

Advisory Neighborhood Commission 6D
Minutes of Business Meeting –January 23, 2019
Held at 1100 4th Street SW, Washington DC 20024
Gail Fast, Chair

As approved at the February 2019 meeting

The Commission convened at 7:04 p.m. The following Commissioners were in attendance at the beginning of the meeting: Gail Fast, Ron Collins, Anthony Dale, Rhonda Hamilton, Anna Forgie, Edward Daniels and Andy Litsky (chairing). Administrator Keara Mehlert was also in attendance.

Approval of Agenda

CM Litsky moved to approve the agenda, and CM Hamilton seconded with the following revisions. Addition of 11.i. Letter to DCHA in opposition of their plan to sell some of their public housing properties and removal of 11d. Authorization of CM Litsky to testify before DC Council on Open Competition for Managing Sports Betting in the District. Passed 7-0-0.

Introduction of Commissioners

Approval of Prior Month's Minutes

CM Fast moved to approve the December minutes as revised and CM Collins seconded. Passed 4-3-0 (CMs Dale, Forgie and Daniels opposed).

Meeting Announcements

- CM Dale announced a Community Chat for Wednesday at 7 pm at 222 M Street regarding removal of parking spaces at the bus stop at 4th and M Street SW
- CM Daniels announced:
 - Congresswoman Norton will be holding a Town Hall Meeting on the Shutdown on January 24 from 6 pm – 8 pm at 441 4th Street NW.
 - 6D07's Bi-weekly coffee has been announced on social media.
- CM Litsky announced the free SW Skate Night at the Wharf on February 1 & 2 at 7 pm. It also includes free skate rentals.
- Mikaela Ferrill, MOCR announced:
 - Summer Youth Employment Applications will close on February 16; information can be found at summerjobs@dc.gov.
 - Mayor Bowser has introduced legislation for Zero Interest Loans for Furloughed Employees; information can be found at dchfa@dc.gov.
- Donna Purchase, SWNA, announced the Transportation Summit to be held at the Arena Stage on Monday, January 28th at 7 pm.
- Ashton, Chair of SWNA's Open Space Task Force is looking for volunteers. They will be holding their first meeting this weekend; information will be posted on Nextdoor.
- Vanessa Colbert announced Waterfront Church's Night to Shine will be held at Nats Stadium on February 8th from 6-9 pm.

Announcement - Teacher of the Year

CM Dale moved, CM Hamilton seconded to send a letter to Ms. Kelly Harper recognizing her accomplishment as DC's Teacher of the Year. Passed 7-0-0.

Announcement – Introduction of DC's new Nightlife Mayor

Shawn Townsend introduced himself and gave a brief presentation of his new role as DC's Director of Nightlife and Culture.

Public Safety Report

Captain Dorrrough and Lt. Lavenhouse reiterated the reasoning behind the new redistricting so that Southwest is now in PSA 103 and PSA 105. Capt. Dorrrough also explained the 311 non-emergency system has been reactivated. Residents should still use 911 for all emergencies.

- Crime Stats: in both PSA 103 and 105 the only crime stat on the increase is theft from auto. Residents are reminded to lock their car doors and remove any visible items worth stealing from view.

Races/Runs/Events – Consent Agenda

CM Fast moved, CM Collins seconded to send letters of support to the following: Scope It Out 5k, Race4Respect, Purple Stride and Marine Corps Marathon. Passed 7-0-0.

Presentations and Resolutions

9a. Amidon Field Restoration Project: Cecilia Lane presented an update to the project for the subsoil application and deep tiling of the field. Kickoff was this past November and we are in the Assessment Phase right now. Once we get the results back, we will know the amount of time the field will need to heal. Goal is to complete the project June thru August so as not to interrupt any intramural games played on the field.

9b. Fresh Farm Market: CM Daniels moved, CM Dale seconded to send a letter of support for continuation of the Fresh Farm Market. Passed 6-0-0 (CM Collins absent).

Alcoholic Beverages (ABC Committee Chair Coralie Farlee)

9a. Walters located at 1221 Van Street SE: CM Forgie moved, CM Daniels seconded to approve a new CT with entertainment, sidewalk café and summer garden; and a CA and furniture seating diagram. Passed 7-0-0.

9b. Appointment of At-Large ABC Commissioners: CM Litsky moved, CM Hamilton seconded to appoint the 2 At-Large members, Veronica Locke and James Carroll. Passed 7-0-0.

