

Advisory Neighborhood Commission 6D
Minutes of Business Meeting – December 12, 2016
Held at 200 I St. SE, Washington DC 20024
Andy Litsky, Chair

As approved at the January 9th, 2017 Public Business meeting
Correspondence sent after the December 12th, 2016 Public Business meeting is also attached.

The Commission convened at 7:02 p.m. The following commissioners were in attendance at the beginning of the meeting: Roger Moffatt, Stacy Cloyd, Marjorie Lightman, and Andy Litsky (chairing).

Departing commissioners Lightman, Cloyd, and Carroll bid farewell. CM Litsky thanked all the commissioners and meeting attendees.

Approval of Agenda

CM Fascett moved to approve the agenda, and CM Litsky seconded. With the addition of resolutions about Verizon's request for a special exception, Fresh Farms' request the intersection of 4th and M SE, and District Hardware's liquor license application, and an update from the Wharf about a hate crime on the site, the agenda was approved 7-0-0.

Introduction of Commissioners

Meeting Announcements

- The next meeting is Monday, January 9 at 1100 4th St. SW, 2nd floor. 7pm.
- Father Gonzalo is the new pastor at St. Vincent dePaul Church (corner of South Capitol and M St. SE). He introduced himself.
- CM Fascett: Wednesday night at 6:30 is a meeting with DDOT about the redesign of I St. SE between South Capitol and NJ Ave. SE at the 70 Capitol Yards building lobby
- CM Lightman: 1/21 Women's March on Washington. Jackie Savage is the Ward 6 coordinator and CM Lightman can connect people to her. marjorie.lightman@gmail.com
- CM Litsky: Short-term family housing at 850 Delaware Ave SW, meeting 12/15, 6:30pm at Westminster.
- CM Litsky: Zoning Commission hearing on soccer stadium Wednesday at 441 4th St. NW at 6:30pm
- CM Hamilton: 6:30-8:30 tomorrow Buzzard Point meeting at the library. DC United is having a meeting 12/19 at 6:30 at King Greenleaf Rec Center.
- Georgine Wallace 12/14 is PSA 105 meeting at Edgewater Condos, 7pm 410 O St. SW. Also, the book sale last Saturday was a success. 12/17 "Santa's Secret Book Sale" and crafts session at the library.

Public Safety Report

Public Safety report: Sgt. Dan reported that there are a lot of thefts from autos in PSA 106. Don't leave stuff in your cars and lock your car doors!

Discussion of the discover of nooses at the Wharf: Elinor Bacon from the Wharf said it's under Clark Construction's purview and Hoffman-Madison agrees with the actions Clark has taken. Matt Haas from Clark Construction said two weeks ago, a rope was tied in a form of a noose on two locations on the project. It was determined that a subcontractor was involved and he was terminated the same day.

Clark does not tolerate symbols of hate and Mr. Haas was "appalled." Clark has met several times with subcontractors and staff to underscore their zero tolerance for this and has been in communication with MPD. Gina Wallace, Clark's HR director, said that the company does not tolerate this or any similar action and takes it very seriously.

- CM Moffatt asked how the conversation with MPD started--did Clark report it? Mr. Haas said MPD contacted them. Sgt. Dan said the person who saw the nooses went to the news before going to MPD. MPD investigated it, found the suspect, but US Attorney chose not to prosecute it.
- CM Carroll: is it true that the person who found the nooses left his job? Mr. Haas said he did get a new job but doesn't know and can't say why. CM Carroll said she felt the story did not get enough coverage and actions like this become normalized. She encouraged situations like this to be discussed and addressed immediately, and prosecuted.
- CMs Litsky and Moffatt urged developers to report hate crimes to the police in the future rather than just doing an internal investigation.
- CM Hamilton asked what Clark is doing to help if other workers who feel unsafe? HR person said there is an anonymous Clark hotline prominently advertised throughout the job site for harassment issues it's in English and Spanish.
- CM Fascett asked whether the person called the hotline? Mr. Haas, no the person reported it to their manager, who reported it the safety manager, who reported it to Clark. The outcome would have been the same had the person called the hotline except they would have been confidential. The subcontractor met with their whole workforce. Elinor will check whether other general contractors, not just Clark and its subs, addressed this issue. However, Clark and its workers are the majority of the workers on the site. She notes that this is an isolated incident and a shock to all the developers.

