

ANC 6A Transportation & Public Space Committee Meeting Minutes
Sherwood Recreation Center Library (10th Street and G Street NE)
October 15, 2012

- I. Call meeting to order at 7:04 pm.
- II. In attendance: Adam Healy, David Holmes, Nick Alberti, J. Omar Mahmud, Mark Eckenwiler, James Henry and Juan Amaya from DDOT, Rob Sabbakhan from DCRA, Preston Moore and Tiffany Smith from DPW, Carolyn Davies and other community members.
- III. Community Comment - None.
- IV. New Business
 - A. Discussion regarding public space use authorization and enforcement with representatives from the Dept. of Consumer and Regulatory Affairs (DCRA), the Dept. of Public Works (DPW) and the District Dept. of Transportation (DDOT).
 - i. Mr. Mahmud introduced the topic explaining that there has been much confusion in our community regarding public space use authorization and enforcement. It is unclear which District agencies are responsible for various aspects of public space use. He asked each agency to explain its role in approving and/or enforcing public space use.
 - ii. Mr. Amaya briefly explained the history of the public space permitting process in DC. The District Public Space Committee now reviews public space applications and it is made up of two members from DDOT, one from DCRA, one from the Office of Planning and one from the Office of the Secretary. After the committee makes a decision to grant a public space use request, DDOT then issues the permit. ANC can weigh in on pending applications before the Public Space Committee, but can also weigh in on public space permits issued previously. The Public Space Committee is established by a mayor's order that is renewed every four years.
 - iii. Mr. Alberti asked in which circumstances does the committee take up a case for review. Mr. Amaya: when there are Violations of the permit conditions and safety concerns. Or if the applicant no longer carries adequate insurance.
 - iv. Mr. Mahmud asked when it is appropriate to allow parking on public space? Mr. Amaya indicated parking on the sidewalk is never allowed, but that parking may be authorized on the "parking space" or the space designed for greenery at the front of property lots. The committee will look at circumstances in these cases to determine if parking in green spaces should be allowed.
 - v. Mr. Healy: Is 822 H St. NE parking ok? Is the permit valid? Mr. Amaya says it is ok and valid. The permit holder is up on paying rent.

- vi. Mr. Holmes: How do you check the validity of the permit each year? Mr. Amaya: it is up to DCRA to check on the certificate of occupancy periodically.
- vii. Mr. Sabbakhan: There are no drawings to determine if they are using the space properly. The drawings may be archived, which he can check on.
- viii. Mr. Holmes: This parking use (at 822 H St. NE) is a dangerous condition. Can we now object to this use before the public space committee? Mr. Amaya: Yes, the ANC can formally request a review.
- ix. Mr. Sabbakhan indicated he has observed the car on the sidewalk and has looked into citing it.
- x. Mr. Amaya indicated he has not seen this type of use approved in the past. This does not look to be an easy spot to turn into from the street. This is a very unique and strange area for a use like this. However, there was a permit issued by DCRA back when DCRA issued public space permits and it is therefore currently valid. The best thing for the ANC to do is take a resolution and send it to Mr. Amaya.
- xi. Mr. Mahmud asked what role DCRA currently assumes in the public space permitting process. Mr. Amaya indicated DCRA closely coordinates with other agencies on issues such as occupancy permits, but that DCRA does not issue public space permits any longer.
- xii. Mr. Alberti asked who collects rent. Mr. Amaya: OTR. The money goes to the general fund. DDOT ensures rents are paid.
- xiii. Mr. Eckenwiller pointed out that there are a couple items to consider with respect to 822 H Street. What are the dimensions from the curb to the property line that can be used for parking space? If you look at the permit, it says permitting according to attached plans. But the plans have been lost so there's no way to enforce. According to Mr. Eckenwiller, Keith Cross, head of parking enforcement management administration, told him that DPW and DDOT absolutely will not enforce parking on public space violations.
- xiv. Mr. Amaya: The space rented at 822 H St. NE is 217 sq ft and rent paid is \$1,955.71/year. However, he doesn't think the permit contemplated parking a large vehicle like the one currently parking on the space. DDOT did not issue the permit; the Public Space Committee did so it has the authority to revoke this permit. Mr. Amaya will send Mr. Mahmud the information regarding how much space is to be used for parking at this location. He also indicated that he doesn't know of any informal agreement to not enforce parking on public space as Mr. Eckenwiller suggested given it would be illegal to do this.
- xv. Mr. Sabbakhan: I am in charge of 30,000 permits issued in DC. Just because the permit says the use is "per the plan" and the plan isn't

attached, that does not mean city lacks authority to enforce. We can look into the archives to find the approved plans. If plans are not available now that doesn't mean we can't find the plans in archives and enforce.

