

Please note: In addition to the text and vote counts of the official actions taken by the Commission, these minutes may contain summaries of comments that were made and discussions that took place at the meeting. Such summaries are not intended to be a verbatim account of the meeting.

**Advisory Neighborhood Commission 1C  
Adams Morgan  
Minutes of October 1, 2014**

**I. Call to Order and Introduction of Commissioners**

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held on October 1, 2014 at Mary's Center. Chair Simpson called the meeting to order at 7:01 pm. Over 85 members of the public attended. In attendance were Commissioners Brian Hart (1C01), Martis Davis (1C02), Ted Guthrie (1C03), Gabriela Mossi (1C04), Billy Simpson (1C06), Wilson Reynolds (1C07), and Jimmy Rock (1C08).

**II. Officers' Reports**

**a. Chair's Report**

Chair Simpson had nothing to report.

**b. Secretary's Report**

Secretary Guthrie reported that the vote on the September minutes were recently posted on the ANC 1C website but asked that the vote to adopt those minutes be held at the November meeting in order to give people more time to read them.

**c. Treasurer's Report**

Treasurer Dehbozorgi was out of town. Chair Simpson made a procedural motion to include on the agenda a vote to approve funding for materials to promote Envision Adams Morgan without the typical two-weeks advance notice on the grounds that it would not be adverse to the community to do so. Commissioner Davis seconded this procedural motion and reported that residents have filled out more than 300 surveys about the future of Adams Morgan thus far, but he would like to have 1000 completed surveys. Commissioner Davis also noted that the American Planning Association included Adams Morgan in its Great Neighborhoods list for 2014. The Commission voted to pass the procedural motion by a vote of 5 to 0. (Commissioners Hart and Mossi had not yet arrived.)

Commissioner Davis then moved to provide \$350 in funding for materials including posters and surveys to complete the survey portion of the Envision Adams Morgan project over the next six to nine months. Commissioner Simpson seconded the motion that then passed unanimously by a vote of 6 to 0. (Commissioner Mossi had not yet arrived.)

**III. Commissioner Announcements/Comments**

- Commissioner Davis announced that the next meeting of the Public Services and the Environment Committee would be on October 22.
- Commissioner Rock announced that the Planning, Zoning, and Transportation Committee would meet on October 15.
- Commissioner Hart announced that the ABC and Public Safety Committee would meet on October 8.
- Commissioner Reynolds announced that current visitor parking passes were set to expire at the end of September, but the District Department of Transportation has extended them until the end

of the year. A new process for getting the visitor parking passes will be posted on the DDOT website.

#### **IV. Public Announcements / Comments**

- Kristen Barden, Executive Director of the Adams Morgan Partnership BID, announced that Porchfest would be taking place on Saturday October 18 with music at sixteen locations throughout Adams Morgan.

#### **V. Upcoming Meeting Agendas for October**

Chair Simpson announced that agendas for the October Committee meetings could be found on the back of the agenda for this meeting.

Commissioner Guthrie noted that consideration of a revised settlement agreement with Pop's Sea Bar would be added to the agenda for the next ABC and Public Safety Committee meeting.

Commissioner Rock added consideration of permanent structures in public spaces to the agenda for the next Planning, Zoning, and Transportation Committee meeting.

#### **VI. Scheduled Business**

##### **a. Public Services and the Environment**

##### **i. Line DC Hotel Tax Abatement**

Chair Simpson noted the tension surrounding discussion of the Line DC Hotel tax abatement and said that everyone who wants to speak would be given a chance to do so.

Commissioner Davis moved that ANC 1C seek repeal of the \$46 million tax abatement awarded to the developers of the Line DC Hotel in December 2010 because conditions involving union jobs that he considers to have been previously agreed to by the developers have not been fulfilled. Commissioner Reynolds seconded the motion.

Commissioner Reynolds provided background materials on the issue including: two drawings showing the original proposed height for the hotel and the revised, lower height; the ANC 1C resolution passed in 2010 listing conditions for support; a December 20, 2010 Marriott letter regarding financing; a June 2012 email from Brian Friedman to Commissioner Reynolds informing him that Marriott had withdrawn from the project; the provision from DC's 2011 supplemental budget regarding the hotel tax abatement; and, the 2013 budget provision lowering the number of jobs the hotel was required to provide in order to obtain the tax abatement.

Chair Simpson opened the discussion to comments from the public, limited to two minutes per person, and urged people to clearly state whether they agreed or disagreed with the proposal to remove the tax abatement.

