

ANC 6A Transportation & Public Space Committee Meeting Minutes  
Capitol Hill Towers (900 G Street NE)  
January 24, 2011

- I. Meeting called to order at 7:06 pm
- II. Introductions - ANC 6A Chair David Holmes; Committee members DeLania Hardy, Sean Lovitt and Omar Mahmud (Chair); Diane Thomas of the National Marathon; Musa Ulsan, owner of a new pizza restaurant called Homeslice to be opened at 1387 H Street NE; and community member Margaret Holwill.
- III. Community Comment - None
- IV. Announcements
  - A. Prior to the committee announcements, Chairman Holmes asked to provide the following information:
    - i. The ANC, as part of new rules passed this year, has changed the way committee recommendations come to the ANC for action. Going forward, committee recommendations now have the full status of a motion as if the motion has come from a commissioner. Therefore, committee recommendations should now be phrased as motions to be acted on at commissioners meetings.
    - ii. Chairman Holmes also expressed gratitude towards the committee members for their service and asked that his thanks also be passed on to committee members not in attendance. It is critical for the ANC to have active committees and committee members to serve on them. Committees give the ANC the expertise it needs to make important decisions.
    - iii. ANC 6A is very active in the District and it has gained a reputation for being active because of the hard work done by committees, including successfully proposing changes to regulations and laws (e.g. fast food zoning regulations). Chairman Holmes is urging all committees to continue their hard work in this regard.
    - iv. Chairman Holmes then excused himself from the meeting, explaining that he did not want to participate in discussion of the agenda items and voting on these items since he will be voting on them at the ANC meeting next month.
  - B. Mr. Mahmud informed the committee that the new DDOT Streetcar Project website at [www.dcstreetcar.com](http://www.dcstreetcar.com) is now active. Mr. Mahmud provided a brief overview of the content on the site, which includes, among other things, overall project updates, community meeting announcements, streetcar plan information and H Street/Benning Road line implementation progress.
    - i. Mr. Lovitt pointed out that the website seems to be light on H Street/Benning Road timeline information.

- C. Mr. Mahmud informed the committee that the X9 Express bus route has begun service along H Street/Benning Road in our ANC, which is big news for bus riders since X2 buses running along the same approximate route are typically quite crowded. The bus makes more limited stops than the X2 and runs from around 6:00 am until about 6:30 pm each weekday with 15 minute intervals.

#### V. New Business

- A. Mr. Mahmud first made a motion that items V.B and V.C. on the meeting agenda be removed at the request of the individuals requesting to bring these matters before the committee. The motion was seconded by Mr. Lovitt, which passed without objection.

#### B. 2011 National Marathon follow-up with race organizers

- i. Mr. Mahmud introduced Ms. Thomas of the Greater Washington Sports Alliance (National Marathon race organizers), thanked her for coming and asked her to update the committee on the items we discussed at the October 2010 committee meeting related to potential race day (March 26, 2011) disruptions. Ms. Thomas presented Mr. Mahmud with a series of letters documenting her efforts to address the committee's concerns raised at the October 2011 meeting. All letters are attached to these minutes as Attachment A.

#### ii. Ms. Thomas then provided the following information:

1. An arrangement has been worked out with the Capitol Hill Seventh Day Adventist Church located at 914 Massachusetts Avenue NE in our ANC. The arrangement Ms. Thomas has worked out with the church's pastor, Dr. Gene Donaldson, is aimed at minimizing worship disruption on race day. The church ordinarily has 9:15 am and 11:00 am worship services on Saturdays, the day of the race. The church plans to combine the two services during a time which will enable church members to attend service with minimum hassle. Ms. Thomas has provided the church with directions and a map for accessing the church via street openings, which the church plans to pass on to its members.
2. An arrangement has been worked out with the DaVita Dialysis Center located at 300 8<sup>th</sup> Street NE in our ANC. Ms. Thomas and the center's Facility Administrator, Myra Cruz, have agreed to work together to ensure patient treatments are not impacted on race day. The first set of patients and staff come in to the center at 5:30 am on race day. This early group will not be effected, but there is a 10:30 arrival group that would be effected. Ms. Cruz has agreed to change the schedule on race day and communicate this change to patients and staff well before race day.
  - a. Mr. Lovitt asked whether the people coming in at 5:30 am will be impacted by the race when trying to leave. Ms. Thomas informed the committee that she will communicate an exit route for these people to Ms. Cruz.

