

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION



d. Public Space Regulation Division

PUBLIC SPACE COMMITTEE HEARING
Meeting Minutes

1100 4th Street SW, 2nd Floor

Thursday, September 26, 2019 at 9:00 AM

Attendance: Matthew Marcou, Courtney Williams, Chris Shaheen, Anna Chamberlin, Andrew Wiley, Catrina Felder, Kisha Allen

The meeting was called to order by Matthew Marcou at 9:15 am

9:16 am – 9:27 am

Consent Agenda

All Approved as Submitted

Vote: 5 to 0

- 1) ANC 2B05 - **1503 17TH STREET NW** - Permittee: Jin Yamazaki - Owner: Jin Yamazaki - Paving: Leadwalk Repair/Replace Existing, Projections: Other (Exception - Not to Bldg Code) # 333763
- 2) ANC 4C,ANC 4C06,06,06 - **930 RANDOLPH STREET NW,940 RANDOLPH STREET NW,960 RANDOLPH STREET NW** - Permittee: Xavier Rathlev - Owner: Petworth Station LP - Excavation: Front Yard (In Public Space), Fixture: Bike Rack(s): DDOT Standard, Projections: Window Well(s) # 327306
- 3) ANC 8E,ANC 8E01,01 - **2825 ROBINSON PLACE SE,2836 ROBINSON PLACE SE** - Permittee: District Properties - Owner: District Properties - Paving: Curb & Gutter(s), Driveway(s) New -Residential, Sidewalk(s) # 331553
- 4) ANC 2A07 - **2100 PENNSYLVANIA AVENUE NW** - Permittee: Boston Properties - Owner: Boston Properties - Fixture: Bike Rack(s): DDOT Standard, Trash Receptacle(s) (Exception), Landscaping: New Tree Space(s), Tree Planting, Tree Removal, Tree Space (Stormwater Mgmt), Over Head Work: Streetlight(s) Installation, Paving: ADA Curb Ramp, Curb & Gutter(s), Mill and Overlay, Sidewalk (porous/pervious), Sidewalk(s) # 321797
- 5) ANC 2C01 - **1426 H STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: cheesecake factory - cheesecake factory factory # 10731612
- 6) ANC 1B05 - **2436 14TH STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Regal Pan, LLC dba Rooster & Owl - Regal Pan, LLC dba Rooster & Owl # 10737654
- 7) - **5100 - 5299 BLOCK OF E STREET SE** - Permittee: H2 DESIGN BUILD - Owner: H2 DESIGN BUILD - Landscaping: Tree Planting, Paving: Driveway(s) New -Residential, Leadwalk Only # 324875
- 8) ANC 7E06 - **5354 CALL PLACE SE** - Permittee: District Properties - Owner: District Properties - Paving: Curb & Gutter(s), Driveway(s) New -Residential, Leadwalk Only, Sidewalk(s) # 325402
- 9) ANC 5A04 - **620 MICHIGAN AVENUE NE** - Permittee: Chidiebere Ugbam - Owner: Catholic University of America - Fixture: Sign (w/footings)(Exception) # 326647
- 10) ANC 6E05 - **504 K STREET NW** - New Sidewalk Cafe Un-Enclosed - Permittee: 7-Eleven, Inc. - # 10726689
- 11) ANC 7B04 - **3021 P STREET SE** - Permittee: District Properties - Owner: District Properties - Fixture: Retaining Wall to 42", Paving: Curb & Gutter(s), Driveway(s) New -Residential, Leadwalk w/Steps # 328851

- 12) ANC 3G01 - **6661 BARNABY STREET NW** - Permittee: frederik de pue - Owner: FREDERIK DE PUE - Paving: Driveway(s) Close Existing, Driveway(s) New -Residential # 331911

