

households earning 60% of AMI rather than the required 8% of apartments; the removal of overhead utility lines in front of the building; the commitment to lease at least 3,500 square feet of retail to a full-service sit down restaurant if a restaurant willing to pay the rent asked can be found within one year; and restricting residents from obtaining Residential Parking Permits. They would also renovate the Chesapeake House to a warm lit shell condition in conjunction with The Rock Creek Conservancy. This renovation would stabilize the structure and install new plumbing, HVAC and electrical systems; UIP would not finish off the interior of the building.

Attendees asked questions and made comments regarding: the location and size of the restaurant within the building; the architectural style of the building; the number of units in the building and the zoning requested and the relief requested; the number of parking spaces within the building; enforcement of restricting residents of the building from obtaining residential parking permits; and what they have done to obtain support from the nearby neighbors. Some expressed support for the design, were happy about the inclusion of a full-service restaurant, for bringing residential density adjacent to a Metro stop and/or welcomed the redevelopment of a tired commercial strip. Others thought the building was out of scale with the neighborhood, were unimpressed with the proposed amenities, expressed concern for traffic in the alley and/or would like more 2-bedroom apartments included in the project.

Commissioners asked questions regarding: the changes in the number of apartments through the various redesigns; the status of the landscape design; how the restaurant would be ventilated; whether UIP would agree to not renting to certain categories of retail tenants (a similar agreement was made for the Tenley View PUD); the status of the LEED Scorecard; the status of the traffic study; whether the remainder of the overhead utilities to Chesapeake St. can be included in UIP's undergrounding efforts; if UIP could include more 2-bedroom apartments; the changes in traffic patterns in the region over the last 10 years; whether the building could be stepped down more; if LEED Platinum would be a feasible goal; if UIP could renovate the triangle at the intersection of 42nd/River/Brandywine as recommended by DDOT's Rock Creek West Livability Study; and if UIP would consider forming a partnership with Friendship Place as an amenity.

Discussion of and possible vote on resolution regarding "DC Housing and Development Priorities Statement"

Commissioner Quinn presented a resolution in support of the DC Housing Priorities Statement which encourages the Office of Planning to consider 10 goals related to housing needs within the city as it considers changes to the DC Comprehensive Plan. Attendees asked questions and made comments regarding the intention of the draft statement regarding clarifying zoning authority. Some attendees were in favor of the resolution for supporting making the zoning process more transparent and for promoting growth in the city in a sustainable way.

Commissioners Bender and McHugh offered a few friendly amendments to the draft resolution and a draft statement regarding clarifying zoning authority that was arguably ambiguous was stricken. Commissioners noted that the provision was removed because the subject it addressed merited fuller attention and perhaps a separate resolution, not because they did not believe zoning authority in the context of PUDs should not be clarified. Commissioner Quinn moved and Commissioner Bender seconded a motion to support the amended resolution. The motion was approved 4-0-0.

Discussion of and possible vote on DC Public Restroom Initiative

Commissioner Hall explained that at the May ANC3E meeting Marcy Bernbaum gave a presentation on the lack of public restrooms in the downtown DC area. There is a bill before the DC Council to identify areas throughout the city that are restroom deserts and seek ways to address the lack of facilities in those areas. The draft resolution before the Commission supports that initiative. An attendee stated that the city should prioritize utilizing existing restrooms rather than building and staffing new infrastructure.

Commissioner Hall moved and Commissioner Bender seconded a motion to support the amended resolution. The motion was approved 4-0-0.

Discussion of and possible vote on resolution regarding proposed changes to ethics rules for ANC Commissioners

Commissioner Bender explained that official Board of Ethics in Government Analysis (BEGA) training available at least until the beginning of 2017 instructed ANCs that the Code of Conduct for ANC Commissioners encompassed only the conflict of interest provisions in the Ethics Act and an annual clean hands certification. Yet, BEGA issued a draft advisory opinion in April 2017 stating that since 2014 the law has required ANC Commissioners to follow the DC Personnel Manual (DPM) as part of the Code of Conduct. The April 2017 draft opinion did not even acknowledge the existence of BEGA's longstanding official training to the contrary. Likewise, BEGA provided no notice of the draft opinion directly to ANCs.

It is generally thought that the DPM applies only to paid employees or members of boards and commissions appointed by the Mayor, whereas Commissioners are unpaid and elected. The DPM would not allow Commissioners to take positions as officers or board members in outside organizations that might present before an ANC including PTAs, LSATS, Main Streets, Neighborhood Associations, etc. (ANC Commissioners have frequently served in the past in such organizations.) The resolution suggests that BEGA engage in notice-and-comment rulemaking if it seeks to update the rules that apply to ANC Commissioners. Such a process would hopefully be transparent, rational, and would necessarily take account of BEGA's past pronouncements of what the law requires.

An attendee asked whether the Commissioners read the April 2017 advisory opinion and believes Commissioners should recuse themselves from items before the Commission in which they hold positions in outside organizations. Another attendee noted some typos in the draft resolution, but otherwise thought it unobjectionable.

Commissioner Bender moved and Commissioner Quinn seconded a motion to support the resolution. The motion was approved 4-0-0.

ANC Business

- Approval of website re-design contract - Commissioner McHugh moved and Commissioner Hall seconded a motion to approve a contract for \$4600 to redesign the ANC3E website. The motion was approved 4-0-0.

- Approval of expenditures - Commissioner Quinn moved and Commissioner McHugh seconded a motion to approve payments of \$ 264.58 to Sherry Cohen for administrative support and of \$ 20.47 to FedEx for copying services. The expenditures were approved 4-0-0.
- Approval of May 2017 meeting minutes - Commissioner Hall moved and Commissioner Bender seconded a motion to approve the May 2017 Meeting Minutes. The motion was approved 4-0-0.

The meeting was adjourned at 11:18 PM by unanimous consent.