- b. Ms. Hardy asked whether Metro Access has been notified of race day disruptions. Ms. Thomas plans to go over Metro Access service with WMATA during a meeting scheduled for February 1. Ms. Thomas will go over all other WMATA related issues during this meeting, including logistics and planning, as well as notice to riders of bus service disruption on race day. WMATA has informed Ms. Thomas that service will begin at 5:00 am on race day. Ms. Thomas promised to follow up with Mr. Mahmud following this meeting and provide a summary of what had been agreed to between WMATA and race organizers.
3. An arrangement has been proposed to the Specialty Hospital of Washington located at 700 Constitution Avenue NE in our ANC. Ms. Thomas and the Facility Director's assistant, Gail Mizell, have discussed a plan to ensure patients can visit the hospital with minimum disruption, similar to the plan provided to the DaVita Dialysis Center. Ms. Thomas plans to follow up with the hospital once its Facility Director has had a chance to review the proposed plan.
4. Mr. Mahmud asked about efforts to notify businesses and residents about the race and race day disruptions. Ms. Thomas assured the committee that organizers' efforts are ongoing. Organizers again plan to advertise in local media, put up race signs along the route and put door hangers on homes along (and very near) the race route.
5. Mr. Mahmud asked whether race organizers are working with H Street organizations or businesses to create a spirit station on H Street. Ms. Thomas indicated she has worked with Anwar Saleem of H Street Main Street in the past on similar efforts, but is not sure who to work with this year. Ms. Thomas suggested possibly working with Ms. Holwill since she has many connections in the H Street business community. The two agreed to exchange contact information and meet later on.
6. ***Based on the information provided to the committee both at this meeting and at the October 2011 meeting, Mr. Mahmud made a motion that the ANC send a letter of support for the National Marathon to Ms. Thomas. Mr. Mahmud pointed out in particular Ms. Thomas' efforts to address race day disruptions to local organizations and businesses. Ms. Hardy seconded the motion, which passed without objection. Mr. Mahmud agreed to provide a draft letter to the ANC.***
7. Ms. Hardy excused herself from the meeting, explaining that she had a prior commitment.
8. Ms. Thomas informed the committee that organizers are looking into doing "robo calls" to notify community members about how to find race information on the web. Ms. Thomas asked the committee for zip codes to target for this effort.

- a. Mr. Lovitt expressed concern that this effort may not be effective for people without computers. Mr. Lovitt suggested instead using funds for this effort to enhance the door hanging effort. Mr. Lovitt indicated he did not get a door hanger or mailing about the race last year and he lives right off the race route in an area targeted for door hangings.
  - b. Ms. Holwill pointed out that many young people do not have “land line” telephone service and therefore will not receive the robo calls. Ms. Holwill recommended ensuring local listservs such as Mothers on the Hill (MOTH) are notified of race information.
- C. Discussion of outdoor seating area for Homeslice, a new pizza restaurant at 1387 H Street NE - Removed.
- D. Request for public space/construction permit for “Welcome to Rosedale” sign in the 1700 block of C Street NE - Removed.
- E. New legislation re: fines for failure to remove snow from sidewalks.
  - i. Mr. Mahmud provided the committee with background information regarding the proposed legislation, which amends the city’s current snow removal legislation, including the following: 1) The legislation has recently been introduced before the City Council and will be considered during a hearing on February 9; 2) Anyone can provide comment on the legislation in person or in writing; 3) The record will remain open for approximately one week following the hearing so there is time for the ANC to provide written testimony regarding the legislation following the next ANC meeting on February 10; 4) Residents would be fined no less than \$25 and businesses no less than \$250 for failing to clear snow from their adjacent sidewalks any later than eight hours after daylight following a snowfall; 5) Mr. Mahmud has been told that the current draft, which is attached to these minutes as Attachment B, is based on a review of similar legislation in other cities; 6) Mr. Mahmud has been told there is a concern that seniors and those with disabilities are not prevented from getting around on snow covered sidewalks, but also are not unfairly penalized if they are unable to clear their own sidewalks; 7) MPD, DPW or and DDOT would all be authorized to issue fines; and 8) The existing version of the legislation currently in place requires that suit be brought against offending residents and businesses to recover the cost of assuming their snow removal obligations.
  - ii. Ms. Holwill pointed out that it is wise for businesses to have a higher fine rate, but she is worried about the potential for selective enforcement and the ability to issue fines with limited city resources. Mr. Mahmud pointed out that MPD, DPW and DDOT would all be authorized to issue fines so limited enforcement resources should be less of a concern than if only one agency were authorized to issue fines.
  - iii. *After discussing the legislation a little further, Mr. Mahmud made a motion that the ANC submit written testimony to the Council expressing support*

