Statement from the Party in Opposition to the BZA cases #18852/18853

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SUMMARY

Basis of Analysis:

- Wells & Associates Preliminary Transportation Assessment, April 18 2014
- Wells & Associates TDM case studies, January 14th 2015
- DDOT Memo re: BZA Nos. 18852/18853 – 90 & 91 Blagden Alley, NW, November 25, 2014

This response is divided into 4 sections.

Section 1 – Response to Wells + Associates report.

Section 2 – Response to the case studies submitted by Wells + Associates on January 15, 2015 to "demonstrate the effectiveness of TDM strategies".

Section 3 – Response to specific points in the DDOT memorandum.

Section 4 – Summary of arguments and concerns against the parking relief sought by the Applicant.

1.0 Response to Wells + Associates Transportation Analysis, dated April 18, 2014

Wells + Associates (Author), was hired by SB Urban (Applicant) to publish a report regarding the property BZA case Nos. 18852 & 18853. The Author's report was the *core supporting material* of the DDOT memorandum (discussed later in **Section 3.0**) in support of the variances and exceptions requested by the Applicant. We have reviewed the Author's report and find it to be very misleading and inaccurate. We do not believe that it paints an honest picture of the potential transportation needs of the Applicant's proposed development. The Author's analysis is narrow and misleading, incomplete or incorrect or both.

1.1 High walk, transit and bike scores do not translate to less car ownership

The Wells + Associates report states **"..nearby amenities including numerous restaurants, pharmacies, grocery stores, and food markets, and the prevalent non-auto transportation modes in the site vicinity allow for minimal use of personal automobiles by making travel outside of the immediate area more accessible by non-auto modes of transportation and by eliminating the need to leave the immediate area for certain trips."**

This argues that the number of trips will be reduced and minimal personal use of automobiles. It does not at all get to the crux of the issue and that is **car ownership**. All of these amenities do not translate into **zero** car ownership, which is what the Applicant is planning for and what DDOT has been led to believe.

We looked at nine rental apartment buildings around the city (**Figure 1**) Some are operational, others under construction. All of them have walk, transit and bike scores comparable, if not better than, than the proposed development. Yet they **all provide parking** and **all** have parking utilization above 70% where operational (exception is The Drake, only because it recently opened and only has apartment occupancy of 43%). Even buildings that offer short-term leases of 3-6 months had parking utilization greater than, or equal to, 85%. **So it is clear: Good walk, transit and bike scores do not equate to zero car ownership or zero need for parking in downtown DC.**

Development	No. Units (occ. rate)	Walk Score*	Transit Score*	Bike Score*	Parking spots	Parking spots/unit	Parking utilization # (%)
Applicant	126 (NA)	94	100	94	0	0	NA (NA)
The Harper	144 (NA)	99**	89	95**	36	0.25	26 (100%) + waitlist
DC District	225 (99%)	98**	91	94**	75	0.34	53 (70%)
The Drake	218 (43%)	98**	93	91	80	0.36	24 (30%)
The Colonel DC***	68 (NA)	87	100**	94**	25+****	0.37	NA (NA)
Capital View on 14th*****	255 (98%)	96**	85	87	182	0.71	90%
1301 Thomas Circle*****	292 (99%)	96	100**	92	210	0.72	85%
View 14	182 (96%)	96**	86	87	120	0.66	88%
2221 14th Street***	30 (NA)	96	86	87	10	0.33	NA
Residences on the Avenue	325 (91%)	97**	93	76	121	0.37	88 (73%)

* http://www.walkscore.com. Score >= 90 is "paradise" in that category.
** Score >= proposed development
Sources: www.walkscore.com, developments, as of January 16, 2015
*** Still under construction as of January 21, 2015
**** Source: leasing offices
***** Offers short -term (3,4,6 month) leases available

Figure 1: High walk, transit and bike scores do not equate to zero car ownership

1.2 Wells & Associates report's car ownership figures for Washington, DC are misleading and likely don't apply to high income target tenants

The Wells report states **"Washington, D.C. currently has the second-highest rate of households without cars of all major U.S. cities (second only to New York). In fact, in 2012, 37.9 percent of households in Washington, DC did not have a car, an increase of 2.4 percent since 2007 (the third highest rate of increase among major U.S. Cities)."**

Wells + Associates cite a University of Michigan study but conveniently leave out some important information from the study. Page 5 of the report by Michigan University, under the section "*Factors influencing the proportion of households without a vehicle*", explains that factors that might have affected car ownership include "*the quality of public transportation, urban layout and walkability, availability and cost of parking, income, price of fuel, and local weather.*" It continues to say that although " *the five cities with the highest proportions of households without a vehicle were all among the top five cities in a recent ranking of the quality of public transportation (Walkscore, 2012)*...***a formal analysis of the actual contribution to vehicle ownership in large cities of the many possible factors was beyond the scope of this study***."

So, the Michigan University researchers tell us they did not look at the strong effects of income, gas prices and weather on car ownership patterns, which would explain their numbers. An analysis of median income in the District over the perion the Wells & Associates report covers needs to be done. What is interesting is that the demographic that the proposed development targets will be high income and will not be affected by gas/parking cost/falling income issues so is more likely to own cars. An analysis of this specific income segment should be done to see how car ownership has changed.

1.3 Wells & Associates report's US PIRG statistics are misleading as they apply to DC ***Urban Area***

The Wells & Associates report cites a US PIRG report and states:

- *"The percentage of workers commuting to work by private vehicle decreased by 4.7 percent from 2000 to 2007-2011 in the Washington, DC urban area (note that the 2007-2011 data was taken from the five year estimates from the American Community Survey while the 2000 data was taken from the 2000 U.S. Census),*

- *The number of vehicle miles traveled per capita decreased by 4.9 percent in the Washington, DC urban area between 2006 and 2011, and*
- *The number of passenger miles traveled on transit per capita increased by 7.0percent in the Washington, DC urban area between 2005 and 2010.3"*

These numbers are **very** misleading. We note that the Wells & Associates report subtly switches here to refer to the "DC urban area" which, according to the US PIRG report, includes VA and MD. There is a strong argument to be made for the following: the increase in the use of public transit in the DC urban area is actually caused by an increase in commuting from VA and MD into DC. This can be further analyzed but with property prices/rent rates in DC increasing, many families and young professionals have been priced out of DC and into MD and VA. Because the main source of jobs is still in the DC area, commuting into the city from the VA and DC suburbs has increased. Because people forced out of DC are lower income, they are not able to afford cars and will tend to use public transit. Those that do have a car, are likely to use public transit because a) up until recently gas prices have been high b) convenience/speed of public transit c) costs of parking in the city are prohibitive. However, being in the suburbs, they still need a car because walk scores tend to be low (see also case studies submitted by Wells & Associates and discussed in **Section 2.0**).

1.4 Data from Arlington County Report has been distorted to suit the needs of the Applicant

On page 3 of the Wells & Associate report, the Authors cite a study by Arlington County Commuter Services. From this study, the Authors highlight that:

a. "*Auto ownership for apartments and condos in Metro corridors were substantially lower than in non-metro corridors*". The fact that auto ownership is lower seems generally reasonable, in fact we the Party fully expect that many tenants in the proposed development will not have cars, our argument is just that it will not be **zero** as the Applicant is leading us all to believe. What the Authors don't point however out is that "substantially lower" still means that in Metro corridors households owned on average 0.81[1] cars which means that if we, like the Authors, take the liberty of comparing Arlington residents commuter behavior to that of DC residents, we expect that we will have ~100 cars in the new development. As the Arlington County Commuter Services report correctly points out: "***While vehicle ownership is a factor in mode choice, vehicle ownership itself is a choice.***"

[1] See page 41 of Arlington County Commuter Services report

b. "*Vehicle ownership decreased as the Transit Score increased*". Again this seems intuitive, what the authors don't mention is that the Arlington County Commuter Services finds that in areas with "Excellent" transit scores, there are still 0.76[2] cars per adult resident. Again, if we take the liberty (as the Authors do) to apply this ratio to DC residents, it would mean residents of the proposed development would have ~95 cars. This is with the relaxed assumption that each apartment only has one adult living in it. Once again, we see that it doesn't mean **zero** parking spots needed.

c. "*Vehicle ownership decreased as the number of spaces provided decreased*". The Authors fail to mention that the decrease is, as the Arlington County Commuter Services says "slight". In fact the decrease is about 7%[3].

d. "Vehicle ownership decreased as the cost of parking increased". Here again, the Authors fail to mention that even with a cost of >= $95 for parking (the upper price limit of the Arlington County Commuter Services study) vehicle ownership was still at 0.71 per resident adult.