Approval of Prior Month's Minutes

CM Litsky moved to approve the October minutes and CM Lightman seconded. The minutes were approved 6-0-0 (CM Carroll not present).

Presentations and Resolutions

Short term family housing: CM Cloyd gave an update and encouraged people to attend the meeting on 12/15. She and CM Lightman expressed support for the external design of the building but concern about the number of bathrooms, room design, and how people will circulate among floors.

Update on DC United Soccer Stadium: CM Litsky said the first hearing involved OP, DOEE, DDOT, and DC United. On Wednesday, ANC Commissioners will get to speak and ask questions of the applicant. At the last meeting, it appeared the zoning commissioners understood if not fully embraced the ANC's concerns about transportation and the environment. Others can testify too: 3 minutes testimony for individuals and 5 min for organizations. It will be livestreamed on the ZC website for people who want to watch from home.

Alcoholic Beverages (ABC Committee Chair Coralie Farlee)

Shake Shack: Dr. Farlee noted that the ABC committee is figuring out whether the business is applying to serve alcohol on the sidewalk cafe for which they got a public space permit.

District Hardware and Bike (730 Maine Avenue): In addition to bike and hardware store, there will be a full cafe. Dr. Farlee said the ABC committee has done all it can and reached an agreement with the

applicant. But ABRA is still asking the applicant for more information before they will issue a placard. The ABC committee recommends that the ANC support the CA pending the placarding. CM Litsky so moved, CM Lightman seconded. The applicant was present. Passed 7-0-0.

Temporary Traffic Interruptions

Race 4 Respect 5K & Kids Dash: Benefits Down Syndrome Affiliates. Date of race is 6/3/17, streets reopen 11am. Jeff Ruday and Gina Mitchell presented. This is the 4th annual event and Ms. Mitchell founded the event in honor of her daughter who has Down Syndrome. Jeff Ruday is the event manager and handles many races in the city. They expect about 1500 racers. The route is the same as last year, starting and ending at Independence Plaza. The only change is to allow entrance to the Trump hotel. They have worked with MPD to figure out the appropriate security and barrier plans. CM Litsky moved to send a letter to the Mayor's Task Force in support of the event and CM Carroll seconded. CM Moffatt asked if Independence will be closed in both directions. Mr. Ruday said yes, that is how it operates for races along this route. However, it will be only from 9:15-11am, not the full duration of the setup and cleanup. Passed 7-0-0.

Purple Stride 5K run/walk: Benefits Pancreatic Cancer Action Network. Date of race is 6/10/17, streets reopen 11am. Jeff Ruday and Bonnie McDonald presented. Ms. McDonald works for PCAN and said that pancreatic cancer just passed breast cancer as the 3rd most deadliest kind of cancer. It is usually diagnosed at a late stage. This event is important to raise money and awareness: last year they raised about \$650,000. Jeff Ruday is the event manager and handles many races in the city. They expect about 3500-4000 racers. The route is the same as last year, starting and ending at Independence Plaza. Mary Williams asked if the ANC documented how many races close streets in SW? She was told yes, it's all in our minutes which are online. CMs Litsky and Cloyd noted that it would be helpful if neighbors concerned about impact on local streets contacted the Mayor's Task Force on special events and suggested other 5k routes in other parts of the city. CM Litsky moved to send a letter in support of the event to the Mayor's task force and CM Hamilton seconded. Passed 7-0-0.

