from you.

c. Letter to AG Re: Monopoles (CM Hamilton), 8:40, 5min

CM Hamilton: Multiple letters sent to DDOT about safety and concerns about the location of these poles. No input from residents. According to Andrew DeFrank (DDOT), it was found that these poles are safe. However, there are still concerns from residents about placement of the poles.

Asking to send letter to OAG to ask that these concerns are investigated because we haven't received satisfactory answers regarding health and safety and no community input into the placement of the poles.

These shouldn't be adjacent to resident's homes. We have lots of heavy-duty power lines and these poles add additional radiation.

CM Fast: Motion, CM Hamilton. Second, CM Kramer.

Critical to detail letters that have been sent to DDOT and DOEE that have gone unresponsive.

Vote: 4-0-2, CM Collin and CM Litsky abstained.

d. Follow-up letter on Covid-19 testing site in SW (CM Litsky)

- **CM Litsky:** Last month we passed resolution sent to Mayor and Dept of Health requesting permanent testing site in SW. At that same meeting Mikaela mentioned that we don't have to pass it because we were going to have testing in SW at Greenleaf Rec. That did happen, without much notification. Testing happened for a week and then stopped. Not sure why. Told it would resume after elections. Last week, found out Greenleaf would be pulled offline for testing because as of tomorrow night (via DHS) this would be a temp housing for homeless persons.

We can't have administration look after persons without a home and forget about those who do.

Mayor and Dept of Health need to ensure that we will have a site available to us.

We need to send a letter to Mayor, CM Allen, Council Chair, CM Gray, to get them to recognize importance of having permanent site in SW. Preferably at Greenleaf. Send another letter noting that we received no response to the last letter.

Motion, CM Litsky. Second, CM Fast. Vote: ...

CM Fast: We've been meeting with DHS. We asked for an idea of where the site would be. Very dis-heartened by lack of response from Tommy Jones at DPR who promised us that we'd have an idea of where this site would be. Thought we'd have a response today, Monday. Still haven't heard where the site will be.

In the midst of Covid surge where positivity rate is 4%, this is extremely needed, now.

Vote: 6-0-0

e. Follow-up letter regarding Toll Bros Loading Dock Issue (CM Fast)

- CM Fast: Motion

Forge: ANC sent letter to Mayor Bowser and Daniel Lucas, inspector general, CC: Anthony Diallo regarding the Toll Bros site at Parc Riverside Phase II; loading dock height is very short, so trucks can't pull all the way into the loading dock so they are parked across the sidewalk and blocking the street, creating huge public safety concern.

Residents measured the height of the dock and this info was sent to DCRA. DCRA agreed it was too short and Toll Bros given period of time to correct garage. ANC followed up to ask when Toll Bros would be required to correct the issue. Received no response. Then, response from DCRA that loading dock was sufficiently tall and case was closed.

ANC sent letter last month detailing timeline of the issue. To-date ANC hasn't received a response.

Tonight's letter is a follow-up. Even if DCRA has decided that this height is fine, we still have a public safety hazard on our hands.

Thanks to Velocity Condo residents.

Second, CM Litsky.

CM Collins: Can you also CC Chairman Mendelson on the letter?

Vote: 6-0-0

9. ABC Committee Report

a. Boomerang Boats

Motion, to support CA, CM Litsky
Second, CM Collins

CM Litsky: Do we require a vote on the license as well?

Fast: Amended and re-stated agreement.

Vote: 6-0-0

b. Hilton National Mall-480 L'Enfant Plaza SW, Cooperative Agreement (CM Fast)

Motion to accept CA for stipulated license for Hilton National Mall– L'Enfant Plaza Hotel, CM Fast. Second, CM Hamilton.

Vote: 6-0-0

c. Appointment of Matthew Leddy as At-Large Representative (CM Fast)

Motion, CM Fast.

SMD doesn't require vote but at-large members do require a vote, so that's why we have this on agenda.

Second, CM Hamilton.

Vote: 6-0-0

d. Extend petition deadline for WSC20, Maren Apartments

Original petition deadline Nov 23 move to Jan 13, 2021.

Motion, CM Fast. Second, CM Daniels.