The following representatives were appointed to the ABC Committee by the Commission.

<i>SMD</i>	COMMISSIONER	REPRESENTATIVE ON ABC COMMITTEE
<i>01</i>	Gail Fast	Mike Repass
<i>02</i>	Anna Forgie	Chris Thiemann
<i>03</i>	Ron Collins	Coralie Farlee
<i>04</i>	Andy Litsky	Travis Johnson
<i>05</i>	Anthony Dale	Melanie Clark
<i>06</i>	Rhonda Hamilton	Gloria Hamilton
<i>07</i>	Edward Daniels	Katherine Brown

Development, Planning, and Transportation

58 units of affordable housing at 50% and 30% of the Area Median Income would have a direct impact on funding for Amidon as DCPS dollars are based on enrollment. Christ United Methodist Church expressed concerns that the retail space would not be inclusive and urged PN Hoffman to market it to small and minority businesses.

CM Dale moved, CM Litsky seconded to support ZC 02-381 on the condition the applicant meet with the Amidon-Bowen PTA within the next ten days and enter into a CBA no later than 30 days thereafter. Passed 7-0-0. CM Fast moved, CM Hamilton seconded to authorize CM Litsky to write and submit the ANC and testify at the Zoning Hearing on January 31, 2019. Passed 7-0-0. CM Fast moved, CM Hamilton seconded to authorize CM Daniels to represent the ANC in the RFP process PN Hoffman will be issuing for the theatre space at 1000 4th Street SW. Passed 7-0-0.

11b. 555 Eye Street SW: City Partners presented an update on their project that is bringing a mixed- use residential building that includes 58 senior affordable housing units at 30% and 50% of AMI. No vote.

11c. Forest City Parcel E/Trapeze School Relocation: Brookfield (formerly Forest City) presented their plan to relocate the Trapeze School. No vote.

11e. 1221 Van Street SE/Walters Public Space Permit: CM Forgie moved, CM Dale seconded to support 1221 Van Street SE/Walters public space application. Passed 6-0-1 (CM Fast absent).

11f. DDOT NOI 18-227 TOA "No Turn On Red": CM Fast moved, CM Litsky moved to amend the letter to DDOT regarding No Turn on Red at the intersection of 6th and I Street SW to remain and to add further analysis at M St and 1st SE. It also requested DDOT add the intersections at 7th and Maine Ave SW and 9th and Maine Avenue SW to the Vision Zero initiative. Passed 7-0-0.

11i. Letter to DCHA to Oppose the Selling of Some of their Public Housing Properties: CM Hamilton moved, CM Litsky seconded to send the letter opposing DCHA's decision to sell some of their public housing properties. Passed 7-0-0.

Election of 2019 Commission Officers

Gottlieb Simon presided over the election of officers. CM Collins moved, CM Hamilton seconded to offer the following slate:

Chair, Gail Fast; Vice Chair, Andy Litsky; Secretary, Rhonda Hamilton; Treasurer, Ron Collins. Passed 7-0-0.


Administrative Matters

President's Report: None

Treasurer's Report: CM Collins moved, CM Dale seconded to authorize \$25.00 for the ANC Security Fund. Passed 7-0-0.

The commission adjourned at approximately 9:59 p.m.

Minutes prepared by Gail Fast

Attested by:  _____



Southwest / Navy Yard / Buzzard Point Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
Suite W 130
Washington, DC 20024
202.554.1795
Email: 6d@anc.dc.gov
Website: www.anc6d.org

January 29, 2019

Jeff Marootian
Director, District Department of Transportation
55 M Street SE
Washington, DC 20003

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Rhonda Hamilton

Treasurer
Ron Collins

Transmitted via email to:
Jeffrey.Marootian@dc.gov
Vision.zero@dc.gov

RE: ANC 6D Comments on NOI #18-227-TOA

Dear Mr. Marootian,

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Anthony Dale*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

At a regularly scheduled and properly noticed public meeting on January 23, 2019 with a quorum being present, a quorum being four (4) Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 7-0-0 to support NOI #18-227-TOA with the following comments.

Further Analysis Needed at M Street SE and 1st Street SE

ANC 6D is requesting that prior to placing No Right Turn on Red signs at the intersection of M Street SE and 1st Street SE, DDOT share with ANC 6D an assessment of their analysis of the traffic flow and pedestrian volume when there **IS** and Nationals game and when there **IS NOT**. ANC 6D knows that the intersection behaves differently on game days than on non-game days and is requesting to see the data to support the No Right Turn on Red.

