

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC SPACE COMMITTEE**



PUBLIC SPACE COMMITTEE HEARING

Virtual Meeting

Minutes

Thursday, February 25, 2021

Attendees:

Matthew Marcou, Chairman
Elliott Garrett, Executive Secretary
Anna Chamberlin, PSD - Member
Alma Candelaria, EOM - Member
Christopher Bailey, DCRA - Member
Chris Shaheen, OP – Member
Catrina Felder, DDOT – Coordinator
Kisha Allen, DDOT - Technician

The introduction was done by Elliott Garrett at 9:03 am

The PSC Virtual meeting was called to order by Matthew Marcou at 9:07 am

9: 08 am – 9:21 am

All applications on the Consent agenda were Approved as Submitted

Vote: 5 to 0

Consent Agenda

- 1) ANC 4C05 - **3817 14TH STREET NW** - Permittee: Will Teass - Owner: 3817 14th St LLC 3817 14th St LLC
- Fixture: Retaining Wall to 42", Retaining Wall w/Open Fence Combo to 42", Paving: Leadwalk w/Steps,
Projections: Bay Window(s), Marquee, Porch & Steps, Window Well(s) # 361006
- 2) ANC 6C06 - **301 N STREET NE** - Permittee: 331 N Just, LLC 331 N Just, LLC - Owner: 331 N Just, LLC
331 N Just, LLC - Fixture: Street Fixture or Furniture (Exception) # 365031
- 3) ANC 6C,ANC 6C,ANC 6C06,06,06 - **175 N STREET NE,1140 3RD STREET NE,1050 1ST STREET NE**
- Permittee: NoMa Business Improvement District - Owner: - Fixture: Bench(es) # 365141
- 4) ANC 2D02 - **2225 R STREET NW** - Permittee: Arsen Mikayelyan - Owner: Arsen Mikayelyan - Fixture:
Street Fixture or Furniture (Exception) # 365431
- 5) ANC 3E03 - **4435 FESSENDEN STREET NW** - Permittee: PAUL DUPNICK - Owner: KARAN LOFTI -
Fixture: Retaining Wall to 42" # 360420
- 6) - **1300 - 1899 BLOCK OF SOUTHERN AVENUE SE** - Permittee: Rashid Salem - Owner: Rashid Salem -
Fixture: Traffic Signal Installation, Landscaping: New Tree Space(s), Tree Planting, Paving: ADA Curb Ramp,
Driveway(s) Repair or Replace, Sidewalk(s) # 354157
- 7) ANC 6B,ANC 6B04,04 - **716 L STREET SE,718 L STREET SE** - Permittee: Charles Warren - Owner: Jay
Coba - Fixture: Bike Rack(s): DDOT Standard, Fence to 42" (Open Design), Landscaping: Hedge to 36" tall,
Projections: Canopy, Show Window(s) (commercial) # 364570