Vote: 6-0-0

10. Development, Planning, and Transportation

a. DDOT update – Andrew DeFrank

MoveDC 2021 Update. Updating it's long-term multimodal plans. Best way for residents to make their voices heard as to planning for the next 25 years. Links will be shared in chat. Residents can take online survey and fill out interactive map.

Updates to CM Daniels list.

-NJ & I Street SE Ave Traffic Light – will be installed next year. No concrete timeline. They will finish design for light and will work off that schedule. Better timeline doesn't exist.

-Curbflow Pilot results? I shared a press release. Don't have any more info about this.

-Harry's Loading Zone. Laura is working on it.

-DDOT vehicles parking within feet of pedestrian crosswalks throughout ANC6D07. DeFrank: Shouldn't be happening. Best way to figure it out is to give me a call when it's happening, and I can try to figure out who it is when it's happening.

- **CM Daniels** – Not a lot of answers to my questions. There are many lingering issues that we haven't had solutions to. NJ & I is very hazardous. Construction project just got wrapped up. All flex posts are either knocked down or missing. Striping is gone.

There was an issue with construction at the intersection by Ft. Myer Construction. Residents reached out. I couldn't get a hold of anyone from DCRA or DDOT.

This intersection has been a hazard and we've received complaints from residents for over five years. Disappointing to hear that there is still no plan.

DeFrank: It's the responsibility of the construction company to reinstall striping or flex posts. If that's not the case, email DeFrank, and we'll send inspector.

The plan is for the light to be installed. Signal design takes several months. Over winter they finalize the schedule and then move forward with all of the locations that are planned over the next few months. It will be installed next.

CM Daniels: DDOT continues to be reactive to all of our concerns. It was over a year ago that we were told that the light would be installed. We have construction sites all around that area and more and more residents moving in.

We had the CurbFlow Pilot and DDOT striped the streets overnight for this, but we can't get concrete time-frames as to when these projects will be completed. My list of ANC DDOT issues still lingers for two years.

I am confused as to how DDOT works such that these issues are continuing to linger and go through your 'system'. The system is not working well. It is inefficient.

CM Fast: Something to bring back to your staff meetings with DDOT. The process takes a very long time. When we worked with DDOT on Wharf planning, we started in April for Oct planning. I understand the process. It is concerning that things that we ask take so long to happen. Can you go back to your team to get a more concrete answer. This light issue has been something that CM Daniels has been working on since he took office and that was two years ago.

CM Fast: Can you talk to when residents put info into 311. How is that tracked? I've worked with Urban Forestry and seem to get quick responses. What is the process with DDOT?

DeFrank: It depends on the request. Sidewalk and roadway repairs usually get looked at quickly and first tie it to any duplicates. It's oftentimes tied to an older request that may have been physically scoped (looked at in real-time to determine if a repair needs to be made.) Requests are opened and catalogued quickly.

Traffic Safety Assessments do not really get to the top of the queue. May take two to three months. They usually have others throughout the ward that need to be addressed. If someone

submits a TSA, I'll add to it if I can, but I can't actually do the assessment. The engineers have to do this.

Urban Forestry's workload is not like other departments so they can address things faster.

Signal issues get addressed quickly. Usually within 24-48 hours.

CM Fast: I understand more complicated items may take time, but these are simple sign issues that take 8 months for a sign to return, etc. These are things that residents see everyday.

Regarding after-hours permits: According to DCRA, DDOT and DCRA are working to streamline after-hours permits. Have you heard anything within DDOT specifically how they relate to utility companies who use these permits for work, that they deem as 'emergency'?

DeFrank: No. The permitting people do their work independently. Not much that I can do to get involved.

CM Fast: Who handles permitting?

DeFrank: Matthew Marcou

- **CM Forgie**

-NJ & I Light. Commissioner Fascett was also working on this. Mindboggling that this isn't solved.

-Harry's Loading Zone, please keep 6D02 Commissioner in the loop.

-Regarding delayed and non-substantive responses...the ANC requested a comprehensive transportation plan for ANC6D. It's been a year and a half, and we've received no plan for ANC6D. We are one of the most rapidly changing ANCs and I believe that alone warrants a plan.

There seems to be lots of talk, then wait, then nothing happens. I'd like to see movement on these things instead of kicking the can down the road for months on end.