Additional Intersections Needed to Be Included in Vision Zero

1. **Intersection at 9th Street SW and Maine Avenue SW:** Pedestrians using the Banneker Steps, the 10th Street Overlook and 9th Street all converge at 9th and Maine Ave. The pedestrian activity peaks after an Anthem show has ended as attendees make their way to L'Enfant Plaza or catch a taxi, Uber or Lyft. Placing a No Right Turn at this intersection would prohibit cars from turning on to Maine Ave and allowing pedestrians to safely cross a very busy intersection.

2. **Intersection at 7th Street SW and Maine Avenue SW:** Pedestrians coming from – or going to - the L’Enfant Plaza metro and Southwest residents, many who are seniors, all use 7th Street to access the Wharf. Bus Stop #1003904 is also located at 7th Street and Maine Ave. The intersection, which is busy throughout the day and especially on weekends and evenings, has a right-turn arrow however vehicles continue to make a right turn once the light has turned red. The current signalization is not long enough to allow pedestrians to cross safely so they dodge cars as they make their way across the street. Placing a No Right Turn at this intersection would be consistent with Vision Zero and increase pedestrian safety and mobility.
3. **Intersection at 7th Street SW and I Street SW:** If the factors and criteria are complexity of the intersection, level of pedestrian activity, potential for significant conflicts and proximity to pedestrian generators such as a school, then the intersection at 7th Street SW and I Street SW qualifies for a No Turn on Red.

Should you have any questions, please contact me at 6d01@anc.dc.gov or 202-554-1795.

Sincerely,



Gail Fast

Chair, ANC 6D

Southwest, Navy Yard, & Buzzard Point



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
Suite W 130
Washington, DC 20024
202.554.1795
Email: 6d@anc.dc.gov
Website: www.anc6d.org

January 25, 2019

Charles Harr

Charles.Harr@usmc-mccs.org

OFFICERS

Chairperson

Gail Fast

Vice Chairperson

Andy Litsky

Secretary

Rhonda Hamilton

Treasurer

Ronald Collins

RE: Marine Corps Marathon – October 27, 2019

Dear Mr. Harr,

At a regularly scheduled and properly noticed public meeting on January 23, 2019, 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.

COMMISSIONERS

SMD 1 *Gail Fast*

SMD 2 *Anna Forgie*

SMD 3 *Ronald Collins*

SMD 4 *Andy Litsky*

SMD 5 *Anthony Dale*

SMD 6 *Rhonda Hamilton*

SMD 7 *Edward Daniels*

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

Sincerely,

Gail Fast

Chair, ANC 6D

Southwest, Navy Yard, & Buzzard Point



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

January 25, 2019

1101 Fourth Street, SW
Suite W 130
Washington, DC 20024
202.554.1795
Email: 6d@anc.dc.gov
Website: www.anc6d.org

Jeff Ruday

jeff@jeffruday.com

RE: PurpleStride 5k – June 8, 2019

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Rhonda Hamilton

Treasurer
Ronald Collins

Dear Mr. Ruday,

At a regularly scheduled and properly noticed public meeting on January 23, 2019, 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 constituents of your upcoming event and working to minimize potential disruption of vehicle and pedestrian traffic within our neighborhoods. The Commission wishes you much success with the event.

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Anthony Dale*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

Sincerely,

Gail Fast
Chair, ANC 6D
Southwest, Navy Yard, & Buzzard Point



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

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January 25, 2019

Jeff Ruday

jeff@jeffruday.com

OFFICERS

Chairperson

Gail Fast

Vice Chairperson

Andy Litsky

Secretary

Rhonda Hamilton

Treasurer

Ronald Collins

RE: Race4Respect – June 1, 2019

Dear Mr. Ruday,

At a regularly scheduled and properly noticed public meeting on January 23, 2019, 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.

