

before the DISTRICT OF COLUMBIA ZONING COMMISSION

on ZC Case 08-06-02 ("Loading"), September 4, 2008 Corrected 9/5/08RECEIVED
D.C. OFFICE OF ZONING
2008 SEP -5 PM 3:39**Introductory concerns:**

In general, KCA is concerned that these recommendations tend to diminish the role of the Board of Zoning Adjustment and leave maximum discretion to individual developers instead of articulating criteria that would properly take into account the special circumstances of individual cases. We are concerned also that that this diminution in the use of rule-based criteria as well as resort to the BZA appears to be regarded as an end in itself. Additionally, the recommendations present drafting problems related to their lack of precision, and they suffer in content from a paucity of clear explication of the potential effects of these proposals for differing situations and neighborhoods.

Further, the proposals offer no related language from OP regarding inter-agency arrangements and/or new regulations that may be necessary or appropriate from the D.C. Department of Transportation (DDOT), and there is no clarity regarding what will happen with various of the proposals if adopted in regulation form as to past variances and Planned Unit Development projects (PUDs) or future PUDs.

We therefore respectfully request not only that the Zoning Commission hold additional hearings with actual proposed regulation language, but that it should take into account, in so doing, issues that have been raised in the hearing, responses that will have been engendered by questions of the Commission to the Office of Planning, and any comments that may be afforded by the public regarding the responses from the OP. This will require that the public be given time, once responses are received from OP by the Commission, to respond in turn.

Exemptions:

The Zoning Commission last year amended the Zoning Regulations to liberalize the parking exemption standards for historic structures and additions thereto. It granted exemptions from the requirement to provide additional parking for the addition unless the gross floor area of the historic resource is being increased by 50% or more (see Order No. 0633, 09 14 07), replacing the previous ceiling of 25%,¹ thereby allowing very substantial historic properties broader exemptions from minimum parking requirements. In its submission to the Commission on parking, KCA requested that this decision on parking exemption for historic property additions be rescinded.

¹ §2120.3. A historic resource and any additions thereto are exempt from the requirement of additional parking as a result of a change of use and from the requirement of §2100.6 to provide additional parking as a result of an increase of intensity of use, except that parking shall be required for any addition where: (a) The gross floor area of the historic resource is being increased by 50% or more, and (b) the parking requirement attributable to the increase in floor area is at least (4) spaces.

A complementary provision regarding loading requirements, while not recommended in this case, may well come from the Office of Planning in the future, under L.1.5 (Office of Planning syntax left blank for the moment).

As to loading, there is now a general exemption with a 25% ceiling (§2200.7) that applies to additions to all properties (except historic properties, which are exempted under §2200.5), as follows: *“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”*. This provision is similar to that modified by the Zoning Commission last year that increased the required percentage for parking from 25% to 50%. As just indicated, there is also a loading provision that provides an absolute exemption to historic structures themselves, as distinguished from additions: *“§2200.5 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”*.

The result of these existing provisions on parking and loading, especially as to properties with commercial attributes that have spillover parking for neighboring residential areas, can be extremely detrimental to residential neighborhoods. The loading docks exemption is not only detrimental, it can and does raise issues of public safety and proper use of streets and other public space. *There are many large historic properties that could be involved in the future, such as schools, where public/private partnerships may take place, churches and hotels, that presently have or may end up with very intense uses. Many of these properties are residentially zoned, as with some hotels that existed before May 16, 1980, and exist as residentially zoned commercial or institutional uses in the heart of residentially zoned neighborhoods. Such extensive exemptions are unwarranted, and reflect on an unduly careless approach to zoning as to the necessity for a careful weighing of the potential adverse effects on neighborhoods impacted.*

As to the loading exemption provision, this can result in an exemption of properties with already defective docks that are non-conforming as to zoning and DDOT standards, allowing them not only to continue to exist under grandfathered rights but also to avoid having to correct existing docks or add new ones when docking demand increases. In the case of the Hilton Washington, for example, with its docking facilities on a narrow residential street, the non-conforming docks present a clear and present danger to the public and generate severe traffic problems (see attached pictures) that go well beyond what would be the case with proper docks with adequate turning lanes and staging areas. Unfortunately, under zoning and these special exemption provisions, together in some instances with grandfathering, unsatisfactory conditions with existing docks need not be corrected and needed new docks need not be provided. This is just not appropriate.

We recommend that there be regulations developed that would require loading facilities that are likely to prevent significant danger to safety in public space, significant misuse of public space to the detriment of pedestrians and moving vehicles, or significant impediment to the flow of traffic on public streets to be reconfigured or relocated so as to (a) be brought into proper conformity with both Zoning and DDOT regulations and (b) no longer to present such danger, misuse or impediment, and that the Zoning Administrator make a finding in respect of the foregoing, in accordance with stated standards, when there is any proposal for a development involving a change of use or increase in square footage of a property. Now, this flies in the face of traditional grandfathering, but there may be a creative way around this obstacle.