- 8) ANC 6D06 - **1530 1ST STREET SW** - Permittee: TM JACOB LLC - Owner: TM JACOB LLC - Excavation: Vault(s) L'XW', Fixture: Bike Rack(s): DDOT Standard, Landscaping: New Tree Space(s), Tree Planting, Tree Removal, Paving: Curb & Gutter(s), Driveway(s) Close Existing, Sidewalk(s), Projections: Canopy # 353670
- 9) ANC 4C01 - **5501 COLORADO AVENUE NW** - New Sidewalk Cafe Unenclosed - Permittee: Alemayehu Alemu - Alemayehu Alemu # 10822207
- 10) - **700 - 799 BLOCK OF 22ND STREET NW** - Permittee: Adam Aaronson - Owner: The George Washington University attn Adam Aaronson - Fixture: Curbside Signage, Paving: ADA Curb Ramp # 350013
- 11) ANC 6B10 - **114 15TH STREET SE** - Permittee: Jordan Javier - Owner: Jordan Javier - Fixture: Planter Box behind Sidewalk to 42", Paving: Leadwalk Only, Projections: Porch & Steps # 359106
- 12) - **S STREET SE AND RIDGE PLACE SE** - Permittee: Menkiti Group - Owner: Menkiti Group - Paving: Curb & Gutter(s), Driveway(s) New- Commercial, Roadway(s), Sidewalk(s) # 362940
- 13) ,, - **3600 - 3699 BLOCK OF RITTENHOUSE STREET NW, 6000 - 6099 BLOCK OF NEVADA AVENUE NW** - Permittee: David White - Owner: David White - Fixture: Retaining Wall to 42", Landscaping: Tree Planting, Paving: Driveway(s) New -Residential, Leadwalk Only, Leadwalk w/Steps # 365069
- 14) ANC 3D03 - **3945 52ND STREET NW** - Permittee: James Harris - Owner: James Harris - Fixture: Hand Rail (36" high for ADA, 30"-42" high other), Landscaping: Tree Removal, Paving: Driveway(s) Close Existing, Driveway(s) New -Residential, Leadwalk w/Steps # 365070
- 15) - **2000 - 2099 BLOCK OF G STREET NW** - Permittee: Adam Aaronson - Owner: The George Washington University attn Adam Aaronson - Fixture: Curbside Signage, Paving: ADA Curb Ramp # 354150

General Agenda

Group A

9:25 am – 10:01 am

Tabled

Vote: 4 to 1

(Christopher Bailey abstained)

1. **PSD and OP will work with the applicant to design a café area plan in the plaza area.**
2. **The applicant will adhere to the Mt Vernon public realm criteria.**
3. **Staff will confirm the clear pedestrian path that was previously approved by the PSC at Bus Boys & Poets (400 block of K Street, NW)**

****Item #6 was moved to the Consent agenda during the meeting.***

ANC 6E05 - **476 K STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: TOM MCDOWELL - TOM # 10829124

Discussion: Mr. Tom McDowell presented the application. They have a pending application with ABRA for this location.

Chairman Marcou stated that the distance was not shown between all the tables and chairs and confirm the remaining pedestrian right-of-way and that all planters are limited to thirty-six inches in height.

You cannot implement this plan until the pandemic is over for the sidewalk café. You can get a temporary sidewalk permit.

Is this enclosed or unenclosed? The detail scope of work should say Unenclosed not Enclosed.

There will be no cooking at the log holder; it is there for visual purposes only.

They are proposing to open in early May per the applicant.

Mr. Shaheen asked if the applicant was only considering the café at the façade of the building and not in the plaza area? The applicant stated that they would like to consider the plaza area, but his architect was not present at the meeting. Mr. Shaheen stated that the OP would support the café in the plaza area so that it would activate the area. Mr. McDowell stated that he would investigate designing seating in the plaza area. The PSC wanted to check records of the existing café in the 400 block of K Street, NW (Bus Boys & Poets) to confirm what was previously approved

10:01 am – 10:13 am Approved w/Conditions

Vote: 5 to 0

1. Historic Preservation needs to review and approve final design plan.

- 2) ANC 2B01 - **2130 FLORIDA AVENUE NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Ashok Bajaj - Ashok Bajaj # 10774358
Discussion: Andrew Kline presented the application. There is a retaining wall around the area that concerns have been raised concerning the seating area. The café is in ANC-2B however ANC-2D is directly affected by this café and is in support of this application. Mr. Kline presented a plan that included the ADA seating and a planting area has been included (revised plan is dated 2/3/21). One additional ADA seat needs to be added to the revised plan.

