

**Advisory Neighborhood Commission 6D**  
**Minutes of Business Meeting – October 20, 2014**  
**Held at 200 I St. SE, Washington DC 20003**  
**Roger Moffatt, Chair**

*\*Minutes to be reviewed prior to and approved at November meeting*

*Before the Commission convened, Lt. Gallucci from the Metropolitan Police Dept. provided a Public Safety Report*

Crime is down in the MPD 1<sup>st</sup> District and in PSA 105 (the SW portion of ANC 6D0 in particular). Robberies were up, in part because there were very few last year. Thefts from cars are also a continuing issue. There is going to be a large concert on the Mall on Veterans' Day, but MPD does not have all the details yet. CM Carroll asked how MPD's emergency prep drill went, and Lt. Gallucci said he heard it went well. There was an audience question about the mass shooting that occurred on N St. SW several months ago: Lt. Gallucci said an arrest had been made, and the Housing Authority is working to evict the tenants who were involved.

*The Commission convened at 7:07 p.m. The following Commissioners were in attendance at the beginning of the meeting: Roger Moffatt (chairing) Stacy Cloyd, Rachel Reilly Carroll, Andy Litsky, and David Garber. ANC staff member Joshua Habursky also attended.*

### **Approval of Agenda**

CM Litsky moved to approve the agenda. CM Carroll seconded. There were no proposed changes to the agenda and it was approved 5-0-0.

### **Introduction of Commissioners**

### **Meeting Announcements**

- CM Moffatt: The next ANC meeting will be 7pm on 11/10/14 at 1100 4<sup>th</sup> St. SW, 2<sup>nd</sup> floor.
- CM Carroll:
  - Federal Highway Administration and DDOT are having a public meeting 10/22 4-7pm at Van Ness elementary to talk about SE/SW connectivity
  - SWNA fundraiser 10/24 at Blind Whino. \$10.
  - Ft. McNair having open house 11/1.
- CM Garber: Public meeting on 10/20 at 300 Tingey Street SE about disposition of DC Water sites.
- CM Hamilton:
  - Public hearing on proposed Pepco substation 11/6 at 6pm at Westminster church. Witnesses must sign up by 11/3.
  - It's been 1 year since Ron McBee's death. Moment of silence to remember him.
- Coralie Farlee: DC council hearing on changes to alcohol law 10/26 at 1150 Penn Ave NW.

### **Approval of September Minutes**

CM Garber moved to approve the September minutes and CM Hamilton seconded. There were no changes and the minutes were approved 6-0-0.

### **Fundraising walks/races**

- National Race to End Women's Cancer: 5k that starts and ends at Freedom Plaza on Sunday 11/2/14. It will follow the route that many 5ks in DC do, entering ANC 6D along 3<sup>rd</sup>, 4<sup>th</sup>, C, D Streets and Independence Ave (all in SW). A traffic mitigation plan has been created, and the

National Park Service and the Mayor's task force have been informed. CM Cloyd moved to send a letter of support, and CM Garber seconded. The motion was approved 6-0-0.

## **Development, Planning, and Transportation**

### *The Wharf*

Bob Rubenkonig

- Jenny's expects to reopen in the former Channel Inn in December and will serve 3 meals a day.
- The 22<sup>nd</sup> annual Parade of Lighted Boats will be held 6-8pm on 12/6. There will be smores, music, photos with Santa, and more. It will be advertised in the Hill Rag and Southwester.

Gary Ball

- The developers realize the need for a better bus management plan and for community input into it. There will be an interim bus plan condition during Phase I of construction; during Phase II, two traffic lights will be installed for the permanent condition, which will feature better pedestrian visibility through the use of signage, bumpouts, and other techniques. The licensing agreement for buses dropping off at cruise boats ended; those buses will now park at Diamond Teague so that's reducing bus traffic.
- CM Litsky asked about the blind curve at 6<sup>th</sup> where Maine becomes M; there will be an advance warning sign there for drivers to watch for pedestrians.
- CM Hamilton asked about traffic by fish market; Mr. Ball said they are working on better traffic control now including a pedestrian walkway but it will all change again during phase II of construction, which includes construction of 7<sup>th</sup> Street park. New parking and lights should be installed by the holidays. CM Hamilton also encouraged the developers to have vendors hitch up tightly to docks at the fish market so no one can fall between the boats and docks.
- CM Litsky moved to send a letter to DDOT in support the proposed bus management plan CM Garber seconded and it passed 7-0-0 (CM Marrero arrived).

