

ANC 6A Transportation & Public Space (T&PS) Committee Meeting Minutes
Maury Elementary School (1250 Constitution Avenue, NE)
August 18, 2014

I. Meeting called to order at 7:00 pm.

II. Introductions

Committee members in attendance were Advisory Neighborhood Commission (ANC) Commissioner J. Omar Mahmud (Co-Chair), Todd Sloves (Co-Chair), Jeff Fletcher and Andrea Adelman. Also in attendance were ANC 6A Chairman Nick Alberti, Commissioner Sondra Phillips-Gilbert, former Commissioners Gladys Ann Mack and Raphael Marshall, Gretchen Brandt (1000 block of H Street NE), Greg Nicklas (owner of 1380 H Street NE), Kim Tomadjoglou (1200 block of Linden Place), Anthony Green (resident of 1200 block of Wiley Street NE) and other community members.

III. Community Comment

A. Commissioner Phillips-Gilbert provided community comment about the District Department of Transportation's (DDOT) stalled redesign of Seventeenth (17th) Street NE and Nineteenth (19th) Street NE.

- i. Commissioner Sondra Phillips-Gilbert stated that the ANC voted to support a letter at its July meeting to address the Seventeenth (17th) Street and Nineteenth (19th) Street redesigns. She said ANC Chairman Alberti and Commissioner Mahmud told her a letter would be drafted but has not received anything to look over. She asked if it will be ready for the ANC 6A September 2014 meeting, stating that ANC 6B has already done so.
- ii. ANC Chairman Alberti responded saying he has reached out to DDOT by phone to get additional information concerning proposed utility work that is holding up the streetscape construction before drafting the letter, but that he has been unable to get a response, explaining that it is unclear as to whether the utility work holding up construction covers the entire stretch of Seventeenth (17th) Street and Nineteenth (19th) Street or just the southern halves in ANC 6B. He wants to clear that up so the ANC doesn't send a letter about something that isn't happening.
- iii. Commissioner Phillips-Gilbert reiterated her disappointment in not seeing a letter go out yet and stressed the importance of the project to her and her community. ANC Chairman Alberti promised to reach out to responsible city officials again and to have an update regarding the project by the time of the next ANC meeting in September 2014.

B. Private alley between 1000 blocks of G Street and H Streets NE, resident Gretchen Brandt.

- i. Gretchen Brandt requested that support for signage to enlighten people that it is a private alley and not a public street be put on a future Committee agenda. It is private property but residents are receiving tickets from the Metropolitan Police Department (MPD) and the Department of Public Works (DPW). Ms. Brandt said she had conversations with Lieutenant Cullen, who acknowledged that it is private property, but officers have not been informed and MPD and DPW are still issuing tickets.

- ii. Co-Chair Mahmud said he would reach out to responsible officials at MPD and DPW to get this cleared up, and, if not cleared up satisfactorily, to put this matter on a future agenda.