Development, Planning, and Transportation

ZC 10-21A Buzzard Point LLC, 1st and V SW: No vote was taken on this matter—it was just a presentation. The developers have filed an Intent to Modify Plans, with hearing scheduled for 2/6/17. Capital City is the developer. They have worked in Upper NW (Connecticut and Military apartment building), Columbia Heights, and Adams Morgan; this is their first project in 6D. They've owned this site for about a year. Last summer, a flower garden was there. It will be a 110 unit development with no zoning relief needed now that the penthouse rules have changed. 10 units will be affordable in accordance with the district's IZ law. There is a parking garage as well as 38 bicycle spaces. They've notified all neighbors including the National Park Service. They will need to do a DDOT permitting process. One of their design changes is to meet DDOE new requirements that it is above the 500-year flood plain. They've therefore elevated the first floor and created stoops for units on V Street to give more of a townhouse feeling. There are bioswales and tree boxes.

- CM Lightman asked how people can get to the site. She was told there are two roads and they're working with NPS on a third access routes. The developer is rebuilding the street around the building. The trail would not be precluded by the NPS road since a trail could be on piers in the river. They've advocated with DDOT to add public transit, such as the Circulator.
- CM Litsky noted that DDOT is not following through on its promise to provide Circulator service there. He asked how people will get to the site when First Street is closed for soccer games.

- CM Lightman encouraged water taxi service and they agreed that they would help support that if others in the neighborhood would also pitch in.
- CM Moffatt asked about pet waste. There will be trash cans and baggie stations and potentially a rooftop dog run. They are targeting LEED silver. It's essentially a LEED Gold building but far from transit so they can't get points for being close to transit.
- CM Moffatt asked if there will be projections into public space for bay windows and stoops, and was told yes. 90% of their buildings project into public space and the District favors them. But CM Lightman noted that SW has few such projections. DDOT rather than ZC deals with public space. There aren't additional projections to what got approved in 2011.
- CM Moffatt asked about unit mix: 1 and 2brs and some 2br + dens. The largest square footage is 1500sf.
- CM Moffatt asked for more bicycle parking to mitigate traffic.
- CM Hamilton asked for better connectivity to the green space at the marina.
- CM Cloyd asked for an estimate of the housing production trust fund contribution for penthouse use and was told this information would be provided when the developers come back to the January ANC meeting.

Verizon request for special exception for Cell on Wheels tower: Jay Schapiro presented on behalf of Verizon. They feel that their current site is insufficient and stated they were terminated from leasing it. They want to ensure cell service during the inauguration. After the 90-day temporary COW they've been granted, they'd want a one-year extension in order to design a permanent one. The radio frequency will be well below FCC maximum. Smaller footprint for the permanent one but the COW is 1250 sf.

- CM Cloyd: did you talk to any other building along the S. Capitol St. corridor? Yes but not a single location that would cover all the needs. There would need to be multiple sites.
- CM Fascett: why can't you stay at the current location until you build the permanent one? Mr. Schapiro said they could not agree with the landlord (Capitol Skyline hotel). He didn't want to say how much they were paying the hotel. DGS is charging \$4400.
- CM Hamilton: what's the health impact? Mr. Schapiro said it's further from the public pool or housing. It will not increase the radio frequency compared to the current location. It will fall well within FCC standards. You get tens of thousands times more exposure by using a cell phone than by standing near a tower. By having towers close by, the phones itself emit less power because they don't need to transmit as far.
- CM Moffatt: is the antenna on River Park a Verizon one? Yes. There are other carriers there too. But it can't be expanded in a way that replaces the need for this proposed site.

CM Cloyd moved to send a letter to the BZA expressing concerns about the special exception filing. CM Litsky seconded.

Rudy Geist who represents the Rubell family, which owns the building where the antennas are currently located. He said this is not an emergency. Verizon's lease expired in November but they're still there. They're not communicating. The Rubells don't want the 84-ft monopole in Randall field because it will be in the sightline of the Randall school.

Motion passed 7-0-0.

Fresh Farms public space permit: CM Fascett moved to send a letter in support of a weekly farmer's market at Canal Park, which requires closure of the road next to Five Guys and Subway. CM Lightman seconded and the motion passed 7-0-0.

