

Capitol Quarter Phase 2 HOA

Board of Directors



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District Department of Transportation
55 M Street SE, Suite 400
Washington, DC 20003

Attention : Virginia Avenue Tunnel DEIS Public Comment

The Capitol Quarter Phase 2 (CQ2) development is a mixed income community of 162 town homes and rental units. The second phase of the Hope VI project was completed in 2012. It is bordered by the south side of I Street SE to the north, 4th Street SE to the east, L Street SE to the south and 3rd St SE to the west. There are not any Capitol Quarter Phase 2 residents within the LOD, however we will all be impacted if and when the project goes forward. As a consequence, we would like to take this opportunity to raise some questions and concerns on behalf of the Capitol Quarter Phase 2 Community.

1) Selection of Alternatives

- a) The CQ2 HOA has encouraged the CQ2 residents to individually support or comment on the “Alternatives” as represented in the DEIS. CQ2 would prefer the "No Build" Alternative, but if a build takes place, we would like further consideration given to trains being re-routed during the construction period so as to minimize the disturbance to our community. On the assumption that one of the current DEIS build alternatives will ultimately be selected, the focus of the CQ2 HOA is to make the construction period safe, secure, and the least disruptive given the situation.
- b) The CQ2 HOA respectfully requests that the VAT Reconstruction Project Team consider the following to ensure the least amount of direct impact on the CQ2 Community:
 - i) By providing incentives to complete the project at the earliest possible timing and disincentives for project delays past the scheduled timeframe.
 - ii) By doing as many concurrent construction tasks as possible so the construction is completed in the CQ2 residential area between 2nd and 5th Streets and the noise and disruption is ‘moved down the line’ as quickly as possible.

- iii) By providing more detailed communication in the final EIS on the phases of the construction, and what should be expected in noise, vibration, and heavy equipment movement when there is resolution of the final alternative.
- iv) By creating an online communication tool, the purpose of which would be to provide the public with up to date information pertaining to the VAT reconstruction project. Ideally, a website would be created through which residents affected by the project could get information to include updated project status, current traffic patterns/restrictions, anticipated utility interruptions, and any information on vibration levels, dirt/dust, and rodent control measures.

2) Community Safety & Security

- a) Pedestrian and Cyclist Protection: More detailed information in the final EIS is requested on how pedestrians and cyclists will be protected at the intersections, beyond the 8' or greater fencing, wayfinder signs, and temporary ramps. Including consideration given to:
 - i) Updating the Maintenance of Traffic (MOT) plan from the August 2012 report used in the DEIS, with respect to the additional projects underway such as the 11th Street Bridge project, the M Street Project with DC Water, the scheduled condominium projects such as Twelve12 at M St and 4th Street SE, the Chelsea Tower, the Capper Community Center at 5th and K Streets SE, the reopening of Van Ness School, and several others that will contribute to the construction/heavy equipment movement as well as traffic detours.
 - ii) Details on the height and width of the barriers between the construction fencing and the roads that will be used to protect the pedestrians from the traffic. Many residents in the CQ2 Community are confined to wheel chairs or have children, in doublewide strollers and/or dogs.
 - iii) Providing crossing guards during peak pedestrian periods such as Nationals' game days, concerts at the parks, and other major events that draw car, walking, and cycling traffic.
- b) Emergency Response Plan: Providing a plan to ensure that the Emergency Responders are kept up to date on the most current traffic patterns and road access to be able to immediately respond to the CQ2 neighborhood streets. Many of the wheel chair bound residents within the community rely on EMS to respond to medical situations on a frequent basis. Within CQ2, there is a new street (3rd Place) that is not yet on the common GPS systems. This has created problems in the past and extended response time even without construction detours.
- c) Traffic Monitoring: While there was a two phase MOT included in the DEIS, as mentioned above, it needs to be updated with all of the approved projects. In addition, it is requested that consideration be given to:
 - i) Ensuring that all STOP signs within the CQ Community are maintained and consideration given to additional STOP signs or temporary speed bumps on the key North/South and East /West streets within the community to ensure the safety of the families and leashed pets in the community. An example of which is L Street SE. It is contemplated in the DEIS that L Street SE will be become major East/West route between 9th Street SE and the western boundaries of the LOD. There are currently no STOP signs at the intersection of L Streets and 3rd Place SE.