General Agenda

9:28 am - 10:19 am

Tabled - Vote: 5 to 0

- 1) ANC 6E04 - **1017 7TH STREET NW** - Permittee: 655 New York LLC / Boundary - Owner: 655 New York LLC / Boundary - Projections: ADA Ramp # 327963
Discussion: The stone under the door is Historic at the façade of the building per the applicant
-HP opposed the applicant installing a ramp since 2014 to date and they met with Steve Callcott at HP
-The Chair asked the applicant why didn't they come to the PSC? The applicant responded by saying that they actually thought they would have one tenant instead of all the individual little restaurants.
-The applicant stated that there will be a six foot clear pedestrian pathway
-The PSC's concerns are the ADA accessible entry way at the doorway entrance.
-The applicant will provide the documentation that HPRB or the HP staff level that opposed or denied the cutting of the foundation of the building.
-The applicant will return with the following information:
1. Clarification of distance from the rail to the tree box extended
2. The door meets accessibility as designed, including dimensions.
3. HPO cannot support elongating the door to allow a ramp on the property rather than in public space and supports the railing in the public space.

10:19 am - 10:41 am

Approved w/Conditions Vote: 5 to 0

- 2) - **1600 - 1699 BLOCK OF KENILWORTH AVENUE NE** - Permittee: Kenilworth Avenue North, LLC - Owner: - Paving: Driveway(s) New- Commercial # 334007
Discussion: The applicant is proposing to install a driveway that will allow access to Kenilworth Avenue and they will be modifying the existing signal.
-The applicant stated that they completed a Preliminary Design Review Meeting (PDRM)
-ANC- Commissioner Douglas
-application will not be set to Approved Pending Payment until the conditions have been met.
Conditions:
The applicant is still working with the UFD regarding the Special Tree permits
The IPMA/Storm Water Management plan must be provided prior to issuance

10:42 am -10:55 am

Tabled - Vote: 5 to 0

- 3) ANC 7C01 - **4401 HAYES STREET NE** - Permittee: Patsy Johnson - Owner: Patsy Johnson - Paving: Leadwalk Only, Projections: Bay Window(s), Other (Exception - Not to Bldg Code) # 334011
Discussion: The applicant stated that when she purchased the property in 2017 it was already built. He architect was supposed to attend but the applicant stated that he didn't show this morning.
Issue: A portion of the façade was built in the public space prior to coming before the PSC
The PSC Executive Secretary will send an official letter to the DCRA to confirm that this building was built in the public space and what lead this to happen? Pending a report from the Chief Building Official (Clarence Whitescriber- Garret(all active records and permits)

11:00 am – 11:10

Approved w/Conditions Vote: 5 to 0

- 4) ANC 2D02 - **2225 R STREET NW** - Permittee: Lusine Shirinyan - Owner: Lusine Shirinyan - Fixture: Bike Rack(s): DDOT Standard # 334085
*Discussion: The proposed statue is over six feet in height. OP asked if the applicant would consider installing interruptive panels with a descriptive of the contributions to the District of Columbia. HP has standards for interruptive panels. **The PSC delegated the review and approval of the Office of Planning and coordinate with the Office of the Secretary of State***

Mr. Sheheen will have the final approval of the interruptive panel prior to issuance.
The statue and the proposed base was approved by the PSC

11:11 am – 11:31 am Break for PSC; returned on the record.
Matthew Marcou left and Chris Shaheen took over as the Chairman for the PSC

11:31 am – 11:45 **Approved w/Modifications** **Vote: 4 to 0**

- 5) ANC 3D01 - **4241 HAWTHORNE STREET NW** - Permittee: Thomas Daley - Owner: Thomas Daley - Paving: Curb & Gutter(s), Driveway(s) Repair or Replace # 329481
Discussion: Mr. Daley stated that if the driveway is shifted it would take out a healthy Heritage tree
There is a carriage house that currently exists and he's not sure what will be done.
Reduce the width of the curb cut to nine feet and change paving materials to a course material, use the standard driveway flare for residential driveway
Remove the paved surface of the vehicle area out of public space