##### **Public Comments**

- Nigel Okunubi, Director of the Adams Morgan Youth Leadership Academy (AMYLEA), expressed his view that the developers have fulfilled the promises they have made thus far; that the hotel will provide needed jobs for AMYLEA members and others; and that he wants the project to go forward.

- Clara Hargrove said she has lived here since she was a young girl, but she can no longer afford to live in this community. She said the jobs promised by the hotel developers are needed to keep a balance in this community.
- Another resident said the developers' agreement to work with AMYLA will provide youth development and provide a way to invest back into the community. This resident was against the proposal to remove the hotel's tax abatement.
- A resident born and raised in northwest DC said the hotel project is vital to the community; it will help visitors to feel safe here and residents to find employment here; and this resident was therefore against the proposal to remove the tax abatement.
- Another resident asked whether the jobs provided by the hotel would be just for Adams Morgan residents and whether employment requirements pertained only to construction jobs or whether they would continue with jobs once the hotel is in operation. Chair Simpson answered that the tax abatement provided employment requirements for both construction and permanent jobs at the hotel following the First Source Employment requirements for hiring DC residents and goes further to reserve some of those jobs for Ward 1 residents. The resident asked how these requirements would be enforced. Chair Simpson answered that there are reporting requirements under the First Source rules.
- Regina Walsh said as a single parent who was born and raised here she finds that residents need to make enough money to live here; that the developers promised this would be a union hotel; and that the developers don't need the tax abatement if they are not going to keep that promise.
- David Burke, a 20-year resident of DC, spoke in favor of the hotel tax abatement. He said that the hotel has to be built first in order to provide jobs and if it is not built there will be no taxes to abate. He added that after seven years of discussing this project it is too late to go back and try to kill the project because one area does not meet expectations.
- Jean Stewart said she has lived in Adams Morgan for 44 years. She said that the jobs that are promised at the hotel will be low-wage, dead-end jobs and those holding them would not be able to live in Adams Morgan now.
- Another resident asked why nothing has started moving forward on the hotel. There were no hotel development representatives present to answer that question.
- Benedicte Aubrun expressed her view that the developers don't need the money to move forward with the project and that the abatement should be removed because the developers are cutting the number of employees in half and they are not going to be union jobs.
- Bonnie Roberts said she has lived here 25 years or so and she is not sure if the hotel developers would go forward with the project without the tax abatement. She said the debate has been going on too long and that she believes the hotel will be good for community. She noted that the DC Council had approved the tax abatement without union conditions; that the abatement is not permanent; that she would like to see local businesses benefit from this

project; and that she is concerned that removing the tax abatement would jeopardize the project.

- Another resident who has lived in the neighborhood since 1975 said the hotel will be important for Adams Morgan and that it should have been built three years ago. He owns a business that provides jobs for 24 people and would welcome the new jobs the hotel will bring.
- Former ANC Commissioner Ed Jackson said he thinks the hotel is a positive project that will help provide jobs for young people.
- John Boardman, of the Local 25 union, said that those who support the hotel's tax abatement without further employment agreements are selling themselves short. He said the \$46 million tax abatement was based on a deal with Marriott for good-paying union jobs and that ignoring those promises gives developers a windfall without asking anything in return and contributes to inequality. He said that the tax abatement was based on calculations that included fair treatment of workers and compared this project with the Marriott Marquis downtown that provides over 500 union jobs with a defined benefit pension plan.
- Charles Boone said he was at the meeting when the developers made promises but the written documents do not set wages. He said he agrees that we need jobs and he was in favor of the hotel, but the only way to protect the resulting jobs is through unions.
- Mary Jane Owen said that the abatement passed by the City Council was done at the last minute and not carefully thought out because it was considered an emergency that has yet to unfold. She said she supports Commissioner Davis' resolution wholeheartedly and believes that we don't need to give the developers so much money in tax abatement if they won't honor their promises.
- Ruth Eisenberg, who lives on Euclid Street NW, said she does not support the tax abatement if the developer can just get out of promises made.
- Hollis Hilton, a long-time resident, said he supports the hotel, but also supports good-paying jobs which will require a union. He said you need a decent salary to live in this neighborhood and people have lost their homes because they can't afford to live here anymore.
- Chanda Olson, who works at the Washington Hilton hotel, spoke in support of union jobs saying that they come with good pay and good benefits.
- Arianne Bennett, owner of the Amsterdam Falafelshop on 18th Street NW, said she is in favor of people getting a fair wage to live, but she thinks no one at the meeting knows what is on the balance sheet for the hotel and whether the tax abatement is necessary to get the hotel open. She said that if the abatement is needed, then it is important not to pull that piece out. She said pressure can be added other ways to get union jobs and added that her small business can't make it without more traffic, but if she gets more business she can hire more people, too.