1:04 am - 1:36 pm

Approve with Conditions

Vote: 5 to 0

- 1. The applicant must close the existing curb cut in front of the property on the Rhode Island Avenue side as previously stated by the PSC. The applicant must provide in the TOPS System photographs and on a site plan that the curb cut has been closed before permit can be issued.**
- 2. The PSC recommends that planters be installed adjacent to the alley. This will allow trash removal to still occur.**

- 3) ANC 6E01 - **1018 RHODE ISLAND AVENUE NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Henok Melke - Henok Melke # 10792047

Discussion: Mr. Melke presented the application. The PSC previously had existing driveways and curb cuts and re-submitted the site plan. The curb cuts were completed in December per the applicant (full curb cut on 11th Street) and the curb cut on the Rhode Island Avenue side has been partially removed per the applicant. Chairman Marcou stated to the application that parking is not permitted in the public space on Rhode Island Avenue side. The PSC can't approve the parking in the public space. A barrier (planters) will be needed to be installed adjacent to the existing alley per Chris Shaheen. Anna Chamberlin fully supports the barrier adjacent to the alley. This will discourage people from pulling in and parking in front of the existing artwork. Chairman Marcou asked the applicant if he would consider turning this area into green space? The applicant responded saying yes, but he needed to know how it would be done and he could come back with the design. The applicant stated that the pandemic has really made it difficult to do at this time due to finances.

10:15 am – 10:45 am Approved with Conditions

Vote: 5 to 0

- 1. Site plan revised to show the BRL**
- 2. Revised plans must show nine feet by nineteen feet with a parking space inside the building**
- 3. Reduce the driveway including the apron to twelve feet.**

- 4) ANC 3C02 - **2926 GARFIELD STREET NW** - Permittee: George Graeber - Owner: George Graeber - Landscaping: Hedge to 36" tall, Paving: Driveway(s) Close Existing, Driveway(s) New -Residential # 361463
Discussion: Mr. Graeber had technical issues with his computer but was able to answer the questions posed by the Chairman.

Reviewers from the following offices: PSD, UFD and OP all have revisions on the record that need to be addressed. The Chair asked if the applicant had any objections to the requested revisions. Mr. Graeber doesn't want to increase his cost of changing the driveway that is existing and making the curb cut the proposed curb cut comply to DDOT's twelve feet standard. The reviewers have asked the applicant to reduce the curb cut to twelve feet maximum. Mr. Graeber stated that the driveway would be used for parking. Chairman Marcou told Mr. Graeber that it is illegal to park in the public space and the applicant needs to submit a plan that shows parking entirely on private property.

10:40 AM - 11:11 am **Approved with Conditions** **Vote: 5 to 0**
The applicant must provide approved plans that Historic Preservation Review Board that match the plans received by the PSC during the meeting.
IPMA/Storm Water must review and approved plan prior to issuance.

- 5) ANC 8A06 - **1353 MAPLE VIEW PLACE SE** - Permittee: Dabrielle Goodwin - Owner: Marcus Calligan - Paving: Driveway(s) New -Residential # 361716
Discussion: Dabrielle Goodwin is presenting the application. There is an existing illegal parking pad that existed at the time the home was purchased, and the applicant is trying to permit the curb cut. The applicant agreed to provide the storm water drawings. OP asked if the applicant saw the comments from the Historic Preservation Office, HP which denied the existing driveway and the plans haven't been revised to address HP comments. The driveway must be in the side yard or rear of the property per HP and the parking should occur on private property. "The applicant stated that she is unable to provide the parking on the side yard or the back of the house". Ms. Goodwin stated that after speaking to her architect she could put the parking in the rear of her property. Alex Sallah (architect name). Ms. Goodwin stated that she doesn't feel that the parking can take place in the rear of the property. Plans were uploaded with the proposed parking in the rear and all that is needed is the dimensions for the parking pad.
- 6) ANC 5B04 - **1031 KEARNY STREET NE** - Permittee: Kearny Street Holdings LLC - Owner: Kearny Street Holdings LLC - Paving: Driveway(s) New -Residential # 364463 ***no objections on the record; the PSC moved this application to the Consent agenda.**
- 7) ANC 6A08 - **1518 NORTH CAROLINA AVENUE NE** - Permittee: Melissa Wilson - Owner: Melissa Wilson - Paving: Driveway(s) New -Residential # 343819 **Applicant requested a postponement until the March meeting; no action taken by the PSC**