11:46 am- 11:54 am **Approved as Submitted** **Vote: 4 to 0**

- 6) ANC 2F01 - **1357 R STREET NW** - New Sidewalk Cafe Enclosed - Permittee: Matt Harris - Matt Harris # 10716555
-The applicant pulled in the enclosure a bit which will be more temporary and he provided the connection details for the connection to the building. The applicant stated that there is an interior wall adjacent to the proposed café. PSC approved June 18, 2019 submitted drawings

11:56 am – 12:35 pm **Approved w/Conditions** **Vote: 4 to 0**

- 7) ANC 5B05 - **1234 OTIS STREET NE** - Permittee: Jason Jones - Owner: Jason Jones - Fixture: Retaining Wall w/Open Fence Combo to 42" # 333859
1. The applicant is proposing to repair/replace in kind with the same material to be used.
2. The applicant must upload photos of site
3. Provide a site plan that shows the property line and building restriction line

Approved Conditions– Vote: 4 to 0

(both these applications were heard together*)
The width of the proposed shared driveway is 14 feet. The applicant has an agreement between both properties regarding the closing of the driveways if permitted must be uploaded into the TOPS database as part of this record.

Ms. Chamberlin asked if the applicant would be proposing a sidewalk and the response was not at the present time.

PSC approved the curb cut and projections; with the understanding that further consideration of curb and gutter may be required for processing the application.

UFA approves any changes to trees in public space

Covenants related to the shared driveway and the reciprocal access to private property for both addresses prior to issuance of permits. addressed and the meeting has not taken place per the applicant

- 8) ANC 3D05 - **5017 ESKRIDGE TERRACE NW*** - Permittee: 5019 Eskridge Terrace LLC - Owner: 5019 Eskridge Terrace LLC - Paving: Driveway(s) New -Residential, Leadwalk w/Steps, Projections: Bay Window(s), Porch & Steps # 334909

(both applications were heard together)

- 9) ANC 3D05 - **5024 DANA PLACE NW*** - Permittee: 5026 Dana Place LLC - Owner: 5026 Dana Place LLC - Paving: Driveway(s) New -Residential, Leadwalk Only, Projections: Bay Window(s), Porch & Steps # 334965

12:36 pm - 12:42 PM

Approved w/Condition

Vote: 4 to 0

- 10) ANC 2F08 - **1001 14TH STREET NW** - Add Furniture/Equipment to Cafe Plans - Permittee: EOS DCH OWNER LLC - EOS DCH OWNER LLC # 10744143

-The applicant must either use a clear plastic curtain or remove the proposed curtain altogether

12:42 pm - 1:07 PM

Approved w/Modifications Vote: 4 to 0

- 11) ANC 1B11 - **965 FLORIDA AVENUE NW** - New Sidewalk Cafe Un-Enclosed - Permittee: Mark Hughes - Mark Hughes # 10744566

Discussion: Whole Foods café that is going into the mix use unit the address for the Whole Foods is 967 Florida Avenue, NW

Discussion: Trash containers/ compose recycling centers was all removed on the revised plans per the applicant

- The applicant must have more than six feet clear pedestrian pathway

-Approved eight umbrellas with a maximum five ft. width no logos on umbrellas

-The mounting of the furniture needs to be uploaded into the TOPS database

-There must be eight feet of clear sidewalk widths on both sides of café;

-Resubmit revised site plan w/recalculated area of the café based on eight feet sidewalk at recalculate the number of seats based on fifteen square feet per seat (seating must be reduced to a maximum of eight seats).

PSC took a Short Break and Restarted the meeting at 1:16 pm

1:17 pm – 1:33 pm

Denied – Vote: 4 to 0

The PSC couldn't support the parking in the parking area; and it is not consistent with the Zoning Regulations.

