

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



PUBLIC SPACE COMMITTEE HEARING

GoTo Meeting

Thursday, June 25, 2020 at 9:00 AM

**Please be advised that, while we strive to move through the agenda as promptly as possible, proposed review times are estimated*

The meeting was called to order by Matthew Marcou at 9:04 am

Attendees: Matthew Marcou, Chris Shaheen, (Aaron Zimmerman), Andrew Wiley, Lucky Barbieri, Elliott Garrett, Kisha Allen (Technician), Catrina Felder (Coordinator)

9:05 am – 9:09 am All Consent applications were approved by the PSC Vote: 5 to 0

Consent Agenda

- 1) ANC 2F01 - **1701 14TH STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Bluestone Lane Holdings LLC - Bluestone Lane Holdings LLC # 10767048
- 2) ANC 8C07 - **3301-WHEELER ROAD SE** - Permittee: MC Terrell PCS - Owner: MC Terrell PCS - Landscaping: Tree Planting, Paving: Driveway(s) New- Commercial # 328049
- 3) ANC 6E07 - **55 H STREET NW** - Permittee: American Campus Communities - Owner: - Landscaping: Tree Planting, Tree Pruning, Tree Removal, Over Head Work: Streetlight(s) Installation, Paving: Driveway(s) Close Existing, Driveway(s) New- Commercial, Sidewalk(s), Projections: Other (Exception - Not to Bldg. Code) # 344057
- 4) ANC 3C06 - **3900 WISCONSIN AVENUE NW** - Permittee: NASH Roadside 3900 Wisconsin LLC - Owner: - Fixture: Bench(es), Curbside Signage, Mutlispace Meter, Traffic Signal Installation, Trash Receptacle(s) (Exception), Over Head Work: Pole Removal (each add'l), Streetlight(s) Installation, Paving: ADA Curb Ramp, Curb & Gutter(s), Driveway(s) Repair or Replace, Lay-by (new), Lead walk Repair/Replace Existing, Mill and Overlay, Sidewalk(s) # 342460
- 5) - **400 - 499 BLOCK OF KENNEDY STREET NW** - Permittee: DC Commission on the Arts and Humanities - Owner: - Fixture: Street Fixture or Furniture (Exception), Paving: Sidewalk(s) # 343150
- 6) ANC 5D07 - **1111 OWEN PLACE NE** - Permittee: Long Fence Company Vickie Williams - Owner: Susan Shuback - Fixture: Fence to 42" (Open Design) # 349272
- 7) ANC 5E02 - **600 RHODE ISLAND AVENUE NE** - Permittee: Bryant Phase 1-E LLC - Owner: Bryant Phase 1-E LLC - Fixture: Bike Rack(s): DDOT Standard, Landscaping: New Tree Space(s), Tree Planting, Paving: ADA Curb Ramp, Curb & Gutter(s), Driveway(s) New- Commercial, Mill and Overlay, Sidewalk(s) # 351338

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



General Agenda

Group A

9:14 am -9:32 am Approved w/Modification

Vote: 5 to 0

1. PSC approved plan submitted on 6/22/20.

2. Provide no more than eight feet, modify plan to show the dimensions between the ramp and the café.

3. The word DDOT should be removed from the plans.

- 1) ANC 1B12 – **1825 14TH STREET NW** – New Sidewalk Café Un-Enclosed – Permittee: GYPSY KITCHEN – GYPSY KITCHEN # 10790467

Discussion:

The PSC is reviewing the drawing submitted on 6/19/20. Rocco Dileo was the applicant. DDOT recently completed a streetscape plan along 14th Street corridor stated by Mr. Marcou. The curb cut was closed. The proposed café will be adjacent to the existing ramp and will not exceed beyond the ramp. The applicant has no objections to adding seats instead of cocktail tables for standing. Eight chairs would be the maximum number of chairs at this location. Dimension to total clearance of the café and the tree box is seven feet six inches stated by the applicant. Mr. Shaheen noted that that measurement might not be correct. Six feet and eight inches is the correct measurement.