DeFrank: You will see the signal installed next year. We have just installed flex posts on NJ over the bridge into Cap Hill, above Whole Foods. These things take time, they will happen. As for the transportation plan or study...there is not going to be an ANC6D-specific plan. That is not a level of size that we do for transportation plans. We do long-term transportation planning. We pull from this plan when we decide where to place a bike lane or bus-only lane, etc.

Forgie: The residents have made clear about specific places where they need to see changes made and we are not seeing those changes. That was the reason for our request for an ANC-specific plan. It seems that DDOT was coming to us with these random one-off plans that didn't seem to make sense as to how these fit in with the rest of the neighborhood. I appreciate that DDOT doesn't want to function at this level, but they need to deal with these things on this kind of level. Your job is to keep the public space safe, no matter the mode (foot, bike, car.)

DeFrank: It would have taken us longer to address resident micro-concerns because we already had a transportation plan that we were looking at to install bike lanes on 1st Street. We don't really need a plan to know that all cross-walks need to be strike or signs need to be adjusted. Not sure what an ANC6D plan would address that our long-term plan doesn't address.

CM Fast: We brought you in because we need follow-up and we are not getting the information back that we are requesting. We asked for this plan before you rolled out MoveDC. We've been asking for it before CM Daniels and Chair Forgie came on to the Commission. The idea was to come up with a wholistic transportation mode to move people around this ANC due to the large amount of transportation. It was promised that we'd have this plan. It's great that you're working off of MoveDC, but we have simple requests that residents are asking for that aren't being addressed in a timely fashion.

- **CM Collins:** The two issues that I had have been dealt with and I don't want to prolong this torture.
- **CM Litsky:** Look forward to meeting at Mon, 11/23 at St. Augustine since no one from DDOT was at last one. To correct what you said before, DDOT has done comprehensive plans by ANC. We may be just one ANC and we may be problematic because we have the largest public and private development, we have Navy Yard and an Army Base, and Buzzard Point, and two rivers. Does it deserve a comprehensive plan? Yes, it does. Have we had further discussions? No, we haven't. This is something the city needs to focus on, not just DDOT. This impacts DMPED. Figure it out. We're not your typical ANC. Figure it out from a helicopter view.

We can put zebra bumps on 4th St overnight, but it takes 3 years for a traffic light. That should not happen.

Again, please carry back to DDOT that we are not your typical ANC. We are a huge ANC.

- **CM Kramer:** There is a problem with the bike bollards on 4th street. If they are experimental or permanent, they are quite dangerous. Bikes hit them on an angle and they fly off.

I'm not sure why DDOT is putting in bike lanes north of M St SW and we have the opposite south of M.

DeFrank: The zebra bollards were installed as a request of the SW BID as a temporary attempt to prevent cars from blocking bike lanes.

CM Fast: There's been lots of negative feedback about this.

Residents can email DeFrank directly to voice concerns.

CM Kramer: I'd like to say formally that I'd like some schedule to remove them and to put in writing what the schedule is for changing the bike lanes all the way down P Street SW.

CM Fast: To be clear, are these zebras a test or permanent? A- they are experimental.

CM Kramer: Monopole work on 4th St SW was mis-noticed to residents. DDOT needs to be involved with these memos so that we all know what's going on.

- **CM Hamilton.** I yield my time to CM Daniels.
- **CM Daniels.** I'm not used to working this way where I get things done in a timely fashion. I hate having things on my to-do list, especially for two years. I'm working as a Contact Tracer for DC Health. I wish that DDOT can look at the model that DC Health has set up in order to get things done and work with these large queues. There's a sense of urgency in order to get things done. I've worked with the DDOT Liaisons and wish that you all would walk the neighborhoods the

way that I do. I wish that the urgency that DC Health has right now to fight covid was the way that DDOT worked.

11. Commission Updates & Administrative Matters

a. Chairperson's Report – CM Fast

b. Treasurer's Report – CM Collins

12. Community Concerns

Tricia – Concern over the zebras. They aren't effective at preventing cars from double-parking. They are dangerous to bikes and scooters who can't roll over them. They don't appear to be raised until you get up to it and they are dangerous. (Photos showing zebras on 4th St SW). If a car opens a door, you can't quickly get out of the lane. It's not safe.