- Hussein Asadi, who has lived here since 1984, said he has no sympathy for the developers. He believes they are breaking their promises and if they get away with it other developers will, too. He supports removing the tax abatement.
- Josh Segal, who has lived on Columbia Road for 3½ years, said he has held numerous jobs at hotels – both union and nonunion – and finds that nonunion businesses have more agility and added that labor laws now provide more protection for workers than existed before there were unions. He said he is against taking away the tax abatement which has given developers the opportunity to help develop the neighborhood.
- Another member of the public spoke in support of good-paying jobs, but said that even union jobs that pay \$20 an hour are not enough to afford to living in this neighborhood.
- Denis James, president of the Kalorama Citizens Association and Adams Morgan resident for 44 years, noted that KCA passed a resolution opposing the tax abatement. He said developers don't need gifts to come to DC and that it would send an important signal for ANC 1C to say this was a mistake because the developers are not living up to what they said they would do.
- Al Jirikowic, a long-time resident, said it is disingenuous to bring this up now. He said Marriott knew from the beginning they couldn't pay union wages in a small hotel. He said the community desperately needs the hotel and jobs are needed first to begin the struggle.
- Margaret Jackson, spoke about the benefit that the Adams Morgan Youth Leadership Academy (AMYLEA) and Jubilee Housing will gain from the hotel.
- Former ANC 1C Commissioner Steve Lanning said that it is important that employment issues were included in the ANC resolution in support of the hotel and it is also important that the new jobs are union in order to guarantee good-paying jobs. He said the ANC has to hold the developers feet to the fire, just like they did on the height issue. He said the current Commissioners have a chance to improve the quality of life of the workers.
- A resident of a small section 8 coop near the hotel expressed concern that their rent and property values are going to go up. The resident said that with a peace labor agreement at least you have the opportunity to develop a union and questioned whether the workers would be able to form a union if an agreement is not in place at the beginning.
- Scott Bennett, owner of the Amsterdam Falafelshop on 18<sup>th</sup> Street NW, said he once brought a union into a factory where he once worked, and it doesn't have to be done in the beginning. He said the jobs have to be there first.

### **Comments of Commissioners**

Commissioner Simpson said he was in attendance (not as a Commissioner) at the meeting in 2010 when the ANC first considered the hotel proposal, and he joked that the community appears to be as equally divided now as it was then. He said he advocated at that time that the tax abatement should be smaller, but the Commission as then constituted did not agree with him or with others who expressed similar views. He noted that this is a challenging issue for him

because it pits two competing values against each other. He said he understands the importance that unions can have for families since his father was in a union, but he also values the importance of the rule of law and due process when the government acts. He said that the law that was passed allowing the tax abatement created conditions regarding local hiring, but did not create conditions regarding union hiring. Accordingly, he said he felt it would be inappropriate to go back after the developers have been relying on the law for four years, and change the conditions now.

Commissioner Guthrie said he agrees with Commissioner Simpson. He said he wasn't in favor of the hotel to begin with, and he thinks the City Council erred by not including a union requirement in the tax abatement provision. But he said that the developers are entitled to the tax abatement if they meet certain conditions. He said he is in favor of this being a union hotel and will be on the picket line with the workers petitioning for a union, but the ANC has to play fair. Therefore, he said he would be voting against Commissioner Davis' resolution.

Commissioner Davis said he comes from a different time, having moved here in the 1960's. He said Commissioner Steve Lanning put this employment provision in the ANC 1C letter of support and we need to make the demand for market wages and get it agreed to in writing.

Commissioner Reynolds cautioned the leaders of AMYLA that without union jobs the graduates of their program will have to settle for jobs with hourly wages in the teens not twenties with no sick leave and no vacation. Commissioner Reynolds also reported that he called the Office of the Chief Financial Officer to ask whether the Council can take back the abatement. He noted that the legislation had 7 votes in the Council, but what was voted in can also be voted out. However, he announced that he would be voting against the Commissioner Davis' resolution because taking away the abatement would be a punitive measure since a requirement for union jobs was not in the abatement legislation. He said he agrees with those who say this hotel has to go forward.

The Commissioners then voted on Commissioner Davis' motion to seek removal of the tax abatement which failed by a vote of 1 to 6.

