



Advisory Neighborhood Commission 2G

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2G06 | Rachelle Nigro, Chair

October 1, 2024

Fredrick L. Hill
Chair
Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, DC 20001

Re: BZA Case 21177 – Advisory Neighborhood Commission 2G’s Statement in Opposition to
Special Exception Relief for the Relocation of the Central Cell Block to 501 New York Avenue, N.W.

Dear Chairman Hill and Board Members,

On Thursday, July 11, 2024, Advisory Neighborhood Commission (ANC) 2G conducted a virtual public meeting to consider the application for special exception relief requested by the Department of General Services for the relocation of the Central Cellblock to 501 New York Avenue, N.W. At this duly noticed meeting, with a quorum present (four (4) out of six (6) Commissioners required), Commissioner Nigro moved, and Commissioner McCarty seconded, that ANC 2G NOT support the Special Exception Relief requested by the District of Columbia Department of General Services for 501 New York Avenue N.W., the proposed temporary location for the Central Cellblock. The motion passed unanimously with six (6) yeas, zero (0) nays, and zero (0) abstentions.

The Application Does Not Satisfy the Standard Set Forth in 11-X DCMR Section 901.2

11-X DCMR Section 901.2 states:

The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

- a. Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;
- b. Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and
- c. Will meet such special conditions as may be specified in this title.

The Application does not meet subsection (b). 501 New York Avenue, N.W. is located within the boundaries of ANC 2G and therefore the Commission and its constituents have a significant vested interest in ensuring that the proper process and consideration of the impacts of the relocation of the Central Cellblock to their neighborhood where their homes, businesses, schools and churches are located. As this Board is aware, ANC 2G filed BZA Appeal No. 21040 and this Application is a direct result of that appeal as the Board

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determined a special exception would be required for the relocation. The proposed relocation of the Central Cellblock to 501 New York Avenue, N.W. will directly, significantly, and negatively impact the residents, business owners and community organizations in the surrounding vicinity. As set forth more fully below, there will be a significant increase in detainees on site and with that increased traffic, noise, and security concerns. These safety concerns pertain, perhaps most notably to the daycare facility directly adjacent to the site.

Traffic Concerns:

- The introduction of the Central Cellblock will highly likely significantly increase traffic at the already hazardous intersections of 6th and New York Avenue, N.W. and 5th and New York Ave. N.W., which have a history of frequent accidents - one that recently including a pedestrian who died. A recent DDOT Notice of Intent for the intersection of 6th and New York Avenue, N.W. could potentially alleviate traffic concerns but will be negated if the Central Cellblock is relocated to 501 New York Avenue, N.W.
- While the previous Traffic Management Station had a negligible effect on traffic, the Central Cellblock's impact is expected to be substantial. The projection of ninety-six (96) maximum trips seems conservative when only considering the 10-15 MPD vehicles transporting arrestees. This estimate does not account for the additional traffic from other law enforcement agencies such as Park Police, WMATA Police, Capitol Police, the Secret Service, and the US Marshal Service.
- The coordination of a multi-car operation for transporting detainees across the city raises practical concerns. With limited space available for vehicle staging—only one (1) car in the sallyport and four (4) in the parking lot—the question arises as to where additional vehicles will wait during detainee processing. This bottleneck could lead to further traffic complications especially if there is a dangerous detainee that needs to be processed.
- Commissioner Nigro's request to inspect the transportation area of the current Central Cellblock was not granted. This decision raises questions, especially given the community's previous assurances that the traffic from vendors, employees, police vehicles, and detainee transport would not pose a problem.

Noise Concerns:

- Noise pollution poses a significant challenge, as the incessant hum of idling vehicles and the sounds associated with detainee processing threaten to disrupt the community. The residents who have lived here for decades are acutely conscious of the likelihood of heightened noise levels, which may include audible disturbances emanating from the holding cells, especially screaming and shouting.

Capacity Concerns:

- The capacity of the Central Cellblock is also under scrutiny as the facility is designed to hold ninety-two (92) detainees despite an average headcount of thirty-eight (38). The discrepancy here begs the question: why are so many cells needed?

Safety Concerns:

- Safety risks associated with the potential release of detainees into the community - most notably to the community organizations and a business that caters to children. The facility's

proximity to Bambini Child Care Center is causing great distress among parents and staff. The proposed Central Cellblock is also just feet from residential property.