- xvi. Mr. Amaya indicated DDOT and DPW have enforcement authority for illegal parking.
- xvii. Mr. Holmes: There was an agreement to stop enforcement which came from complaints about enforcement of people parking in driveways on the Hill. He agreed with it when they were enforcing it. It was a great thing, but now it's not being enforced, possibly due to political pressure.
- xviii. Ms. Davies: I live on corner of 12th and Wiley and there is daily illegal parking there. She saw MPD allow someone to park illegally the other day because person was going to Horace and Dickies. She sees official vehicles illegally park all the time, which gives the message that it's ok to do this.
- xix. Mr. Healy pointed out it's not really 1D officers doing this. Still sees big problems with parking at 12th and H/Wiley, but DPW doing a good job with enforcement.
- xx. Mr. Mahmud: Is the use transferrable? Mr. Amaya: the permit attaches to the property so the property owner can have someone else park there so long as the rent is paid.
- xxi. Mr. Holmes: Who do I call if someone is parking in public space? Call 202-541-6083.
- xxii. Mr. Alberti: I have a good experience getting DPW to enforce with persistence.
- xxiii. Ms. Davies: Not my job to do the policing of my corner. There should be proactive targeted enforcement for known parking areas. DPW representatives indicated they know of this problem area, but don't have the man power to have someone at this spot at all times. Mr. Healy: Can we get more targeted enforcement at certain times maybe? DPW puts more people there currently on Friday nights.
- xxiv. Mr. Sabbakhan indicated we could send a request for an archive search for the permit plan to Jeffrey Mason @ dc gov. Mr. Mahmud indicated he would get the full address to Mr. Holmes.
- xxv. Call 311 or the main DDOT number for DDOT enforcement (when there is permit violation), but call DPW for illegal parking enforcement.
- xxvi. Dcgis.dc.gov - website for obtaining property lines for a specific address.

- xxvii. Ms. Davies raised question about container overstaying public space permit in the 800 block of 12th St. DDOT indicated they're on it. DPW will be asked to remove it this week if he can't get the container owner to move it this week. They have already been cited. Mr. Amaya agreed to talk to the owner of this company to get the issue taken care of.
- xxviii. Ms. Davies also wants to know if someone looks at the site to determine if the proposed use is safe. DDOT indicated a site inspection is done before the use is approved. DDOT looks at the intersection to determine if intersection will not be obstructed, etc. They have found that the containers sometimes move after the inspection, but he relies on citizens to report this.

B. Discussion regarding bus stop located in front of Rose's Dream (1370 H St. NE)

- i. Owners of Rose's DejaVu (1378 H St.) in attendance asked for further help with problems they are dealing with at the bus stop. The bus stop was previously at the northeast corner for 30 years. The bus stop was then moved to the northwest spot in front of these businesses. They claim bus customers are now loitering and causing damage to his business. He brought this up to WMATA, DDOT, Councilmember Wells, and the ANC over a year ago. Councilmember Wells and the ANC sent letters of support to get the bus stop moved. They got a letter from DDOT indicating why the bus stop has not been moved. These businesses now have a business relief fund grant and a grant from H Street Main Street.
- ii. The current ask is for a public space use to create a border to protect his business from people on the street.
- iii. Mr. Amaya indicated a copy of the public space application should be sent to him so he can do an initial review. He will then send the application to the ANC for review. Mr. Mahmud agreed that this matter isn't currently ripe for review by the ANC and that the ANC will have to evaluate an actual application before deciding whether to support it and the proposed use of public space.

V. Additional Community Comment - None.

VI. Adjourn meeting at 8:55 pm.