COMMISSIONERS

SMD 1 *Gail Fast*

SMD 2 *Anna Forgie*

SMD 3 *Ronald Collins*

SMD 4 *Andy Litsky*

SMD 5 *Anthony Dale*

SMD 6 *Rhonda Hamilton*

SMD 7 *Edward Daniels*

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

Sincerely,

Gail Fast

Chair, ANC 6D

Southwest, Navy Yard, & Buzzard Point



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

January 25, 2019

1101 Fourth Street, SW
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Julie Hanson

hpeventsd@gmail.com

OFFICERS

Chairperson

Gail Fast

Vice Chairperson

Andy Litsky

Secretary

Rhonda Hamilton

Treasurer

Ronald Collins

RE: Scope it Out 5k – March 31, 2019

Dear Ms. Hanson,

At a regularly scheduled and properly noticed public meeting on January 23, 2019, 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.

COMMISSIONERS

SMD 1 *Gail Fast*

SMD 2 *Anna Forgie*

SMD 3 *Ronald Collins*

SMD 4 *Andy Litsky*

SMD 5 *Anthony Dale*

SMD 6 *Rhonda Hamilton*

SMD 7 *Edward Daniels*

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

Sincerely,

Gail Fast

Chair, ANC 6D

Southwest, Navy Yard, & Buzzard Point



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
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January 25, 2019

Matthew Marcou, Associate Director
District Department of Transportation
55 M Street SE, 3rd Floor
Washington, DC 20003

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Rhonda Hamilton

Treasurer
Ronald Collins

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Anthony Dale*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

Transmitted via email

RE: FRESHFARM's Capitol Riverfront Farmers Market Public Space Permit

Dear Mr. Marcou,

At a regularly scheduled and properly noticed public meeting on January 25, 2019 with a quorum being present, a quorum being four (4) Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 6-0-0 in support of the renewal of a public space permit for FRESHFARM for the Capitol Riverfront Farmers Market in order to stage the 2019 Capitol Riverfront Farmers Market on Sundays from May through October.

Should you have any questions, please contact me at 6D01@anc.dc.gov.

Sincerely,

Gail Fast
Chair, ANC 6D
Southwest, Navy Yard, & Buzzard Point



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
Suite W 130
Washington, DC 20024
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January 28, 2019

Anthony Hood, Chairman
Board of Zoning
441 4th Street, NW,
Washington, DC 20001

OFFICERS

Chairperson
Gail Fast
Vice Chairperson
Andy Litsky
Secretary
Rhonda Hamilton
Treasurer
Ronald Collins

VIA E-MAIL: zcsubmissions@dc.gov & IZIS

RE: Report of ANC-6D on ZC Case # 02-38J

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Anthony Dale*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

Dear Chairman Hood & Members of the DC Zoning Commission:

At a regularly scheduled and properly noticed public business meeting on January 23, 2019, with a quorum being present, a quorum being four Commissioners, Advisory Neighborhood Commission ("ANC") 6D voted 7-0-0 for a motion of support on ZC Case 02-38J for the plans presented the Applicant on the condition that they meet with the Amidon-Bowen PTO within the next ten days and enter into a CBA no later than 30 days thereafter. At that same meeting, the ANC also voted 7-0-0 to authorize Commissioners Litsky, to testify on behalf of the ANC at the Zoning Commission hearings.

Accordingly, the ANC ANC-6D is pleased to submit its Report on ZC Case No 02-38J for the Second Stage PUD Application for 1000 Fourth Street, SW and urges the Commission to provide great weight to our comments as you deliberate this case.

Overall, ANC-6D is very pleased with what has been proposed by the Applicant and believes that the project is consistent with the Southwest Neighborhood Small Area Plan and is an appropriate final puzzle piece that will complete the larger Waterfront Station development comprising our Southwest Town Center. It has been a long time coming.

Affordable Housing

The ANC is particularly pleased that the Applicant is going well beyond the first-stage PUD by providing significantly deeper levels of affordability and duration. Thirty percent of the units are set aside as affordable. For the first fifty years, of the project the Applicant will set aside half of those affordable units at 30% MFI and half of those units at 50% MFI. After those fifty years and for the remainder of the ground lease the Applicant will set aside 25% of affordable units at 30% and 75% of the units at 50% MFI.

The ANC would appreciate if the Applicant would give some additional thought to making at least a portion of those affordable units larger than two bedroom. As our ANC has long affirmed healthy neighborhoods must accommodate families and many families require larger units. Our Commission would be grateful if such an accommodation could be made to provide three bedroom units, a percentage of them affordable.

Architecture and Materials

The ANC is pleased with the overall design of the project. In particular, we applaud that the Applicant listened to the ANC and OP by adding balconies to the both the north facing and west facing units. These are no mere architectural embellishments. Balconies significantly enhance the quality of life for residents occupying those apartments. They also improve public safety by placing more eyes on the street. This is precisely the kind of people-centric architecture that helps create a greater sense of community.

