

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



**PUBLIC SPACE COMMITTEE HEARING**

*Minutes*

1100 4th Street SW, 2nd Floor

Thursday, October 25, 2018 at 09:00 AM

***The meeting was called to order at 9:18am – 9:37 am meeting started and; the PSC Approved as Submitted all applications on the Chair's Report and Consent Agenda with a Vote of 4 to 0***

**Chair's Report and Consent Agenda**

- 1) ANC 5D01 - **500 MORSE STREET NE** - Permittee: Fifth and Morse L/Cal LLC - Owner: Fifth and Morse L/Cal LLC - Fixture: Bench(es), Bike Rack(s): DDOT Standard, Mutlispacer Meter, Planter Box on Sidewalk (Exception), Trash Receptacle(s) (Exception), Landscaping: New Tree Space(s), Stormwater Mgmt (serve public), Tree Planting, Over Head Work: Pole Removal (each add'l), Pole Removal (single or first one), Streetlight Damage Deposit (Office Use Only), Streetlight(s) Installation, Paving: ADA Curb Ramp, Curb & Gutter(s), Driveway(s) New- Commercial, Mill and Overlay, Sidewalk(s), Projections: Bay Window(s), Canopy # 313086
- 2) ANC 4A07 - **6045 16TH STREET NW** - Permittee: Kerley Signs, Inc. - Owner: - Fixture: Sign (w/footings)(Exception) # 315365
- 3) ANC 7C05 - **5708 BLAINE STREET NE** - Permittee: District Properties - Owner: District Properties - Fixture: Retaining Wall to 42", Paving: Curb & Gutter(s), Driveway(s) New -Residential # 316584
- 4) ANC 6E05 - **420 K STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: BW3, LLC - # 10665185
- 5) ANC 2B05 - **1660 L STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Potbelly Sandwich Shop - # 10687677
- 6) ANC 6C,ANC 6C06,06 - **39 NEW YORK AVENUE NE,41 NEW YORK AVENUE NE** - Permittee: David Yampolsky - Owner: David Yampolsky - Paving: Curb & Gutter(s), Driveway(s) Close Existing, Driveway(s) New -Residential, Sidewalk (porous/pervious) # 317433
- 7) ANC 5C04 - **1801 NEW YORK AVENUE NE** - Permittee: Douglas Development Corporation - Owner: - Landscaping: Tree Removal, Paving: ADA Curb Ramp, Alley(s), Curb & Gutter(s), Driveway(s) Close Existing, Driveway(s) New- Commercial, Sidewalk(s) # 300058
- 8) ANC 4B05 - **5616 7TH STREET NW** - Permittee: ROBERT NORRIS - Owner: Jonathan Cohen - Paving: Driveway(s) New -Residential # 317362 ***(This application was tabled and removed from Consent agenda ;due to ANC-4B's formal response had not been received yet)***
- 9) ANC 6D02 - **1299 1ST STREET SE** - Permittee: Ballpark Square LLC - Owner: Ballpark Square LLC - Fixture: Bike Rack(s): DDOT Standard, Trash Receptacle(s) (Exception), Landscaping: Tree Fence(s), Tree Planting, Over Head Work: Pole Removal (single or first one), Streetlight(s) Installation, Paving: ADA Curb Ramp, Sidewalk(s), Projections: Canopy # 314287

ANC 4A02 - **7701 16TH STREET NW** – Permittee: Tifereth Israel Congregation - Owner: - Fixture: Sign-  
10) Free Standing # 316906 \* **TOA is review/approved; added during hearing**

### **General Agenda**

10:26 am – 10:41 am – 10:40 am

**Denied – applicant’s failure to prosecute   Vote: 4 to 0**

*Note: Matthew (Chair) stated that he will send a letter to DCRA and have a letter sent to the Chief Engineer of the District of Columbia for all use of public space; noting general concerns of impacts of this wall that was built by the District of Columbia*

- 1) ANC 7B04 - **3214 O STREET SE** - Permittee: Charles Bunton - Owner: Charles Bunton - Landscaping: Tree Planting, Tree Removal, Paving; Driveway(s) New -Residential # 313008

*Discussions:*

*(applicant not present – contacted applicant and the applicant responded that they would not be in attendance via email)*

