

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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PUBLIC HEARING

+ + + + +

TUESDAY,

NOVEMBER 29, 2005

+ + + + +

The Public Hearing convened in Room 220 South, 441 4th Street, N.W., Washington, D.C. 20001, pursuant to notice at 10:29 a.m., Geoffrey H. Griffis, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

GEOFFREY H. GRIFFIS	Chairperson
RUTHANNE G. MILLER	Vice-Chairperson
CURTIS L. ETHERLY, JR.	Board Member
JOHN A. MANN, II	Board Member (NCPC)

ZONING COMMISSION MEMBER PRESENT:

GREGORY JEFFRIES	Commissioner
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OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY	Secretary
BEVERLEY BAILEY	Zoning Specialist
TRACEY W. ROSE	Sr. Zoning Specialist

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

SHERRY GLAZER, ESQ.

OFFICE OF PLANNING STAFF PRESENT:

STEVE COCHRAN

ZONING COMMISSION
District of Columbia

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WASHINGTON, D.C. 20005-3701

(202) 234-4433

CASE NO.

EXHIBIT NO.

ZONING COMMISSION
District of Columbia

(202) 234-4433

EXHIBIT NO. 84

TRAVIS PARKER
ARTHUR JACKSON
MAXINE BROWN-ROBERTS

This transcript constitutes the minutes
from the Public Hearing held on November 29, 2005.

1 MR. GLASGOW: Okay. This is to the
2 specific question is the number of deliveries of 40 --
3 55 foot truck versus 40 foot truck that would be
4 anticipated. Yes, John, you're the only one up here.
5 Would you, please, identify yourself for the record?

6 MR. HUTCHENS: My name is John Hutchens.
7 I'm with Harris Teeter. I'm Vice President of
8 Operations. I would be happy to answer any questions.

9 MR. GLASGOW: Mr. Hutchens, we're here
10 with the exchange with a couple of the Board Members
11 concerning the numbers of deliveries that would be
12 anticipated to this store with the 55 foot trucks
13 versus the 40 foot trucks.

14 MR. HUTCHENS: This is Harris Teeter
15 deliveries, right?

16 MR. GLASGOW: Yes, Harris Teeter
17 deliveries.

18 MR. HUTCHENS: A normal store would
19 normally get three large truck deliveries a day and we
20 anticipate that the Citadel location will get,
21 approximately, five small truck deliveries a day.

22 MR. GLASGOW: That would be five of the 40
23 foot trucks? Three 55 foot trucks, five 40 foot
24 trucks.

25 CHAIRPERSON GRIFFIS: Excellent. Any

1 follow-up from the Board?

2 BOARD MEMBER ETHERLY: Yes, Mr. Chair.

3 CHAIRPERSON GRIFFIS: Yes.

4 BOARD MEMBER ETHERLY: If I could, thank
5 you very much, Mr. Hutchens, for the clarification.
6 Perhaps anticipating some additional questions that
7 may come up, I wanted to just kind of massage a couple
8 of other items around this particular question of
9 deliveries. Is it based on your experience and your
10 familiarity with operational aspects of your business,
11 is it your experience that you have a fair amount of
12 control over your ability to program deliveries, when
13 they arrive at your various facilities?

14 MR. HUTCHENS: Yes, with the Citadel
15 location, we will be able to essentially schedule all
16 vendors, not only our own deliveries, but all of our
17 DSD, Direct Store Delivery, vendors throughout the
18 allotted window of delivery time.

19 BOARD MEMBER ETHERLY: And would you
20 anticipate or let me phrase it this way, is it your
21 experience that with respect to non-goods specific
22 deliveries, products that are coming to your store for
23 sale, other types of deliveries, whether it is FedEx
24 or office materials related to administrative
25 functions at the site, do they also make use of the

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1 loading dock as well?

2 MR. HUTCHENS: Yes, they do.

3 BOARD MEMBER ETHERLY: Okay. If you had
4 to factor in those types of deliveries or that type of
5 traffic, how would that change the number of or the
6 amount of traffic? I think perhaps what some of the
7 parties in opposition will want to get a sense of and
8 what might be helpful for my colleagues and I is if
9 you had to assess what the overall traffic would be.
10 So we're hearing five small truck deliveries per day
11 for the 40 foot trucks.

12 MR. HUTCHENS: Yes.

13 BOARD MEMBER ETHERLY: If you had to also
14 factor in other traffic of any type, how many trips do
15 you think that would be?

16 MR. HUTCHENS: Including goods and service
17 vehicles and all that?

18 BOARD MEMBER ETHERLY: Yes.

19 MR. HUTCHENS: Probably, approximately, 30
20 to 35 a day of non-Harris Teeter deliveries.

21 BOARD MEMBER ETHERLY: Plus the five?

22 MR. HUTCHENS: Plus the five, yes.

23 BOARD MEMBER ETHERLY: Okay. Okay. So 30
24 to 35 of non-Harris Teeter related traffic.

25 MR. HUTCHENS: Yes.

1 questioning, but I want to make sure to get on the
2 record from our standpoint how it is that we read
3 these few pages of the regulations and how it all fits
4 together and we think in a very logical and orderly
5 fashion.