The ANC also hopes that these balcony units will be made available, in proper percentages, as part of the number that will be set aside for affordable housing. All boats must be lifted.

The ANC has approved the designs -- on paper -- for the materials but eagerly anticipates seeing a materials board when it is presented at the Zoning Hearing.

Parking and Loading

There is no question that parking and loading is going to be tight at this site. Not only will it need to accommodate residents at 450 apartments but 150-200 nightly theater patrons and, to a lesser extent, patrons of whatever neighborhood restaurant will be situated at the corner.

The ANC has had continuing discussions with the Applicant about how they will manage pick up , drop off and transit through the private drive to their garage for 175 AppleTree parents each morning and afternoon. We would appreciate a broader discussion from the Commission and DDOT representatives to ensure that what is planned will be adequate both architecturally and operationally. Since AppleTree itself has not been part of any of our discussions, we have been depending only upon the Applicant's representation of the daily operations at a facility that will need to safely handle transit of nearly 175 very young children none of whom walk to school themselves. Further, the Applicant has stated that the AppleTree operation will be during "usual school hours." However, a search of the AppleTree website shows that the following operates in Southwest,

"AppleTree Schools offer an Extended Day program Monday- Friday from 3:30 pm – 6:00pm. Our Extended Day program aligns with our mission to close the achievement gap for children before kindergarten, while supporting the social, emotional, and cognitive development of young children."

What is being provided at this proposed facility and during what hours needs to be further clarified since extended hours definitively alter the original operation and traffic patterns presented on the private drive and may clash with the ease of residential and commercial entry to and exit from the building through the garage. Further, it would seem that this would also eliminate daytime hours that would be made available for SW kids to use the playground equipment on this private way. If school runs until 6:30pm, it would appear as though the 3,000 sf playground area would be available **only** on weekends and holidays. If that is the case, this is not a community amenity but a public irritant. If anything, this arrangement removes a good deal of potentially active public space and keeps it under private control. ANC-6D is not ready to buy into that paradigm at all. Questions remain.

Landscaping and Streetscaping

Most of the ANC's discussions about streetscape revolved around the private drive and its multitude of uses. The ANC would appreciate hearing more of what the Applicant proposes in the design of the

private street itself as well as what DDOT would recommend to ensure that the physical paving and design will provide a space and surface that will safely accommodate pick up and drop off many pre-school children during a school day that may extend well beyond “usual” school hours, potentially conflicting with other early evening uses.

The ANC is pleased that we have received verbal commitments from the Applicant to support and participate in planning of a major SW Neighborhood initiative, funded by a grant of \$250,000 from the Southwest Community Foundation and managed by the SW BID, to link Southwest parks from the Duck Pond to Lansburgh Park. As this “link” will run directly adjacent to the Applicant’s property on the north, connecting public spaces on Fourth Street to the library park and beyond, we look forward to their input and active involvement.

Bicycles

The ANC is pleased that there is considerable secured bike parking in the building. More bike parking is always encouraged and now that Southwest has been on the receiving end of multiple bike thefts in many of our high rise communities, we hope that the Applicant’s security plan will be robust and well defined.

We are also pleased that the Applicant has accepted DDOT’s recommendation that, as a consequence of their build, they will incur the cost of a new Capital Bikeshare station close to the property. While DDOT and DPR have been in discussions about precisely where this is to be located, the ANC has had little involvement. We wish to ensure that before making a precise determination about placement, that they share any data they have on demand levels for our area with the ANC and collaborate with us before selecting a precise location.

Retail

From the beginning of this process, ANC-6D stated its support for the PN Hoffman plan – above those of three competing developers that had been presented to the SW Community as options by DMPED - - because of the neighborhood retail plan that they promised to provide. In particular, our Southwest neighborhood embraced an additional theater and especially a diner. These exactly fit with our need to both expand our neighborhood’s brand as an arts and cultural destination as well as return affordable breakfast/lunch/dinner dining to our Neighborhood’s Town Center.

Accordingly, and after significant discussion with the ANC, the Applicant send the following wording in a memorandum to our Commission stating that is to be included in the Zoning Order to clarify their intent in this matter. We believe that the timing issues must have prevented it from appearing in their pre-hearing submission and we wanted to ensure that it included as part of the record and also included within the final zoning order.