IV. New Business

- A. Consideration of public space application for sidewalk café at 1380 H Street NE (14th Street side of the property).
 - i. Greg Nicklas, owner of the property, presented plan designs for a sidewalk café and a proposal for moving a trash receptacle and bicycle rack from the area where sidewalk café would be located. He would like to use the space on the Fourteenth (14th) Street NE side for outdoor dining, and presented options to move the bike rack and trash receptacle along the curb in various locations either on Fourteenth (14th) Street side or H Street side.
 - ii. Co-Chair Mahmud asked who would assume the expense of the move. Mr. Nicklas responded that the city's reference is that the business pays to move it, but they would like to see if the city will pay. Mr. Mahmud said that in the past, the ANC's preference has been to have the business pay. Mr. Nicklas said they may look into a deferred repayment agreement with DDOT, and Mahmud indicated he would be fine with the ANC deferring to DDOT's decision on who bears the expense.
 - iii. Mr. Mahmud asked about their expected hours for the sidewalk café. Upon explanation of the hours stipulated in ANC 6A's standard voluntary agreement, Mr. Nicklas said that would be fine with him and the tenants. He also said there will be only food and drink service on the sidewalk café, no loud music.
 - iv. Mr. Mahmud asked what sort of materials would be used for serving, concerned about possible littering. Mr. Nicklas said everything would be plated (i.e., not using disposable plates and utensils).
 - v. Mr. Mahmud asked about the gate/fence enclosure for the space. Mr. Nicklas said they aren't sure about the options because of the sidewalk grates that exist. He asked if the ANC has preferred options, to which Mr. Mahmud responded his belief that the type is set by city regulation, but that the ANC has supported the other examples you currently see on H Street. Mr. Nicklas said they are considering black wrought iron that goes down to the ground, similar to that of other sidewalk cafes on H Street. Mr. Mahmud asked if the business could provide pictures and Mr. Nicklas agreed.
 - vi. Mr. Mahmud asked what the plan is for use of the space in terms of noise level. Mr. Nicklas said it is just for dining. No loud or amplified noise or music. There is a lot of noise from traffic on Fourteenth (14th) Street that they would want to block out from their customers, so they are looking into options.
 - vii. Mr. Mahmud asked Mr. Nicklas if tables and chairs are easily movable and will be moved to the side of the space and locked up when not in use. Mr. Nicklas agreed.
 - viii. Mr. Mahmud asked if they plan to install an awning over the space. Mr. Nicklas said not at this time but most likely in the near future. Mr. Mahmud informed Mr. Nicklas that DDOT will require a separate public space application for that.
 - ix. Mr. Nicklas asked if there was still discussion about expanding the Capitol Hill Historic District. T&PS Committee Co-Chair Mahmud and ANC Chairman

Alberti indicated their belief is that the proposal is currently on hold, but, in any event, not imminent.

- x. Mr. Mahmud asked about the size of the patio and the need for buffer space between the adjacent property, possibly the size of an alley (he estimated 8 feet, but indicated he would have to check what was approved for other similar proposals adjacent to other properties). Mr. Nicklas said that seemed like a lot of space and repeatedly asked if he could work out an agreement with the neighbors. Mr. Mahmud explained that could set an undesirable precedent and that the ANC wished to maintain a consistent approach along the H Street corridor in ANC 6A. ANC Chairman Alberti explained that the staging area for dining or other operational aspects could be set up in that space, so it wouldn't be completely unused space. The business' current design takes into account the current location of a bike rack and trash receptacle, which, if moved, could allow for more sidewalk café space. This could make up for table space being removed to accommodate the buffer area. Mr. Nicklas also said he may have more space to expand right on the Fourteenth (14th) Street side, which could also add square footage. Mahmud indicated he would be fine with that as long as there is adequate room for the sidewalk and tree box per city regulations.
- xi. Mr. Mahmud asked about trash plans. Mr. Nicklas said the business plans to work out an agreement with a business across the street that would allow the restaurant to store enclosed trash dumpsters on that business' property. The dumpsters will be located in a legal area that is designed not to disturb residents. Mr. Nicklas said there is a dumpster currently in the location of the proposed sidewalk café that belongs to 1378 H Street NE and he is concerned about that business seeking a public space application to legally store the dumpster there. ANC Chairman Alberti and T&PS Co-Chair Mahmud both indicated they would never support a public space application for a business to store its trash dumpster on public space, and that they do not foresee the ANC supporting such a proposal. Mr. Nicklas indicated the business will seek out its removal and Mr. Mahmud indicated he would support that effort.
- xii. Mr. Mahmud said the issues discussed at the meeting should be resolved and re-heard at the September 2014 committee meeting (after the business has a chance to consider the issues and revise its plans). Mr. Mahmud indicated his experience that DDOT Public Space prefers businesses and ANCs to work out these operational issues prior to the public space hearing before DDOT. The business owners agreed to return to the September Committee meeting to address the issues discussed at this meeting.
- xiii. The following summarizes the issues discussed by the Committee and the business:
 - 1. The Committee/ANC would prefer that owners cover the expense of moving the bike rack and trashcan, but will defer to DDOT's decision on this if DDOT decides to cover the cost.
 - 2. Owners agreed to follow hours and terms of sidewalk cafe operation stipulated in ANC 6A's standard voluntary agreement, including closing at 11:00 pm Sunday through Thursday and 12:00 am Friday and Saturday. This also includes no music, only food and drink service.
 - 3. Owners said food will be plated, it will not be light-weight paper or plastic that is prone to litter the area.