CM Kramer: Will follow-up with DDOT and BID. Are the Potomac Ave SW equally dangerous?

Tricia- no, there are no parked cars there to avoid.

CM Litsky – This should never have happened as a side deal between the SW BID and DDOT. Want to go on record that we ensure the SW BID that they are not to do this again. This has to go through the regular process to make sure we get this right.

Motion to send letter to SW BID and DDOT about these zebra bumps and should they decide to do something like this in the future, this can't be done as a 'side deal'. I will draft a letter.

Second, CM Kramer.

Vote: 6-0-0

Meeting Adjourned



Southwest / Navy Yard / Buzzard Point Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
Suite W 130
Washington, DC 20024
202.554.1795
Email: office@anc6d.org
Website: www.anc6d.org

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Edward Daniels

Treasurer
Ronald Collins

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *vacant*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Fredrica Kramer*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

November 20, 2020

The Honorable Mayor Bowser
John A. Wilson Building
1350 Pennsylvania Ave NW, Suite 406
Washington, DC 20004

Daniel W. Lucas, Inspector General
Office of the Inspector General
717 14th Street, NW, 5th Floor,
Washington DC 20005

Transmitted via email:

EOM@dc.gov
Daniel.Lucas@dc.gov

RE: Request for Response re: Toll Brothers Site Half St SE between K and L

Dear Mayor Bowser and Inspector General Lucas,

At a regularly scheduled and properly noticed public meeting on November 16, 2020 with a quorum being present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 6-0-0 to submit this follow-up correspondence regarding the loading dock at the Parc Riverside phase two project located at Half St SE between K and L (hereinafter “the Toll Brothers project”).

On October 14, 2020, ANC 6D submitted a letter, which we have attached again, ***requesting detailed documentation of how, without any communication to ANC 6D, the decision was made to change the classification of the loading dock space at the Toll Brothers project such that it would meet height requirements.***

ANC 6D is also requesting that, regardless of what decision was made as to the label applied to this space, the property owner be required to provide a space that allows for trucks to clear the vertical height such that they can pull completely into the loading area and remain off of the sidewalk and out of the traffic lanes.

The loading dock at its present height creates a daily, significant, on-going safety concern for residents of our ANC.

We look forward to your prompt response.

Should you have any questions, please contact me at 6D01@anc.dc.gov or 202-554-1795.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gail Fast".

Gail Fast
Chair, ANC 6D
Southwest, Navy Yard, & Buzzard Point

CC: Chairman Phil Mendelson
Councilmember Charles Allen, Ward 6
Ernest Chrappah, Director, DCRA
Jeff Marootian, Director, DDOT



Southwest / Navy Yard / Buzzard Point Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
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Washington, DC 20024
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October 14, 2020

The Honorable Mayor Bowser
John A. Wilson Building
1350 Pennsylvania Ave NW, Suite 406
Washington, DC 20004

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Edward Daniels

Treasurer
Ronald Collins

Daniel W. Lucas, Inspector General
Office of the Inspector General
717 14th Street, NW, 5th Floor,
Washington DC 20005

Transmitted via email

RE: Toll Brothers Site Half St SE between K and L

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Fredrica Kramer*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

Dear Mayor Bowser and Inspector General Lucas,

At a regularly scheduled and properly noticed public meeting on October 13, 2020 with a quorum being present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 7-0-0 to submit this correspondence regarding the loading dock at the Parc Riverside phase two project located at Half St SE between K and L (hereinafter “the Toll Brothers project”).

In July 2020, the Board of the Velocity Condominium Association brought to the attention of ANC 6D that the loading dock at the Toll Brothers project was not sufficiently tall to allow for trucks to fully pull into the loading dock. This led to blocked sidewalks and partially blocked traffic lanes, creating a public safety hazard for pedestrians and drivers alike.

