ANC 6C Transportation and Public Space Committee
Kaiser Permanente Capitol Hill Medical Center
700 2nd St. NE, Room G3-G4
Thursday, October 4, 2018
7:00 pm

REPORT

In Attendance:
Mark Kazmierczak, Chair
Jay Adelstein
Emily Diamond-Falk
Mark Eckenwiler
Christy Kwan

1. Buffalo & Bergen, 240 Massachusetts Ave, NE | Application #10685750

Application for an unenclosed sidewalk café for Buffalo & Bergen restaurant.

Representative: Gina Chersevani [6C02]

The proposed unenclosed sidewalk café will have 8 tables/16 seats and will serve alcohol. The applicant is requesting hours from 7:00 am (6:00 inside) to 11:00 pm. The ANC 6C alcoholic beverage licensing committee reviewed the application on Oct. 1, finding no significant issues but wishing to negotiate hours because of proximity to houses. The applicant hopes to provide stroller parking on the interior of the grass with addition of a fence (not part of the application).

Discussion: Commissioner Eckenwiler stated that the planting does not conform with HPRB and what the ANC approved as part of the PUD for the development; the grassy area that is presently there should be a raised bed. Mr. Kazmierczak stated that since the fence is not part of the application that does not need to factor into the decision on the café.

Commissioner Eckenwiler suggested the hours end at 10:00 pm Sunday-Thursday and 11:00 pm Friday and Saturday. The applicant agreed to that.

Motion: Recommend the ANC to support/approve with change in hours to end on 10pm Mon-Thu; Additionally, no staging of materials during loading should block the sidewalk.
(Kazmierczak/Diamond-Falk)

Vote: Passed, 5 – 0.

Meetings are open to the public and residents are encouraged to attend.

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2. Two Rivers Loading Zone | NOI #18-PPSA-SRTS-22

DDOT has issued a notice of intent (NOI) to add school loading zones on 4th Street NE. From the notice:

1100 4th Street, NE – Florida Avenue to Morse Street. No Parking School Days signs will be placed along the eastside of 4th Street between Florida Avenue to an alley just south of the property line. The hours will be from 8:00 AM to 6:30 PM M-F with inset language to allow fifteen-minute drop-off/pickup for motorists from 7:00 AM and 9:00 AM/3:00 PM to 5:00 PM M-F, during those hours.

1200 4th Street, NE – Morse Street to Florida Avenue. No Parking School Days signs will be placed along the eastside of 4th Street between Morse Street to Florida Street. The hours will be from 8:00 AM to 6:30 PM M-F with inset language to allow fifteen-minute drop-off/pickup for motorists from 7:00 AM and 9:00 AM/3:00 PM to 5:00 PM M-F, during those hours.

Representative: Khizer Husain, Two Rivers Public Charter School [6C06]

Mr. Husain stated that Two Rivers has been working with DDOT since before school started, with the help of Commissioner Edelman. Before the 4th street bike lane was installed, parents were able to park and do pick up/ drop off. There is no current place for parking for pick up/drop off. Signage at the proposed location currently dictates no parking at all times. The proposal is to allow for 15-minute parking only during dropoff and pickup times (7am to 9pm; 3pm to 5pm).

In addition to morning arrival and afternoon dismissal, Two Rivers has routine half days (school ends at 1:15pm) on Wednesdays. The NOI doesn’t address those days. Commissioner Eckenwiler recommended including those times in the new signage.

Motion: Recommend the ANC support the NOI with the addition of adding pick up/ drop off time for Wednesdays (for example from 1:00 pm to 1:30 pm). (Kazmierczak/Eckenwiler)

Vote: Passed, 5 – 0.

3. Bill 22-351, the "Daytime School Parking Zone Act of 2018"

Markup of Bill 22-351, the "Daytime School Parking Zone Act of 2017." The Committee on Transportation and the Environment marked up this bill before recess, and now the Committee of the Whole needs to mark it up as well (not yet scheduled). ANC 6C opposed the 2017 bill to preserve parking for residents.

The original bill provided for the following:
1. The ability to create on-street parking zones restricted to only DCPS and charter school faculty and staff during school hours (including activities and after care) and a schedule of fees and enforcement fines;
2. Creation of a fund, generated by parking fees and penalties, which is to be used to provide alternative commuter benefits to faculty and staff not utilizing the parking zones and to make non-automobile-based transportation investments in the District; and

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3. Eliminate the requirement to provide a minimum amount of parking for schools with a designated parking zone as created by this legislation.