4. The Committee would like to see pictures of the gate they plan to use for the enclosure once they have chosen it, preferring fencing that contains trash in the sidewalk café area down to the ground.
 5. The Committee would like to hear more about plans for limiting noise carried beyond the enclosure.
 6. Owners agreed to move chairs and tables to the side and lock them up when not in use.
 7. The Committee would prefer a buffer area of about 8 feet at the northern end of the space so as to not have tables right next to the front yard of the adjacent property on Fourteenth (14th) Street NE. They could use that buffer area as space for quiet sidewalk café operations. Additionally, the current design accounts for the current location of the bike rack and trashcan. After removing the trashcan and bike rack as proposed, the tables currently at the northern end of the space in the buffer zone could move to this newly opened up space. Mr. Nicklas also mentioned the possibility of extending a few more feet to the right. The Committee would like to see an updated layout and dimensions to ensure this can be done within city guidelines for sidewalk width requirements.
 8. The Committee would like to hear more about plans for trash removal when they have been developed.
- B. Request for information from Department of Public Works (DPW) concerning process for requesting public litter cans, including a specific request by residents to install litter cans at and around the intersection of Twelfth (12th) and K Streets NE.
- i. Mr. Mahmud explained that there is increased pedestrian activity raising the need for trashcans in certain parts of ANC 6A. He has already put in requests with DPW but would like the ANC to do it formally.
 - ii. Commissioner Phillips-Gilbert said she spoke to a liaison at DPW listed in a document that Former Commissioner David Holmes gave the ANC, as well as a liaison at the Department of General Services (DGS), in order to make a request.
 - iii. Mr. Mahmud said he will also contact DGS, but would still like a letter that outlines the process and guidelines for installation spots in the future.
 - iv. ***Co-Chair Mahmud moved to recommend that ANC 6A send a letter to DPW concerning the process and policies to request litter cans in the community as well as specifically the ones at Twelfth (12th) and K Streets NE, seconded by Jeff Fletcher. The motion passed unanimously.***
- C. Request for District Department of Transportation (DDOT) to conduct assessment of traffic conditions and drainage/cleanliness (including additional signage) related to the alley between the 1200 block of Wiley Street NE and H Street NE and the alley just north of the 800 block of H Street NE.
- i. Mr. Mahmud said he would like DDOT to give the ANC and the Committee some options for dealing with these situations, including, but not limited to, signage saying it is illegal to block alley and any other options in DDOT's "toolbox" for dealing with alley issues. DDOT gave him contact information for people to raise these issues with, but he wants the ANC on record saying we asked for a solution for these locations given they extremely

- problematic. There are also concerns regarding the cleanliness and drainage of alleys in ANC 6A in general.
- ii. Kim Tomadjoglou, resident of 1200 block of Linden Place, said the situation with alleys in the community is terrible and that her alley is currently completely blocked by construction. She said signage does not work. Restaurants do not clean up and there is no enforcement. The alleys in general behind the H Street businesses are in terrible condition. She encouraged the ANC to ensure the proper authorities come down on H Street businesses to maintain the rear alleys.
 - iii. Mr. Mahmud thanked her and agreed with the assessment. He said the ANC has gone back and forth countless times with H Street Connection in particular. He also indicated he would come take a look at the Linden Alley and ask DDOT to inspect any alley blockage he observes due to construction.
 - iv. Anthony Green said parking enforcement has done a better job on Wiley Street. The lack of cleanliness is despicable, though the Queen Vic Pub on H Street NE has done a very good job. He said businesses need to be held accountable. He advocated for a business improvement district (BID).
 - v. Ms. Tomadjoglou stated that when management changes, it makes a big difference in openness to community concerns and treatment of the alley.
 - vi. ANC Chairman Alberti recommended the Committee ask the incoming Ward 6 Councilmember to attend a committee meeting in February 2015 to hear concerns regarding alleys in ANC 6A.
 - vii. ***Co-Chair Mahmud moved that the Committee recommend the full ANC send a letter to DDOT to conduct an assessment of drainage, cleanliness and traffic conditions concerning alleys in ANC 6A, including 1200 block of Wiley Street, 1200 block of Linden Place, and alley behind 800 block of H Street NE, asking specifically for tools to address the situation, including additional signage to discourage parking that blocks alleys. Co-chair Sloves seconded. The motion passed unanimously.***
 - viii. ***Co-Chair Mahmud moved that the Committee recommend ANC 6A send a letter to appropriate agencies requesting additional enforcement of cleanliness standards in alleys, including 1200 block of Wiley Street, 1200 block of Linden Place, and alley at 800 block of H Street NE, seconded by Jeff Fletcher. The motion passed unanimously.***
- D. Request for DDOT to address designation of addresses for Ward 6 parking permit qualification.
- i. Mr. Mahmud said DDOT has told him they need to more comprehensively consider zone parking permits rather than on a case-by-case basis as they had done previously. He said there is a new liaison at DDOT who is handling this, and feels the ANC ought to send a letter to DDOT urging them to resolve the issue of “zone-less” residences as quickly as possible.
 - ii. Former Commissioner Gladys Mack asked if this had to do with condos who agree to make their residents ineligible for residential parking permits. Mahmud clarified that it does not.
 - iii. ANC Chairman Alberti asked if this was in reference to a particular block. Mr. Mahmud said it has to do with the south side of the 1000 block of Florida Avenue NE.