7:25 pm **Applicant not present - Tabled** **Vote: 5 to 0**
2nd time – previously Tabled at the January meeting

- 8) ANC 5B04 - **2701 12TH STREET NE** - Permittee: KILLETTE and ASSOCIATES - Owner: KILLETTE and ASSOCIATES - Fixture: Trash Receptacle(s) (Exception) # 363215

11:14 am -11:21 am **Approved with Conditions** **Vote: 5 to 0**
The applicant must upload P.E. stamped drawings for DDOT and DCRA to review and approve plans.
The plans must show the existing conditions and the proposed conditions.

- 9) ANC 6A05 - **424 11TH STREET NE** - Permittee: 424 Eleventh Street Condominium Association - Owner: 424 Eleventh Street Condominium Association - Fixture: Wall/Fence Combo (Exception over 42") # 361713
Discussion: Mr. John Renaut presented the application. The wall is in disrepair and he wants to repair the retaining wall and install a fence on top of the wall. The applicant was told that the Department of Consumer & Regulatory Affairs must review and approve plans (Structural) per Christopher Bailey.

7:25 pm **Applicant not present - Tabled** **Vote: 5 to 0**
Applicant not present; 2nd time rescheduled - Tabled

- 10) ANC 3E01 - **4520 YUMA STREET NW** - Permittee: David Solorzano Lowell - Owner: David Solorzano Lowell - Fixture: Fence (Exception over 42") # 362787

7:22 pm - 7:24 pm **Approved w/Conditions** **Vote: 4 to 0**
The PSC approved a forty-two inch to be installed on the existing retaining wall.

- 11) ANC 6A05 - **337 10TH STREET NE** - Permittee: Ronald Vargas - Owner: Ronald Vargas - Fixture: Fence to 42" (Open w/Brick Piers) # 360952

Discussion: Mr. Vargas presented the application. He is not replacing the retaining wall and he's putting a 45" fence on top of the fencing. Chairman Marcou explained that the maximum height of the fence should be forty-two inches.

11:26 am -12:00 noon **Tabled** **Vote: 5 to 0**
To give the applicant the opportunity to come back with a design for the signage with a lower profile (forty-two inches maximum height) for the sign.

- 12) ANC 3F03 - **4801 CONNECTICUT AVENUE NW** - Permittee: Christopher Colross - Owner: Alvin Aubinoe et al - Fixture: Sign (w/footings) (Exception) # 363012
Discussion: Chris Colross is presenting the application. The applicant didn't have the dimensions of the existing sign. The applicant stated that the sign is ninety-three square feet combined is the proposed signs size. This size is too large. A sign of twelve liner square feet is eligible for permitting. The sign is at Davenport and Decatur Street per Mr. Colross. The Office of Planning supports the height of the sign to be forty-two inches and no other PSC member didn't support the height. The PSC is supportive of this application but wants to give the applicant a height for the proposed sign that is consistent with what they have previously approved. The PSC wants the applicant to reconsider the height of the sign design. Christopher Bailey stated the following: *As long as the area is under the maximum allowed in sections 101.7.3, 101.9.5.5 DCMR does not give specific limitations on a Sign height. I would differ to the PSC standards on limitations.*

Chairman Marcou wants Mr. Colross to return to the PSC with another design and use forty-two inches for the maximum height, which is currently used for hedges, fences etc. and include the proposed base. Mr. Maher from the Office of Planning can be contacted for assistance for the design.

