



July 25, 2019

921 Pennsylvania Avenue SE
Washington, DC 20003-2141
6B@anc.dc.gov

OFFICERS

Chairperson

Chander Jayaraman

Vice-Chair

Kasie Clark

Secretary

Jerry Sroufe

Treasurer

Corey Holman

Parliamentarian

Brian Ready

COMMISSIONERS

SMD 01 Jennifer Samolyk

SMD 02 Jerry Sroufe

SMD 03 Brian Ready

SMD 04 Kirsten Oldenburg

SMD 05 Steve Holtzman

SMD 06 Corey Homan

SMD 07 Kelly Waud

SMD 08 Chander Jayaraman

SMD 09 Kasie Clark

SMD 10 Denise Krepp

Mr. Jeffrey Marootian, Director
District Department of Transportation
55 M Street SE
Washington, DC 20003

VIA: Jeffrey.Marootian@dc.gov

Re: Request that consideration of Public Space Application #333326 Department of General Services Eastern Market Metro Park Project (EMMPPS) be deferred for one month

Dear Director Marootian,

At a regularly scheduled and properly noticed meeting on July 9, 2019, Advisory Neighborhood Commission 6B voted 9-0-0 (with 5 Commissioners required for a quorum) to request that the Public Space Committee defer its consideration of permit application #333326, currently scheduled to be heard at the committee's meeting on August 22, 2019. We ask that the Committee postpone its review of this permit application for one month until its September hearing. Without this extension, we do not believe that ANC 6B can fulfill its mandated responsibilities in the provision of a timely and robust review of the application being considered by the Committee.

The significance of this project for our community extends far beyond the magnitude of financial resources allocated by District government for its implementation. It's objective, to reshape the largest public space in our ANC, the Eastern Market Metro Plaza and nearby parcels of land, makes it perhaps the most important public investment in our community in a generation. Its completion is eagerly anticipated by local residents, especially given the context of two previous stillborn attempts to invest in this space during the past decade. In this light, ANC 6B takes very seriously any recommendation which results in even a brief delay of getting these improvements off the ground and available for the community to benefit from.

There are many stakeholders in this initiative, and, like any public undertaking, it must be measured by the overall public good. However, at the end of the day, the local residents of ANC 6B will, by far, be the predominant users of this space and hearing their voices is, inescapably, a fundamental aspect of any deliberation.

The public consultation process implemented by DGS has had limitations. ANC 6B has made efforts to supplement this process. But the reality is that this project design has gone through many iterations since its inception last October. With each of the multiple reviews by city-wide regulatory bodies, components of the project design, and their relation to one another, have changed. Consequently, community consultations conducted around earlier iterations of the design, while still significant, cannot represent an adequate sounding of residents' views of the plans submitted to the Public Space Committee on July 5th. To take one example, DGS, in response to comments of the Fine Arts Commission has in the past few weeks, removed every shade structure from the project plan despite shade consistently being one of the top priorities expressed by the community to make these spaces viable.

ANC 6B is fully prepared to rapidly develop and implement a suitable process of consultation of the current design as a basis for our review. We can do so in a period of 3-4 weeks. But, we cannot adequately do so in late July and August for the reasons detailed below. And there are a number of key inputs and elements of design which are fundamental to our ability to assess the project's suitability and viability and which we had fully expected to see publicly available by this stage of project preparation, but which are not, at this date, accessible to the public. They may be in process or they be already complete. We don't know. But we do know that they have not been made publicly available and the ANC and members of the community have not seen them.

1. **The project design materials provided with the application do not include three critical areas of information.** Our conclusion is that the community view of the project is impossible to fully gauge without them.
 - a. **There has been no publicly disseminated determination of even an indicative budget of this project and how it corresponds to the funds available at the current time for its implementation.** DGS has transparently made clear from the onset that there would be a gap between currently available funds and funds required to complete the project. It has dealt with this dilemma by asserting that large parts of the project would be completed, and other parts would be fully designed and costed to be "brought off the shelf" when sufficient funds are allocated. From the materials provided with the permit application, there is no way to evaluate whether the drawings represent a cost-effective utilization of available funds to complete the entire plan in the 18 month period laid out in the application or, alternatively, a combination of implementable components blended with components which, in fact, will not be immediately realized.
 - b. **DGS has not finalized and publicly disseminated the project's Transportation Study which underpins the design of a number of proposed components.** While data collection was completed over 3 months ago, DGS has denied several ANC requests to see the study or receive any written or oral sense of any of its findings. As recently as July 9th, DGS informed us that the study was "not finalized" and could not yet be shared. The Community Advisory Team that DGS appointed has also not seen the study nor was it asked to comment on or shown the terms of reference for the study. Given the proposed components of the project include, inter alia, closing two slip lanes connecting 8th Street SE to create parklets, moving bus shelters and reversing direction of traffic on a one-way residential block adjoining the proposed playground, there are parts of this design which