*ANC – Phillip Hammond was present and prepared to testify however; the applicant had not arrived and the Chair moved on to the next case to allow the applicant to arrive to testify to this application as well.*

**PSC Break 10:40 am – 10:53 am**

9:41 am - 10:25 am

**Part One - Approved mailboxes within 5 feet of property line and associated with the stoops the final design and location approval is delegated to OP and PSD Part Two - meters and wall location is (areaways) is denied as is however if you re-design your application would be go through DCRA on your building permit.**

**Partial Approve - Vote: 4 to 0**

- 2) .. - **2900 - 2999 BLOCK OF 7TH STREET NE,600 - 699 BLOCK OF HAMLIN STREET NE** - Permittee: WESLEY Brookland LLC - Owner: WESLEY Brookland LLC - Fixture: Street Fixture or Furniture (Exception) # 316955

*Discussions:*

*-applicant has changed the location for the installation of the mailboxes per OP and PSD comments and the reduction of the height of the walls (the applicant submitted a revised plan that he submitted during the PSC meeting dated October 23, 2018.*

*-Anna Chamberlin (PSD) asked the applicant why they couldn't relocate the fixtures in the inside of the building.*

*-Tim Maher (OP) stated that they had met with the applicant and can support the location of the mailboxes within public space but the size is what he doesn't support. The location of the walls that are being proposed the OP and wants advise/guidance from the PSC as a whole since there are more applications forth coming with similar circumstances with regards to the location of the Pepco utilities and their locations  
OP wants the proposed mailboxes moved closer to the stoop/building per Chris Shaheen*

10:55 am – 11:11 am

**Tabled – Vote 4 to 0**

- 3) ANC 3C09 - **3024 MACOMB STREET NW** - Permittee: Edward Rogers - Owner: Edward Rogers - Paving: Curb & Gutter(s), Driveway(s) New -Residential # 317021

*Discussion:*

*-per the applicant there is nine feet from the adjacent neighbors existing driveway and she submitted a revised site plan during the meeting. The applicant stated that they have no need to remove the existing tree and would be left in place. The applicant spoke with Tim Maher and his assistance was extremely helpful. The applicant also stated that she hasn't spoken to Sharon Dendy or an arborist yet.*

*-Upload revised plans that clearly delineates dimension and be forwarded to UFA, PSD and OP prior to returning before the PSC.*

12:16 pm – 2:13 pm

**(Conceptual Design Only) - \*Approved w/Conditions Listed below**

**Vote: 4 to 0**

- 4) ANC 6D07 - **1299 NEW JERSEY AVENUE SE** - Permittee: Forest City SEFC, LLC - Owner: - Excavation: Catch Basin(s), Fire Hydrant(s), Gas Connection (Trench), Fixture: Bench(es), Bike Rack: Not DDOT Standard, Bollard(s) (Exception), Curbside Signage, Hand Rail (36" high for ADA, 30"-42" high other), Planter Box on Sidewalk (Exception), Sign (w/footings)(Exception), Street Fixture or Furniture (Exception), Landscaping: New Tree Space(s), Replacement Tree, Stormwater Mgmt (Exception Serve Private), Stormwater Mgmt (w/Curb Drain), Tree Planting, Tree Removal, Tree Space (Stormwater Mgmt), Paving: ADA Curb Ramp, Alley(s), Curb & Gutter(s), Public Parking Area Commercial, Roadway(s), Sidewalk(s), Projections: ADA Ramp # 317440

**\*PSC Design Concept Approval is for One in a Half Street and One in a Half Place with the following:**

**The pages #16 and #17 of the revised plans submitted to PSC on October 25, 2018**

**Use of paving and layout of special paving, location of bollards and concept of curb less design and the location of the proposed concept of fixtures with the condition that a Covenant of Maintenance is in recorded with Recorder of Deeds and the applicant will be responsible for Plowing during inclement weather conditions. PSC is also approving the location of**

**The proposed kiosks are not approved in public space but kiosks submitted with the Capitol Riverfront Bid may be approved; Non-standard furnishings being proposed but the actual location and design is still pending approval by OP, PSD at a later date**

*Discussions for both applications:*

*-Both locations were discussed together as one address.*

*-All non-standard fixtures and features were discussed:*

*-Non-standard streetlights, bollards, and benches and trash receptacles and the trash collection needs to be confirmed by*