RESTAURANT USE CONDITION TO PUD ORDER

For the first two (2) years following the issuance of the initial construction permit for the project that is the subject of Z.C. Case No. 02-38J, the Applicant shall reserve no less than 3,000 square feet of ground floor space (the "Restaurant Space") for one or more restaurant operators (i) serving breakfast, lunch, and dinner, and (ii) with typical hours of operation beginning at no later than 7:00 a.m. daily (together (i) and (ii) being the "Preferred Restaurant Use").

In the event the Applicant has not secured a tenant for the Restaurant Space satisfying the foregoing Preferred Restaurant Use requirement by the date that is one (1) year from the issuance of the initial construction permit to commence work for the project, provided the Applicant demonstrates that it has used best efforts to lease the Restaurant Space to a tenant satisfying the Preferred Restaurant Use requirement, then notwithstanding anything to the contrary contained herein, the Applicant shall reserve Restaurant Space for any restaurant use permitted under the Zoning Regulations.

In the event that the Applicant has not secured a tenant for the Restaurant Space satisfying the foregoing restaurant use requirement by the date that is two (2) years from the issuance of the initial construction permit to commence work for the project, provided the Applicant demonstrates that it has used best efforts to lease the Restaurant Space to a tenant satisfying the Preferred Restaurant Use requirement, then notwithstanding anything to the contrary contained herein, the Restaurant Space requirement shall be no longer applicable and the Restaurant Space may be used for any lawful use permitted under the Zoning Regulations.

Impact on the Library

Over the course of the next two years DCPL will have completed a brand new free standing public library that the SW Community has long sought. The ANC anticipates that the addition of residents living in the 450 units in the 1000 Fourth Street Building will add many additional patrons who will use the library and its services. That is a goal that we all embrace.

The ANC also recognizes that placing AppleTree directly across Wesley Place from the brand new Southwest Public Library provides an irresistible enticement to the school so that they may consider – and use -- our new Southwest library as part of their campus. **It is not.** Until we can reach an understanding of how AppleTree anticipates running their operation, we cannot ensure that AppleTree will not place an undue burden on staff and resources at what is now and will become an even more a very active facility.

Why the condition?

When the notion of an AppleTree venue at this site was put before the ANC during initial conversations with the Applicant, we were surprised because nowhere in any of the previous iterations did an enterprise of this nature arise as even the faintest of possibilities. We (both the ANC and the Community) *were* sold however -- as the Applicant stated in their pre-hearing submission -- on PN Hoffman. What sold us was that they put forward a plan with very significant affordable housing that contained a theater and an affordable breakfast/lunch/dinner restaurant right in the heart of our community. It met three major needs that we'd expressed for a very long time and added a note of completion to our ever evolving Southwest Town Center. A charter school – or any other educational institution for that matter -- was never in that mix of options that we initially embraced.

When the Applicant met with the ANC prior to set down, we clearly instructed PN Hoffman to reach out to the Amidon-Bowen staff and PTO leadership to ensure that they understood precisely what was being proposed. This case was set down in May, 2018. It was disheartening to learn that Amidon PTO was never contacted until very late in the game, a distinctly different approach from the exemplary community outreach efforts that the Applicant had made as part of their Wharfs I and II projects.

And while ANC-6D has had contact with several potential “suitors” interested in occupying the theater space and we twice met with the prominent leasing agent to assure us that over the course of the construction and for some time beyond there would be more than adequate time to develop a plan to provide a diner-like restaurant on the property, at no time did the Applicant ever provide AppleTree to meet with the ANC.

Indeed, AppleTree itself has never reached out to ANC-6D during this discussion nor, as a matter of fact, during the entire time that they have occupied space in our community – first at Riverside Baptist and now in trailers on the campus of Jefferson Middle School -- except to insist sometime last fall that the city remove significant residential parking adjacent to their location for pick-up and drop off on Seventh Street. Never have they attended an ANC meeting, nor to my knowledge, a civic association meeting. They may provide educational services in Southwest, but they have made no

effort at all to be part of the Southwest neighborhood. It concerns us that they now may be provided such a prominent placement at our Town Center.

More to the point, ANC-6D had always been led to believe that AppleTree was a fait accompli. A done deal. It wasn't until the ANC directly questioned the Applicant at our public meeting on January 23 that they admitted that no lease had ever been signed. Perhaps had this been made more clear, we'd have been more insistent having AppleTree at the table to answer our questions.