We recommend further that the Planning Commission rescind last year's decision to increase historic resource addition exemptions from 25% to 50% of the aggregate for parking, and instead provide two complementary regulations in the parking and loading sections respectively by (1) modifying the parking and exemptions to apply to all properties at 25%, (2) retaining the exemption in the loading section at 25% but applying it to all properties, and (3) removing the blanket loading exemption for historic properties (\$2200.5) in the loading section.

REVIEW OF RECOMMENDATIONS IN THE PUBLISHED ADVERTISEMENT FOR THIS CASE

Recommendation 1: Large truck deliveries

There are various businesses served by deliveries from large trucks for which utilizing smaller docks may not be fully practicable, at least in the absence of a system for transfer of cargo from large to smaller trucks, including adequate transfer and staging areas. Additionally, while it is desirable to discourage unnecessary large trucks within the city, it is also true that fleets of greater numbers of smaller trucks do not always produce a net benefit in terms of traffic flow, problems of management of staging, energy consumption or pollution.

Leaving the decision as to the size of docks to developers may well result in the developer's saving costs up front by installing docks that are insufficient in size to accommodate the vehicles that will be actually used in loading and delivery operations without those vehicles preempting public space for staging and docking, as for example has long been the case with the Hilton Washington Hotel. This problem of a too-short dock may well become serious in the case of a change of use of the property to a more intensive use. In view of these potential problems, allowing developers to construct smaller loading facilities cannot of itself be expected to fulfill the stated objective of discouraging large truck use in the city, but may well worsen the adverse impacts of loading and docking operations instead.

We therefore urge:

(1) that the Commission not grant developers the discretion to determine the size of loading facilities, but retain the zoning requirements as to loading dock size in relation to use and zoning district, with relief available through a variance procedure as necessary to avoid adverse results that may otherwise occur in particular cases, and

(2) that as an important long-term measure, the city embark on a program to provide truck staging and cargo transfer areas for trucks in order to provide more realistic possibilities for encouraging small truck use -- which of course is not zoning, but should be done before any zoning changes that might include increased flexibility are considered.

Recommendation 2: Sharing loading facilities

First, the notion that truck deliveries can be so carefully managed that sharing by multiple entities of the same loading facilities at different times will be practicable without adverse consequences is not reliably borne out by experience in all cases. This is because the staging of arrival and departure can be a function of building use and size in relation to available dock number, size, and configuration and a number of unpredictable variables, as is the case, for example, with the Hilton Washington.

Second, it should be obvious as well that building use and the size of the operation may well have the potential to expand in the future, including expansion by more than 25% or 50% (whichever measure), and that providing only a shared loading facility at the outset might well preclude having adequate loading facilities at that future time. We therefore recommend that the current regulations be retained for each use of a property, with relief available in appropriate circumstances through a variance procedure.

The present regulations under 11 DCMR §2203.4 delineate the circumstances under which buildings separated only by an alley within a single square (as distinguished from separate uses in a single building) can share loading berths, with the requirement that the number of berths provided be no less than that required for the total combined floor area of the building, and that the sharing arrangement be secured by a binding covenant. If the Zoning Commission were to consider adopting shared loading facilities arrangement regulations, it should require a binding covenant approved by the Zoning Administrator that would ensure that the joint use of the berths will remain as long as the covenant remains in force (as with §2203.4).

Recommendation 3: Loading requirement relief

It is highly unlikely that in all cases the public interest will be best served by deferring to DDOT regulations at the expense of zoning requirements for adequate loading facilities. Conflicts in existing regulations and law will continue to some degree. **We therefore recommend:**

- 1. Retention of the present BZA role in resolving conflicts among the two sets of codes when difficult situations arise regarding private property in relation to public space,**
- 2. Negotiations with DDOT to ascertain the extent to which the zoning regulations and the DDOT regulations can be made to be more compatible, to ameliorate conflicts between these different sets of regulations with regard to this and other issues dealt with by these recommendations, and**
- 3. That OP be asked to prepare a report on these efforts, including any proposed changes in regulatory language, so that the Commission may be assured that these efforts will bear fruit in a timely fashion.**

Recommendation 4: Location of loading areas

In general this is a worthwhile statement of the order of preference for the location of loading *areas* (service/delivery loading spaces) as distinguished from loading *docks*, for which no changes are proposed.

Loading Areas: However, the recommendation envisages no requirement that a finding be made as to which location should be allowed in individual situations as to loading *areas*, nor does it take into account the fact that in some cases the only available location for loading will be at the front of the building in a street loading space, there being no usable alley or side street possibility. **The Zoning Regulations should stipulate the alternatives for location of loading *areas* in prioritized order of preference, being (1) location inside the building, (2) location at the rear of the building, with screening, and (3) location at the side of the building, with screening, to be taken into account by the Zoning Administrator in determining the appropriate location in particular cases when reviewing building plans.**

There should be no location of loading structure or apparatus at the front, or at the side either-- with or without screening-- if the side also contains a primary entrance. If the area for loading from the street is located at the side, and there are also primary entrances at the side, an internal trash room should be required.