12:00 noon – 12:20 pm **Denied** **Vote: 5 to 0**
The adjacent use is not a qualifying business

- 13) ANC 8C05 - **3707 MARTIN LUTHER KING JR AVENUE SE** - Permittee: Atlas MLK LLC - Owner: - PS Rental: Parking on Public Space # 358624
Discussion: Calvin Reed is presenting the application. Chairman Marcou advised the applicant that everything that is in front of the building is in the public space. Parking in the greenspace is not for car parking. The applicant stated that the property is used as office space. The Chair stated that the total public space fifteen feet of sidewalk area, fifteen feet of what is called public parking. Mr. Reed confirmed that there is an existing parking lot at this location that is being used at the rear of the building. Chairman Marcou suggested that the applicant submit a new application with greenspace added and a forty-two inches fence and the applicant
Applicable regulation: DCMR 24-209, which states, in relevant part, "209.1 If the surface space is to be used for the parking of vehicles, either at *a sales lot, a parking lot, a garage, a gasoline filling station, or other business property*, the provisions of this section shall apply in addition to the other requirements of this chapter. (emphasis added). This has been interpreted to mean that the use of the property must be related to vehicle sales, service, or other activity. Parking for general use (e.g., for patrons of a store) is not a qualifying use.

Group B

- 12:24 pm – 1:03 pm** **Approved with Conditions** **Vote: 5 to 0**
- 1. The height of fence and piers should be reduced to a maximum of forty-two inches from grade.**
 - 2. The gravel area that is being used as parking) that exists adjacent to the alley must be removed and restored to landscape/greenspace.**
 - 3. Urban Forestry Division must review and approve revised plans in TOPS**

1. ***Approved the three curb cuts and the circular driveway is intended to be one way. The applicant will return to the PSC when the design has been finalized.***

- 21) ANC-8E06,,,,, - 3800 - 3899 BLOCK OF 8TH STREET SE,3900 - 3999 BLOCK OF 8TH STREET SE,500 - 799 BLOCK OF YUMA STREET SE,444 - 799 BLOCK OF CONDON TERRACE SE - Permittee: MCN Build Inc. - Owner: - Fixture: Bike Rack(s): DDOT Standard, Landscaping: Tree Pruning, Tree Removal, Paving: Curb & Gutter(s), Driveway(s) New- Commercial, Sidewalk (porous/pervious), Sidewalk(s) # 361741

Discussion: John Burke and Jacque Patterson presented the application. This project is the redevelopment of about ten acres. They are applying for all the streetscape and the driveways per Mr. Burke. Urban Forestry Division has comments on the record regarding the healthy street trees (tree numbers 164 and 166) that the applicant is proposing to remove.

The applicant stated it was the trees on Yuma (Mr. Burke) and he didn't understand that there was an issue with the tree on 8th Street as well. Office of Planning wants to know that there is a consistent even grade being done on the revised plans. The circular driveway is behind the property line per the applicant on the 8th Street side of the project. **Community Members:** Sandra Seegars former ANC Commissioner spoke in support of the KIPP site application. Jacque Patterson – spoke in support for this application, the Resolution will be approved next week for the first of March. The applicant will forward the Resolution to the team once they have voted.

5:06 pm – 5:26 pm

Tabled

Vote: 5 to 0

1. ***To allow Historic Preservation to verify that HP no longer objects to this application and update the TOPS system.***
2. ***The applicant will modify plans to show the fixtures turned facing towards the tree box space.***

- 22) - 3500 - 3699 BLOCK OF ELY PLACE SE - Permittee: AT&T Mobility - Owner: - Fixture: Small Cell Installation # 330005

Discussion: Tessea Knight is presenting the application. She is proposing to install a small cell fixture in public space. They are seeking a waiver because of the Historic District. She hasn't received the approval from HP yet. There will be tree coverage at the site to cover the fixture per the applicant. They searched up and down Ely Place for other locations but was unable to find another location that would provide the coverage that is needed. Mr. Marcou asked if the fixtures can be shifted per the comments in TOPS from the reviewers (fixture should be facing the tree box area).

Mr. Bailey notified the applicant that a DCRA antenna permit will be needed. The applicant provided an email that stated that Historic Preservation no longer had an objection to this application.