Commissioner Reynolds introduced a motion to seek to reduce the tax abatement by 20 percent because the current plans are for a smaller hotel than the original plans. He said the smaller hotel will be cheaper to build and operate and said the developers are still gaining a windfall because they will not be paying union wages. Commissioner Davis seconded the motion.

Commissioner Reynolds said that developers said the original 10 story hotel would be a \$100 million project. He said now 2 floors have been taken away, so with the smaller building and the nonunion wages, there should be money left over.

Arianne Bennett commented that dropping 2 floors might not reduce costs by 20 percent because there are other costs such as the foundation, electrical, or costs that are difficult to quantify by floor.

Chair Simpson asked whether anyone in the room who has changed their view in light of the new proposal would like to speak. Additional comments were in order only for those who had opposed Commissioner Davis' proposal but now favored Commissioner Reynolds' proposal.

John Boardman agreed that the value of project is less and so the abatement should be proportionately less and suggested that the motion be tabled until a process for determining the differential could be agreed upon. John Boardman also questioned whether financing has been secured for the hotel.

Eric Clifton said he was in favor of getting rid of the abatement but changed his view and would support Commissioner Reynolds' proposal. He said the amount of the abatement was only an estimate to begin with.

Chair Simpson noted the Commission understood that those in the room who had previously expressed their views either in favor of or against Commissioner Davis' motion were likely to hold the same views either in favor of or against Commissioner Reynold's motion. Accordingly, new comments should be limited only to those who had fundamentally changed their minds or else had not previously had an opportunity to speak.

Ian Elder, a research analyst for the Local 25 union, said he did the analysis on the difference between what the hotel would pay for union and nonunion wages based CBRE calculations. He said the amount the hotel would save by not paying union wages is greater than the amount of the tax abatement and the developers should be able to open the hotel without any abatement.

Commissioner Simpson noted that when the height of the proposed hotel came down, most of the rooms were shifted to wings on the side and accordingly it may not ultimately be a significantly cheaper building to build.

Commissioner Mossi said she is all for fair wages and wants to do what will best serve the community. She said the Commissioners have dedicated many hours of their time to get the best deal, but unfortunately some of what they put in writing did not materialize. She added that the proposed abatement reduction seems random and may not be the best solution.

Commissioner Hart said he agrees with Commissioner Reynolds' point that if the scope of the project changes, so should the tax abatement, but he felt that the Commissioners have not analyzed the numbers sufficiently enough to urge a 20 percent reduction in the tax abatement. He added that tax abatements are money out of the taxpayers' pockets.

Commissioner Reynolds asked what alternative suggestions the other Commissioners had for this short time frame adding that Councilmember Jim Graham, who authored the tax abatement legislation, will soon be out of office. He said it is doubtful that other Councilmembers would amend the legislation. He reminded people that the tax abatement is their money.

Eddie Becker asked Commissioners whether they had any conflicts of interest with the hotel project. Each Commissioner answered no. Commissioner Hart did note that Matt Wexler hosted a meet and greet event in connection with Commissioner Hart's campaign for an At-Large seat on the DC Council but the event was not a fundraiser.

The Commissioner's then voted on Commissioner Reynold's motion to seek a 20 percent reduction of the tax abatement that was granted to the hotel in December 2010 which failed on a

2 to 5 roll call vote with Commissioners Davis and Reynolds voting aye; and Commissioners Guthrie, Mossi, Simpson, Hart, and Rock voting no.

**ii. Great Streets funding**

Commissioner Mossi moved a resolution requesting that Bill 20-0721 be voted out of the DC Council Economic Development Committee and sent to the full DC Council for a vote.

Commissioner Davis seconded the motion. Commissioner Mossi explained that the bill would add the Adams Morgan commercial corridors to the Great Streets program so that Adams Morgan businesses would be eligible to apply for grants under the program. The resolution passed unanimously by a vote of 7 to 0.

**c. Planning, Zoning, and Transportation**

**i. Reconsideration of 1922 Belmont Road NW**

Commissioner Rock updated Commissioners on the status of a proposed addition at 1922 Belmont Road. He said originally the developers said they knew of only one objection from neighbors, but other objections have come to light since the Planning, Zoning, and Transportation Committee first considered the owner's request for support. Commissioner Davis added that it may also be the case that the owner is not going to live in the property. Commissioner Rock asked for comments from neighbors to the property.