A simple service/delivery space should be allowed in the front of a building when the Zoning Administrator makes a finding that this may be the most appropriate, or only feasible, location in particular cases, such as those with no alley access. For this purpose a process for coordinating decision-making with DOT would have to be provided. In such case an internal trash room should be required.

Also, there may be situations where public space at the side of the building starts at the building wall. With sufficient room, a screened loading area at the side might be a feasible option, but again, this would involve joint determination of that necessity by the Zoning Administrator and further referral and approval by the person responsible for public space.

While this is not zoning, we recommend that DDOT and the OP Planners jointly review commercial block faces and individual projects regarding the possibility of providing additional loading areas on the street in certain locations where other options are not feasible.

As for screening, there are currently no improved specifications for screening design and materials that would apply in all instances where screening may be required and that must be shown on the project's plans, as distinguished from those that exist in the code regarding trash receptacles and enclosures. These specifications will need to be worked out in conjunction with those regulations that already exist.

Loading docks: The location of docks is another matter. The location of loading *docks* (as distinguished from simple loading *areas*) , the necessity for which is engendered by greater size and more intense uses, is not dealt with separately in the advertised Recommendations, although the current regulations do so in §2203.1. Projects requiring loading *docks* and additional service delivery loading spaces would logically require different access options from those properties not required to provide loading docks, involving considerations of volume, possible need for larger delivery vehicles, and other variables. **We recommend that the present requirements in §2203.1 be changed to require that loading docks and accompanying loading areas be located inside of the building, with access lanes on the property, and located in such a way that turning radii are sufficient for access from the street or alley for all sized trucks and that this determination be made by the Zoning Administrator for each property when reviewing plans. (See also the KCA response regarding access under Recommendation 5.)**

Recommendation 5: Loading access

Again, there is no distinction in the proposals between loading *areas* that are needed for certain less intense uses, some of which are in the lower commercial zones, and *loading docks and delivery spaces* together that are needed for more intense uses, occurring more frequently in the higher commercial uses but not always limited to them.

There are problems that need to be worked through:

1. The recommendation does not take into account the necessity for an alley used for dock access to have sufficient width for access both to the alley and to the loading areas or docks involved, with adequate turning where necessary for larger trucks.

2. The proposal does not recognize that not all loading docks or loading areas will be found in blocks that have a “secondary” street or an alley.

3. Furthermore, in some instances, the streets that seem likely to be designated “secondary” will be narrow, residentially zoned, designated “one way” leaving no ability for vehicles to exit by the same route as used for entry, and/or lacking an adequate turning radius at the point of entry into an alley from the street because of inadequate street or alley width.

4. In some cases, particularly with smaller commercial operations, a “primary” street may be the only viable alternative for a loading area (and in such case an internal trash room should be available), or the square may be surrounded by primary streets. In fact, there may be some instances in which even loading docks should be accessed from a so-called “primary” street because of the probability of extremely adverse impacts from using a “secondary” street for that purpose. (The issue of street space location was addressed in the discussion of Recommendation 4, as well.)

5. The proposals do not define the terms “primary” or “secondary” street for zoning purposes. If the concepts of “primary” and “secondary” streets are to be employed for the special purpose of determining appropriate access to loading facilities, the regulations should provide special definitions of these terms which would be distinct from, for example, the criteria for designating “business” and “residence” streets under the Height of Buildings Act, and to be based on criteria relevant to the specific determinations to be made about streets for purposes of loading operations.

6. There is no recommendation that envisages project-by-project consideration of possible alternatives (other than in special cases such as a PUD or a project subject to large-tract review), and it is unclear how the zoning regulations would be made to deal workably with the fact that both private space (Zoning) and public space (DDOT) will be involved.

There are a variety of factors therefore that should be taken into account in determining the appropriateness of a street for use as access to loading facilities, only some of which fall within DDOT’s area of responsibility.

In view of these realities out there in the real world, the regulations regarding access to loading facilities

(1) should provide for decisions to be made on a case-by-case basis, taking account of the full range of variables that bear on such decisions, and of the fact that in all cases both public and private space will be involved to be adequately addressed,

(2) employ a proper definition of streets as to “primary” and “secondary” in terms of the viability of the street’s functioning for loading purposes, parking, and traffic management,

(3) provide zoning criteria in relation to these definitions for the zoning administrator to employ in conjunction with review of plans, and

(4) assure that in employing criteria, distinctions are made between loading *areas* and loading *docks*. DDOT would have to be involved, at least to the possible location of a loading area space on the street or with regard to curb cuts.