Furthermore, the proposed temporary nature of this relocation does not mitigate the immediate and substantial harm it would pose to residents, business owners, and community organizations. It is our concern that the temporary Central Cellblock will, in fact, be permanent. The ANC's decision reflects a broader consensus within the community, emphasizing the need for the Board to reconsider the proposed plan. The residents and stakeholders of ANC 2G, along with those in adjacent areas, have dedicated years to cultivating a neighborhood that is both vibrant and welcoming. Introducing the Central Cell Block threatens to undermine these longstanding efforts. Our collective goal is to elevate our community, not regress to bygone days.

Errors in the Applicant's Pre-hearing Statement

A review of the Applicant's Pre-hearing Statement revealed the following inaccuracies:

Page 4:

The hours listed are incorrect and should be up to 48 hours.

The Applicant downplays the involvement and use by the Washington Metropolitan Transit Authority, Park Police, Capitol Police, Secret Service and United States Marshall Service to reduce their anticipated traffic impacts.

Page 5:

Due to the facility's ability to process only one vehicle at a time in the sally port, other vehicles will necessarily idle in place causing congestion, traffic, and noise.

Why is the protocol for the transportation of detainees still being developed? Staging city-wide is not an effective method with violent criminals.

Page 6:

Detainees will be released from the facility. What is pre-Covid protocol? If detainees are released it implies, they are simply free to go from 501 New York Avenue N.W.

Page 7:

The assertion of negligible impacts is simply untrue. With limited parking, the site is patently too small for the proposal.

Page 9:

Detainees of varying criminal levels will be waiting outside the sally port to be processed and will be released from the facility.

Noise:

Noise will emanate from the cells, cars with the detainees and traffic, not to mention protests when detainees of any notoriety are involved.

Page 10:

No cost analysis was ever shared with the community nor were alternative candidates and reasons for their rule-out presented. This is because no alternatives were considered and the better one – 510 4th Street – was ignored.

Page 11:

It is at best highly unlikely that this site will be temporary as it makes no economic sense to commit the financial, planning and construction resources comprising \$10 million to the project only to tear out the cells at a later date. Any renovation of this site should be for the additional housing the District so desperately needs.

Transportation Study

Page 2:

The number of police vehicles is underestimated at fifteen (15). The Metro is a non-factor given people will drive to the site.

Page 5:

At the time the Pre-hearing Statement was drafted, the Department of Corrections (DOC) was unaware of two (2) Notices of Intent – one that eliminates the parking on the 6th Street side and creates a left-hand turn lane. If the project is allowed to go forward, the vans and cars visiting the site on the 6th Street side will negate these proposed safety measures and exacerbate an already dangerous intersection.

Page 6

Neighborhood residents contend that the Traffic Management Station never had fifteen (15) employees/ staff members there at night.

Future Trip Estimation:

There is simply no way to predict the future trips to the site for anyone other than employees.

Witnesses

ANC 2G plans to call the following witnesses to attest to the conclusions and statements made above.

1. Commissioner Rachelle Nigro, Chair of ANC 2G
2. Commissioner Kevin Rogers, ANC 6E03
3. Apostle Dr. L Murray, Director, Special Projects, The United House of Prayer
4. Kyle Everett, Resident
5. Drew Turner, Senior Vice President, Development - Douglas Development
6. Sabrina Brown, Resident
7. Sean Sullivan, Vice President - Boston Properties
8. Michael Wichita, Resident
9. Kate Carr, President 475 New York Ave Condominium Board
10. Kenyattah Robinson, President and CEO Mount Vernon Triangle CID
11. Joseph Russo, Resident
12. Jon Trunfio, President – Yale Steam Laundry Condominium Association
13. John Taylor, Resident

ANC 2G reserves the right to add to the list of witnesses and expert witnesses as it develops the case and reviews additional submissions by the Applicant. The above witnesses will testify as to impacts and outreach by the Applicant. ANC 2G is requesting 1.5 hours to present.

Considering these concerns, I urge the Board to consider the unanimous decision of ANC 2G and the community sentiment. I hope the Board will acknowledge the valid concerns raised and act in the best interest of the community it serves and deny the special exception relief needed to build the Central Cellblock at 501 New York Avenue, N.W.

Respectfully submitted,

Rachelle Nigro

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Chair, ANC 2G
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