In summation, although the Arlington County Commuter Services report was misrepresented and although it was a study of Arlington residents, the Party believes that the general trend of these conclusions is logical. However, **none of these trends imply anywhere near zero car ownership,** which is exactly what the Applicant expects us all to believe and what they have led the DDOT to actually believe.

1.5 Falling car ownership and usage explained by recent financial crisis and subsequent recession and economic decline

In the section "National Trends" the Wells & Associates report cites a study of national trends in car ownership (falling), miles driven (falling), bike trips (increasing) and public transit use (increasing) between variously the years 2009-2011 and 2001-2009. The Authors do not mention the obvious: that because of the 2008 economic crisis, lower incomes, high unemployment and rising gas prices have increased the cost of driving and car ownership became very expensive and so would easily explain many of the *National* trends cited.

[2] Figure 35, page 41 of Arlington County Commuter Services report

[3] Figure 37, page 43 of Arlington County Commuter Services report

The Wells & Associate report cites decrease in vehicle miles traveled by people 16 to 34 from 2001 to 2009. The number dropped by 23 percent. It is critical to note that national unemployment went from 4.5 to 9.2% in the same period (Bureau of Labor Statistics.) And in that demographic in particular, it is currently 20.4% for 16-19 year olds, 11.1% for 20-24 year olds; and 7% for 25-35 year olds. It is most likely that the drop in travel has more to do with unemployment, slow economic growth, and the increase in cost of gasoline, than other "trends".

In a report by Kent Hymel at the University of California, June 24, 2014, *Factors Influencing Vehicle Miles Traveled in California: Measurement and Analysis*[4], Dr. Hymel of the Department of Economics examines the factors that influence vehicular travel. Hymel concludes that the availability of public transport tends to reduce Vehicle Miles Traveled (VMT) but only by a “miniscule amount.” The factors that most effect VMT are economic in nature.

He found that economic factors significantly impact VMT. Estimates suggest that in California, a **50% increase in income per adult leads to a 15% increase in VMT per adult in the short run and a 23% increase in the long run.** Similarly, a one percentage point increase in the unemployment rate leads to a 0.8% decrease in VMT per adult.

He further found that drivers are responsive to sustained changes in fuel prices. In California, a 50% increase in fuel prices leads to 5% percent decrease in VMT per adult in the short run and a 7.5% decrease in the long run.

The Hymel study shows that Californians have begun purchasing more fuel-efficient vehicles. **However, fuel-efficient vehicles are cheaper to operate on a per-mile basis, thereby encouraging people to drive more**. The estimates suggest that a 50% decrease in fuel-intensity (gallons per mile) increases VMT per adult by 6% short-run and by 9% in the long run.

It is our position, based in Hymel’s findings, that in the case of Washington, DC, where incomes are among the highest in the nation, where the cost of gasoline is declining, where a strong local economy exists with the likelihood of strong continued growth; an increase in VMT is most probable, regardless of the presence of transit options.

1.6 Improved public transit options don’t imply zero car ownership

In the section “PUBLIC INVESTMENT IN TRANSPORTATION” the report details the incredible efforts to improve the public transportation system and the success

[4] http://www.csus.edu/calst/FRFP/VMT%20Trends%20-%20Hymel%20-%20Final%20Report.pdf

of the system. We agree that the DC government has done much to improve public transit facilities from buses, to metro to Capital Bikeshare.

Chart 1 of the Wells report shows the rise in bike trips using Capital Bikeshare. However, according to the same 2013 Capital Bikeshare Member Survey Report that the data is extracted from, 46% of those who used Capital Bikeshare had access to either a car, SUV, truck or van on a regular basis. **Once again, good transit access doesn't imply zero need for cars.**

1.7 Claiming that adding parking is a burden is not reasonable and not fair when other nearby developments are complying with zoning requirements

In the section "PRIVATE INCENTIVES FOR TRANSPORTATION ALTERNATIVES" of the Wells report, it is stated **"***Traffic and parking congestion can be solved in one of two ways: 1) increase supply or 2) decrease demand. Increasing supply requires building new roads, widening existing roads, building more parking spaces, or operating additional transit service. These solutions are often infeasible in constrained conditions in urban environments and, where feasible, can be expensive, time consuming, and in many instances, unacceptable to businesses, government agencies, and/or the general public."*

We agree that clearly parking congestion is a supply/demand issue. However, the idea that building more parking is "infeasible" or "unacceptable" to the general public is simply not true, and is also completely unproven. It is clearly more expensive to build an apartment complex that includes parking, but this should have been factored into the cost by the developers. The zone plan requires parking and the developer should provide it. Two other developments occurring within 1.5 blocks of the proposed construction are underway and **both will offer parking facilities for residents.**

- The Colonel on 9th and N Street (in Square 368.) about 30m away north on 9th street from the 9th street part of the proposed site on the same block.
- Newly started construction on M and 11th (less than 2 blocks away, west on M Street in Square 340.)

1.8 Car sharing resources already out of date and could mimic effects of car ownership on neighborhood parking

The Section "NON-AUTO MODES OF TRANSPORTATION" under the sub section "Car-Sharing Services" (p13) of the Wells & Associates report refers to several options for the residents of the new construction:

- **The Zipcar suggestion**: “The nearest Zipcar facility, located at 11th Street NW and M Street NW, is two blocks west of the site and is equipped with twelve vehicles.” This is now gone because that site is being developed. **So, these 12 vehicles no longer exist.**

- **The Car2Go suggestion:** The report states “Car2Go vehicles can be parked in any unrestricted curbside parking space, in any metered/pay station curbside parking space (without paying meter/pay station fees), or in any residential permit parking space. Car2Go currently has 300 vehicles in the District.” If tenants of the new apartment complex were encouraged to use Car2Go it could exacerbate the parking situation in the neighborhood because these cars can be parked anywhere and would be akin to the residents owning cars. **This option does nothing to reduce parking demand. On the contrary, the Applicant is essentially outsourcing the parking supply requirement to the city and the neighborhood to suit its business model.**

- **The Hertz and Enterprise car share suggestions:** The report states “The nearest Hertz 24/7 facility, located at 11th Street NW and M Street NW, is two blocks west of the site and is equipped with one vehicle. The nearest Enterprise Carshare facility is located at 1009 K Street NW, 0.3 miles from the site, and is equipped with two vehicles.” This is a total of 3 vehicles and was allotted based on ***current population*** of the neighborhoods they serve. This will not address the increase in demand at all. With more construction in the neighborhood from the Applicant and other developments, this limited, shared public transit resource will not meet the demand for cars.

1.9 Bikeshare resource is barely enough to meet <u>current</u> demand

As explained in **Section 3.1.2** of this memo, Bikeshare resources of the neighborhood are for current demand. The Applicant promising to pay for the construction of a new Bikeshare station that is non-dedicated does not help much because the neighborhood is seeing other construction that will create more demand for the added supply.

If on the other hand a new Bikeshare station is dedicated, it’s not enough that the Applicant pays 1 year of operating costs. We do not believe the burden of paying for the operating costs of a facility that only benefits the Applicant’s business model should be put on us the tax payers.