Recommendation 6: Trash Enclosures

It can be expected that most new buildings will have a rear yard zoning requirement that should be sufficient for trash receptacles near an alley, or floor space internally for a trash room if there is no alley access. There is considerable potential of a particular use to generate problems associated with its trash operation that is not always proportionate to the size of its building, inasmuch as some commercial operations in very small buildings are quite capable of generating disproportionate trash-related impacts on their immediate environs, and some infill buildings in, say, the C-2-A districts might well be at or under 2000 sf of gross floor area.

KCA agrees that this recommendation should be incorporated into the Regulations, but we recommend that it not be limited to buildings over 2000 sf. We repeat, however, that no trash structure or apparatus should be placed at the front of the building, or at a side, even if screened, if there is a primary entrance at the side as well.

Thank you for your attention.

TESTIMONY OF ANN HUGHES HARGROVE FOR KALORAMA CITIZENS ASSOCIATION (KCA)

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We recommend that there be regulations developed that would require loading facilities that are likely to prevent significant danger to safety in public space, significant misuse of public space to the detriment of pedestrians and moving vehicles, or significant impediment to the flow of traffic on public streets be reconfigured or relocated so as to (a) be brought into proper conformity with both Zoning and DDOT regulations and (b) no longer to present such danger, misuse or impediment, and that the Zoning Administrator make a finding in respect of the foregoing, in accordance with stated standards, when there is any proposal for a development involving a change of use or increase in square footage of a property. Now, this flies in the face of traditional grandfathering, but there may be a creative way around this obstacle.

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Leaving the decision as to the size of docks to developers may well result in the developer's saving costs up front by installing docks that are insufficient in size to accommodate the vehicles that will be actually used in loading and delivery operations without those vehicles preempting public space for staging and docking, as for example has long been the case with the Hilton Washington Hotel. This problem of a too-short dock may well become serious in the case of a change of use of the property to a more intensive use. In view of these potential problems, allowing developers to construct smaller loading facilities cannot of itself be expected to fulfill the stated objective of discouraging large truck use in the city, but may well worsen the adverse impacts of loading and docking operations instead.

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(1) that the Commission not grant developers the discretion to determine the size of loading facilities, but retain the zoning requirements as to loading dock size in relation to use and zoning district, with relief available through a variance procedure as necessary to avoid adverse results that may otherwise occur in particular cases, and

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There are problems that need to be worked through:

- 1. The recommendation does not take into account the necessity for an alley used for dock access to have sufficient width for access both to the alley and to the loading areas or docks involved, with adequate turning where necessary for larger trucks.**

2. The proposal does not recognize that not all loading docks or loading areas will be found in blocks that have a “secondary” street or an alley.

3. Furthermore, in some instances, the streets that seem likely to be designated “secondary” will be narrow, residentially zoned, designated “one way” leaving no ability for vehicles to exit by the same route as used for entry, and/or lacking an adequate turning radius at the point of entry into an alley from the street because of inadequate street or alley width.

4. In some cases, particularly with smaller commercial operations, a “primary” street may be the only viable alternative for a loading area (and in such case an internal trash room should be available), or the square may be surrounded by primary streets. In fact, there may be some instances in which even loading docks should be accessed from a so-called “primary” street because of the probability of extremely adverse impacts from using a “secondary” street for that purpose. (The issue of street space location was addressed in the discussion of Recommendation 4, as well.)

5. The proposals do not define the terms “primary” or “secondary” street for zoning purposes. If the concepts of “primary” and “secondary” streets are to be employed for the special purpose of determining appropriate access to loading facilities, the regulations should provide special definitions of these terms which would be distinct from, for example, the criteria for designating “business” and “residence” streets under the Height of Buildings Act, to be based on criteria relevant to the specific determinations to be made about streets on relation to loading docks and loading areas.

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There are a variety of factors therefore that should be taken into account in determining the appropriateness of a street for use as access to loading facilities, only some of which fall within DDOT’s area of responsibility.

In view of these realities out there in the real world, the regulations regarding access to loading facilities

(1) should provide for decisions to be made on a case-by-case basis, taking account of the full range of variables that bear on such decisions, and of the fact that in all cases both public and private space will be involved to be adequately addressed,

(2) employ a proper definition of streets as to “primary” and “secondary” in terms of the viability of the street’s functioning for loading purposes, parking, and traffic management,

(3) provide zoning criteria in relation to these definitions for the zoning administrator to employ in conjunction with review of plans, and

(4) assure that in employing criteria, distinctions are made between loading *areas* and loading *docks*. DDOT would have to be involved, at least to the possible location of a loading area space on the street or with regard to curb cuts.

Recommendation 6: Trash Enclosures

It can be expected that most new buildings will have a rear yard zoning requirement that should be sufficient for trash receptacles near an alley, or floor space internally for a trash room if there is no alley access. There is considerable potential of a particular use to generate problems associated with its trash operation that is not always proportionate to the size of its building, inasmuch as some commercial operations in very small buildings are quite capable of generating disproportionate trash-related impacts on their immediate environs, and some infill buildings in, say, the C-2-A districts might well be at or under 2000 sf of gross floor area.