6 And then from that you derive the variance
7 clause and the test under the variance. And with
8 that, with respect to our rebuttal testimony, I wanted
9 to, first, have Mr. Fred Gorove go over a couple of
10 points with respect to traffic in the area, how it
11 operates and how this would -- how it would relate to
12 this specific project. And then have Mr. Hutchens
13 address a point. Thank you.

14 MR. GOROVE: Okay. My name is Fred
15 Gorove, Gorove/Slade Associates. And we have done the
16 traffic analysis here, as I explained. The purpose of
17 this testimony is to provide comments that might be
18 useful to the Board. Some of these are scientific,
19 some of them aren't. The comments are based on the
20 traffic science that we had to collect and analyze to
21 provide our reports to D.C. DOT and demonstrate that
22 the proposed use would meet their criteria, as it is
23 stated.

24 Today, the existing traffic is about 1,500
25 per day on Kalorama. 1,500 vehicles per day. And

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1 that is comprised of the residents and it is comprised
2 also of the cut-through. And because it is a tight
3 neighborhood, people find the path of least resistance
4 and we would say that these streets are about at their
5 tolerable level of capacity, that's the way people
6 drive in a tight urban area. They find the pathway
7 and we're not proposing to add capacity.

8 So the capacity will stay what it is. The
9 volumes will stay what they are. And if people find
10 wow, there is traffic already on this street, that are
11 the cut-through portion, they are going to go other
12 routes. And we know that because that's the way our
13 models work. That's the way traffic works.

14 Today, the traffic stream includes a high
15 number of trips -- high number of trucks. In fact,
16 more than four per hour and that's really associated
17 with all the construction that is going on in the
18 area. So the residents today are subject to this
19 level of truck activity on the streets.

20 Additionally, there is 500 dwelling units
21 more or less proposed in the area that are going to
22 generate more traffic than the Harris Teeter facility
23 will generate. Many of them going to shopping, so in
24 some ways you might say if you live there, you would
25 be there kind of thing. The grocery store will serve

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1 look at 16th Street forward to 18th Street and Columbia
2 as bordering this neighborhood and with a grocery
3 store at the center of it, wow, you could envision
4 this is a nice neighborhood center plan that we're
5 talking about that lends itself to encouraging walking
6 and what have you and over time, hopefully, more
7 things are done to the sidewalks and to all of that.

8 It could be very nice. This is a dense
9 neighborhood. I just got back from Europe, as I said,
10 and we were looking at neighborhoods. We were looking
11 at parking situations and that is not an uncommon
12 situation.

13 In fact, there was a funny thing. One of
14 the cab drivers said -- I said I'm a traffic engineer.
15 He says from America? He says I want to hug you. He
16 says I just was there. I saw the streets. They are
17 so wide, they are so wonderful and what have you.
18 We're driving in two-way traffic, two-way truck
19 traffic on 20 foot streets. You know, people pulled
20 up on the sidewalk and other people pull up on the
21 sidewalk the other way. Somehow they got by each
22 other and you wondered how it all worked. And I think
23 that that's my comments.

24 MR. GLASGOW: Next we have Mr. Hutchens,
25 just a couple quick questions. I want to make sure it

1 was clear for the record. I wanted to make sure it
2 was clear for the record that whether there is a 55
3 foot berth or a 40 foot berth, it was my understanding
4 of your testimony that there will be about 30 to 35
5 non-Harris Teeter truck deliveries per day.

6 MR. HUTCHENS: That's correct.

7 MR. GLASGOW: ~~And any size berth?~~

8 MR. HUTCHENS: Any size berth. The size
9 of the truck really does not control the number of
10 deliveries even with a 53 foot tractor trailer
11 delivering to our largest volume store. If you take
12 a beer delivery or a soft drink delivery, rarely are
13 they going to unload more than four to six pallets off
14 that 53 foot tractor trailer. The rest of it will go
15 to other stores.

16 So the size of the trucks that are making
17 the deliveries really has nothing to do with the
18 number of deliveries. However, the amount of the back
19 room space that we have in the store to store product
20 could affect the deliveries with my estimate of 30 to
21 35 non-Harris Teeter deliveries is based on a 40 foot,
22 41 berth.

23 If we were to have to have a 41, 46 foot
24 berth, that would cut into the back room space a
25 little bit. It would tend to reduce the back room

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1 space. I don't know if 46 feet would reduce it that
2 much. 55 feet, however, I have looked at the plans
3 and with a ruler kind of measured it out, that would
4 more significantly affect the back room space.

5 The less back room space we have, the more
6 deliveries we have to have, because we don't -- you
7 can't off-load as much on each delivery to provide the
8 day's supply of product to get you through two days or
9 three days. So since you don't have that storage
10 space, then you have to have more deliveries to keep
11 the product stored on the shelves. So I wanted to
12 make it clear that what it, the -- you know, those two
13 points really.

14 MR. GLASGOW: And, Mr. Hutchens, my
15 recollection of your testimony is that if you were to
16 be able to utilize a 55 foot truck, you would have,
17 approximately, three deliveries per day and it would
18 be five deliveries with the shorter berth.

19 MR. HUTCHENS: Right. And those three
20 deliveries, it would be one full truck of dry
21 groceries, a full truck of medium temp and a partial
22 truck, although it will still be a delivery, it will
23 be a partial truck of frozen food. And what we
24 anticipate is that, approximately, we'll have two
25 small dry grocery, two small medium temp and one