1.10 Incorrect to say that high transit, walk and bike scores equate to low car ownership

Under the section "Walk, Transit, and Bike Scores" (p15) of the Wells & Associates report they state **"*The Blagden Alley site scores a 97 out of a possible 100 on the walk score scale, a 100 out of a possible 100 on the transit score scale, and a 94 out of a possible 100 on the bike score scale. As such, residents of the proposed development are likely to use non-auto modes of transportation for daily commuting and leisure activities and, therefore, will not rely on automobiles for transportation*."**

As we have shown in **Figure 1**, comparable rental buildings, having as good or better walk, transit and/or bike scores in ***downtown DC*** clearly demonstrate that there is still a need for parking and the assumptions (exactly what they are) being made by the Wells & Associates consultants are incorrect and misleading.

In fact we note once again the irony is not lost in the Wells & Associates consultants saying that the "residents of the proposed development are likely to use non-auto modes…will not rely on automobiles for transportation" and then doing an extensive (now stale) study of nearby parking garages, carshare resources and providing a detailed description of Uber et al and how convenient they are with their mobile phone apps. It's clear they do not understand if their tenants will use cars or not.

1.11 Trip generation calculations deeply flawed and unsubstantiated

Under the section "Site Trip Generation" (p16) the Wells report uses a 90% deduction on the ITE calculations for residential and 75% for retail. There is no factual basis given for using these figures and we are very concerned that the Applicant has liberally been given leeway to apply it to the trip generation calculations.

The explanation provided for using 90% is on p47 of the Wells & Associates report where we are told, "*Non-Auto Mode Splits/TDM for residential use is based on no on-site parking and a lease provision that will restrict tentants from obtaining a Residential Parking Permit*." This explanation is weak at best. First, we have demonstrated above that having zero parking is not a viable proposition by the developers so the "no on-site parking" premise that the 90% is based on is false. Additionally, as we explain (**Section 3.2.3**), restricting tenants from obtaining an RPP has several challenges that we believe will result in little/no impact on parking demands of the building.

The entire trip generation analysis is then based on assumptions that are not reasonable and are instead misleading. Although the trip generation analysis has no effect on our parking need conclusions (it's the other way around) the 90% figure used by the Wells report has meant that they have exempt themselves from 8 studies:

- Development Scenarios (required by section 3.2.4 of the CTR guidelines)
- Vehicle Study Area (required by Section 3.2.5 of the CTR guidelines)
- Data Collection and Hours of Analysis (required by Section 3.2.6 of the CTR guidelines)
- Roadway Improvements (required by Section 3.2.8 of the CTR guidelines)
- Background Developments (required by Section 3.2.8 of the CTR guidelines
- Background Growth (required by section 3.2.9 of the CTR guidelines)
- Site Trip Distribution & Assignment (required by section 3.2.10 of the CTR guidelines)
- Analysis Methodology (required by section 3.2.11 of the CTR guidelines)

If we change the deduction from 90% to 75% (just as plausible) the Applicant as shown in **Figure 2**. must now, according to CTR 3.2.3 "CTR Triggers for Further Vehicle Analysis" because there are now 25 PM peak trips. The Board should seriously ask why we can't use 75% instead of 90%. They are equally arbitrary.

	AM Peak Total	PM Peak Total
Residential		
Total Trips	65	87
Non-Auto reduction	49	65
New Vehicle Trips	16	22
Retail		
Total Trips	10	29
Non-Auto reduction	8	22
Pass-by reduction	0	4
External Vehicle Trips	3	3
Total external vehicle trips	19	25

Figure 2. Decreasing the haircut on residential trip generation from 90% to 75% triggers CTR 3.2.3.

The 75% non-auto reduction for the retail space of the Applicant development is also unsubstantiated and should be scrutinized by the board.

2.0 Wells & Associates case studies are mostly irrelevant

On January 14th, 2015 Wells & Associates submitted a report a 150-page report as a follow-up to the public hearing of December 2nd, 2014. At that hearing the Chairman made the comment that in past hearings all studies came from VA/MD and few were DC specific. To quote the Chairman from the December 2nd hearing

*"I'm telling you, that study is going to be **very key**, because it's a -- you know, I've looked at the Arlington and Fairfax County studies myself. I've been always waiting for the District to ... I mean, your Arlington is still -- and Fairfax is still **not the District**, and we keep hearing, it's coming, it's coming and coming and coming, and these -- you know, this project is going from a required 61 or 62 parking spaces to zero in a residential neighborhood."*

The new case studies submitted by Wells & Associates are supposed to, as their memo declares, "demonstrate the effectiveness of TDM plans". In this section, we explain that Wells & Associates has submitted stale, cut and paste, and irrelevant information to the Applicant's case. Most of the 150-page report has zero added value to demonstrating TDM effectiveness and seems to be aimed to confuse and overwhelm readers into agreeing with the Applicant's cause. Additionally, 3 of the four case studies are from suburb developments in different states.

2.1 Case 1: Square 54

Square 54 is a 355 apartment complex with added retail and office space. It is located at the Foggy Bottom-GWU metro station. The rental apartment complex there, The Residences on the Avenue, has a walk score of 97, a Transit score of 93 and a bike score of 76 (see **Figure 1**.) It is located in DC and is the only one that is close to an apples-to-apples comparison of the 4 case studies submitted by Wells & Associates. It is located immediately next to a metro station.

We believe it has one important difference from the Applicant's proposed development. Because of its proximity to the George Washington University campus, the apartment complex has a large number of student[5] tenants. These students are unlikely to own cars because they are so close to campus and don't need them. They are also by definition lower income (they don't work) than the target tenant of the Applicant development and are thus, again, less likely to own cars.

[5] See Yelp reviews of Square 54 apartments. Quotes: "It's a great place for not only for young professionals but also for GW students as well!", "this is a glorified dorm for GWU students."

2.1.1 Difference between observed and ITE based calculations shows exactly why 90% deduction is completely unreasonable

Table 1 (page 7) of the Wells & Associates report shows that observed AM peak hour trips were 28% lower than the ITE calculated figures and for PM, 55% lower (average of both is ~41%). We note the following important conclusions:

- If, for the sake of argument, we assume that The Residences on the Avenue are identical to the Applicant development including in the car ownership behavior of their tenants, then the reduction of 90% that Wells & Associates applies to the calculated ITE trip figures is extremely high. In fact it is more than 300% higher for the AM traffic (**Figure 2.5**). As we show in **Figure 2**, a haircut of 75% alone requires the Applicant to do a more thorough transportation analysis as per CTR 3.2.3.

	Reduction applied to ITE figures for proposed development	*Actual reduction observed in case study compared with ITE figures*	*% difference in assumed reduction and observed haircut*
AM	90%	28%	**321%**
PM	90%	55%	**163%**

Figure 2.5: 90% reduction applied by Wells & Associates seems extremely unrealistic when we compare to similar case study they provided

In fact the tenants are different, with the case study having more students than the proposed development. Because we expect students to have lower car ownership than the Applicant's target tenants, the average of 41% reduction we see in the case study is itself too high and in fact the reduction should be even smaller (lower than 41%). Once again, magnifying the unrealistic 90% assumption made by the Wells & Associates calculations.

- The results don't necessarily imply a successful TDM strategy (although Boston Properties has, as Attachment A of this case study communicates, implemented a solid TDM strategy that matches and sometimes goes beyond the one offered by the Applicant.) Instead the implication could just be that the location's proximity to transit options and retail (groceries, restaurants etc.) make it inherently better than the average surveyed by the ITE.

- Nothing about the trip generation observations had any bearing on parking demand and certainly doesn't imply **zero** parking need by residents. In fact as we show in **Figure 1**, there is significant utilization of the parking resources available to residents in the case study, 73%, and as we discuss in section

2.1.2 digging into the queuing data shows parking lot use is indeed alive and well.