Tim Campbell

- The developers are applying for night permit to do work from 7pm-7am across from Jefferson Academy. They would stop by 5am to avoid rush hour. The work would be utility work, primarily digging dirt. The most noise at the property line could be 55 decibels at night, so cutting concrete and asphalt, jackhammering, and removing debris would happen during the day. This could shave 2-2.5 months off the construction process. DCRA would like a letter of support from the ANC.
- CM Garber asked about lights and was told they could be angled away from any residential properties. CM Moffatt asked who the point of contact would be for complaints about night work and was told that Clark Construction would have a nighttime supervisor and they will give that contact info to the ANC. In addition, Bob Rubenkonig says people can contact him on his cell, and there is a monthly community construction group. CM Carroll asked about rodents on site and if she could get a copy of the abatement plan. Bob Rubenkonig said he would send it to her.
- CM Litsky moved to send letter in support of night construction outside of a 500' radius of residential buildings to DCRA. CM Garber seconded. Karen Anderson of the Gangplank Slipholders' Neighborhood Association noted that liveboards aren't on the map of residential properties shown to the ANC and that sound travels on the water. She was not concerned about this permit in particular but wanted to mention it. CM Garber noted that since DC law requires night permits only be granted when the work will be done more than 500' from residences and liveboards are closer, he can't support it. CM Litsky noted that liveboards are

also residents, and they need more notification at and of meetings regarding the Wharf. CM Carroll moved to table the motion until next month so the developers can provide updated drawings including that include liveboard. CM Garber seconds and the motion to table passed 7-0-0.

- Community questions:
  - Bill Schickler asked about lobsterman statue—it's currently in secure storage at the Channel Inn. It'll be at Market Square when construction is complete. Titanic memorial won't move.
  - Coralie Farlee asked if trees will be replaced in the center island on Maine Ave. She was told there will be landscaping on the island, but it won't all be trees. Sometimes a double row of trees, some other plants. Some of the current trees will be moved to other sites on the Wharf.

#### Tony Albany

- They are moving utilities on Water Street and M Place, which are closed.
- St. Augustine's Church should come down this week or next.
- Copper beech was moved 2 weeks ago and it is healthy. CM Litsky and others witnessed the move and it went smoothly. CM Litsky noted appreciation of Monty Hoffman's efforts on this.

#### Ballpark Square

- This is a site at 1<sup>st</sup> st between M and N SE
- The plan is for 2 buildings with residential and hotel. 325 rental units and a hotel (brand name to be released). There will be a 2-story retail structure as well (no signed leases for retail).
- Construction will probably start sometime in December and take about 2 years. It will require relocation of sidewalk on the west side of 1<sup>st</sup> st. SE for bike/ped access during construction and they are working with DDOT to formulate a plan. CM Garber noted that the bike valet for the Nats is immediately south of the site so there is a need for good bike access.

#### 250 M St. SE

- Kyrus Freeman from Holland and Knight and Matt Ritz from WC Smith requesting 2-yr extension of time to file building permit, with construction needing to start by 9/26/17. There is an approved PUD but they hope the extension will give them time to find a tenant, which will give them access to financing. The plan is to build a 228k square foot LEED Gold office building with 13k square feet of retail.
- CM Garber asked if there's been any consideration to changing the design of the building. They noted that there is 4 levels of parking in the plan and they might consider changing it in the future, but need extension now. He also asked about whether the ANC's letter about retail in Parc Chelsea was received and they said they appreciate the community's input and aren't sure what will happen. CM Moffatt noted the ANC was not sent information about the request before the meeting. CM Litsky asked if they think the office market really will change in 2 years, and they said they think it will, both in DC and in Capitol Riverfront in particular.
- CM Garber moved to support the extension and CM Litsky seconded. Bill Schickler asked everyone to note that density is unsustainable for air quality and transportation. Josh Hart asked if CSX plans would affect construction (they said it will really depend on when and how it happens), and if Parc Chelsea is causing the power outages in the neighborhood (they said they'd investigate). The motion passed 6-1-0 (Moffatt opposed).