ANC 6D alerted Clarence (Garret) Whitescarver at DCRA to the issue immediately; Mr. Whitescarver in turn passed on the correspondence to Kathleen Beeton at DCRA and to Stacey Collins at DDOT (the latter of whom responded, via ANC 6D Ward 6 liaison, that this was a concern best addressed to DCRA). ANC 6D requested follow up from DCRA at the end of July, to which Ms. Beeton responded indicating on July 30 that DCRA was

researching the permit approval for the building. Toll Brothers responded on August 3 indicating that they had “built this area per the approved drawings.” The next day, Ms. Beeton responded to ANC 6D twice: first, she indicated that DCRA had conducted an inspection of the loading dock and noted that the loading berth is required to be a minimum of 12 feet wide, have a minimum depth of 30 feet and a minimum vertical clearance of 14 feet. She added that, “we have determined that the loading dock was approved and constructed consistent with both the zoning ordinance requirements and the approved plans.” ANC 6D responded the same day expressing continued concern as to the safety hazard presented by the loading dock’s height. Ms. Beeton responded back again on August 4, this time remarking that, “there is a minimum height requirement of seven feet, but no other requirements as to width, length or depth. Clearly if you believe that 14 feet is insufficient, a minimum of seven feet is no better.” ANC 6D responded to this email noting that DCRA’s prior email had suggested there was in fact a height requirement of 14 feet, noting that the manager of the Velocity building had used a laser to measure the loading dock’s height to in fact be only 12 feet 6 inches, and providing photographic evidence of that measurement, which ANC 6D passed on to DCRA on August 10.

On August 21, 2020, Ms. Beeton responded to ANC 6D indicating that DCRA had reinspected the loading berth and found it to be only 12 feet 6 inches, and not the minimum of 14 feet required under DC zoning regulations, noting “[e]vidently when we inspected the loading berth initially we measured only the interior space and not the exterior opening of the loading berth.” DCRA indicated they had notified Toll Brothers of the nonconformity and issued a correction order to provide a time frame to Toll Brothers “for the violation to be corrected.” Ms. Beeton indicated in this email that she would be away from email for two weeks and provided contact information for Matthew Le Grant at DCRA.

On August 24, 2020, ANC 6D responded to DCRA requesting a timeline for Toll Brothers to correct the violation and noting that residents remained concerned about the ongoing safety hazard presented by the improper loading dock. On September 1, 2020, Mr. Le Grant responded to ANC 6D noting that he had been contacted “by the attorney representing the property owner, and he is going to provide an analysis on this matter.” On September 3, 2020, ANC 6D requested again from DCRA a timeline for when Toll Brothers would be expected to fix the violation. DCRA indicated that they requested a response from Toll Brothers’ counsel by September 9. On September 13, 2020, ANC 6D replied yet again to DCRA noting that the September 9 had passed without an update. On September 15, 2020, residents provided additional photographic evidence to ANC 6D of the ongoing safety hazard presented by trucks unable to fully enter the loading dock and jutting out into traffic lanes and blocking the sidewalk. ANC 6D passed these photographs on to DCRA on September 16.

On September 27, 2020, having received no response, ANC 6D reached out to DCRA requesting an update as to when Toll Brothers would be expected to correct the violation. On September 30, 2020, having never responded to repeated requests from ANC 6D as to when Toll Brothers would be expected to rectify its error and silence as to supposed communication with Toll Brothers’ counsel, Mr. Le Grant responded to ANC 6D indicating that “[a]fter further reviewing this matter, I have concluded that the space in question was not a required loading berth,” finding instead that it was “a non-required service/delivery space” such that it would only require a minimum vertical clearance of ten feet.”

Apparently with closed-door input from Toll Brothers' counsel, DCRA, specifically Mr. Le Grant himself, "decided" that the loading dock was labeled incorrectly and was an acceptable height. Of course, this meant that Toll Brothers would be off the hook in terms of any expense required to correct its violation.

ANC 6D hereby requests detailed documentation of exactly how this decision to change the classification of this space such that it would now meet height requirements, without any interim communication to ANC 6D, came about. ANC 6D also requests that, regardless of what decision was made as to the label applied to this space, the property owner be required to provide a space that allows for trucks to clear the vertical height such that they can pull completely into the loading area and remain off of the sidewalk and out of the traffic lanes.

We look forward to your prompt response.

Should you have any questions, please contact me at 6D01@anc.dc.gov or 202-554-1795.

Sincerely,



Gail Fast
Chair, ANC 6D
Southwest, Navy Yard, & Buzzard Point

CC: Councilmember Charles Allen, Ward 6
Ernest Chrappah, Director, DCRA
Jeff Marootian, Director, DDOT