Further confusion has been sown by the AppleTree website which states:

*“AppleTree Southwest must vacate the Jefferson Middle School Academy site and remove our modular classrooms on or before July 31, 2019, in order for the modernization of Jefferson Middle School Academy to continue on schedule. A potential new site less than a mile from our current site has been located. **We are optimistic we will be able to welcome students to our new Southwest home in August of 2019; however, we still very early in the process and a lease/purchase agreement has not been secured.**”* [Bolding by the ANC for emphasis]

The ANC needs to understand what AppleTree means when they refer on their own website to a new Southwest home that they will occupy in **August 2019**. And where is that going to be – precisely? More specifically, we seek to clarify their mention of a “lease/purchase agreement,” considering that any space that the Applicant has spoken about with the ANC has only been in terms of a lease for a given period of time. Is this to become a retail condominium? If so, how may AppleTree's rights and privileges be different in this new arrangement? How does any such ownership and control of their space impact the understanding that the ANC has developed with the Applicant about how the site will be activated and maintained? AppleTree's own website seems to be at odds with what we understand to be so.

It would be an understatement to say that ANC-6D and our Community is strongly supportive of Amidon-Bowen Elementary, the District of Columbia public elementary school serving 350 students from PrK3 through grade five. **It is the last remaining public elementary school in Southwest.**

Amidon-Bowen is a hub of community activity in our neighborhood with participation by our residents in tutoring programs, fund raising, coaching, clean-ups and ensuring safe routes to school

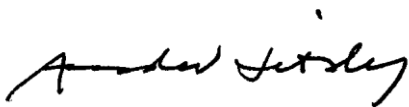
through our rapidly developing neighborhood. Southwest was thrilled this November that Mayor Bowser presented the 2019 DC Teacher of the Year Award to Amidon-Bowen's own 3rd grade teacher, Ms. Kelly Harper. And just this week we learned that Amidon-Bowen has the best girls track team in the District. Go Tigers!!

We want to make it clear that ANC-6D makes no distinction between a charter schools and DCPS. Each has its place in our educational system. However, in our community – as in many communities – it's the local neighborhood schools that have the most lasting and significant impact. They dramatically contribute to community stability, desirability and growth. Here in Southwest it is so with Amidon-Bowen --- and Jefferson.

It is also clear that Amidon-Bowen and AppleTree are not *really* in direct competition with each other. AppleTree serves 3 and 4 year olds and Amidon-Bowen pre-K through fifth grade. But there is a palpable concern among Amidon-Bowen parents that AppleTree tends to steer parents whose children graduate their school to attend other charter schools with which they may have relationships. If Southwest kids are to be steered anywhere once they are graduated from AppleTree it ought to be directly across the street to their local community school.

So it is, that the ANC has strongly suggested that the Amidon-Bowen PTO and PN Hoffman work together to develop a Community Benefits Agreement. ANC-6D looks forward to some positive written understanding as a result of those discussions over the course of the next several weeks. Perhaps during that time, AppleTree will also reach out to ANC-6D to answer some of the questions that we've raised in our report.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Litsky". The signature is fluid and cursive, with a small dot above the 'y'.

Andy Litsky

Commissioner, ANC-6D04

At the Direction of ANC-6D



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

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January 24, 2019

Ms. Kelly Harper
401 I Street SW
Washington, DC 20024

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SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

WHEREAS, Ms. Harper has served as a third-grade teacher at Amidon-Bowen Elementary School for over six years; and

WHEREAS, Ms. Harper has inspired the hearts and minds of children, and is known for always going the extra mile to build every child; and

WHEREAS, Ms. Harper is a role model for our children who says her greatest mission is to empower her students to become change-agents in their neighborhoods and the world; and

WHEREAS, On November 5, 2018, Mayor Bower presented Ms. Harper with the District of Columbia's 2019 Teacher of the Year Award; and

WHEREAS, Ms. Harper has now been selected as one of four finalists for the 2019 National Teacher of the Year; that

THEREFORE, at a duly noticed public meeting of ANC6D, the Commission resolved by a vote of 7-0-0 to recognized Ms. Kelly Harper's accomplishments and dedication to the children of Southwest.

Sincerely,

Gail Fast
Chair, ANC 6D
Southwest, Navy Yard, & Buzzard Point