



Advisory Neighborhood Commission 5E

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ANC5E RESOLUTION No. 2023-008

IN OPPOSITION TO THE LACK OF DEVELOPMENT AT 1600 NORTH CAPITOL ST NW AND THE YEARS OF SAFETY HAZARDS IT HAS POSED ON THE COMMUNITY

WHEREAS, DC Code § 1–309.10 outlines the Duties and Responsibilities of the Advisory Neighborhood Commission Act of 1975 and grants ANC5E the responsibility to advise the Council of the District of Columbia, the Mayor, each executive agency and all independent agencies, boards, and commissions of the government of the District of Columbia with respect to all matters of District government policy, including decisions regarding planning, streets, recreation, social services programs, education, health, safety, and sanitation which affect the ANC5E area; and

WHEREAS, the property at 1600 North Capitol St NW, which is also known as the 'Joe Mamo' lot, has been vacant since 2006, the vacant lot has been a blight on the neighborhood, there is an open drug market, it's a gathering for drug pushers, drug users, and homeless people, it's where several stabbings and murders have occurred outside the corner lot property, and this is due to the negligence of the property owner and the myriad of excuses that have been given for the more 17 years that no development has taken place; and

WHEREAS, in January 2011, William Robert Mitchell Jr. was shot to death on the corner of North Capitol St NW, in August 2020, Aaron Watts was found dead in the unit block of Bate St NW, but believed to have been stabbed on the unit block of Florida Ave NW near the Joe Mamo lot; and

WHEREAS, Zoning Planned Unit Development (PUD) approval was given in 2007, a PUD extension granted in 2009, a PUD extension granted 2011, a PUD extension granted 2013, a PUD extension granted 2016, a PUD extension granted 2018, a PUD extension granted 2019, a PUD extension granted 2021 and the final PUD extension was granted 2022 and the property owner let the PUD expire in June 2023; and

WHEREAS, the ANC 5E06 (now ANC 5E02) commissioner requested the slip lane at Florida Ave NW and Q St NW to be closed in order to expand the pocket park and allow more green space for community members, when the property owner learned about the probable slip lane closure, he deliberately allowed the PUD to expire in hopes that he would acquire a portion of the slip lane that is proposed to be closed at the Florida and Q St NW and is now proposing to build a larger development; and

WHEREAS, the property owner has lied to and deceived the members of the community for more the 17 years, it is detestable and an insult to the tax paying members of this community that the DC Government would consider giving or even selling a portion of Q St NW to a developer who has a lousy track record and has developed nothing for more than a decade and has caused more hardships, hurt, harm and danger to the members of this community by doing nothing to the vacant lot while there is a deficit of housing in DC; and

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WHEREAS, the vacant property was being used as an encampment, for drug activity (selling, buying and using), resulting in the crowding, obstructing, and incommoding on public space so residents cannot pass by, residents are scared to pass by that corner and often look for ways to avoid the crowded and obstructed sidewalk, we are constantly told by MPD and DC Government agencies that there are no loitering laws, DC Code clearly states that crowding, obstructing or incommoding is unlawful yet nothing is being done to address it, last but not least, it's health hazard to residents in the area as it often results in people urinating and defecating on the homes of the residents that live nearest to the vacant/blighted properties the lot is always full of trash, garbage, bicycles, the trees and bushes on the lot are overgrown and the entire area is rat infested, these issues can no longer be ignored by the DC Government, the drug activity is resulting in violence and action needs to be taken now before another life is lost; and

WHEREAS, the developer is required to provide a variety of public benefits and project amenities in the form of contributions to local organizations (the "Benefits"), the total monetary contribution required by the Benefits is \$109,600, this is clearly a multimillion dollar project and because of the delays and extensions the community was basically ripped off because they only had to pay \$110K in public benefits, it is also shameful that they were able to get away with paying commercial taxes, it was only in 2020 that they were taxed at a vacant rate when the lot was vacant for over 13 years, although they are now taxed at a vacant rate, this has not motivated them to develop the property; and

WHEREAS, testimony was provided to the DC Council Committee of the Whole (COW) Vacant properties on 05/26/21 and 01/25/22, in hopes that the DC Council would help to get the property owner to develop the property as planned; and

WHEREAS, a survey of the Joe Mamo Lot, Slip lane and Triangle park was conducted, the community was asked what they would like to see happen with the slip lane and 48% of the residents said that they would like to expand the Triangle Park, more residents were in favor of expanding the park, not providing half of the slip lane to the adjacent property owner; and

WHEREAS, ambulances are constantly called to the corner of Florida Ave NW and North Capitol St NW in front of the vacant lot to attend to drug users that have overdosed.

NOW THEREFORE, BE IT RESOLVED that ANC5E requests that DDOT grant Great Weight to the opinions expressed by ANC5E in matters that affect all SMDs within the commission's service area; and

BE IT FURTHER RESOLVED that ANC5E requests that DDOT prohibit vehicular traffic on the slip lane connecting North Capitol Street, NW., with Florida Avenue, NW and to add this slip lane to the abutting triangular pocket park (Reservation 277A) so that the slip lane remains in DDOT's inventory, ANC 5E opposes providing half of the slip lane to the adjacent property owner; and

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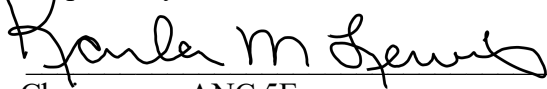
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BE IT ALSO FURTHER RESOLVED that ANC5E request the Mayor's office exercise eminent domain as was done for Wendy's at the Dave Thomas circle, have the property owner relinquish the lot at 1600 North Capitol St NW, the DC Government can then place the property in the hands of a developer with a proven track record to ensure that development will take place and that there will be affordable housing at this location in our lifetime.

THIS RESOLUTION came before ANC 5E at a duly noticed public meeting on October 17, 2023. ANC 5E is composed of 6 Commissioners, such that 4 Commissioners constitute a quorum. With 6 Commissioners present, ANC 5E voted 6-0-0 to adopt this resolution.

Respectfully Submitted,



Chairperson, ANC 5E
Karla M. Lewis



Corresponding Secretary, ANC 5E
Frederick Carver

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