5:28 pm – 7:16 pm

Approved Design Concept with Modifications Vote: 4 to 0

Driveways: five curb cuts only

- 1) ***The PSC approved five curb cuts only. The applicant must reduce two curb cuts on 14th Street, NW to the greatest extent possible.***

- 23) ,,,,,,, - 4600 - 4699 BLOCK OF 14TH STREET NW,4700 - 4799 BLOCK OF 14TH STREET NW,4600 - 4699 BLOCK OF ARKANSAS AVENUE NW,4700 - 4799 BLOCK OF IOWA AVENUE NW,1332 - 1399 BLOCK OF BUCHANAN STREET NW - Permittee: Washington Metro Area Transit Authority - Owner: Washington Metro Area Transit Authority - Fixture: Bench(es), Bike Rack(s): DDOT Standard, Hand Rail (36" high for ADA, 30"-42" high other), Multispacer Meter, Trash Receptacle(s) (Exception), Landscaping: Hedge to 36" tall, New Tree Space(s), Replacement Tree, Tree Fence(s), Tree Planting, Tree Pruning, Tree Removal, Over Head Work: Streetlight Temporary Removal, Streetlight(s) Installation, Paving: ADA Curb Ramp, Curb & Gutter(s), Driveway(s) Circular, Driveway(s) Close Existing, Driveway(s) New- Commercial, Driveway(s) Repair or Replace, Mill and Overlay, Roadway(s), Sidewalk(s), Projections: ADA Ramp, Other (Exception - Not to Bldg. Code), Stoop & Steps # 365035

Discussion: Phillip Sheridan with Clark Construction and Diana Levy with WMATA presented the application. They received the ANC support back in March of last year per the applicant. The applicant was asked to provide the permits that were obtained from 1982 – 1989 that he described during his presentation. The applicant stated that the Mayor’s Agent Hearing will occur on March 26, 2021. Mike Randolph stated that he could take a look at reducing the curb cut to twenty-four feet at the curb and as it crosses the sidewalk. Ted Van H

Curb Cuts Discussions: Theodore Van Houten, with the Office of Planning & Sustainability Division, PSD stated that he was generally supportive of the designs but there are still a few questions on some of the designs. There is a total of five curb cuts being proposed at this site. He also stated that the driveways should be reduced to the greatest extent possible and that they will continue to work with the applicant on getting this done. He would like the applicant to explore doing their operations on the Buchanan Street side with only one curb cut. The applicant stated that it wouldn’t be possible to remove that curb cut due to the turning radius. Mr. Van Houten also asked the applicant if the Decatur Street curb cut could be reduced? The applicant responding by explaining that they need two buses to be able to maintain the access the four-way intersection at the same width of the existing curb cut. This space includes the bollards and the two doors to meet WMATA’s operation functions. Mr. Van Houten stated that the sidewalk pedestrian area should be eight feet wide on 14th Street side of the project. The streetscape plan still needs to be worked out still even if its later. The bike pedestrian access on Decatur Street should be twelve feet. OP asked Ted if there was a possibility to make Buchanan Street one way. WMATA stated that they think the one-way on Buchanan Street should remain it is the primary entrance and it would eliminate the traffic when their drivers are making the turn. The applicant must provide information and diagrams for Buchanan Street for fueling services and bus operations. The southernmost curb cut be reduced to twenty-four feet wide to facilitate the access point. The curb cut at Decatur be reduced to the fullest ability to facilitate a two-lane bus exit.

Enclosure and the Over height Wall Discussions: There was work done in public space to enclose the roof structure with a permit at Iowa and Decatur Street, NW. The Chair needs WMATA to provide all the approvals (permits) for the enclosure and walls in public space as soon as possible. Send directly to Elliott Garrett and Matthew Marcou directly. (matthew.marcou@dc.gov and elliott.garrett@dc.gov)

The meeting was adjourned at 7:28 pm by Matthew Marcou

Revision #8cif