

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION**



d. Public Space Regulation Administration

**PUBLIC SPACE COMMITTEE HEARING
Status Report w/ Minutes**

1100 4th Street SW, 2nd Floor

Thursday, July 27, 2017 at 09:00 AM

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

9:00 AM - 9:15 AM **Consent Agenda**

Hearing was called to order at 9:20 am by Matthew Marcou, all twenty-one applications on the Consent agenda items were Approved

- 1) ANC 3D05 - **2905 UNIVERSITY TERRACE NW** - Permittee: Carl Bernstein - Owner: Carl Bernstein - Paving: Driveway Behind Sidewalk (porous/pervious ONLY) # 200738
- 2) ANC 2C01 - **901 G STREET NW** - Permittee: DCPL c/o Rob E. Tate - Owner: DCPL c/o Rob E. Tate - Fixture: Bike Rack(s), Bike Share Station, Trash Receptacle(s) (Exception), Landscaping: New Tree Space(s), Tree Fence(s), Tree Planting, Paving: ADA Curb Ramp, Curb & Gutter(s), Driveway(s) Close Existing, Mill and Overlay # 201900
- 3) ANC 4D02 - **5420 3RD STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: OLIVIA AKINSAN - OLIVIA AKINSAN # 10401526
- 4) ANC 2B06 - **1111 19TH STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Wawa, Inc. - # 10402116
- 5) ANC 1C03 - **1841 COLUMBIA ROAD NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Noah Dan - Noah Dan # 10397281
- 6) ANC 5E01 - **3112 7TH STREET NE** - Permittee: MHI-BROOKLAND, LLC - Owner: MHI-BROOKLAND, LLC - Fixture: Retaining Wall to 42", Paving: Curb & Gutter(s), Driveway(s) Close Existing, Driveway(s) New -Residential, Sidewalk (porous/pervious), Sidewalk(s), Projections: Porch & Steps # 201977
- 7) ANC 3F05 - **3301 FESSENDEN STREET NW** - Permittee: SD Homes LLC SD Homes LLC - Owner: SD Homes LLC SD Homes LLC - Fixture: Fence to 42" (Open Design), Wall (Exception over 42"), Landscaping: Tree Planting, Paving: Driveway(s) Close Existing, Driveway(s) New -Residential, Leadwalk Only, Leadwalk w/Steps, Patio (porous concrete/pervious pavers ONLY) # 205478
- 8) ANC 2C01 - **1319 F STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Proper Ventures LLC - Proper Ventures LLC # 10394184
- 9) ANC 6D02 - **1257 1ST STREET SE** - New Sidewalk Cafe Un-Enclosed - Permittee: Colin McCabe - Colin McCabe # 10396809