9:33 am – 9:45 am Approved w/Conditions

Vote: 5 to 0

- 1) UFD's review of the plan doesn't provide any objections to the most recent plan. If UFD has objections the Executive Chair will determine if the applicant must return before the PSC for review/approval.**

- 2) ANC 5E03 – **301 S STREET NE** – Permittee: Johanna R – Owner: Johanna Rodriguez – Paving: Driveway(s) New -Residential # 343318

Discussion: The applicant Ms. Rodriguez is installing a driveway at her home. The Urban Forestry Divisions has revisions on the installation, and they have not reviewed the most current uploaded plans; the due date for their review is early July 10, 2020. The shed (temporary structure) will be removed per the applicant. There will be a very substantial grade change per Mr. Marcou

9:46 am – 9:59 am Tabled pending the applicant contacting UFD

Vote: 5 to 0

1)The applicant must contact UFA and have them review/approve prior to returning to the PSC for review/approval.

- 3) ANC 3D05 – **4820 W STREET NW** – Permittee: Sandra Carpenter – Owner: Julianne Johnston – Paving: Driveway(s) Repair or Replace # 349290

Discussion:

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



The Chris Scango (expeditor) is replacing an existing driveway. The applicant had the designer (David Delgado) present. The applicant has an 8 x 11 existing driveway that he wants to repair/replace. There is a question of if a building restriction line exist at this location. There is no BRL at this location. There is a Special Tree that exists at this location per the applicant. UFD has objections to the installation of the driveway because of the existing Special Tree. The Special Tree issue must be worked out prior to coming back before the PSC.

9:59 am – Applicant’s not present; requested postponed

- 4) ANC 5C01 – **2650 MYRTLE AVENUE NE** – Permittee: Charae Ligon – Owner: Charae Ligon – Fixture: Handrail (36” high for ADA, 30”-42” high other), Retaining Wall to 42”, Landscaping: Tree Removal, Paving: Driveway(s) New -Residential # 337556
*Applicant requested a postponement until July’s meeting.

11:08 am – Tabled – 1st none appearance

Vote: 5 to 0

- 5) ANC 6C02 – **400 NORTH CAPITOL STREET NW** – Permittee: NBCUniversal, LLC – Owner: - Fixture: Bollard(s) (Exception), Landscaping: Hedge to 36” tall # 340122
*Applicant not present unable to reach during the meeting

11:08 am - 11:27 am Tabled the application

Vote: 5 to 0

1. The applicant must upload the official plat to confirm the building line, property line etc. (from DCRA)

- 6) ANC 2F08 – **1275 K STREET NW** – Permittee: Colliers International – Owner: - Fixture: Bollard(s) (Exception) # 350057
Discussions: John Stokes is speaking on behalf of the owner. Mr. Balcha will also be joining the meeting. Mr. Balcha didn’t know if the ladder was installed in the public space, he needs to get a survey that shows a plan that clearly shows the property lines and the ladders actual location. PSC needs to know where the bollards are going to be placed.

10:05 am – 10:19 am Approve with Conditions

Vote: 4 to 0 (1-abstained)

Mr. Zimmerman abstained from vote

- 1. Applicant provide a study consistent with PSD conditions and collect a Bond and have on file.**
- 2. UFD’s must review/approve.**

- 7) ANC 4B08 – **220 RIGGS ROAD NE** – Permittee: John Martinez – Owner: James Brawner – Paving: Driveway(s) Close Existing, Driveway(s) New- Commercial # 348544
Discussion has comments regarding existing trees and adding additional trees at this location.

10:48 am – 11:05 am Denied

Vote: 5 to 0

- 1) The applicant hasn’t provided the PSC with enough information for the height of the fencing being proposed.**

- 8) ANC 5B03 – **2928 17TH STREET NE** – Permittee: Hamza Wardere – Owner: Hamza Wardere – Fixture: Fence (Exception over 42”) # 350823

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



Discussion:

Mr. Wardere is applying for and over height fence at his newly purchase home. He has two service dogs currently and needs the fencing to protect his dogs by increasing the height of the existing fence. There are people hanging out talking and smoking at this location. His dogs have already jumped the fence and thinks this will protect them. Mr. Sheheen stated that the intersection is interesting but is a Historic Road but doesn't support the over height fencing at this location. There are several fences on Brentwood Road, but they look like they are all on private property per Mr. Shaheen. Aaron Zimmerman asked what is the purpose of the over height fencing? The applicant stated that the protection of his dogs and his wife needs a service animal and the people standing out there every day. Mr. Marcou stated that he could have two fences one at forty-two inches and the other on his private property at the over height level.