- 12) ANC 3D05 - **4891 MACARTHUR BOULEVARD NW** - Permittee: Jorge Euceda - Owner: Jorge Euceda - Paving: Driveway(s) New -Residential # 333310

Discussion: Zoning has a regulation that states that you can't park in the front of the property was stated by Mr. Wiley.

Mr. Shaheen stated that the entry way of Macarthur Boulevard has a park like streetscape currently.

1:35 pm – 2:09 pm

Denied – Vote: 4 to 0

Extra width and depth does not meet qualify as an embellishment and does not meet the criteria for approving a Code Modification

- 13) ANC 4D04 - **5111 GEORGIA AVENUE NW** - Permittee: 5111 GA, LLC - Owner: 5111 GA, LLC - Projections: Bay Window(s) # 333656

Discussion: The proposed project doesn't comply with the projection regulations for projections, the projection shouldn't project more than two feet.

2:14 pm – 2:21 pm

Approved (the drawing dated 8/28/19) – Vote: 4 to 0

- 14) ANC 5E04 - **18 T STREET NE** - Permittee: Daniel Feeman - Owner: Daniel Feeman - Fixture: Fence to 42" (Open Design) # 333846

Discussions: The applicant is applying for a retaining wall and fence

The retaining wall is just one option; the other is to extend the retaining wall and level everything.

The application is now for the 30" fence with the retaining wall.

2:22 pm – 2:45 pm

Concept Approved of Vestibule w/Condition Vote: 4 to 0

The vestibule doors be redesign to not swing into the pedestrian clear walk way and that a final determination on issues related to rent, and other issues associated with the café are delegated to Chairman Marcou for final approval.

- 15) ANC 6B03 - **715 8TH STREET SE** - New Sidewalk Cafe Enclosed - Permittee: Aaron Silverman - Aaron Silverman # 10752856

Discussion: The Chairperson (Chris Shaheen) asked "why couldn't the applicant moved to the inside of the restaurant". The applicant stated that there is not enough room. He also stated that a vestibule is not considered a projection. Can the projection be design to not swing into the public space? The applicant stated that the designer stated that it can be turned to swing into the rented public space. The applicant stated that they could look into placing tables/chairs within the proposed vestibule and prepare a site plan if needed.

2:45 pm – 2:55 pm

Tabled – Vote: 4 to 0

The applicant must make the application match the submitted site plan (inconsistent information both on the application and the site plan).

- 16) ANC 3D05 - **4814 MACARTHUR BOULEVARD NW** – New Sidewalk Cafe Un-Enclosed - Permittee: Med Lahlou - Med Lahlou # 10737413

Discussion: There is an issue with reducing the amount of seating. The photos do not match the site plan that is being proposed. No umbrellas, no planters

2:56 pm - 3:37 pm

Tabled – Vote: 4 to 0

The applicant must resubmit a site plan that shows both buildings with all of the design of the public space. Also, DCRA will research permits that have been issued thus far. Evelyn Israel, PSRD will also be coordinating with DCRA staff.

- 17) ANC 6C,ANC 6C06,06 - **629 FLORIDA AVENUE NE,631 FLORIDA AVENUE NE** - Permittee: MONIR PATWARY - Owner: Guangmin Pu - Excavation: Front Yard (In Public Space), Paving: Sidewalk(s), Projections: Stoop & Steps # 327395

Discussion: The steps and the window wells are being proposed. The projections are not compliant with our regulation for projections.

-There is not enough space for the proposed projections. New buildings are. B1910455 is the permit revision that Mr. Wiley found

-There are two other buildings on this block where not in compliant; the applicant stated that the building is already built. The DCRA permit has been issued.

-The PSC will delegate Mr. Wiley as you contact person with the approved building permits. Applicant's contact information will be given to Mr. Wiley. Mr. Wiley will schedule a meeting with Chris Shaheen and Evelyn Israel figure out a solution.

PSC Meeting was adjourned at 3:41 pm