#### Museum of the Bible

- David Avitable from Holland and Knight.
- The building was landmarked and HPRB and Commission on Fine Arts approved design. Getting building permits. Now asking for ANC approval of public space plan. They will keep 4 trees: 2 willow oaks and 2 red oaks. Other trees on site are in decline and won't be kept. Plantings alongside building will be removed but a wider planting will occur by the curb. Building entrance will be on 4<sup>th</sup> instead of D st. Bus drop-off spot (1 space) will be on Virginia Ave.
- CM Garber asked about signage; they'll be somewhat limited by CFA. They want to reduce size of curb cut on VA Ave, install canopies and roof structure, and put in ramps and steps to new entrance. Garber asked about bike racks and benches—there will be bike rack near entrance and mounted benches near entrance—both as part of tree boxes and attached to building. There will be a new CaBi station near the metro station and there will be multimeter ticketing on D and Virginia. CM Carroll asked if buses could park in drop-off spot and they said no, and they'll encourage buses to follow the idling law. CM Hamilton asked about enforcement of idling—they said there will be a loading coordinator, and this could be part of their duties. Bill Schickler asked about access for disabled and they said there are ADA-compliant ramps. Bob Hall asked if the main entrance is on 4<sup>th</sup> and wondered how entrances and exits will be managed on busy sidewalk. They said there will be queuing and management of the line. There will really be 2 lines—one from bus drop off and one from metros, so there will be 10 feet of sidewalk beyond the entrance. They worked with DDOT on that. CM Hamilton asked about pedestrian signage and they said they'll look into that so people can find their way to the site. They may try to offer some improvements along 4<sup>th</sup> St. SW but that's really pending what happens at Eisenhower memorial.
- CM Carroll moved to send a letter of support to Public Space Committee before November 20 about curb cut, steps and ramps, glazed canopies, and projection at the top. CM Litsky seconded and it passed 7-0-0.

#### *1244 S. Capitol St. SE (case 14-15)*

- Brian Moll from JBG, Dennis Hughes from Holland and Knight, rep from Eric Colbert design team.
- This project is located in the CR zone, Capitol Gateway overlay. They are seeking support for variance for closed courtyard and a change from 55-ft loading bays to 2 30 foot and 2 20-foot bays. They don't expect more trucks as a result of them being shorter trucks. CM Litsky asked about pod and other multi-load drop-offs and was told they will do a traffic management plan coordinated with tenants, the Nationals, and other stakeholders. Any trucks over 55ft will require special permit on Van St.
- They'll be back to talk about public space plan.
- CM Garber asked if garage-door-style glazing will still happen and they said they'll install standard glazing but they can install the garage doors if lessees want them.
- CM Cloyd moved to send a letter in support of the project to the Zoning Commission, and CM Garber seconds. Bill Schickler noted that the area cannot support so much density. The motion passed 7-0-0 and CM Moffatt said he would testify before the Zoning Commission.

#### *Soccer Stadium Community Benefits Agreement*

- Felicia Coutts, SE/SW Community Benefits Coordinating Committee said they requested a Community Benefits Agreement (CBA) and most of what they asked for was rejected by the District. The CBCC would like a letter from the ANC supporting the CBCC's negotiation of a CBA.
- CM Carroll moved to send a letter of support to Council Chair Phil Mendelson in favor of CBCC's efforts to negotiate a CBA on behalf of the community, in conjunction with the ANC, regarding

the soccer stadium plan on Buzzard Point. CM Litsky seconded. CM Cloyd offered an amendment saying that we don't necessarily support all the details in the CBCC's CBA request, but withdrew it when other commissioners said they felt this letter would just endorsing the CBA process and not the specifics of a CBA. Bill Schickler expressed concern that it will look like the neighborhood supports the stadium when opinions are in fact mixed. The motion passed 7-0-0.