2.1.2 Zero average drive queue observations don't imply no parking required but do point to the importance and need for a non-M street facing loading dock

Wells & Associates counted the length of the car queue that developed on 22nd street south of the driveways to the case site every 15 seconds during the peak AM and PM hours. Note that the case study building has **3 driveways**[6], one for vehicles exiting, one for entering and one for the **loading area** and that the driveway area **has a curb cut Figure 2.6**

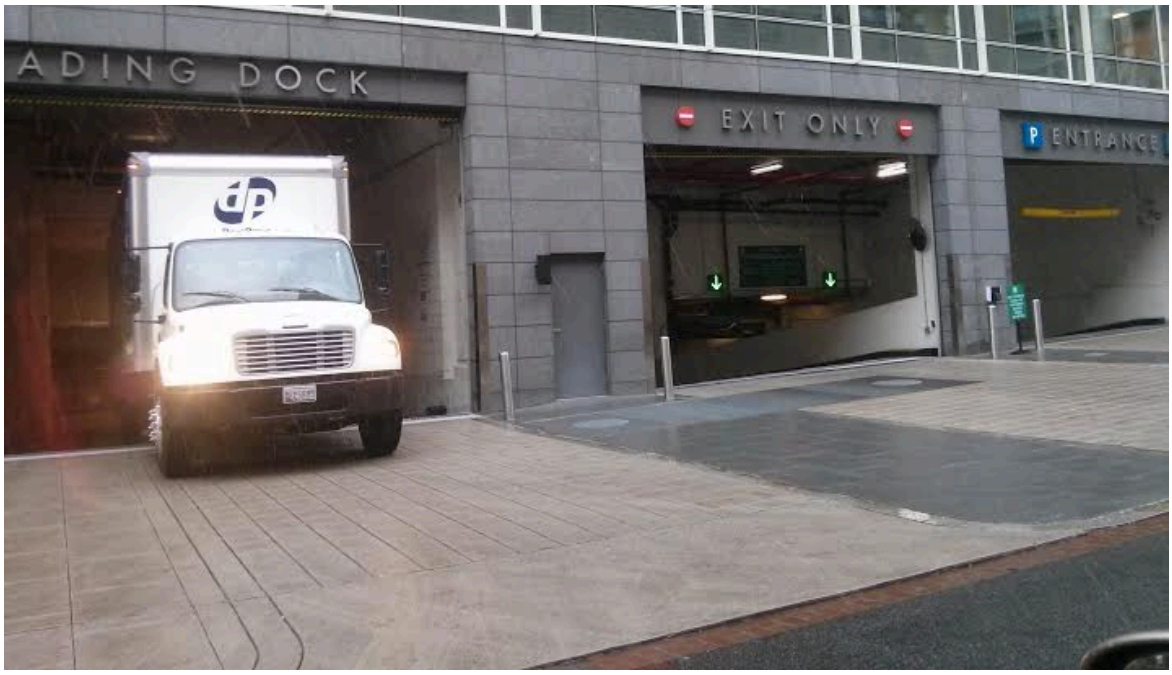

***Figure 2.6**: DC case study example submitted by Wells & Associates has loading zone, parking for residents that has 73% occupancy and cut curb. All this and in first year, problems with on street loading were noted by Wells & Associates.*

The Applicant site's current entrance mirrors the 22nd street situation quiet well so the comparison here is very appropriate. M Street at the entrance and proposed loading area of the Applicant's development is one way (as is 22nd street in front of the loading area of the case study) except the Applicant site has no curb cut and there is currently resident permit parking on the M Street entrance of the proposed development (**Figure 3**).

[6] Page 8, under section "General Observations"

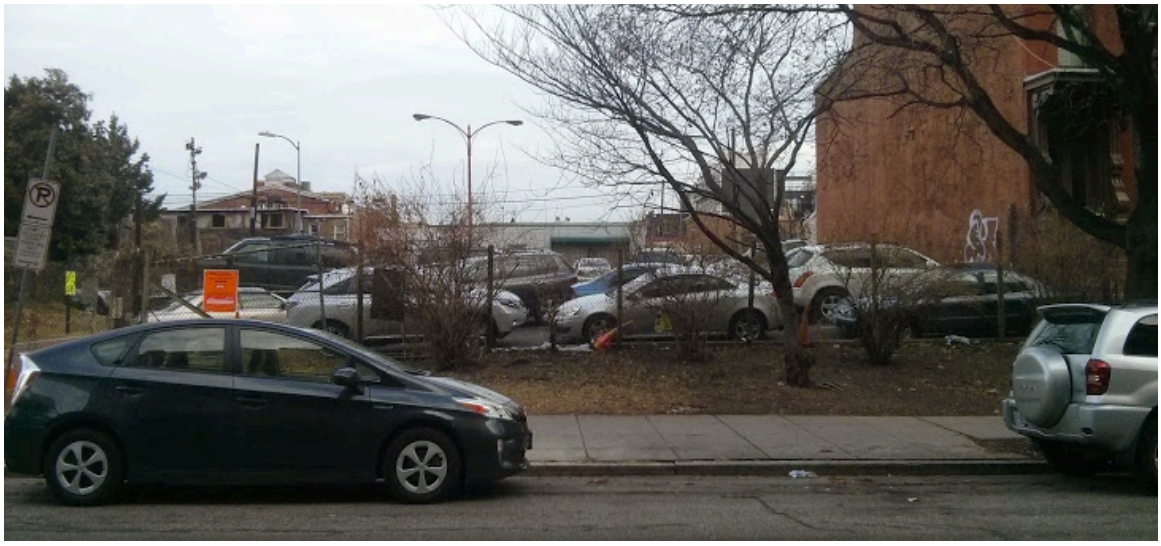

***Figure 3**: Unlike case study, proposed development has no curb cut for proposed trash disposal, site deliveries and loading. Will the Applicant request this in the future once construction is under way and further burden the parking situation by removing spots in front of it?*

Does the Applicant intend to request a curb cut at some point once construction starts? Or will we wait one year into operations to find out that current plans will be a traffic disaster before providing more relief in the form of a curb cut that will further eliminate parking spots for residents?

The Board should look at this matter seriously. It is impossible not to conclude that it is not reasonable to do loading and unloading with the current design and that a loading zone is required behind the building where M Street traffic, resident permit parking space, and pedestrian movement will not be affected. We note that even with a curb cut, there is significant AM and PM pedestrian traffic on M Street as people go to and come from the Mt Vernon Square metro and when there are large conferences at the convention center, pedestrian traffic can increase by orders of magnitude at the peak hours. Both factors would mean a curb cut doesn't necessarily solve the problem. The only solution is a loading zone in one of **5 alley facing** sides of the development.

The queue counts found that on average the queue length is zero. This is a very revealing observation and the conclusion by Wells & Associates is that the vehicles turning into the driveway "do not cause significant delays for mainline traffic". The implication we see is that **exactly because the site has a loading zone** and by extension a curb cut to access it that there is zero average queue length. We note here that the Applicant's current plan calls for all loading, deliveries, trash collection etc. to happen on M street entrance. This would be akin to the case study building having **no loading zone**, having **no curb cut** and **having parking in front of the building** on 22nd Street to block access to the

building when there are deliveries etc. Clearly a recipe for disaster for 22nd Street traffic flows. Just as we believe it will be for M Street traffic with current design.

The Wells & Associates report concludes in its memo on the case study that "field observations indicate that loading has improved since the initial year of operation as delivery drivers have become familiar with the on-site loading operations. Previous issues regarding deliveries and parking restrictions have been resolved". We note first, that the Wells & Associate consultants don't actually link the results to any TDM strategy. It's also important to point out that the site clearly had difficulties in the initial year **even with** parking, loading zone and curb cut. The potential problems if these didn't exist only go to show how far fetched the Applicant's proposed design and relief requests are.

2.1.3 Traffic count data shows traffic into/out of driveways are significant and show that zero parking and no allocated loading zone with access are unreasonable

The traffic count data (Attachment B of Wells report) shows exactly why a special loading zone (with access) and parking are important. If we take the Tuesday 9/16/14 data points as an example, the count data shows 108 passenger cars using the loading dock area entrance[7] in the AM peak hours and 34 heavy vehicles[8] using it in the AM period. Clearly **the need for parking is there** despite the excellent transit location of square 54. Clearly **the need for a loading zone is also there** for deliveries etc. All this in addition to Square 54 having an excellent TDM strategy.