KCA agrees that this recommendation should be incorporated into the Regulations, but we recommend that it not be limited to buildings over 2000 sf. We repeat, however, that no trash structure or apparatus should be placed at the front of the building or at a side, even if screened, if there is a primary entrance at the side.

Thank you for your attention.

IMPACT OF DOCKING AND LOADING OPERATIONS AT THE HILTON WASHINGTON

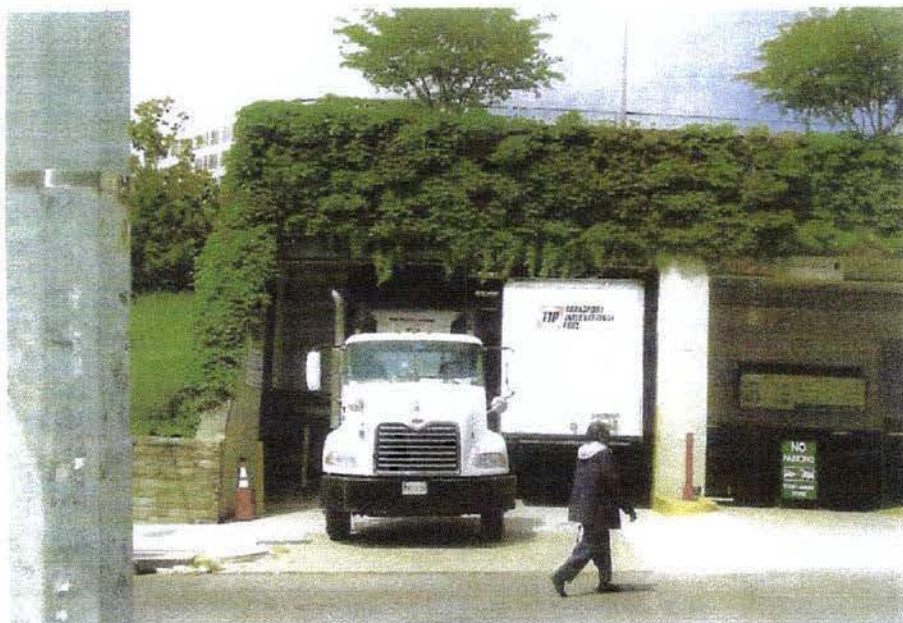
MAY 2008

**All photographs included herein post-date implementation of the Hilton's program of enhanced efforts at management of loading and docking operations*

Photo showing 6 trucks and a van crowding into the 1900 block of 19th Street. Note the large red tractor-trailer at the bottom of the block unable even to fit onto the block from Florida Avenue.



Photo showing inadequate side clearance of bottom dock and unmanned truck hanging over, and blocking, sidewalk. This bottom dock was added after the Hilton originally was constructed and permitted. Even after it was added, it was operated without any curb-cut, permission for which reportedly was refused at the time. Even after the curb cut later was allowed, only a single-width cut was made inasmuch as the bay was insufficiently wide for two trucks. Even with only the single curb cut, however, the Hilton used the dock as double dock. The cut mysteriously was widened around 2000.



Photos showing tractor-trailer blocking both lanes of Florida Avenue as it is maneuvered into position to back into the Hilton's insufficiently wide bottom dock. Because of the insufficient width, such trucks have to be repeatedly jockeyed back and forth, blocking Florida Avenue and 19th Street. Notably, Florida Avenue is the sole corridor for emergency vehicles moving east or west in this section of the city. It is one of the primary corridors for ambulances rushing west to George Washington University Hospital or east to Howard Hospital. Similarly, it is the sole corridor for police vehicles and fire trucks rushing west from the police and fire stations just 3 blocks away in the 1600 blocks of V Street and U Street, respectively.



Photo showing tractor-trailer truck backing toward the bottom dock at angle, now in intersection of 19th Street and Florida Avenue. The second photo shows the truck having had to pull forward all the way to the sidewalk on the opposite, east side of 19th Street. Often, in the struggle to achieve the exact alignment needed to thread the insufficiently wide bottom dock, trucks drive up onto the sidewalk at the crosswalk of 19th and Florida.