Commission Updates and Administrative Matters

- Chair's report: None.
- Treasurer's report: CM Fascett says "all is well."

Community Concerns

Naomi Mitchell of Councilmember Allen's office says swearing-in of new ANC commissioners will occur January 2 at the Convention Center.

The commission adjourned at approximately 9:16 p.m.

Minutes prepared by Stacy Cloyd



Near Southeast/Southwest
Advisory Neighborhood Commission 6D

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December 21, 2016

OFFICERS

Chairperson
Andy Litsky

Vice Chairperson
Rachel Reilly Carroll

Secretary
Stacy Cloyd

Treasurer
Meredith Fascett

COMMISSIONERS

SMD 1 *Marjorie Lightman*
SMD 2 *Stacy Cloyd*
SMD 3 *Rachel Reilly Carroll*
SMD 4 *Andy Litsky*
SMD 5 *Roger Moffatt*
SMD 6 *Rhonda Hamilton*
SMD 7 *Meredith Fascett*

Jeff Runday
Event Manager, Race 4 Respect

VIA E-MAIL: jeff@jeffrunday.com

RE: Race 4 Respect 5K and 1K Kids Dash - Saturday, June 3, 2017

Dear Mr. Runday,

At a regularly scheduled and properly noticed public meeting on December 12, 2016, with a quorum present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 7-0-0 in support of your above-referenced event.

ANC 6D Commissioners thank you for your continuing efforts to inform our constituents of your upcoming event and working to minimizing potential disruption of vehicle and pedestrian traffic within our neighborhoods. The Commission wishes you much success with the race.

Sincerely,

Andy Litsky
Chairman, ANC 6D
Southwest, Navy Yard and Buzzard Point

Cc: Emily Belcher, emily@jeffrunday.com
Tanya Mitchell, tanya.mitchell@dc.gov



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SMD 5 *Roger Moffatt*
SMD 6 *Rhonda Hamilton*
SMD 7 *Meredith Fascett*

Jeff Runday
Race Director, Purple Stride

VIA E-MAIL: jeff@jeffrunday.com

RE: Purple Stride, Washington, DC - Saturday, June 10, 2017

Dear Mr. Runday,

At a regularly scheduled and properly noticed public meeting on December 12, 2016, with a quorum present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 7-0-0 in support of your above-referenced event.

ANC 6D Commissioners thank you for your continuing efforts to inform our constituents of your upcoming event and working to minimizing potential disruption of vehicle and pedestrian traffic within our neighborhoods. The Commission wishes you much success with the race.

Sincerely,

Andy Litsky
Chairman, ANC 6D
Southwest, Navy Yard and Buzzard Point

Cc: Emily Belcher, emily@jeffrunday.com
Tanya Mitchell, tanya.mitchell@dc.gov



Near Southeast/Southwest
Advisory Neighborhood Commission 6D

December 21, 2016

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Frederick L. Hill, Chairperson
Board of Zoning Adjustment
441 4th Street NW, Suite 200/210-S
Washington, DC 20001
VIA E-MAIL: bzasubmissions@dc.gov

OFFICERS

Chairperson
Andy Litsky
Vice Chairperson
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Secretary
Stacy Cloyd
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Meredith Fascett

RE: BZA 19415 Application of Verizon Wireless for a special exception to locate a temporary Cell on Wheels on Square 643E, Lot 800

At a regularly scheduled and properly noticed public meeting on December 12, 2016, with a quorum present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 7-0-0 to send this letter to the Board of Zoning Adjustment (BZA).