- 10) ANC 1C03 - **2418 18TH STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Ben Tre LLC - Ben Tre LLC # 10400105
- 11) ANC 1A05 - **3100 14TH STREET NW** - New Sidewalk Cafe Enclosed - Permittee: Yamrot Ezineh - Yamrot Ezineh # 10401516
- 13) ANC 6C05 - **501 H STREET NE** - Permittee: DOUGLAS DEVELOPMENT CORP - Owner: DOUGLAS DEVELOPMENT CORP - Fixture: Bollard(s) (Exception) # 204464
- 14) ANC 2C01 - **915 F STREET NW** - Permittee: David Tracz - Owner: Jason Berry - Fixture: Street Fixture or Furniture (Exception) # 199492
- 15) ANC 5D07 - **1164 BLADENSBURG ROAD NE** - Permittee: Stephanie Erwin - Owner: Stephanie Erwin - Landscaping: Tree Planting, Paving: Driveway(s) Close Existing, Driveway(s) New- Commercial # 205754
- 16) ANC 5E04 - **107 RHODE ISLAND AVENUE NE** - Permittee: Evelyn-Pierce Smith - Owner: Thomas Clark - Fixture: Wall (Exception over 42"), Paving: Leadwalk w/Steps # 201162
- 17) ANC 8C05 - **3759 1ST STREET SE** - Permittee: Beresford Davis - Owner: Beresford Davis - Paving: Driveway(s) New -Residential # 203590
- 18) ANC 6C06 - **301 N STREET NE** - Permittee: Bohler DC - Owner: - Fixture: Bench(es), Bike Rack(s), Bollard(s) (Exception), Planter Box on Sidewalk (Exception), Trash Receptacle(s) (Exception), Landscaping: New Tree Space(s), Stormwater Mgmt (serve public), Stormwater Mgmt (w/Curb Drain), Tree Planting, Tree Space (Stormwater Mgmt), Paving: ADA Curb Ramp, Alley(s), Curb & Gutter(s), Driveway(s) Close Existing, Driveway(s) Repair or Replace, Lay-by (new), Roadway(s), Sidewalk (porous/pervious), Sidewalk(s) # 203998
- 19) ANC 3C08 - **2733 35TH STREET NW** - Permittee: GreenHeart, LLC - Owner: Jose + Maria Villarreal - Fixture: Fence (Exception over 42") # 205634
- 20) ANC 2A06 - **2033 K STREET NW** - Permittee: 2033 K Street Partners LLC - Owner: 2033 K Street Partners LLC - Fixture: Bike Rack(s), Landscaping: New Tree Space(s), Tree Removal, Projections: Canopy # 205263
- 21) ANC 3E05 - **4227 47TH STREET NW** - Permittee: Matthew Schulze - Owner: Matthew Schulze - Fixture: Retaining Wall to 42", Paving: Driveway(s) Repair or Replace # 203160

Vote 4 to 0 Approved as Submitted (all application on the Consent Calendar)

9:28 AM – 9:48 AM

- 1) ANC 6C06 - **301 FLORIDA AVENUE NE** - Permittee: 301 FL MANAGER LLC - Owner: 301 FL MANAGER LLC - Fixture: (es), Bike Rack(s), Sign-Free Standing, Trash Receptacle(s) (Exception), Landscaping: Tree Planting, Over Head Work: Streetlight(s) Installation, Paving: ADA Curb Ramp # 203469
Vote: 4 to 0 Approved w/Conditions
Update the application descriptive to include the chairs
Upload new plans to address PPSA's comments
Enter a Covenant of Maintenance
The plans are to be updated as the Florida Avenue streetscape plans are updated

Discussion: The streetscape plan (elements, planting strips, street trees) will match the Florida Avenue Streetscape plan. The applicant stated that the plan is thirty percent complete currently.

9:50 AM – 10:14 AM

- 2) ANC 5A07 - **22 GALLATIN STREET NE** - Permittee: Patricia Roman - Owner: Patricia Roman - Paving: Curb & Gutter(s), Driveway(s) New- Commercial # 204415
Vote: 4 to 0 **Approve w/Condition -revised plans show scoring is continuous across the sidewalk**

Discussion: Curb cut is serving six parking spaces for an apartment building. The driveway itself is on the Ft. Totten side of the street. The reviewers didn't have any objections to the plans dated 6/12/17 however Commissioner Sandy Washington has safety issues with the traffic that has increased over the years, there is also a Concrete Company that exist within the same block and the traffic has increased with its traffic as well. In addition to a school that has pedestrian traffic. DDOT has installed a four-way traffic light and it is currently being installed due to the traffic. The ANC-5A07 Commissioner is concerned that there is safety issue for vehicular traffic making the left turn at the intersection where the proposed driveway is being proposed. The loss of the two or three parking spaces is also a concern for the neighbors.

The traffic light will regulate the traffic at this intersection once it has been activated.
10:15 AM – 10:43 AM

- 3) ANC 8D06 - **4292 SOUTH CAPITOL TERRACE SW** - Permittee: Duane Nelson - Owner: Duane Nelson - Paving: Curb & Gutter(s), Driveway(s) New -Residential # 204519
Vote: 4 to 0 **Denied all curb cuts showed on submitted drawings**
The PSC asked "why the two driveways on South Capitol Terrace can't be combined together". The driveway and parking being proposed on Danbury Street leads to parking in public space within the building restriction line

The applicant may reapply with the following conditions:

All curb cuts leading to the easement would be denied (with the exception of the existing approved ones) The Danbury Street shared use curb cut would be approved and use this access to share as many accesses as possible.