Larry Gondelman, who lives at 1924 Belmont Road, said that the owners/developers misrepresented themselves about plans to live at the property and their agreement to do a solar study. Mr. Goldman also said that the developers planned to change the shape of the roof which almost always changes the character of a historic building. He cited Historic Preservation Review Board rules that state that changes in the shape of a roof on a historic building should only be done for compelling reasons. Mr. Gondelman said that HPRB also discourages additions that can be seen from the street and that this should include views from the alley. Other neighbors spoke in support of Mr. Gondelman's position.

Commissioner Guthrie asked if there was a written opinion from the Historic Preservation Office staff. Commissioner Rock answered that the Historic Preservation Office staff recommended approval but now they are awaiting ANC 1C's re-consideration of the matter.

Commissioner Rock asked whether the plan for 1922 Belmont differs substantially from other roof decks on the street. Mr. Gondelman said the owner is proposing a large cube-shaped addition that will be visible from the street.

Commissioner Simpson said the ANC may have been misled about the addition. He said that the Historic Preservation Review Board will not base its decisions on whether or not it is a single family home because that is not a matter of statutory authority for them, but they do concern themselves with visible changes in roof lines.

Commissioner Davis added that the Commissioners were misled about the amount of communication that the owners had with neighbors.

Commissioner Rock moved that the ANC 1C rescind its former approval of the proposed addition at 1922 Belmont Road and a) oppose it on the basis that the size and configuration are



inconsistent with the historic character of the neighborhood as set out in HPRB guidelines, and b) further oppose it to the extent that the proposed renovation is visible from either 20<sup>th</sup> Street or Belmont Road. Commissioner Davis seconded the motion that then passed unanimously by a 7 to 0 vote.

**ii. Proposed development at 2341 Ontario Road NW**

Commissioner Rock reported that the Planning, Zoning, and Transportation Committee sent consideration of a proposed development at 2341 Ontario Road to the full Commission without a recommendation. He explained that there were unresolved issues regarding access and ramp safety. Christian Cronin of Capital City Real Estate said one issue was the steepness of the garage ramp that cannot be steeper than 12 percent by building code regulations. He said they are continuing the conversation with the adjacent neighbor, Mary's Center, about safety measures such as mirrors and a speed bump at the exit of the garage. Maria Gomez, President and CEO of Mary's Center, said overall safety is their main concern especially since children use that sidewalk. Mr. Cronin noted that their draft traffic control plan will have to be approved by DDOT and said he would come back to the Commission to discuss construction as it progresses. Mr. Cronin added that only 8 cars will be using the garage – fewer than currently use the parking lot. Commissioners asked about possible mechanisms to force cars to stop before exiting.

Commissioner Rock moved that ANC 1C send a letter to the Board of Zoning Adjustment supporting requests by the developers (i) for a special exception to adjust the location of the zoning line on their split-zoned lot to achieve additional lot occupancy, (ii) for a special exception to adjust the height of their building from 40 feet to 43.75 feet, and (iii) to move their curb cut to the southern end of their property, contingent on the developers completing a memorandum of understanding with their immediate neighbors, Mary's Center. Commissioner Reynolds seconded the motion that then passed unanimously 7 to 0.

**iii. Proposed renovation at 2032 Allen Place NW**

The owners of 2032 Allen Place NW presented a proposal to take down a rear addition and re-build it. They said they have discussed the plan with their adjacent neighbors and requested that ANC 1C send a letter of support to the Historic Preservation Review Board. Commissioner Rock said the Planning, Zoning, and Transportation Committee recommends granting the request for a letter of support. Commissioner Guthrie asked if the plan represents an expansion and the owner said it would be a slight expansion. Commissioner Rock moved to authorize his sending a letter from ANC 1C to HPRB in support of the renovation. Since it came out of committee with a recommendation no second was needed. The motion passed unanimously by a vote of 7 to 0.

**iv. Dupont DC Residences utility vaults**

Commissioner Rock reported that a proposal concerning installation of utility vaults at the DC Residences project at the Hilton Hotel site came out of the Planning, Zoning, and Transportation Committee without recommendation. He said the developer is proposing pushing out the curb on T Street to make room for electrical vaults below ground resulting in the loss of three parking spaces and reduced lanes on Florida Avenue. He said the developer was seeking support from ANC 1C for their request before the Public Space Committee. Commissioner Rock moved to authorize his sending a letter to the Public Space Committee supporting the utility vault proposal. Commissioner Reynolds seconded the motion that was then passed unanimously by a vote of 6 to 0 (Commissioner Mossi had departed).

**VII. Adjournment**

Commissioner Davis moved to adjourn at 10:27 pm. Commissioner Rock seconded the motion which passed unanimously.