10:23 am –10:47 am Denied

Vote: 5 to 0

- 1. The privacy fencing in the BRL area was not approved.**
- 2. The applicant hasn't provided enough information for the height of the fencing being proposed.**

9) ANC 3E04 – **3848 HARRISON STREET NW** – Permittee: Richard Ansbacher – Owner: Richard Ansbacher – Fixture: Fence (Exception over 42”) # 339585

Discussions: Mr. Ansbacher is requesting a over height fence he will continue to maintain the landscaping within the fencing. They have ANC support. They will landscape the area between the sidewalk and the fencing. DC architect designed the fencing knowing that a BRL existed at this location. The applicant stated that the architect was proposing a lower fence, but the applicant wanted the higher fencing. The applicant also stated that they have installed a pool and wanted privacy and is requesting this over height fencing. Mr. Zimmerman asked the applicant if he could make the existing fencing conform to regulations? He answered that he could have a lower fencing, but it wouldn't provide him privacy. Mr. Ansbacher states that this is three feet of non-compliant fencing at this location is a dead space and allows him to have a safe walk around the pool house.

(12:20 pm – 12:50 pm The PSC took a break thirty-minute lunch break; the PSC came back on record at 12:52 pm)

Group B

11:30 am - 12: 20 pm Approved w/Conditions

Vote: 5 to 0

12:52 pm – 1:16 pm

- 1. The applicant must remove the ornamental tree fencing from plan as stated by UFD.**
- 2. IPMA/Storm Water must review/approved revised plan**
- 3. PPSA Bike & Pedestrian must review/approved revised plan**
- 4. The applicant will upload a revised plan addressing all conditions set by the PSC.**
- 5. The applicant will modify all tree boxes to be the rectangular standard design**

10) ANC 2B05 - **1700 M STREET NW** - Permittee: SCD 1700M LLC - Owner: SCD 1700M LLC - Excavation: Vault Abandonment, Fixture: Bike Rack(s): DDOT Standard, Curbside Signage, Trash Receptacle(s) (Exception), Landscaping: Tree Planting, Tree Removal, Over Head Work: Streetlight(s) Installation, Paving:

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



ADA Curb Ramp, Alley(s), Curb & Gutter(s), Driveway(s) Close Existing, Sidewalk(s), Projections: Other (Exception - Not to Bldg. Code) # 348648

Discussions: Jeff Utz introduced the application and Mr. Ryan Brannon to present the application in detail. The vaults were discussed by Ryan Brannon and the location of the vaults. They were unable to place the vaults in the alley. They worked with various agencies and they located a location in public space on 17th Street, NW. Ms. Gabriella Clark discussed the design of the project's street scape design. The applicant was asked by Mr. Zimmerman why the vaults are being placed in public space. Mr. Brannon stated that Pepco needed forty feet of clearance and that location gave the distance for Pepco. Mr. Shaheen's concerns were the bay window projection and the street scape plan on 17th Street side and the consistency with the regulations. The applicant stated that the projections and street scape plans make the proposed court work and is a needed embellishment. The applicant has uploaded the revisions related to PSD and IPMA/Storm water; they just haven't had the opportunity to respond to yet. The applicant stated that the projection meets the new regulations regarding projections.

1:21 pm – 1:52 pm

Approved w/conditions

Vote: 5 to 0

- 1. The applicant will file a Covenant of Maintenance for all non-standard fixtures and special paving and nonstandard bike racks.**
- 2. The applicant will revise tree box size at north end of the location so that the tree boxes and sidewalks will align with neighboring properties.**

- 11) ANC 5E01 - 3135 8TH STREET NE - Permittee: DAN GORDON - Owner: DAN GORDON - Fixture: Bench(es), Bike Rack(s): DDOT Standard, Electrical receptacle on DDOT Streetlight Pole, Landscaping: Stormwater Mgmt (serve public), Tree Planting, Paving: Curb & Gutter(s), Driveway(s) Close Existing, Lead walk Only, Lead walk w/Steps, Sidewalk(s), Projections: Balcony, Canopy, Stoop & Steps # 339688**