*-The paving that is on Half Street should be coordinated with the existing infrastructure and take a look at the existing standards for the Buzzard Point Riverwalk per Chris Shaheen*

*-Matthew's questions page 10 a restaurant called Sherlock homes? It's made up response from applicant*

*-N Place :*

*-if the sidewalk is increased to ten feet as directed by PSD the applicant would lose the travel lanes, no parking on one side of the street and it appears that the eight feet would balance the pedestrian/vehicular right of way better per the applicant.*

*-proposed sidewalk dimension are six feet nine inches due to the expected pedestrian right-of-way*

*-Chris asked if a six foot sidewalk could be on N Street what would it enable the applicant to do?*

*Curb cut widths regarding Parcel I will all match DDOT standards*

*The curb cuts off of I Street and the Canal Road landscaping issue is that trees will be installed and a Covenant will be filed to ensure that they are maintained by the applicant*

*-A signage plan must be submitted on the N Place side where the lay-by is being proposed*

*-Matthew recommended that the applicant submit a Plan A and Plan B for the N Place side for more detailed plan for concept design and that the final plan would need to come back before the PSC*

*-Per Matthew the applicant need to submit explicit language that shows adequate lighting and tree canopy can be worked out by the applicant*

*-Per Matthew the PSC has no objection on the proposed curb cuts on the north side of the building*

*-Issues on Canal Street: the applicant needs to maximize the sidewalk (8 to 9 feet), provide tree space/planting strip (3 to 4 feet)– the PSC supports without street lights provide the applicant supplies tree planting and lighting that is approved by UFA*

*-Issues on N Street:*

*-Applicant is proposing a 10 foot sidewalk, 8.5 feet planting strip,*

*-There is no distribution for this new street and the applicant is proposing the (nine foot - projection)steps*

*-Vaults foundation wall (structural element) question asked by Matthew during discussion but never really answered by the applicant*

12:16 pm – *Same as above*

**(Conceptual Design Only) Tabled- Vote: 4 to 0**

The applicant passed out new drawings that were revised and submitted during the hearing:

The Yards Phase I overview was presented by the applicant

- 5) ANC 6D07 - **1299 NEW JERSEY AVENUE SE** - Permittee: Forest City SEFC, LLC - Owner: - Fixture: Bench(es), Bike Rack: Not DDOT Standard, Bollard(s) (Exception), Curbside Signage, Hand Rail (36" high for ADA, 30"-42" high other), Knee Wall to 30", Paving: ADA Curb Ramp, Curb & Gutter(s), Driveway(s) New- Commercial, Sidewalk(s), Projections: ADA Ramp, Porch & Steps # 317444

11:52 AM – 12:14 pm

**Denied - Vote: 4 to 0**

- 6) ANC 1C06 - **2700 16TH STREET NW** - Permittee: MCREF Embassy LLC - Owner: MCREF Embassy LLC - Fixture: Sign (w/footings)(Exception) # 313936

*Discussion:*

*-Permission to install a sign at the circular driveway acknowledging and identify the apartment building*

*-HP supported the design being proposed in public space.*

*-The applicant stated that HP (Mr. Callcott) said that he would not approve a sign located on the building façade*

*-Public space is not used for marketing per Matthew Marcou*

*-Mr. Shaheen referenced the Title 12 A Appendix N on Sign regulations to see if a plate attached to the façade of the building could possibly be used only applies to non-profits . An awning with the name of the apartment complex name would be another avenue that the applicant could look into in order to come into compliance with regulations*

*-The propose sign is approx. 30 feet from the property line per the applicant*

*-The applicant stated that they could relocate the sign closer to the building.*

*-The applicant should be applying for a mapping application (zoning change) through DCRA - Zoning*

11:12 am - 11:28 AM

**Denied – Vote: 4 to 0**

- 7) ANC 4D03 - **5337 5TH STREET NW** - Permittee: Mirzan LLC - Owner: Mirzan LLC - Fixture: Fence to 42" (Open Design), Projections: Areaway Entrance, PS Rental: Parking on Public Space # 314920

*Discussion:*

*-Applicant stated that he's applying for rental parking within the public space and standard 42 inch fencing and a projection. The projected parking within the public space for rental is what he's applying for and to be in compliance with regulations.*