- iv. Commissioner Phillips-Gilbert recommended that since this is a citywide issue, we should copy Councilmember Wells and the Chair of the DC Council's Transportation Committee on this letter. Mr. Mahmud agreed to do this.
 - v. ***Co-Chair Mahmud moved that the Committee recommend ANC 6A send a letter to the Director of DDOT, copying Councilmember Wells and the Chair of DC Council's Transportation Committee, to address designation of street addresses for Zone 6 residential parking permits, noting the 1000 block of Florida Avenue NE, seconded by Co-chair Sloves. The motion passed unanimously.***
- E. Request for DPW to address vacant city owned property lot concerns, including frequent illegal parking, at 802 Tenth (10th) Street NE.
- i. Co-Chair Mahmud explained that the city is now in possession of this property but has not secured it.
 - ii. Committee member Fletcher asked if it is possible to ask the city to fence in the property.
 - iii. ANC Chairman Alberti recommended sending a letter to DDOT and DGS impressing upon them the importance of securing the property.
 - iv. Former Commissioner Raphael Marshall informed the Committee that he reached out to DGS and they secured the property and put up signage within 30 days. Commissioner Mahmud thanked him for his actions and asked that he provide copies of his emails to the Committee so the ANC will know who to contact to address similar concerns in the future. Mr. Marshall agreed to do so.
- F. Request for information from DDOT concerning community input for temporary "No Parking" sign applications.
- i. Co-Chair Mahmud explained that the ANC ought to look into this issue because there is no reasonable timeframe or limitation on no parking signs applied for by contractors and others when reserving parking spots on residential streets. It seems DDOT just approves the no parking application as requested with little concern for the impact on nearby residents and there doesn't seem to be follow up to ensure the applicant is only marking off the parking spots applied for. For example, despite being granted no parking restrictions for a dumpster in a limited part of the block, someone on Tenth (10th) Street took up nearly the entire block with no parking signs, which caused a resident on the block to get a parking ticket on a spot that was near the end of the block and nowhere near the applicant's dumpster.
 - ii. Commissioner Phillips-Gilbert asked about sending a letter asking for DDOT's policies and procedures. Mahmud said that is what he was proposing the ANC do.
 - iii. Co-Chair Sloves related one instance where contact information on the posted sign was bogus and the period of the no parking restriction was much longer than necessary.
 - iv. Mahmud said his concern is that there should be a chance for the community to weigh in on longer-term applications to ensure there is accountability for the proposed use.
 - v. ***Mr. Sloves moved that the committee recommend the full ANC send letter to DDOT asking them for information regarding the process for***

issuing emergency no parking permits and opportunities for the ANC to weigh in on longer-term permits, seconded by Commissioner Mahmud. The motion passed unanimously.

V. Additional Community Comment

Commissioner Phillips-Gilbert again expressed her dismay with the delay in sending DDOT a letter regarding Seventeenth (17th) Street and Nineteenth (19th) Street redesigns. Commission Chairman Alberti and Commissioner Mahmud again disagreed with her characterization of the delay in sending a letter, but agreed the issue was of concern to them as well and agreed to continue looking into the most effective way to communicate ANC concerns via the proposed letter.

VI. Meeting adjourned at 8:32 pm.