- ii) Having a dedicated notification alert system to update the community in advance, on the latest traffic pattern flow surrounding the LOD.
- d) Parking Monitoring: While it has been stated that the construction workers will NOT be allowed to park within the CQ2 community, more details are required in the EIS as to how this will be monitored and what fines/disincentives will be used given that there are only 90 spots being reserved for construction and over 200 workers are said to be employed on the project. There is already a significant parking issue inside of the CQ2 community as a result of the office workers, care givers for many of the community residents, guests of the community, as well as game day and event parking. The community respectfully requests:
- i) Additional parking enforcement personnel during the construction period.
 - ii) A heavier fine schedule or more responsive towing for parking infractions.
 - iii) Providing additional free parking spaces during the construction period within the local parking lots for residents of Capitol Quarter as validated by a current driver's license with a Capitol Quarter address.
- e) Security: The community is appreciative of the policing done by the MPD officers assigned to our area and the additional security being provided through the CSX field security force before and during the construction period. We are also aware that valuable equipment and general construction can attract crime. We would like to respectfully request that additional consideration be given to:
- i) Security cameras being mounted/employed in key areas at, or close to, the LOD as a further disincentive.
 - ii) Ensuring that the Capitol Quarter street & courtyard lighting stays in place at all times during the construction period.
 - iii) Additional security in the area during special events such as game days.

3) CQ2 Residents' Safety & Security

- a) Home damage due to vibration is a possibility due to the proximity to the LOD and the unknowns in any construction project of this magnitude. The DEIS highlights those homes within the LOD. It is respectfully requested that all homes within the CQ2 community be given an opportunity for a hearing and reimbursement of expenses from legitimate damages caused directly by the VAT Reconstruction Project. The CQ2 HOA
- i) Will encourage homeowners to engage a home inspector at their own expense to inspect and record the condition of the home prior to construction, or take validated, date stamped pictures of their home prior to construction as proof of prior condition should there be any damage due to vibration from construction at the site or heavy equipment traveling back and forth from the site.
 - ii) Request vibration sensors to be placed at a reasonable spacing throughout the CQ2 community to monitor the vibration level and foresee any problems before damage is incurred. Establish a process for regular communication to the community of the ongoing results of the sensor readings.

- iii) Establish a process for submitting an application for damages and a swift (30 day) resolution.
 - iv) Establish a process for submitting an application for damages by the CQ2 HOA for sidewalk or CQ2 owned common element property damaged by the VAT construction related vehicles or process.
 - v) Establish a contact and process with DDOT/DPW for any CQ2 community road or structural damage such as lamp standards, signs, curbs or sewer openings damaged by the VAT construction related vehicles or process.
- b) Rodent control is a big concern of the CQ2 community. It is requested that complete details be provided in the EIS as to how and when this will be handled as well as how rodent control will be monitored on a weekly or more frequent basis.
- c) Dirt and Dust management. It is understood from the DEIS that 'best practices' will be used to manage the dust and dirt levels within the area. Because the DEIS does not define 'best practices', we request more specific information on what 'best practices' will be followed to manage dust and dirt during construction. In addition, it is respectfully requested that additional measures be undertaken during the period of the construction to keep the CQ2 community in its current 'new' condition and protect the allergy sensitive children and adults.
- i) Providing for street, alley, and exterior residential home cleaning two times per year during the construction period.
 - ii) Frequent air quality monitoring and public reporting.
- d) Disruption of Utilities. There is an expectation that all of the utilities within the CQ2 community will be disrupted several times over the course of the construction period. Clarification is required on how the disruptions will be communicated in advance so the necessary preparations can take place, and what steps will be taken to ensure that emergency supplies of either water or power are available for the disabled and home bound residents within CQ2.
- e) Noise Level management. It is understood that 'best practices' will be used to minimize the impact of noise pollution on CQ2 during the reconstruction project. We request more specific information on what 'best practices' will be followed to manage noise pollution during construction. Additionally, we would like to request that additional consideration be given to:
- i) The DEIS references a new policy whereby each individual train conductor will have the discretion on whether or not to sound the horn when entering the Virginia Avenue tunnel. We request clarification on whether or not this policy will be implemented during construction, or only after the project has been completed.
 - ii) Ensuring that no construction or construction preparation does not commence prior to the stated 7AM to minimize noise disruption to CQ2 residents.
 - iii) Providing up to date information to CQ2 residents when construction will occur outside normal business hours, including on weekends.