2.1.4 Attachment A: only discusses Boston Property's TDM strategy and adds nothing to the TDM effectiveness discussion

This section only discusses Boston Properties TDM strategy, which we believe is pretty comprehensive. We note though, by the example of a dedicated car share resource that square 54 provides in the resident parking area (p12 of Wells report), that a TDM strategy should **encourage behavior not force it**, simply because it's impossible to force. Here Boston Properties offers parking but encourages car sharing by providing the dedicated resource **onsite**. Relying on a forcing mechanism to solve the parking problem is not reasonable and as we have shown many times, misplaced.

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[7] Page 16 of Wells & Associates report. Note: entering vs. exiting % is not clear from the data table.

[8] Page 17 of Wells & Associates report. Note: entering vs. exiting % is not clear from the data table.

2.1.5 Attachments B, C and D show data tables and don't discuss TDM strategy effectiveness

Attachments B, C and D show collected queuing data numbers, traffic trip data and traffic count data. They do not draw any conclusions form this data.

2.2 Case 2: Mosaic

The Mosaic District is located in Fairfax, VA and beyond the fact that it is located in an entirely different state and in the suburbs, it has site characteristics so different to the Applicant's proposed location that walkscore.com doesn't even give it a bike and transit score[9]. The Mosaic has a walk score of 84 compared to Applicant's site at 94.

2.2.1 Section 1: executive summary shows no data on TDM strategy effectiveness

Section 1 discusses/shows:

- The TDM goals of the Mosaic District
- Survey done to understand residential and office travel mode split

There is no discussion of TDM effectiveness. To demonstrate how misplaced the case study is with the Applicant's development for comparison purposes, 58% of residents responded "drive alone" for mode choice. For the office survey, this was 81%.

2.2.2 Section 2: status of development shows no data on TDM strategy effectiveness

Section 2 discusses the current stage of the District's *development* and shows no data on TDM strategy effectiveness.

2.2.3 Section 3: 2013 summary discusses TDM strategy at Mosaic District, not it's effectiveness

Section 3 discusses:

[9] Mosaic district leasing office address used on walkscore.com: 2910 District Avenue, Fairfax, VA

- TDM strategy of the Mosaic District (what they have done)
- Survey conducted to understand preferred transportation modes + most effective TDM strategies of residents and office workers in the development
- Incentives provided to people for them to take the survey

No demonstration of TDM effectiveness.

2.2.4 Section 4: discusses 2014 program year plan and not TDM effectiveness

Section 4 discusses TDM plans for 2014 and is not intended to show TDM effectiveness. A nice quote from the "Key Messages" section though is that "The TDM program is not NOT anti-car…We don't want you to leave it at home. We only encourage you to try other options". This summarizes nicely why the Applicant's TDM strategy does/should not imply **zero** car parking needed.

2.2.5 Appendix A & B & C are surveys & how they were promoted and don't discuss TDM effectiveness

In Appendix A & B, Wells & Associates shares survey questions without results and again shows no data on TDM effectiveness. Appendix C shares the colorful promotional material used to entice people to take the surveys.

2.3 Case 3: The Reserves at Tysons

The Reserves at Tysons is located in Tysons, VA and beyond the fact that it is located in an entirely different state, and in the suburbs it has site characteristics so different to the Applicant's proposed location that walkscore.com again doesn't even give it a bike and transit score[10]. The Mosaic has a walk score of 57 compared to Applicant's site at 94.

2.3.1 Section 1: executive summary shows that TDM effect has stagnated and 2013 was in fact worse than 2012

The executive summary of the 2013 study by Wells & Associates tells us that "*proffered trip reduction goal for Single Occupant Vehicles (SOVs) pertaining to The Reserve is 20%. The Reserve has surpassed this goal achieving a 30% non-*

[10] Address used on walkscore.com from Wells & Associates report: 1420 Spring Hill Road, Tysons, Virginia 22102

SOV mode split." What it doesn't tell us is that as Table 1[11] of the case shows the baseline number was 17% (i.e. the goal in the first place was only 3% better than baseline) and that in 2012 it increased to 31% and then fell to 30% in 2013 thus indicating **TDM strategy stagnation after one year**. At this stagnant plateau, the 2013 survey results that are shared in the executive summary show that drive-alone rate was **70%** for commuters. Once again, nothing implies TDM strategy will reduce car ownership/use and thus parking demand to zero.

2.3.2 Section 2 discusses development and has no link with TDM effectiveness

Section 2 of the case discusses development (construction) plans for the site and doesn't discuss TDM strategy or its effectiveness.

2.3.3 Section 3 discusses The Reserves TDM components, the survey incentives and doesn't mention TDM effectiveness

Section 3 shows:

- TDM strategy of case development
- Colorful images of the transportation survey given to people
- Incentives for people to fill out these surveys
- Results of survey compared to goals (which as we mention in **Section 2.3.1** were worse than 2012 indicating TDM strategy stagnation.)

2.3.4 Section 4 discusses 2014 plans & expenditures and doesn't mention TDM effectiveness

Section 4 discusses 2014 plans for the case development as well as forecast expenditures on the various TDM programs.

2.3.5 Appendix shows survey results in more detail

Appendix of the case shows the survey summary publication (which repeats all the colorful survey pictures). Conclusion as Wells & Associates state[12] is that even after 2 years of TDM "**survey respondents primarily drive alone to commute to their various destinations**".

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[11] Page 78 of the entire case memo document submitted by Wells & Associates
[12] Page 102 of entire case memo document submitted by Wells & Associates

2.4 Case 4: Ridgewood

The Ridgewood by Windsor is located in Fairfax, VA and beyond the fact that it is once more located in an entirely different state, and in the suburbs, it has site characteristics so different to the Applicant's proposed location that walkscore.com again doesn't even give it a bike and transit score[13]. The Mosaic has a walk score of 62 compared to Applicant's site at 94.

2.4.1 Executive summary shows that site generates 46% less trips than ITE forecasts

The executive summary claims that the TDM has worked because the target reduction from ITE figures every year (since 2011) has been 20% reduction while in 2014, a 46% reduction was achieved. We should note here:

- 20% is a random number that was picked and has no basis. If the trip counts were done in the first year before TDM strategy takes a foothold so that we get the pre TDM natural state we may have found that the counts are already 20% below the ITE calculated figures because of natural variances of sites from the ITE average.
- No actual trip counts were performed in 2011 and 2012 which means it's impossible to tell how TDM has worked over the years

Essentially, it's impossible to truly tell the effectiveness of the TDM strategy although we don't doubt that it had some effect.

The executive summary shows us that 71% of Ridgewood residents selected Drive Alone as their transportation mode despite the TDM program.

2.4.2 Section 2 discusses the current state of the development and does not mention TDM effectiveness

Not applicable to TDM strategy effectiveness.

2.4.3 Section 3 discusses TDM strategy and what was done in 2013 but not effectiveness

Section 3 discusses the programs implemented in 2013 by the development. Some are interesting including setting up a new bus stop. It also includes survey results, some already mentioned.

[13] Address used on walkscore.com: 4211 Ridge Top Road Fairfax, VA 22030

2.4.4 Section 4 discusses 2014 TDM plans and financials, no mention of TDM effectiveness

Not applicable to TDM strategy effectiveness.

2.4.5 Appendix A discusses survey results and methodology

Appendix A of Wells & Associate report, displays in more detail all survey results including transportation preferences of residents as well as what they believe works best in terms of TDM.

2.4.6 Appendix B & C display the colorful surveys and marketing material for the survey but add no value in terms of detailing TDM effectiveness

Not applicable to TDM strategy effectiveness.

2.4.7 Appendix E contains raw traffic count data and adds no conclusions on TDM effectiveness

Not applicable to TDM strategy effectiveness.

2.5 Summary

Although the Wells & Associates case studies did not prove useful, the intention is well noted and we agree that TDM strategies will have some effect and there are numerous studies that show this to be true. However, we would like to reiterate the fact that an effective TDM strategy does not result in **zero** car parking needed as the Applicant asserts.

