



Government of the District of Columbia
Advisory Neighborhood Commission
Box 75115
Washington, DC 20013



April 8, 2010

Mr. Gabe Klein
Director
Department of Transportation
2000 14th Street, NW, 6th Floor
Washington, DC 20009

Re: Status of Curbcut Appeal for 701 10th St NE

Dear Mr. Klein:

In January of 2006, DDOT notified our ANC of a pending public space application for a curbcut and driveway to access on-site parking for a 2-unit building (“flat”) at 701 10th St. NE. According to the Zoning Regulations, a flat must provide one on-site parking spot. 701 10th St NE is a corner lot, and in January of 2006 it lacked both alley access and street access to on-site parking spaces.

A flat was constructed on this lot without first obtaining a zoning variance from the BZA or curbcut permit from DDOT. The building permits were issued in error by DCRA because the owner submitted plans showing a non-existent curbcut and driveway off G Street that accessed two on-site parking spots.

ANC 6A has opposed new curbcuts within residential areas in order to promote the walkability of our neighborhood and minimize vehicle-pedestrian conflicts. Our ANC wrote a letter to DDOT on February 14, 2006 requesting that the public space curbcut application be denied because it would 1) eliminate on-street parking spaces 2) create a safety risk for children going to the Sherwood Recreation Center, 3) eliminate public green space and 4) invite illegal parking on public space.

Despite the fact that the Ward 6 Transportation Planner, Christopher Delfts, agreed with the ANC position, DDOT’s Office of Public Space granted a public space permit for a curbcut and driveway and notified our ANC on December 11, 2006.¹ Commissioner Fengler subsequently appealed the public space permit on to Public Space Manager, Ms. Denise Wiktor of DDOT and her supervisor, Acting Associate Director Ms. Ann Mason-Simpson. Ms Simpson-Mason denied the appeal on December 18, 2006.

Commissioner Fengler then appealed the public space permit to the former DDOT Director Michelle Pourciau on December 21, 2006. There was no response from Ms. Pourciau to this appeal. Ms. Pourciau was replaced by Emeka Moneme in January 2007. Commissioner Fengler appealed the public space permit to Director Moneme on January 4, 2007. Director Moneme responded “Thank you for bringing this issue to my attention. This is an important issue, and I will speak with ... the appropriate DDOT staff to get a response to your request.” However, no response was received. When Mr. Moneme spoke at the May 2007 ANC 6A meeting he indicated that he would refer the appeal to the Public Space Committee. When Linda Argo spoke at the September 2007 ANC 6A meeting, she said that a Certificate of Occupancy would not be issued until the curbcut appeal had been resolved. To date, the appeal has not been referred to the Public Space Committee or officially denied by the DDOT director.

ANC 6A has invested significant effort in this appeal and would like it to be referred to the Public Space Committee for the adjudication. The flat has been vacant for the last 3 years, so it is still possible to act on the appeal before a decision would affect residents living at this address. We still believe that the best course of action would be to deny the application, close the curbcut and require that the owners of 701 10th St NE apply for a zoning variance.

¹ Although the letter was dated November 8, 2006, it was not sent to ANC 6A until December 11, 2006.

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The full appeal is included as Attachment A and former Director Moneme's response to the appeal is included as Attachment B. Please let us know how DDOT will proceed on disposition of ANC 6A's curbcut appeal for 701 10th St NE as soon as possible.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Kelvin J. Robinson". The signature is written in a cursive, flowing style.

Kelvin J. Robinson
Chair, Advisory Neighborhood Commission 6A

cc: Linda Argo, Director, DCRA
Matt LeGrant, Zoning Administrator
Nicholas Majett, Deputy Director, DCRA
Christopher Delfts, DDOT
Lennox Douglas, DCRA Permitting
Tommy Wells, Councilmember, Ward 6

Attachments