*for the amendment. Mr. Lovitt seconded the motion, which passed without objection (no quorum).*

- VI. Ms. Holwill explained to the committee that the person who contacted Mr. Mahmud about putting the Homeslice matter on the agenda (and then asking that it be removed from the agenda) is no longer affiliated with the restaurant and does not speak for the owner, Mr. Ulsan. Given Mr. Ulsan was in attendance, Mr. Mahmud agreed to make a motion to put the Homeslice matter back on the agenda. Mr. Lovitt seconded the motion, which passed without objection.
- A. Discussion of outdoor seating area for Homeslice, a new pizza restaurant at 1387 H Street NE
- i. Mr. Ulsan provided the committee with pictures of the exterior area showing limited views of the area proposed for outdoor seating. He also explained that he would like to open the restaurant as soon as possible and needs public space approval for dumpsters along the 14<sup>th</sup> Street NE side of the building as well as the outdoor seating area. Approval for the dumpsters is more urgent than the outdoor seating area given the restaurant can't open without them.
  - ii. Mr. Mahmud thanked Mr. Ulsan for providing pictures of the building, but explained that the committee needs additional information in order to properly evaluate his request. Mr. Mahmud informed Mr. Ulsan that applicants for public space approvals typically provide property schematics detailing the precise location of areas in public space to be used by the business. A draft or submitted public space application may also be helpful given it will show exactly what the applicant needs approved by the ANC.
  - iii. Ms. Holwill asked whether Mr. Ulsan could present his request before the ANC next month given waiting to come back before the committee again will delay the business' planned opening. Mr. Mahmud offered to speak with Chairman Holmes about this provided the business first provide the detailed information requested earlier.
  - iv. Mr. Ulsan agreed to contact Mr. Mahmud with more detailed information regarding his use of public space for a dumpster, but believes he will hold off on the outdoor seating for the time being.

VII. Additional Community Comment

- A. Ms. Holwill informed the committee that she has recently received a number of questions from people about restrictions on paintings and other murals on the sides of private buildings. Mr. Mahmud indicated he is unaware of any such restrictions given these areas are private property and not public space, but that he would look into the issue for her.

VIII. Meeting adjourned at 8:04 pm.

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2 Councilmember Tommy Wells

Councilmember Mary M. Cheh

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7 A BILL  
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12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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18 Councilmembers Mary M. Cheh and Tommy Wells introduced the following bill, which  
19 was referred to the Committee on \_\_\_\_\_.

20  
21 To establish fines to enforce snow removal requirements; and to require the Mayor to  
22 issue rules.

23  
24 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

25 That this act may be cited as the “Winter Sidewalk Safety Amendment Act of 2011.”

26 Sec. 2. An act Providing for the removal of snow and ice from the paved  
27 sidewalks of the District of Columbia, approved September 16, 1922, (42 Stat. 846; D.C.  
28 Code §9-601 *et seq.*), is amended as follows:

29 (a) Section 6 is amended to read as follows:

30 “Sec. 6. Failure of owner or occupant to remove -- Fines.

31 “(a) Any person or entity who fails to comply with the requirements of Section 1  
32 shall be subject to a fine of not less than \$25; provided, that businesses shall be subject to  
33 a fine of not less than \$250. Fines and adjudication shall be pursuant to Chapter 18 of  
34 Title 2.

1           “(b) The Department of Public Works, the Metropolitan Police Department, and  
2 the Department of Transportation are authorized to issue fines in compliance with this  
3 chapter.”.

4           (b) A new Section 8 is added to read as follows:

5           “Sec. 8. Rulemaking.

6           “The Mayor shall issues rules to implement the provisions of this Act.”.

7           Sec. 3. Fiscal Impact Statement.

8           The Council adopts the fiscal impact statement in the committee report as the  
9 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home  
10 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02  
11 (c)(3)).

12          Sec. 4. Effective Date.

13          This act shall take effect following approval by the Mayor (or in the event of veto  
14 by the Mayor, action by Council to override the veto), a 30-day period of Congressional  
15 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act,  
16 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and  
17 publication in the District of Columbia Register.