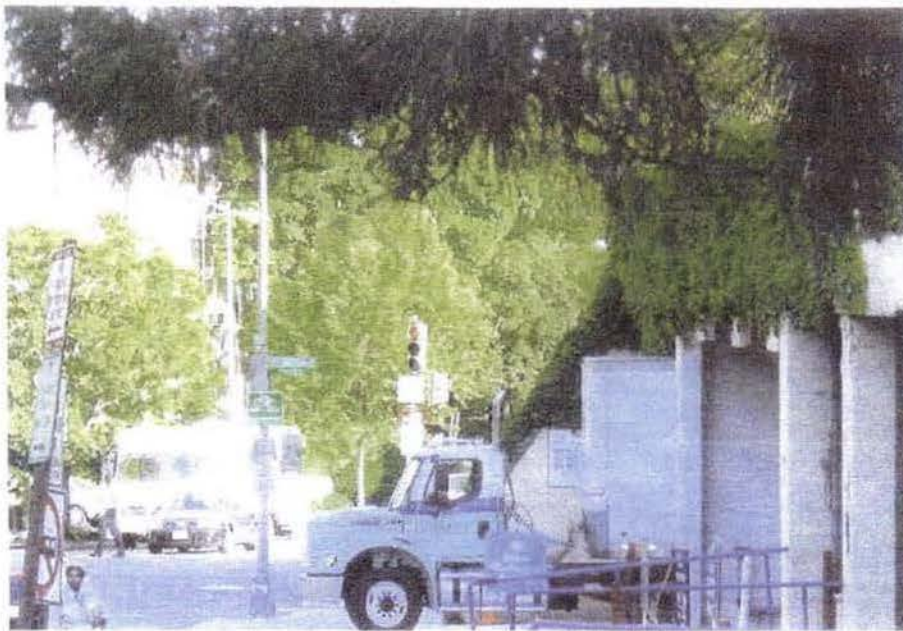
More photos showing 19th Street blocked by trucks negotiating the bottom loading dock. Note the presence of the dock supervisor and the garbage truck on the wrong side of the street, facing into the oncoming traffic.



Photos showing trucks that are too long for the bottom loading dock and that, thus, are left hanging over, and blocking, the sidewalk. Note that the trucks are unattended. This sidewalk is just a few hundred feet below, and on the same side of the street as, the Oyster/Adams School.



More unattended trucks blocking the sidewalk while parked in the bottom dock.



Photos showing the operation of a forklift on the sidewalk on 19th Street and in the through-traffic lane portion of the crosswalk on Florida Avenue.

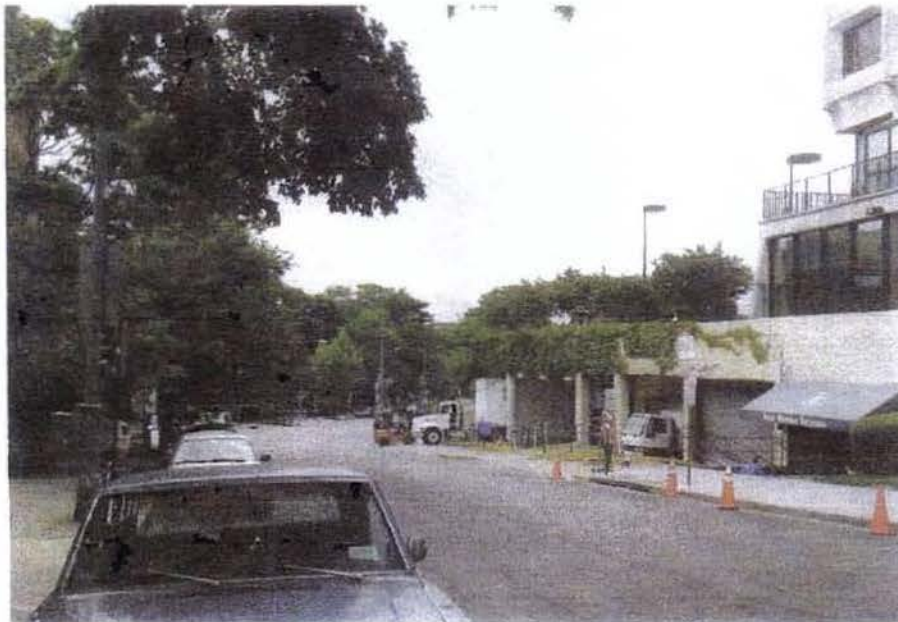


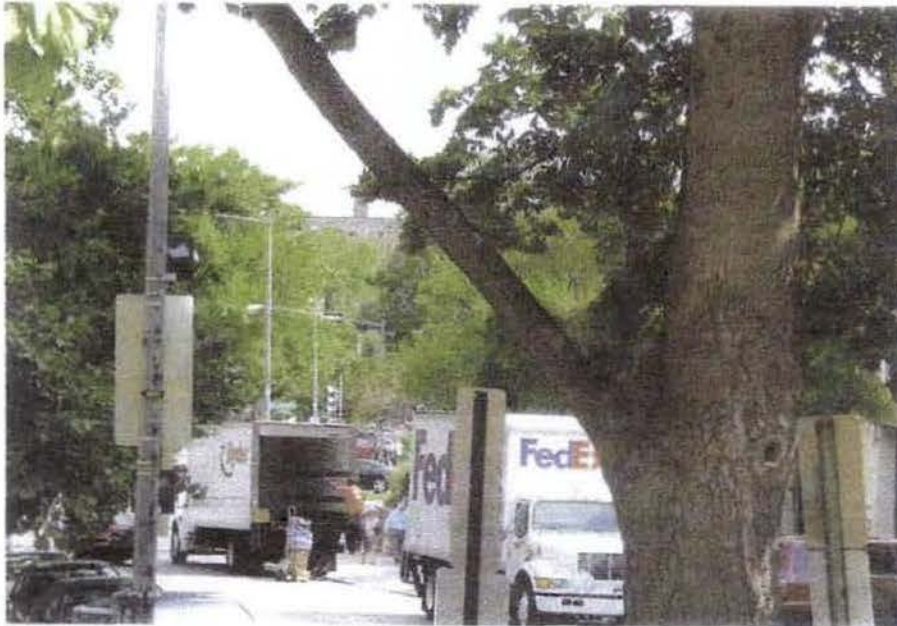
Photo showing the operation of a forklift in the sole remaining westbound lane, the through-traffic lane, of the 1900 block of Florida Avenue.