3.0 Response to DDOT Memorandum

3.1 Transportation Analysis

3.1.1 Pedestrian and Bicycle Facilities

The DDOT memo states *"Automobile ownership is expected to be minimal, while transit, walking, and bicycling are expected to be the predominant modes of transportation for this development".*

This is an assumption backed by a fact that has no direct relationship to it. If it were true, the many people who already live in this transit rich area would not own

cars. For example, the Opposing Party members are all residents of the neighborhood, and use many forms of transit, but all own cars. These assumptions need to be backed up by fact but are not.

Improving pedestrian and bicycle facilities, crosswalks, curb ramps are all good ideas but they do not directly affect the decisions of residents regarding car ownership. Encouraging the use of other forms of transit is a worthwhile practice, but it does not zero out the need for 63 parking spaces.

3.1.2 Existing Capital Bike Share is for Current Demand

The DDOT memo states *"the site is located within two blocks of existing Capital Bike share locations".*

These Capital Bike share stations exist for the current residents of the blocks surrounding them. By way of anecdotal evidence, we monitored the number of bikes available at the two bike share stations closest to the proposed development on a typical Thursday morning before and after the morning rush hour.

On Thursday 22, January 2015 at 6 am there were 20 bikes available at these stations combined. By 10 am, there were zero left. **Figure 4**.

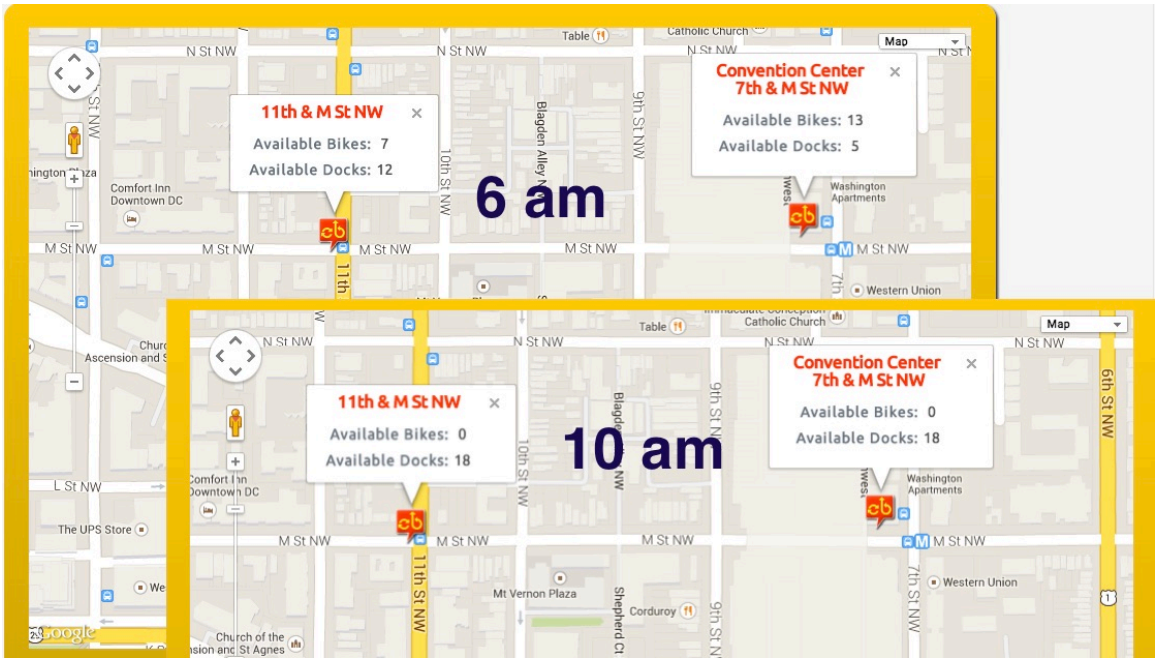

***Figure 4**. By 10am, all the bikes in the two bike shares closest to the proposed development had been taken. Source: www.capitalbikeshare.com/stations*

Adding 126 units with at least 126 tenants and expecting them to have their demand met by the current supply of bikes is not reasonable. The Applicant's TDM strategy proposes installing a new Bike Share station but no details of the location are given except to say it will be within ¼ mile; equivalent to a 2-3 block radius. This will mean the new Bike Share station will be available to tenants of other new developments in the area as well. We believe that allowing the Applicant to develop a TDM strategy around non-dedicated scarce public or private transportation resources is a recipe for a failed TDM strategy.

The other two Bike Share stations the Wells report cites as now being within a quarter mile radius are both south of Massachusetts Avenue and serve the demand from communities along the Mass. Ave. corridor.

The DDOT memo states *"DDOT works through the zoning process to ensure that….new developments are manageable within...the District's multimodal transportation network"*

As explained above, new demand created by the development for Bike Shares bikes **will not be manageable** with current supply because the current supply was not designed for it. Additionally, the proposed non-dedicated additional bike share location will go to meet new demand from other developments in the vicinity of the proposed Blagden Alley development.

3.2 Transportation Analysis: Vehicle Parking and Impacts

3.2.1 Assumptions about potential tenants and car ownership for the proposed development are not supported by fact

The DDOT memo states: ***"The proposed development is intended to attract a group of tenants that are unlikely to own cars...the product type will attract tenants who desire neighborhoods where automobile ownership is not necessary."***

These are very broad assumptions and we have several concerns:

1. They are not based on facts only on likelihoods. Because leases will be short term, one could argue that it may actually be even more likely that people would own cars because the type of tenant it will attract is somebody making a permanent move to DC but looking for a short term place while they find a more permanent location. In fact on page 4 of the DDOT memo it states that amongst others, the product "*will appeal to*

residents who are new to the District." Many new residents arrive with cars because they do not know exactly how long they will stay or where they will settle.

2. The city likely cannot enforce lease duration in the short term and certainly not in the long term. If a tenant wants to take a 1-year lease, will they not be allowed? Is it legal to prevent them? It wouldn't make financial sense to prevent somebody taking a longer lease. We note here that the bikeshare and carshare membership offers that the Applicant has suggested as part of it's TDM are all annual memberships suggesting strongly the direction in which they plan to take lease terms[14]. What happens if the Applicant sells the property, the new owners may switch to a "regular" rentals situation (e.g. unfurnished apartments, longer leases etc.) The city must plan for this outcome today.

3. The DOT has made an incredible effort to design DC transportation so that automobile ownership is not necessary, yet people still own and use cars in the city. The transportation analysis submitted by the Applicant puts the percentage of households with cars in Washington DC at 62.1%[15]. Car ownership is more likely for high-income individuals and families where the cost of a car, gas, insurance, maintenance, and parking are not burdensome.

3.2.2 Address change is not enforceable in the long run and can be circumvented

The DDOT memo states: ***"The Applicant changed both addresses of the project to Blagden Alley…and is not currently in the District's RPP system."***

First, it is important to note that if the Applicant was certain that the proposed units would only attract tenants without cars, there is in fact no need to change the address to Blagden Alley to prevent people from gaining access to parking permits. The fact that they changed the address only goes further to prove that the assumptions on car ownership of tenants are truly baseless. Furthermore, changing an address on M and 9th Streets to alley addresses will cause massive confusion for tenants, visitors, deliveries and anyone else trying to locate the building. Imagine driving down 9th Street looking for a Blagden Alley address when the actual building is 917 9th Street?

We would like to point out a number of challenges regarding the use of restrictions by the RPP system by address change, these are all described in detail in

[14] See TDM strategy comparison table (p2) of Wells & Associates TDM case studies memo of January 14th, 2015

[15] See page 2 of Transportation Consultants report. 37.9% of DC households don't have a car

section 2.3.2 of our main opposition document. In short, there are so many potential pitfalls with this solution that we do not believe that DDOT should realistically be considered as part of any solution.

Finally, the main entrance of the building where all mail will be delivered is on M Street. It's impossible to believe that anything addressed to the M Street address will not be correctly delivered, thus creating a simple way for tenants to circumvent the address change.

3.2.3 RPP Restrictions are not enforceable

The DDOT memo states: ***"Additionally the Applicant has committed to prohibit residents applying for RPP"***

For a full list of problems with this proposed method of restricting parking demand again please refer to **section 2.3.2** of the main opposition document.