are fundamentally dependent upon conclusions of a study no one outside the DC government has seen. The reversal of the direction of traffic on the 800 block of D Street is particularly contentious and openly opposed by a large number of residents on that block and adjoining blocks of 8th and 9th Sts SE. The ANC had intended to have a special consultation solely devoted to this issue but have not been able to do so without access to the Transportation Study. We still have no clarity as to when the study will be available or what its findings are. It is difficult to see how ANC 6B can assess the totality of the project without access to this critical information. Even if the finalized study were to emerge in the near future, the ANC would be faced with the burden of, in the space of a few weeks, rapidly consulting the community on these specific transport related issues while simultaneously organizing a wider review of the project as a whole.

- c. **There is no publicly disseminated maintenance plan for a project which includes maintaining heavily travelled public spaces as well as extensive landscaping, new bio-retention areas, a splashpad and a large playground.** A well-vetted maintenance plan was highlighted as in every consultation we've done as one of the top priorities for the community. Parcel one already has issues of illicit drug dealing. The community sees maintenance and security as inextricably linked. While we aware that DGS has entered into discussions with the Capitol Hill BID to undertake these functions, there is no public information of the outcome of those discussions, the tasks that the BID has the capacity and willingness to undertake and most importantly the amount and source of funds available for this purpose. Given the central importance of predictable maintenance to the likelihood of the project sustainably achieving its core goals, until this information is available, assessment of the project's value to the community is premature.
2. **The Timing of the scheduled review of this submission may make it legally impossible for ANC6B to submit a review of this project.** At a minimum, our capacity to respond effectively and appropriately will be severely limited.
 - a. **ANC 6B may not be able to constitute the quorum that DC law requires for our body to legally conduct business.** Our ANC does not meet during the month of August. Our last monthly meeting was on Tuesday July 9th, two business days after the public space permit was filed. ANC commissioners, serving on a voluntary unpaid basis, commonly plan well in advance to schedule time with family and other personal obligations during August. We need 6 members for a quorum and aren't sure we will have that number available.
 - b. **Our ability to adequately consult with our constituents during this late summer period is constrained for similar reasons.** Late summer vacations are a factor in any community. The fact that the employment of high proportions of Capitol Hill residents is directly or indirectly linked to Congress results in an even higher level of exodus during the August recess, particularly in households with children.

We are confident that a shifting of the consideration of this project to the agenda of the September hearing would eliminate the limitations placed on our participation related to the current August schedule while at the same time providing sufficient time for DGS to finalize and disseminate the critical inputs referred to

above. Consequently, we believe that this action would serve the public interest and be to the benefit of the people of the District of Columbia.

Please contact Commissioner Steve Holtzman, Chair, ANC 6B Livable Communities Task Force, at 202-489-6542, or 6b05@anc.dc.gov, or Commissioner Chander Jayaraman, Chair, ANC 6B, at 202-546-2609 or 6b08@anc.dc.gov if you have questions or need further information.

Sincerely,



Chander Jayaraman

Chair, ANC 6B

Cc:

Mr. Mathew Marcou, Associate Director for Public Space Regulation, DDOT
Mr. Elliott Garrett, Executive Secretary, Public Space Committee, DDOT
Mr. Keith Andersen, Director, Department of General Services
Mr. John A. Stokes I Interim Associate Director of External Affairs, DGS
Mr. Charles Allen, Ward 6 Councilmember
Ms. Anita Bonds, Councilmember at large
Ms. Mary M. Cheh, Ward 3 Councilmember
Mr. Robert C. White, Jr. Councilmember at large