Discussion: Kate Culls is presenting the application. The ownership information must be corrected by the applicant. The project has PUD approval already. The applicant is working on the Covenant of Maintenance on the covenant for the fixtures and they are working with IPMA/Storm Water in respect to the water retention clarification. The applicant is still working with Washington Gas and the electric vaults are all on private property. The special paving is only in the courtyard area and at the driveway entrance per the applicant. Special paving is limited to one third of the width of the face of curb to property line. The applicant stated that they wanted to extend the paving treatment for esthetics. Aaron Wille spoke to the special pavers – it identifies where the driveway is for pedestrians and creates a line down the sidewalk. The courtyard pavers are projecting out one foot over the standard limits. The applicant stated the courtyard area serves as the focal point of the residency courtyard area by the canopy. The tree box width is eight feet and OP has requested a revision on the width.

1:54 pm - 2:29 pm

Tabled

Vote: 5 to 0

- 1. To allow the applicant to Reevaluate the approaches in public space.**

- 12) , - 400 - 499 BLOCK OF V STREET NE,1900 - 2099 BLOCK OF 5TH STREET NE - Permittee: 2000-2018 5TH ST NE LLC - Owner: 2000-2018 5TH ST NE LLC - Paving: ADA Curb Ramp, Curb & Gutter(s), Driveway(s) New- Commercial, Sidewalk(s) # 342263**

Discussion: Christopher Huska is presenting the application. Also, Mr. James Roth Erwin Anders were present as well. This is an industrial part of town and it use to house taxi cabs, and garages. It will be a restaurant hub for patrons to pick up food like Uber eats, etc. Cars use to be stored on the existing parking lot

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC SPACE COMMITTEE



and all along the 5th Street frontage. The applicant had a PDRM and it was determined that they would close the two existing curb cuts and install a new curb cut off the all on V Street. There are curb cuts on 5th Street that serve the roll-up doors are being closed and a curb side loading zone. Why are you not putting in a Standard driveway and sidewalk area was asked by Matthew Marcou? The applicant stated that the project couldn't financially support the improvements. The applicant wants to install a six-foot sidewalk curb and gutters, driveway and close existing driveways. The client is trying to not have to create disturbances that would require additional cost to approve under DOEE/SE regulations. Two curb cuts on V Street will be closed and the two curb cuts on 5th Street are being closed per the applicant. The applicant stated that no new ADA curb ramps were requested. The Chair stated that it appears that the application doesn't show any investment in the public space only to the building itself and asked the applicant to explain why? The applicant stated that when they purchased the building, they didn't know the number of upgrades that it would take to upgrade the public space. Funding is why they can't do the upgrades. (Lot 42 Sq. 3616) They didn't change the footprint of the building but only the interior of the building for the occupants. The applicant stated that the resources are limited. The applicant needs to redesign the street scape and return to the PSC once they have addressed the comments that the reviewers have recommended regarding DDOT standards

2:29 pm – 2:55 pm

Approved w/ Conditions

Vote: 5 to 0

1. **The bike racks be relocated to the greatest extend possible and must be review/approved by PPSA - Bike & Ped. Staff.**
2. **Confirm HP review/approval in TOPS**

- 13) ANC 6D03 - **330 C STREET SW** - Permittee: GRUNLEY CONSTRUCTION - Owner: - Fixture: Retaining Wall to 42", Paving: Sidewalk(s), Projections: Window Well(s) # 344153

Discussions:

Ms. Sawabi is presenting the application and Cathy Flanigan (architect). The proposed work is to install window wells, retaining walls and paving sidewalks at this location (Mary E. Switzer Building). The applicant stated that the projections width didn't come up in the planning of this project however the Areaway Projection standards have been explained to them. The allowable projection is six in a half feet (6.5). The applicant exceeded the allowable projection limits. Do we approve 7.5 feet for the projection vs 6.5 feet and the height of the wall that is 3.5 above grade. Mr. Zimmerman noted that the applicant should look at relocating the bike racks that are being removed. The applicant will recommend this to GSA (Eric with GSA stated he will support the relocation of the bike racks).