10:15 AM -10:43 AM

- 4) ANC 8D06 - **4296 SOUTH CAPITOL TERRACE SW** - Permittee: DISTRICT PROPERTIES - Owner: DISTRICT PROPERTIES - Paving: Curb & Gutter(s), Driveway(s) New -Residential # 186520
Vote: 4 to 0 **Denied all curb cuts showed on submitted drawings**

The applicant may reapply with the following conditions:

All curb cuts leading to the easement would be denied (with the exception of the existing approved ones) The Danbury Street shared use curb cut would be approved and use this access to share as many accesses as possible.

10:43 AM -11:00 AM

- 5) ANC 3G03 - **5363 29TH STREET NW** - Permittee: DISTRICT PROPERTIES * -
Owner: DISTRICT PROPERTIES * - Paving: Driveway Behind Sidewalk
(porous/pervious ONLY) # 186076
Vote: 4 to 0 **Denied**

Discussion: The curb cut must be centered and the design and width must be reviewed and approved by the PSC. The plans don't show the proposed designed driveway that the applicant spoke on at the PSC.

10:15 AM- 10:43 AM

- 6) ANC 8D06 - **4301 SOUTH CAPITOL STREET SW** - Permittee: Duane Nelson -
Owner: Duane Nelson - Landscaping: Tree Planting, Paving: Curb & Gutter(s),
Driveway(s) New -Residential # 199704
Vote: 4 to 0 **Denied all curb cuts showed on submitted drawings**

The applicant may reapply with the following conditions:

All curb cuts leading to the easement would be denied (with the exception of the existing approved ones) The Danbury Street shared use curb cut would be approved and use this access to share as many accesses as possible

At 11:00 am the Chair called for a 10 minute break; At 11:13 am the PSC returned to the record.

11:28 AM – 11:40 AM

- 7) ANC 5E06 - **251 FLORIDA AVENUE NW** - New Sidewalk Cafe Un-Enclosed -
Permittee: The Ledge, LLC - The Ledge, LLC # 10402244
Vote:4 to 0 **Approved with Conditions**

Most recent plans without the planters
Entire fence be lowered by three feet
Umbrella specs must have eight feet of clearance

Discussion: Applicant wishes to keep the existing fencing because losing the fencing would cause him to lose the seating capacity. One ADA seat is required for every twenty seats. The applicant has agreed to lower the entire fencing by three feet. The planters have been removed all together. The property line is the face of the building and will be added to the revised drawings. The umbrella must be eight feet of clearance and have no logos.

11:45 AM – 11:52 AM

- 8) ANC 2B05 - **1100 17TH STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Liberty Property Trust Chris Skelly - Liberty Property Trust Chris Skelly # 10402268
Vote: 4 to 0 **Denied as submitted**

Discussion: This application doesn't qualify for a sidewalk café and the PSC asked applicant why they didn't just have benches (fixtures). The PSC doesn't have the legal authority to provide amenities for this type of use. The applicant was told that any fixtures that they propose in the future must be open to the public to use.

- 9) ANC 2F01 - **1200 S STREET NW** - Permittee: GCS INC - Owner: DGS DC PUBLIC SCHOOLS - Fixture: Bench(es), Bike Rack(s), Sign-Free Standing, Landscaping: Hedge to 36" tall, Tree Planting # 204706
Previously Approved on the Chair's Report

11:54 AM – 12:15 PM

- 10) ANC 6E01 - **1501 9TH STREET NW** - Convert to Enclosed Cafe - Permittee: Adrian Williams - Adrian Williams # 10382259
Vote: 4 to 0 **Denied application as Submitted**

The method of enclosure doesn't meet the regulatory authority for having a café during in climate weather and the reduction in green space is against regulations.

Discussion: The applicant has gotten feedback from the Historic Preservation and they are asking them to provide a more permanent type of enclosure and the PSC has set precedence for a more temporary design for the proposed enclosure type. The applicant is still researching the design of the enclosure and will find one that meets both agencies requirements.