#### **Alcoholic Beverage Committee: Coralie Farlee, chair.**

- There is a DC Council proposal to amend DC laws and regulations to increase penalties for repeated sales to minors, change the rules about existing settlement agreements so they will not be enforced in new locations, and require that managers not be on drugs and alcohol, among other topics. Coralie will attend the DC Council's committee hearing on proposed changes but will not speak on behalf of ANC.
- Jenny's: is moving. ABC recommends that ANC support the move. CM Litsky moved to send a letter in support of the location change. CM Garber seconded and the motion passed 6-0-0 (CM Marrero left before the vote)
  - If the new law passes, their current settlement agreement wouldn't be enforced in the new location. Coralie hopes to bring back a new SA to the November ANC meeting, and notes Jenny's had one offense regarding failure to file a quarterly statement in Feb 2014 and in 2010 they had one sale to a minor. CM Litsky moved to send a letter with recommendation of a stipulated license. CM Hamilton seconded and the motion passed 6-0-0.
- Cornercopia—they are requesting renewal of their existing license, which has a voluntary agreement. They have had no violations throughout their operation. The owner attended an ABC meeting and the ABC recommended renewal. CM Garber moved to send a letter of support and CM Cloyd seconded. Passed 5-0-0 (Hamilton temporarily absent).
- Sun's Gallery—They are located at 600 MD Ave. SW (in Holiday Inn) and have no voluntary agreement. They had a sale to minor in 2010 and got a warning letter. They did not attend 3 different ABC meetings. The ABC's recommendation is to take no action. There was no ANC vote taken.
- No vote was taken on Simply Smiles' request for renewal. There is a new owner who has not come before the ABC. The ABC's recommendation is to take no action.
- No vote was taken on 7-11's request for renewal. They paid a fine for a sale to minor and had their license suspended briefly in 2011 and 2013. They didn't come to the ABC meeting and the ABC recommends no action.
- Coralie noted that the Patriot II is moving to Diamond Teague Park so the ANC may need to vote on their address change in the future. In response to CM Litsky's question, she mentioned that the petition date for the Capitol Yacht Club is 11/24, and the ABC's plan is to bring a proposed VA to the November ANC meeting.

#### **Other Presentations and Motions**

- CM Cloyd moved to send a letter to the DC Commission on Arts and the Humanities giving feedback on their recent 5x5 art installations in the neighborhood. CM Carroll seconded and it passed 6-0-0.
- CM Cloyd moved to send a letter to DDOT about its amended plan for the Circulator. CM Carroll seconded. CM Garber requested that the letter include a request for the Navy Yard to Union

Station Circulator to run after business hours and CM Cloyd agreed. The motion passed 5-0-1 (CM Hamilton abstaining).

**Commission Updates and Administrative Matters**

- Chair’s report: CM Moffatt testified before the Zoning Commission about Forest City’s request for relief from some aspects of its zoning overlay and they were interested in ANC 6D’s request that Forest City add 3+ bedroom units in exchange for greater density. By 11/3 Forest City will send the ANC its plan for this topic so it can be discussed at the next ANC meeting.
- Treasurer’s report: For the Q4 audit, expenditures were just over \$1300 and there is over \$11k in the account. CM Carroll moved to approve the audit, CM Litsky seconded, and it was approved 6-0-0.
  - CM Carroll also noted it is CM Garber’s last meeting and she thanked him for his service to the community. CM Garber thanked the community and the ANC.

**Community Concerns**

There were none.

*The commission adjourned at approximately 9:51p.m.*

*Minutes prepared by Stacy Cloyd*

*Attested by:* \_\_\_\_\_