2:55 pm – 3:13 pm

Approved w/Conditions

Vote: 4 to 1 (1 abstained)

1. **PSC supports a code modification for the canopy**
2. **A Covenant of Maintenance must be submitted by the applicant before issuance of permit.**
3. **Updated sheet doesn't show the decorative fencing (staff will confirm).**

(Mr. Zimmerman abstained from vote)

- 14) ANC 5D01 - **440 PENN STREET NE** - Permittee: UDR 500 Penn LLC - Owner: UDR 500 Penn LLC - Fixture: Bike Rack(s): DDOT Standard, Multispacer Meter, Sign-Free Standing, Traffic Signal Installation, Trash Receptacle(s) (Exception), Landscaping: Tree Planting, Tree Removal, Tree Space (Stormwater Mgmt), Over Head Work: Pole Removal (each add'l), Pole Removal (single or first one), Streetlight Temporary Removal, Streetlight(s) Installation, Paving: ADA Curb Ramp, Alley(s), Curb & Gutter(s), Driveway(s) Close Existing, Driveway(s) Repair or Replace, Mill and Overlay, Sidewalk(s), Projections: Bay Window(s), Canopy # 345974

Discussion:

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



Chris Spindler is the presenter. This application falls under the Union Market Guidelines. Kate Curr and described the site in detail. IPMA/Storm Water comments have been addressed, TCP is being addressed and they are currently still working with Washington Gas. The applicant stated that the decorative paving has been removed from the entrance. The applicant is in process of applying for a Code Modification. The planters proposed at the façade of the building will be covered under a Covenant of Maintenance per Mr. Zimmerman.

3:14 pm – 3:24 pm Approved w/Conditions Vote: 5 to 0

- 1. The applicant will file a Covenant of Maintenance that explicitly requires the removal of the booth when the US Met relocates their headquarters.**

- 15) ANC 2C01 - **801 9TH STREET NW** - Permittee: NSP VENTURES CORPORATION - Owner: NSP VENTURES CORPORATION - PS Rental: Guards Booth (Exception) # 350579

Jeff Owens is the presenter for this application. The booth has electric telephone data/connections and air condition connections existing; no water and no footings. The booth sits on a concrete as the existing booth did. The applicant stated that the booth can be removed with a crane and moved in a fairly short period of time. The applicant is willing to enter a Covenant of Maintenance when the current occupant leaves the booth will be removed.

3:25 pm – Postponed at the applicant’s request

- 16) - **3500 - 3699 BLOCK OF ELY PLACE SE** - Permittee: AT&T Mobility - Owner: - Fixture: Small Cell Installation # 330005

Discussion: applicant requested that this application be postponed until July’s PSC meeting. (Ms. Tessia Knight confirmed during the meeting.)

3:26 pm- 3:48 pm Denied Vote: 5 to 0

- 1. The proposed application doesn’t meet the guidelines of National Park Service or Historic Preservation Office.**
- 2. The application didn’t provide enough reason to approved based on Guidelines for Small Cells Guidelines and Regulation 6.2.1 and 6.3.2**

- 17) - **3301 - 3730 BLOCK OF HAYES STREET NE** - Permittee: AT&T Mobility - Owner: - Fixture: Small Cell Class A 3rd Party Pole # 330124

Discussion: Ms. Tessia Knight is presenting for this application as well. There is a seven-foot increase to the height, they will paint the antenna and will improve the transmission in this area. Historic objects this application and UFD have revisions on the record. The applicant Ms. Knight states that she’s requesting a waiver to provide coverage to this area. The applicant may create a new record giving more details of the modification from the guidelines should be included.

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



3:49 pm – 3:57

- 18) - **3400 - 3465 BLOCK OF 25TH STREET SE** - Permittee: Crown Castle NG Atlantic LLC - Owner: -
Fixture: Small Cell Installation # 330405

Discussion: Carley Devens is the presentation. The applicant has received the approvals from all reviewers including the TWZT review response.

The meeting was adjourned at 3:00 pm by Matthew Marcou.