We concur with the DDOT assessment that the Applicant's commitment is clearly not enforceable. Additionally, it would again not be necessary if the assumption about the apartments attracting residents who do not want cars were based on fact. Furthermore, how will the apartment manager monitor car ownership? Follow tenants around and watch who uses which car? And it certainly would not be in the economic interest of the building owner to act against a rent-paying short-term tenant.

We believe this commitment goes only to show that the Applicant does not understand the potential tenants, has really not thought through the implications of the request for special exception, and seems to be clutching at straws.

3.2.4 Relying on private parking garages is neither reasonable nor practical

The DDOT memo states: ***"While it is highly unlikely that the tenants would own vehicles, there are multiple parking garages within a short distance of the location. The Applicant's analysis indicated that at least 125 monthly parking are available within ½ mile of the site"***

We are concerned with the following:

1. Once again, the report refers to the "high un-likelihood" of anyone owning a car, but simultaneously offers the option of private garage parking. It's vital that the Applicant provide supporting facts for these claims.

2. If we look at the map reporting the analysis done by Wells & Associates[16] we see that the only truly reasonably located parking lot that held ~100 cars (on M and 11th) is now gone because the lot is being used for another construction, **Figure 5**. The location of the nearest lot after this is not convenient for any resident of the M block.

***Figure 5**: Closest and only practically close lot that Wells & Associates report cites is now gone to another development.*

3. Simply because parking lots are available, tenants of the proposed construction cannot be forced to use these parking facilities and will likely not use them because they are costly, reasonably far away, and just plain inconvenient. Our strong assumption is that because of distance, none of these lots would ever be used by anybody living in or visiting the Applicant's development. By way of anecdotal evidence, nobody in the party has ever gone south of Massachusetts Avenue (where the bulk of the

[16] Figure 7, Page 30, Wells & Associates Transportation Analysis report of April 18, 2014

to park their car simply because it's far enough to make it inconvenient. because it is not practical.

1.2.5

The DDOT memo states: ***"the project is expected to generate minimal vehicle trips due to the level of parking provision."***

Here the argument is circular. The report makes the incorrect assumption that parking is not needed to claim a deduction of 90% to explain low trip volumes. No parking demand analysis was done. Using the Institute of Transportation Engineers' "Parking Demand, 4th Edition" we find that with the mix of retail and residential of the proposed development, we would need 80 parking spots if we use a 41% deduction (as per case study in **Section 2.1**) or 14 parking spots if we use the 90% reduction assumed by Wells & Associates. We are hard pressed to come up with zero parking needed (**Figure 5.1**). Note that with a 41% reduction and without retail the development would by ITE calculations need 74 parking spots which shows that zoning regulations requiring 63 parking spots are on point, in fact generous.

	Average Peak Period Parking Demand for Weekday	Average Peak Period Demand for Saturday	Average demand for any given day	Apply 41% reduction	Apply 90% reduction
Residential (Code 221[17], 126 DU)	120[18]	131[19]	125	74	13
Retail (Code 936[20], 750 sq ft)	9[21]	11[22]	10	6	1

Figure 5.1: Parking demand management using ITE parking generation data shows peak period demand for parking on average day of the week for retail and residential combined. Source: ITE Parking Demand, 4th Edition

[17] Code 221 is Low/Mid-rise apartment

[18] Used Average Peak period parking demand vs. dwelling units on a weekday for Urban location (P = 0.92x + 4), R2 = 0.96

[19] Used Average Peak period parking demand vs. dwelling units on a Saturday for Urban location (P = 1.04x), R2 = 0.99

[20] Code 936 is coffee/donut shop without drive-through window

[21] No equation given, assumed mid range of all data ((3.49+19.31)/2 = 11.4 on weekday and (14+14.67)/2 = 14.33 on Saturday)

3.3 Transportation Demand Management (TDM)

3.3.1 Proposed bike and car share membership for tenants is ambiguous and not enforceable in the long run

The offer to provide car share membership and Bike Share membership for the lifetime of project for initial term of lease is ambiguous. How long is the life of the project? How long is the initial term of the lease? What happens if building ownership is transferred, will this offer still stand?

Finally, there is no way to enforce this on the Applicant. How much will enforcement cost we the taxpayers? One year from now, the Applicant may decide that it is not economically feasible to provide these memberships especially as the Applicant does not control the membership price.

Any covenant would be expensive to enforce and non-compliance with a covenant would be expensive for area residents to fight in court.

3.3.2 Reliance on private non-dedicated car share resources is not tenable

Any reliance of the TDM on existing non-dedicated car share resources are weak and untenable. For example, since the Applicant's Transportation Analysis was submitted April 18, 2014, 60% of the car share spaces within ¼ mile of the development have disappeared due to other construction projects (**Figure 6)**. There is only one spot left within a 2-block radius. The same applies with private parking facilities as discussed in **section 1.1.5**.

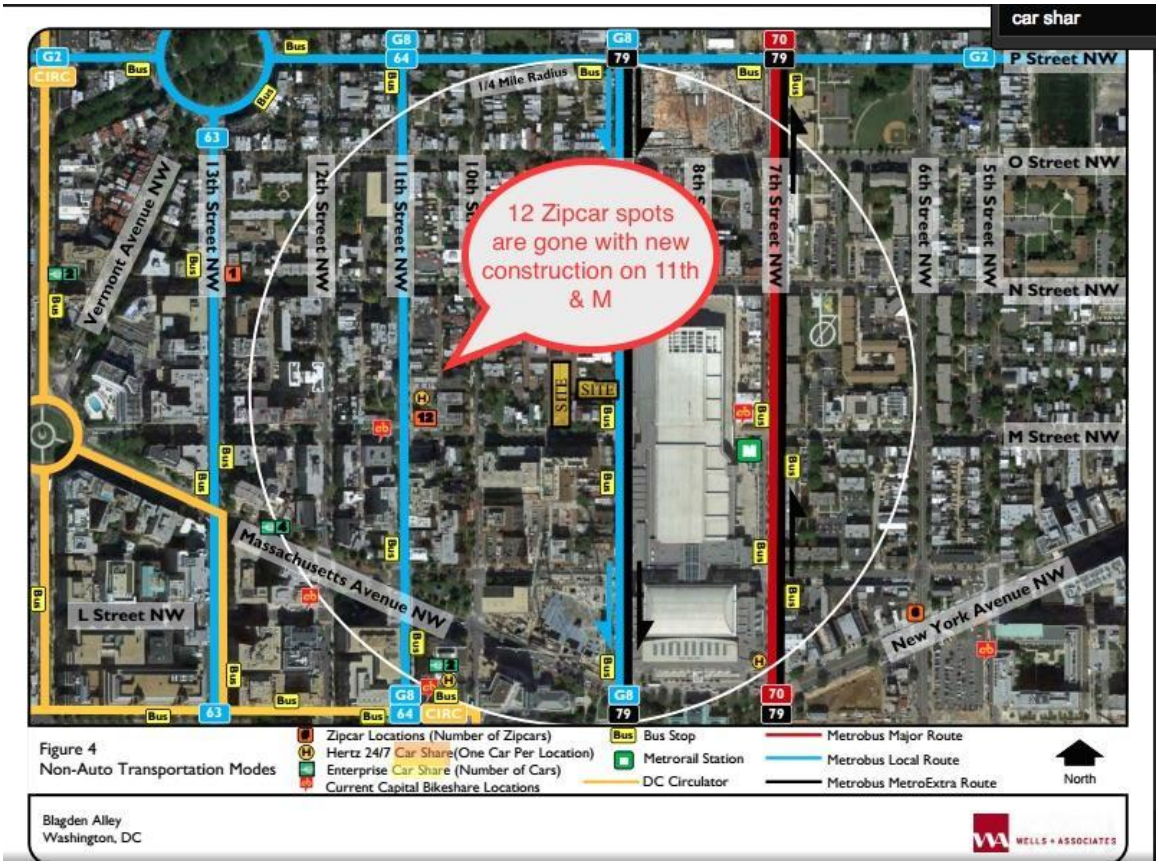

***Figure 6**: Mistake to accept that Applicant relies on shared private car sharing resources*

3.4 Loading and Curbside Management

3.4.1 Loading zone is required for the M Street addition to the historic garage

The DDOT memo states, "*Due to the inclusion of a historic structure and the size of the project, no on-site loading facilities are required*."