4) CQ2 Community Quality of Life

- a) Dog Parks: The Virginia Avenue Dog Park is heavily used by dog owners in the CQ2 community, and is the only fenced-in dog park with grass in the area. To minimize the disruption to CQ2 dog owners, we would like to respectfully request that additional consideration be given to:
 - i) Leaving the dog park undisturbed and available for use during construction, regardless of the alternative chosen, just as CSX has agreed to leave the Virginia Avenue Community Garden undisturbed and outside the LOD.
 - ii) If CSX will not agree to leave the Virginia Avenue Dog Park undisturbed, we respectfully request temporary relocation of the dog park to another fenced-in grassy area in the neighborhood with access to water so that dog owners will continue to have access to a fenced-in park for the exercise and recreation of their pets.
 - iii) Upon completion of the VAT Project we respectfully request that the dog park be restored, and that CSX provide certain improvements such as permanent water stations with fresh running water for the dogs, benches for dog owners, a double-gated safety vestibule, a dog wash or hosing-off area for the dogs, and planting mature trees to provide shade in some areas of the park.
- b) Garfield Park and Skateboard Park: The VAT Project will eliminate the use of the skateboard park and basketball court that currently exists under the highway between New Jersey Avenue and 2nd Street SE. To minimize the disruption to CQ2 youth, we would like to respectfully request that additional consideration be given to:
 - i) Temporary relocation of the skateboard park and basketball court to another nearby location.
 - ii) Restoration of the skateboard park after the VAT Project is completed, including the consideration of installing new skateboard ramps and a basketball court for use by CQ2 youth.
 - iii) Providing improved pedestrian access between Canal Park and Garfield Park under the highway through the skateboard park.
- c) Post Construction Restoration of Virginia Avenue and the Virginia Avenue Park.
 - i) Tree Replacement: Where the DEIS references the removal and ultimate replacement of trees along the LOD, we request that trees be replaced like for like in both size and quantity, including a post construction tree maintenance plan for their care and watering to ensure the long term life of the trees. Also the final EIS should provide detail on the depth of the land to the top of the tunnel and its impact on having sufficient soil coverage to support trees of the current height and girth.
 - ii) Community Involvement in the Landscaping Redesign. The final EIS requires a clear statement of the involvement of the community (including representation from CQ2 residents) along with DPR in the redesign of the green space along Virginia Avenue and the Virginia Avenue Park. It was mentioned in the DEIS that additional space will be 'freed up' by the 11th Street bridge project and could be added to the Virginia Ave Park or used in other ways for public benefit. It is respectfully requested that this be clarified to run from Garfield Park, connecting with Canal Park, to beyond the Virginia Ave Park. The Capitol Quarter Phase 2 community looks forward to being a part of the creation of an showcase green space area and the DEIS commitment to a tree-lined pedestrian and

bicycle parkway along the north side of the Virginia Avenue running south of the Freeway with consideration given to:

- (1) An improved dog park as identified above.
- (2) An improved community garden space.
- (3) A children's playground and reinstatement of an improved skateboard area.
- (4) Tennis courts and reinstatement of an improved basketball court.
- (5) Water features that can be used by the children as play/cooling areas.
- (6) Conversation and meeting areas.

Thank you for the opportunity to comment and participate in the development of this project. The Capitol Quarter Phase 2 HOA is committed to working in partnership with CSX and the governing agencies, ANC 6D and ANC 6B as well as all neighborhood community groups to ensure the speedy completion of the project, least disruption to the community and the ultimate beautification of the neighborhood.

Sincerely,

Eric Habermann

President, Capitol Quarter Phase 2 HOA

Cc:

Delegate Norton

Councilmember Wells

ANC 6D

ANC 6B