From the markup of the Committee on Transportation and the Environment:

The Committee Print of B22-351 removes the provision in the introduced bill establishing a School Parking Zone Fund because revenue generated from school parking zones would likely be insufficient to support the Fund's purpose subsidizing public transportation for school staff. The Committee Print also removes the provision that would have eliminated parking minimums for schools with school parking zones that was included in the introduced version of the bill. Parking minimums are determined by the Zoning Commission and the Council cannot repeal the Commission's determinations. The Committee Print also revises the notice and hearing requirements included in the introduced version of the bill to conform to existing notice requirements in the Advisory Neighborhood Commissions Act of 1975 that are applicable to any proposed changes in use of public space. Finally, the Committee Print clarifies that the bill does not change DDOT's existing authority to establish school parking zones absent a request from an ANC.

Representative: None.

When this committee first took up this issue, it recommended the ANC support the program but provide specific measures to be included in the legislation that would improve its execution. From the September 7, 2017 TPS Committee Report, the following recommendation were made:

1. Require that the factors to be considered in deciding whether to create a School Parking Zone include, at a minimum, the types of nearby public transit and their proximity to the school.
2. Require that the need for pickup/dropoff areas (and thus different hours restrictions) be expressly considered as part of the decision-making process (i.e., allow for adequate pickup/dropoff areas).
3. Require that passes for use in a given School Parking Zone identify the associated school (so as to preclude use at other locations) and be individually numbered (with the identifier printed prominently at the top), and that the issuing school keep a record indicating the staff member to whom each pass is issued.
4. Prohibit the display of a pass on any vehicle not parked in the corresponding School Parking Zone.
5. Provide a mechanism for disciplining staff misuse of such passes, up to and including suspension or revocation for repeat violators.
6. Ensure that regulations promote implementation that makes the most efficient use of available space.
7. Amend the section giving great weight to the ANC in which the school is located to also give great weight to an ANC that abuts a proposed school parking zone (in cases where a school sits on the boundary of an ANC).
8. Specify that when eligible staff are defined, contract and support staff be considered.
9. Require that the method used to define the size of the school parking zone be based on need, including size and demographics of the school worker population.

In response to the version coming out of the Committee on Transportation and the Environment, Commissioner Eckenwiler raised the issue that the committee removed the language abolishing...
parking minimums because the authority to do so resides with the Zoning Commission and not the Council. Commissioner Eckenwiler stated that although true, the bill should at least recommend that the Office of Planning direct the Zoning Commission to remove the parking minimums.

Motion: Recommend the ANC send a letter reiterating the prior points from the September 2017 TPS meeting, with the addition that the legislation should include language recommending the Office of Planning abolish minimum school parking requirements. (Kazmierczak/Eckenwiler)

Vote: Passed, 5 – 0.

4. 39-41 New York Ave. NE | Application #317433

Public Space plan for new condos at 39-41 New York Ave. NE.

Representative: Dave Yampolsky, Urban Investment Partners [6C06]

The project consists of a by-right development of 99 condos, one- and two-bedroomms, priced in the mid $500-600K. The primary changes to the public space will be alteration of existing curb cuts: The curb cut on New York Ave. will be closed entirely; on N Street, the three existing curb cuts will be consolidated into two. A loading dock will be accessed to the west and to the east is access to 15 parking spots (interior, at grade).

The committee favored the closed curb cuts and the design of the remaining ones. Bike racks were planned on New York Ave, but none on N street; the committee requested that additional bike racks be placed along N St. as that is the primary entrance to the building. There are 39 bike racks inside for residents. UIP said they would consider adding bike racks to N.

Motion: Recommend the ANC support the application, with the addition of bike racks on the N St. side. (Kazmierczak/Kwan)

Vote: Passed, 4 – 0. (Comm. Eckenwiler has left the meeting)

5. Fancy Radish, 600 H St. NE | Application #10665208

Application for an unenclosed sidewalk café for Fancy Radish restaurant.

Representative: None [6C05]

The applicant was unable to attend. In email communications with the committee chair, the applicant stated they are in the process of re-drawing the café and re-submitting, as it did not follow regulations. No specifics were provided as to the changes being made, so the committee reviewed the application as is.

The committee noted the following objections:
- The café projects too far from building; the committee asks for 8 feet clearance between the café and the cobblestones in the amenity zone (DDOT requires 10’, with 6’ in exceptional cases).

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• The counter height tables proposed are not acceptable—all tables must be no more than 36” in height.
• Nothing shall be bolted to the ground (the application proposed supports for sail cloth canopy).

Ms. Diamond-Falk stressed that the committee should state its general support for outdoor seating when it accommodates use of public space by all.

Motion: Recommend the ANC oppose the application for the stated reasons, with the added disclaimer of support for designs that do not interfere with use of the space by the entire public. (Kazmierczak/Adelstein)
Vote: Passed, 4 – 0.