Photo showing a truck being unloaded while double-parked on 19th Street. Whatever was unloaded was taken into the Hilton.



Top photo showing truck being unloaded while parked with its front end in the crosswalk at the bottom of the Hilton's docks on 19th Street at Florida. Bottom photo showing truck parked on the wrong side of the street, facing oncoming traffic, in the Hilton's sidewalk loading zone on 19th Street, just above its loading docks.



More photos showing trucks parked on the wrong side of the street, facing oncoming traffic, in the Hilton's 19th Street loading zone.



Photos showing a truck performing a u-turn by backing the wrong way into Vernon Street. The Oyster/Adams School is in the background. The top photo on the next page shows the same truck backing into the Hilton's bottom loading dock moments later.



Top photo showing a truck backing into the Hilton's bottom loading dock, which truck moments before had entered the "No Thru Trucks" zone. That zone was put in place to protect the Oyster/Adams School and the surrounding residential neighborhood from Hilton truck traffic but has been ineffective. The bottom photo shows another truck in the "No Thru Trucks" zone, again performing a u-turn by backing the wrong way into Vernon Street.



More photos of the same truck that is shown at the bottom of the previous page in the "No Thru Trucks" zone performing a U-turn at Vernon. The top photo shows the truck having backed blindly through the crosswalk across from the school along 19th Street at Vernon. The bottom photo, in turn, is of the truck backing into the Hilton's bottom loading dock moments later.



Top photo showing a Metropolitan Meat, Seafood & Poultry truck southbound on its way to the Hilton in the "No Thru Trucks" zone, having just passed the Oyster/Adams School. Metropolitan is a nearly daily visitor to the Hilton. The bottom photo shows a Keany produce truck moments after it had performed a u-turn across 19th Street from the Hilton by backing into the alley between Florida Avenue and Vernon Street. Keany, too, is a nearly daily visitor to the Hilton. This is a narrow alley, walled on one side by an apartment building and on the other by a house, such that trucks backing into the alley are only a few feet from each building.



Photo showing the back of a tractor-trailer truck that had departed the Hilton moments before as the truck disappeared northbound on 19th through the "No Thru Trucks" zone. The truck is approximately at the intersection of 19th and California Streets.



Top photo shows a tractor-trailer truck parked, unattended, on Florida Avenue at the triangle bracketed by that avenue, T Street and 19th Street. The Hilton regularly uses the triangle to stage trucks, notwithstanding that staging, parking and even standing all are prohibited (note sign pole next to truck trailer). The bottom photo shows a line of trucks parked on Florida Avenue along the Hilton's southern boundary. Such parking currently is permitted. The Hilton has indicated, however, that such staging would be inappropriate to the new luxury condominiums that it proposes to build immediately above it and that this staging area would be deleted. The Hilton has not offered a replacement staging area.



Top photo shows another truck parked at the triangle on the south side of Florida Avenue. The bottom photo shows two of the signs on the triangle, with the cab of a parked and unattended tractor truck in the left of the photo. The top sign states "No Parking Or Standing Anytime." The bottom sign states "No Stopping Staging Idling Waiting Loading Unloading" [sic].



Top photo shows the Hilton's use of traffic cones to co-opt the sidewalk loading zone on 19th Street, immediately above their docks. Note that the zone is filled, however, with automobiles, notwithstanding that the signage prohibits non-loading-related parking in the zone between 7:00 a.m and 6:30 p.m.. The Hilton allows its employees to park in the zone, moving the cones to afford access, even though residents are prohibited from using the space.