- 11) ANC 1A02 - **3423 14TH STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: david jafari - david jafari # 10425059
Applicant failed to appear at hearing
Vote: 4 to 0 **Tabled (1st)**

- 12) ANC 7B04 - **1605 31ST STREET SE** - Permittee: Marita McLain - Owner: Marita McLain - Excavation: Front Yard (In Public Space), Paving: Driveway(s) New - Residential # 203295
Applicant failed to appear at hearing **Tabled (1st)**

12:16 PM – 12:22 PM

- 13) ANC 2C - **500 - 599 BLOCK OF I STREET NW** - Permittee: Chinese Community Church - Owner: - PS Rental: Parking on Public Space # 204547
Vote: 4 to 0 **Denied as Submitted**

Discussion: The applicant was advised to apply for zone parking (Contact Person: Evian Patterson) will be contacted in order to have curbside use /loading zone.

12:24 PM -12:29 PM

- 14) ANC 6B02 - **705 NORTH CAROLINA AVENUE SE** - Permittee: Ryan Moody - Owner: Kimberly Pounsberry - Fixture: Bench(es), Fence to 42" (Open Design), Sign (w/footings)(Exception), Paving: Leadwalk Repair/Replace Existing # 202674
Vote: 4 to 0 **Approved w/Conditions with drawings dated 7 12/17**

The applicant must submit a Covenant of Maintenance for all non-standard fixtures proposed

12:42 PM – 1:05 PM

- 15) ANC 3C08 - **2602 29TH STREET NW** - Permittee: The 2602 29th Street Rev Tr The 2602 29th Street Rev Tr - Owner: The 2602 29th Street Rev Tr The 2602 29th Street Rev Tr - Fixture: Wall/Fence Combo (Exception over 42"), Landscaping: Tree Planting, Paving: Driveway(s) Close Existing, Driveway(s) New -Residential, Leadwalk w/Steps # 205224

Vote: 4 to 0 **Approved w/Condition**
Final grading plan and design of the steps and landscaping plan is reviewed and approved by Policy Planning & Sustainability Administration and Office of Planing. The tree removal and planting must be approved by Urban Forestry Administration

Discussion: The steps design to be split steps would work better for the Office of Planning (continuous landing). The grading plan needs to be shown on 29th Street to match the existing retaining wall grade that currently exists. The PSC asked why the applicant can't use the existing driveway. The applicant will be planting two trees (in parking area) to the street tree that will be lost with the proposed construction.

- 16) ANC 4C05 - **1349 SPRING ROAD NW** - Permittee: Andrejs Ziedins - Owner: Andrejs Ziedins - Fixture: Planter Box behind Sidewalk to 42", Retaining Wall to 42" # 204063
Vote: 4 to 0 **Tabled (1st)**

Applicant failed to appear to hearing

- 17) ANC 6C02 - **300 MARYLAND AVENUE NE** - Permittee: Atlantic Maintenance Group - Owner: - Fixture: Bench(es), Knee Wall to 30" # 186608
Vote: 4 to 0 **Tabled (1st)**

Applicant failed to appear to hearing

12:29 PM -

- 18) ANC 8C02 - **2701 MARTIN LUTHER KING JR AVENUE SE** - Permittee: Gordon - Owner: - Excavation: Manhole Frame and Cover (Adjust), Landscaping: Tree Removal, Paving: ADA Curb Ramp, Curb & Gutter(s), Driveway(s) New- Commercial # 202630
Vote: 4 to 0 **Approved as Submitted**

Discussion: The applicant must work out the Verizon abandon line

11:14 AM – 11:28 AM

ANC 2A01 - **431 18TH STREET NW** - Permittee: Kathryn Landis - Owner: Susan Karageorges - Fixture: Sign (w/footings)(Exception), Landscaping: Hedge to 36" tall, Paving: Driveway(s) Repair or Replace, Leadwalk Only # 205258

**Vote: 4 to 0
2017**

Approved as Submitted with drawings from July 11,

Discussion: The relocation of the statue to the 18th Street side of the street. The original project was not done through a PUD.

The PSC adjured at 1:08 PM by Matthew Marcou