*Note: The green space has been paved and used for residential parking within the public space and this is not a commercial establishment.*

*Mr. Marcou recommended that the applicant reapply and speak with the Office of Planning*

- 8) 11:29 am – 11:51 am

**Approved w/ Conditions Vote: 4 to 0**

**-Application must be split; one for each restaurant with separate site plans.**

**-Each must have a separate site plan and adhere to the Regulations for sidewalk cafes particularly enclosed cafes for the application for enclosed café**

**-The enclosure method including the materials be included in the application for review and approval**

**-The applicant clearly indicate the size of the enclosure being proposed and**

**-The applicant be informed and include on their plan information when the café enclosure can legally be in place per café regulations**

*Discussion:*

*Applicant will be using a motorized curtain for the enclosed café (must be clear materials used)*

*Revised plans should go to Evelyn Isreal*

*Applicant will cancel/withdraw this application and submit two separate applications.*

**Approved with Conditions Vote: 4 to 0**

- 9) ANC 6D02 - **99 M STREET SE** - New Sidewalk Cafe Enclosed - Permittee: MHG NAVY YARD, LLC  
MHG NAVY YARD, LLC - MHG NAVY YARD, LLC MHG NAVY YARD, LLC # 10679150

Discussion:

-Applicant proposing 17 tables and 36 seats and has removed the proposed platform  
-Applicant has also applied for a Summer Garden permit through DCRA and DDOT however the entire café area is on this application.  
-Height of fencing is 36 inches (railing) and the awning's highest point can't exceed twelve feet or the first floor level of building and between the awning and railing the applicant is proposing curtains  
Applicant needs to revise drawings and upload the most current site plan for each restaurant  
Applicant needs a separate application for each café layout.

3:00 pm

**Tabled – Vote: 4 to 0**

ANC 5C01 - **3724 30TH PLACE NE** - Permittee: OluwKemi Adebisi - Owner: OluwKemi Adebisi - Paving:  
Driveway(s) New -Residential # 312742

*-Applicant didn't show up at hearing*

3:00 pm

**Tabled – Vote: 4 to 0**

- 10) ANC 2B01 - **1727 21ST STREET NW** - Permittee: American Professional Inc - Owner: MILES KAHLER -  
Fixture: Bollard(s) (Exception) # 315693

*-Applicant didn't show up at hearing*

2:15 pm – 2:37 pm

**Approved w/Condition Vote: 4 to 0**

- 11) ANC 3E05 - **3920 ALTON PLACE NW** - Permittee: Philip Kroskin - Owner: Philip Kroskin - Paving:  
Driveway(s) Circular, Driveway(s) Close Existing, Driveway(s) New -Residential # 316112

-The applicant is explaining why they can't use DDOT's standards for installing the proposed driveway.

**-Driveway must meet DDOT's standards for widths of driveways and sidewalk treatment across driveway.**

**Hold meeting in field with UFA prior to approval of this permit. UFA must approve this application before it is finalized.**

2:38 pm – 2:54 pm

**Tabled until next month's meeting Vote: 4 to 0**

- 12) ANC 4D01 - **800 KENNEDY STREET NW** - Permittee: Walter Bowman - Owner: Walter Bowman -  
Fixture: Hand Rail (36" high for ADA, 30"-42" high other), Knee Wall w/Fence to 42" (open design),  
Retaining Wall to 42", Paving: Curb & Gutter(s), Driveway(s) Close Existing, Driveway(s) New -Residential,  
Leadwalk Only, Leadwalk Repair/Replace Existing, Leadwalk w/Steps, Projections: Areaway Entrance, Bay  
Window(s) # 316657

-Applicant submitted revisions

-Uploaded plans 10/22/18

-Revised Resubmitted by PSC 10/25/18

Applicant must submit all uploads by 1:00pm Nov 1, 2018 for November hearing agenda

3:00 pm

**Tabled – Vote 4 to 0**

- 13) ANC 6B03 - **721 D STREET SE** - Intercity Bus - Permittee: ACADEMY BUS LLC - # 10684385 **Applicant didn't show up during hearing 1<sup>st</sup> rescheduling; application Tabled to next hearing. Tabled**

*The PSC meeting is adjourned by Matthew Marcou at 3:10 pm*