COMMISSIONERS

SMD 1 *Marjorie Lightman*
SMD 2 *Stacy Cloyd*
SMD 3 *Rachel Reilly Carroll*
SMD 4 *Andy Litsky*
SMD 5 *Roger Moffatt*
SMD 6 *Rhonda Hamilton*
SMD 7 *Meredith Fascett*

Although providing adequate cellular service to residents of ANC 6D and visitors to the area is an important goal, we do not feel that the proposed location is an appropriate one for either a temporary Cell on Wheels (COW) or a permanent cell tower. Creating “a 1,250 s.f. fenced compound,” as the Application for Special Exception describes, on a public recreation field is not a decision to be taken lightly. This is especially true in this scenario, where the Cell on Wheels is not truly temporary but designed as a precursor to a permanent cell tower on the site (see Exhibit F, “Statement of the Applicant” at p.2). We do not believe that the criteria for granting a special exception are met in this case and urge the applicant to consider either maintaining the current antennas or leasing space atop one of the numerous buildings nearby.

11 DCMR Subtitle C §1313.5(b) requires monopoles to be “designed and available for collocation by other service providers” and the applicant admits the proposed structure would not meet this standard. Verizon says the regulation is “not applicable for the COW context” but this should not be deemed sufficient.

11 DCMR Subtitle C §1313.5(c) requires the monopole’s visual impacts to be “minimized to the greatest practical extent...or appropriately screened by landscaping or other techniques” but the applicant does not fulfill this requirement. The monopole will be surrounded by generators and other equipment, enclosed by a chain-link fence. Its 84-foot height will be 44 feet above the surrounding tree line.

Given that the application does not meet two of the four requirements of 11 DCMR Subtitle C §1313.5, the BZA would then consider whether a special exception should be granted under §1313.6. There again, the application is insufficient.



Near Southeast/Southwest
Advisory Neighborhood Commission 6D

- Subsection (a) requires that there be “a significant gap in wireless service” but the filing does not indicate one. There would only be a gap in coverage if Verizon removed or shut off its current antennas, which is fully within its control.
- Subsections (c), (d), and (f) require that “no other mounting options are available”, that “the site is the only location from which the gap can be filled... or will generate the least adverse impact”, and it is the “least intrusive means to provide wireless service necessary to fill the gap in coverage.” Verizon responds that it “could not locate any existing tall structures appropriate for collocation” and merely asserts that “the site will generate the least adverse impact” and “is the last [sic] intrusive means.” However, there are numerous buildings, both publicly and privately owned, both under construction and completed, within 1 or 2 blocks of the antennas’ current location and of the proposed site at Randall Field. Many of them are as tall or taller than the current location at 10 I St. SW and the 84-foot height of the COW. The applicant provides no information about whether it approached or negotiated with any of these buildings. If Verizon chose not to do so, or was unwilling to pay what the market requires for locating antennas on buildings in this neighborhood, this should not constitute a reason to allow them to intrude on hundreds of square feet of public recreation space.
- Subsection (e) requires the “height and other physical design characteristics” of the monopole to not exceed what is “minimally necessary to fill the gap in wireless coverage.” The applicant only addresses the height of the monopole, not the unsightly generators and chain-link fence that would surround it, or the size of the area required to be separated from the recreation field.

11 DCMR Subtitle C §1313.11(k) requires applicants to submit “a maintenance plan explaining how the property manager will control ice build-up, falling ice, and potential falling debris” but Verizon merely states that they agree “to be responsible for all maintenance.” This is not a plan. There is no indication of who the Department of Parks and Recreation or area residents should contact for assistance if they observe maintenance problems with the COW, or what specific techniques will be used to control ice and debris. Given that the COW would sit on a recreation field and close to a highway, limiting such hazards is critical and BZA should request additional information on these topics before considering the application.

Finally, Exhibit F in Verizon’s application filing for the special exception indicates that “Verizon is unable to continue leasing” in its current location at 10 I St. SW. This may not be fully accurate. The building owners have indicated that they are willing to create a new lease with Verizon. The applicant’s inability to continue leasing, therefore, is not because it is impossible for the antennas to remain in their current location but because negotiations have stalled. ANC 6D takes no position on whether Verizon should remain at 10 I St. SW versus seeking a different site that is not the Randall Recreation Center, but merely notes that the playing fields may not be the only possibility.

Respectfully submitted,

Andy Litsky
Chairman, ANC 6D
Southwest Waterfront, Navy Yard, and Buzzard Point