This position is further detailed in the Wells + Associates report which states "No additional loading berths, loading platforms or service/delivery loading spaces are required" for the M Street building because of the project is "a historic landmark or a building structure is located in a historic district that is certified by the State Historic Preservation Officer as contributing to the character of that historic district. Due to the incorporation and preservation of the historic building at 917 M Street, that proposed building does not have loading requirements."

This is untrue as shows the Applicant's incomplete understanding of the regulations. According to DCMR 11- 2200, AUTHORITY TO REQUIRE LOADING FACILITIES, Section 2200.1 – "All buildings or structures erected on or after May 12, 1958 shall be provided with loading berths, loading platforms, and service/delivery loading."

However, DCMR 11-2200.5 provides some relief for historic building where it states "No additional loading berths, loading platforms, or service/delivery loading spaces shall be required **for a historic landmark or a building or structure located in a historic district** that is certified by the State Historic Preservation Officer as contributing to the character of that historic district.

DCMR 11-2200.5 very unambiguously refers to loading berth requirements for **historic buildings themselves and not new structures built next to historic structures on the same lot.**

When new structures are added to historic building, DCMR 11-2200.6 provides that loading berths will be required. This section states "When the intensity of use of a building or structure existing before May 12, 1958 is increased **by an addition or additions** of dwelling units, gross floor area, seating capacity, or other unit of measurement specified in § 2201, **loading berths, loading platforms, and service/delivery loading spaces shall be provided for the addition or additions**; provided, that the provisions of §§ 2200.7 through 2200.9 are satisfied.

The requirement for loading berths, loading platforms, and service/delivery loading spaces is very clear in 11-2200.6. The Applicant is clearly not exempt from this requirement. **We request that DDOT review the exemption claimed for this requirement.**

The historic garage at the site is a one-story brick building that occupies approximately 25% of the lot. The new proposed building that would be adjacent to it will occupy nearly 12,000 sq. ft. of the lot, the other 75%. The new apartment building will be four stories and 35,000 sq. ft. **Thus, the existing garage at about 4,000 sq. ft. will have an additional 35,000 sq. ft. expansion including 82 apartments, a completely new and different use from the garage now used as storage.**

DCMR 11 - 2200.7 states that "Loading berths, loading platforms, and service/delivery loading spaces **shall not be required** for the addition or additions **unless the addition or additions increase the intensity of use of the building or structure by more than twenty-five percent (25%) of the aggregate**. So, the 25% break point is specified here.

The existing 4,000 sq. ft. building would be expanded by another 35,000 sq. ft. In this case, the 25% break point for the 4,000 sq. ft. garage is 1,000 sq. ft. The

additional building will **increase the use of the building nearly 9 times, or 900+%.** This project clearly does not qualify for the loading berth exemption since it far exceeds the 25% break point.

The Applicant's plans show the relative size of the garage to the substantially new apartment building (Exhibits 7 & 8 in the Case Documents.)

With regard to the lot: The historic garage now exists on the end of Lot 165. However, Lot 165 was re-platted in around 2005 by aggregating six lots – 147, 68, 63, 70, 61, and 863 to create the current development site. The historic garage is located on former Lot 147, which is how it was platted when it was designated historic in about 1994 (last page in Exhibit 48 in the Case Documents.)

3.4.2 Loading activity will not be minimal and will create undue burden on neighborhood and its residents

We strongly disagree that loading activities will be minimal because the units are furnished. Once again, this claim is not supported by fact.

- With 95% occupancy, if we assume every tenant takes on the minimum lease, we could see (126x4x0.95) 478 move-ins and 478 move-outs a year (assuming very conservatively that every unit is only occupied by 1 person, which is unlikely to be true). These will likely be concentrated around weekends. Without parking and without a specific loading/unloading zone, this will lead to massive traffic congestion on M Street (which is one way immediately in front of the proposed construction) and Blagden Alley and could also result in safety issues.

- Even without furniture, tenants can still have large move in demands including boxes of books, suitcases and boxes of clothes, electronics, televisions, art work and some furniture e.g. book shelves, specialized desk chairs, personal effects, bikes.

- Loading zones are not only used for tenant moves but also for mail deliveries, food deliveries, maintenance personnel, and employees, that will be needed for the many demands of a short term occupancy apartment building,

3.4.3 Trash pickup from the front of the building will cause congestion and be unsightly

We believe that trash pickup on the M Street side of the building has not been well thought out. A building with at least 125 residents plus a retail establishment will generate a substantial amount of trash and recycle. This will mean trash pickup at

least three times a week[22], plus at least 2 separate pickups for recycle. If all the containers are moved to the curb for scheduled pickup, as is proposed, it will not only block the entire sidewalk, it will also likely lead to unsanitary conditions.

It is simply not practical to move such a large number of trash containers out from their storage area when the trash truck arrives because it would be time consuming. Furthermore, there is nowhere for a truck to park without blocking car and pedestrian traffic. We believe that trash pickup should not happen on the M Street side of the building but out of specialized loading zone in the rear of the building or at a minimum on the 9th Street side of the building which is commercial. Given the trash room location in the M Street building, this would be a difficult option.

4.0 General Opposition Party response to transportation analysis

We believe that seeking exception from the 63 parking spaces required by zoning regulations will have a strong negative effect on the neighborhood by increasing parking demand beyond what can be absorbed into the community.

Currently there are spaces for 45[23] cars on both the north and south sides of M Street, NW between 9th and 10th Street. The lot to be developed by the Applicant currently accommodates 10 cars on a permanent basis and ~80[24] cars during the day[25] only. The empty lot at 917 M Street to be developed by Ditto holds 3 cars on a permanent basis. These cars would have to find space in the permit areas of the block: up to 43 spaces during the day and 13 overnight just from current tenants/use of the block. Note that 9th street parking would not apply to residents as it is metered parking so both the M Street and 9th Street residents would need to use the resident parking spaces on M, 10th etc.

If the Applicant provides **0** parking and we assume conservatively[26] that only 10% of residents (assuming an unlikely 1 occupant per unit) of the new apartment complex will own a car, and need parking, then the neighborhood could theoretically be short 55 spaces during the day and actually short 25 spaces at night. That's 120% of current street capacity short during the day and 55% of current street capacity short at night.

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[22] Based on discussion with other apartment managers
[23] Count of cars parked on street
[24] Appendix A
[25] Source: parking lot operator
[26] Transportation analysis document submitted by Applicant states that 62.1% of DC households have a car. We assume to very conservatively 10%.

Making matters worse for residents, during the day, half of the 45 spaces available on M Street between 9th and 10th Street are available to non-residents in two hour intervals. Additionally, because the block is located immediately next to the Convention Center, the entire Convention Center block is surrounded by paid parking on the 9th Street side and the M Street side of the Convention Center block has no parking at all. So, the only parking space for residents of the M Street side of the block are M Street between 9th and 10th streets. To say nothing of increased demand when there are Convention Center events.

Nothing in any of the studies cited by Wells & Associates implies zero car parking. Nothing in the trip generation calculations implies zero parking. Nothing in the case studies submitted as evidence of excellent and effective TDM strategies implies zero parking.

On the contrary: all of studies Wells & Associates cited when applied to the population of the proposed development suggest significant parking requirements. All the case studies Wells & Associates submitted as examples of successful TDM strategies suggest significant parking requirements. The parking generation calculations we performed using ITE data suggest significant parking requirements and every comparable rental building we looked at in DC (we didn't look at them all, only a small sample) suggested parking was needed and DC zoning for the area requires 63 parking spots.

Finally, nowhere does DDOT or the Applicant ever say that tenants with **will not** have cars. It's always "***unlikely to***". This should not be acceptable to the Board. We should not let this development be an experiment, especially not in a historic neighborhood. If it fails, there is no going back.