IMPACT OF DOCKING AND LOADING OPERATIONS AT THE HILTON WASHINGTON

MAY-JUNE 2008

****All photographs included herein post-date implementation of the Hilton's program of enhanced efforts at management of loading and docking operations***

Photo of signs on the north edge of the triangle across Florida Avenue from the south frontage of the Hilton. The triangle is bracketed by Florida Avenue, the 1900 block of T Street and 19th Street. Note that the signs' broad prohibitions, and compare the photos on the following page of the parked truck. 1



Top photo of tractor-trailer parked illegally on the triangle across Florida Avenue from the south frontage of the Hilton. Bottom photo is of the same truck, taken approximately 5 minutes after the first photo. 2



Photos of the same truck shown on the previous page as it jockeys back and forth to gain entrance to the Hilton's southmost dock. The truck was required to jockey forward and back four times across 19th Street to align itself in the very narrow bottom bay, even though the truck is much shorter than the very long tractor-trailers that frequent the Hilton's docks, and even though there was no other truck in the dock. 3



Another photo of the truck shown on the previous page, here showing the jockeying. Note that unlike the photos on the previous page, this no longer shows the cars parked on the east side of 19th Street since, as a result of the jockeying, they have been cleared.

4



Top photo shows signs at the west end of the 1900 block of T Street prohibiting thru trucks and buses. The same prohibitions apply to 19th Street south of Florida. The bottom photo, however, shows a large over-the-highway tour bus inside the prohibited zone, turning from the 1900 block of T Street onto 19th Street south of Florida.

5



Photo of the same bus shown on the previous page, here parked curbside along the Hilton's south frontage on Florida Avenue. The bus' door was open and the driver waiting, apparently to pick up passengers.

6



Photos showing trucks parked curbside on the wrong side of 19th Street in front of the Hilton's loading docks and in its sidewalk loading zone. Note that the photos also show the trash container truck. As the photos reveal, because of the low height of the trash bays, the truck must pull the trash container across the sidewalk and raise it onto the truck in the middle of the street. This all occurs just a couple hundred feet from, and on the same side of the street, as the Oyster/Adams School.

7



Top photo shows the Hilton's trash container truck preparing to pull further into 19th Street and to drag the container out of the low-ceilinged dock, across the sidewalk and onto the truck. The bottom photo shows the container being pulled onto the truck as the truck blocks 19th Street.

8



Photo showing more trucks parked on the wrong side of 19th Street in front of the Hilton's loading docks.

9



Photos showing a truck as it backed into one-way Vernon Street, the wrong direction, in order to change direction and, thus, access the Hilton's loading facilities. This is immediately in front of the Oyster/Adams School and in the center of the "No thru trucks..." zone intended to shield this completely residential neighborhood and its school from the Hilton's truck traffic. 10



Top photo shows yet another truck, this time a Plants Alive truck, as it backed into one-way Vernon Street, in the wrong direction, in order to change direction and, thus, access the Hilton's loading facilities. The bottom photo shows the truck proceeding back down 19th Street toward the Hilton in the "No Thru Trucks..." zone. 11



Top photo shows the Plants Alive truck shown on the previous page stopped in front of the Hilton's docks (notice brake lights) for directions. Bottom photo shows a US Express truck as it backed into one-way Vernon Street, in the wrong direction, in order to change direction and, thus, access the Hilton's loading facilities. 12



Top photo showing the same US Express truck shown on the previous page as the truck 13 completed its change of direction. The bottom photo shows the same truck moments later pulling curbside in front of the Hilton's loading docks after having changed direction by backing into one-way Vernon Street.



Top photo shows an IM Briggs Meat Game Poultry Seafood truck as it backed into one-way Vernon Street, in the wrong direction, in order to change direction and, thus, access the Hilton's loading facilities. The bottom photo shows the same truck moments later southbound on 19th Street stopping in front of the loading docks (note brake lights).

14



Photo shows the same IM Briggs truck as shown on the previous page as the truck backs 15
moments later into the Hilton's upper loading dock.



Top photo shows a bus proceeding southbound on 19th Street in front of Oyster/Adams School in the center of the “No Buses” zone that prohibits buses on 19th Street from Wyoming Street to Florida Avenue. The bottom photo shows that same bus moments later under the canopy at the Hilton’s lower, T Street entrance.

16



Top photo showing the Hilton's "Mobility Impaired Entrance" located on 19th Street between the parking garage entrances and the upper loading dock. The bottom photo shows the Hilton's forklift, which carries laundry, cargo and other materials through the entrance almost daily.

17



Top photo shows propane cannisters stored in the Mobility Impaired Entrance on 19th Street. Bottom photo shows use of entranceway for storage and staging.

18



Top photo shows signs at south end of the Hilton's 19th Street sidewalk loading zone, and 19 the bottom photo shows the signs at the north end of that zone.



Top photo shows southmost of two automobiles parked in the 19th Street sidewalk loading zone notwithstanding the signage (shown on the previous page) prohibiting parking from 7:00 a.m. through 6:30 p.m., Monday through Saturday. The bottom photo shows both automobiles.. The photos were taken at 2:49 p.m. on Saturday, June 14, 2008. The practice of allowing employees to park in the loading zone notwithstanding that residents are prohibited is common.

20

