**TESTIMONY BEFORE THE DDOT PUBLIC SPACE COMMITTEE**

FEBRUARY 25, 2015

(remarks as prepared for delivery)

ANC 3F opposes application #116016 because the use of the drive-through described in the application violates DDOT policies and city zoning ordinances, substantially increases the risk to pedestrians, potentially impedes the flow of traffic along Connecticut Avenue, does not address sensitive environmental and storm water issues, and is contrary to the pedestrian character of the neighborhood.

I will address each of these objections in turn, but first let me be clear that we are not opposing Chick-fil-A as a potential tenant, but are strongly opposed to the proposed drive-through.

Turning to our first objection, the application violates a number of DDOT policies and city zoning ordinances.

DDOT’s Design and Engineering Manual states that, “The edge lines of any driveway shall be located a minimum of 32 feet from the edge line of any adjacent driveway or alley, so as to provide room for at least 1 curb tree.” (Chapter 31.2.3.2) DDOT policy also establishes a goal of minimizing the number of curb cuts, declaring that “curb cuts and multiple vehicle access points break up the sidewalk, reduce pedestrian safety, and detract from pedestrian-oriented retail and residential areas.” (T-1.2.3. of the DCMR (10-A404.8))

The Chick-fil-A drive-through proposes to use two curb cuts, one of which (the one to the north) is only four feet from the curb cut on the adjacent property, violating both the 32-foot proximity standard and the policy against multiple vehicle access points breaking up the sidewalk.

Furthermore, DC’s Zoning Ordinance explicitly states that “Each queuing space [of a drive-through] shall be a minimum of ten feet (10 ft.) in width.” (Section 2304.4) The plans submitted with this application show a queuing lane and a by-pass lane, each of only nine feet in width, in violation of this ordinance.

**We oppose this or any use of public space that violates DDOT standards and policies and city zoning ordinances.**

Second, the proposed drive-through described in the application would substantially increase the danger posed to pedestrians. Every customer who would use the drive-through must drive across a busy public sidewalk twice, once to enter and again to exit. Each crossing risks an accident with a pedestrian, of which there are many in this area: weekday commuters heading to and from the Metro, families with young children heading to neighborhood schools, residents walking to and from shops in this busy commercial area.

According to Chick-fil-A’s traffic study (prepared by Gorove/Slade), the current drive-through at this location generates 71 vehicle trips across the sidewalk during a typical lunch hour (12-1pm), 30 vehicle trips across the sidewalk at dinner (5-6pm), and 57 trips on a typical weekend afternoon (Saturday 2-3pm).

By comparison, the data in the study tells us that a restaurant similar to the one Chick-fil-A proposes to operate would generate over twice as much vehicle traffic across the sidewalk at lunch and three-and-a-half times as much during dinner. And those are just the generic estimates calculated using the ITE Trip Generation Manual; actual traffic counts provided from Chick-fil-A restaurants in the region are even greater, in some cases five times greater than at the current restaurant.

Between two and five times more traffic crossing the sidewalk means significantly increased potential for pedestrian-vehicle conflicts. It means a vehicle would be crossing the busy sidewalk every 20 seconds on average, a traffic frequency that equals the average hourly volume on Albemarle St. itself, according to the data in DDOT’s Traffic Volume Map, 2013. To channel such an enormous volume of traffic across the sidewalk would present an unacceptable level of danger to pedestrians.

We recognize that Chick-fil-A has proposed steps intended to reduce that risk, such as different paving materials and a speed bump at the exit. But based on the extreme vehicle frequency that their own traffic study has identified – *one car crossing the sidewalk every 20 seconds* – these measures are woefully inadequate to allow the safe interaction with a busy sidewalk. Furthermore, we do not see any alternatives that Chick-fil-A could adopt to make this situation safer, short of restricting access to the drive-through itself. **There is simply no way to make it safe for cars and pedestrians to interact like this, every 20 seconds, and we strongly urge to Committee members to reject the application on that basis.**

Third, we are also concerned that the proposed vehicle queuing management system is unlikely to work as expected in practice, resulting in a long line of drive-through customers overflowing onto public space and blocking traffic on Connecticut Avenue.

The traffic study tells us that a complement of three or four Chick-fil-A staff would process 90-120 drive-through customers per hour at the site (again, a rate that implies a vehicle is crossing the sidewalk every 15-20 seconds). According to the plans a total of 10 cars would fit in the drive-through lane at any one time, with any additional drive-through customers directed through the by-pass lane to one of roughly 10 available rear parking spaces. (The traffic study correctly notes that of the 23 total parking spaces, some number will be occupied by Chick-fil-A staff and some by dine-in customers, leaving some number less than 23 available for overflow customers; the study further incorrectly notes that an additional five overflow cars will be able to stack in the by-pass lane, which is expressly prohibited by the Zoning Ordinance at 2304, DRIVE-THROUGH USES.)

This system is complicated and labor-intensive, with many potential points of failure: there could be a surge of customers arriving all at once; someone could have a large or complicated order; the overflow lot could be full; a driver could simply refuse to leave the queue and park in the lot (especially during cold or inclement weather). And each time a staff member stops taking orders to manage traffic or deal with customers in the parking lot, the system breaks down further. With anywhere from 50 to 100 cars projected to enter the drive-through in peak hours, the result seems certain to be vehicles queuing in the travel lanes of Connecticut Avenue instead.

Again, we recognize that Chick-fil-A has tried hard to design a system to keep cars out of public space, and we do not doubt their sincerity when they say they would be willing to monitor and adjust the system if it proved inadequate. We simply do not believe any queue management system could handle the extreme drive-through volume that their own study has identified – *roughly 100 vehicles per hour at peak times –* without regularly overflowing onto Connecticut Avenue. Furthermore, we cannot imagine any future adjustments that would squeeze more cars onto this fixed, limited space. **The problem is simply too many drive-through customers, not enough space, and a resulting overflow that will block traffic on Connecticut Avenue, and we strongly urge Committee members to reject the application on that basis.**

Fourth, the applicant has not submitted and secured approval for a storm water management plan to deal with a variety of sensitive environmental issues arising from the discharge of storm water from the property via public space.

According to the construction documents, the project would disturb an area larger than 9,000 square feet (including close to 3,000 square feet in the public right of way), which is large enough to trigger compliance requirements under DC Storm Water Management Regulations. These regulations require that the Department of Energy and Environment (DOEE) approve all aspects of project storm water management plans, including the public space aspects (which DDOT/IPMA must also review). Yet our understanding is that DOEE still has not received, much less approved, the applicant’s plans for its intended uses of public space. This lack also means that this Committee does not have before it whatever public space requirements may result from that required DOEE review.

Given the city's stated goal of reducing storm water runoff into environmentally sensitive bodies like neighboring Soapstone Creek - a goal that ANC 3F wholeheartedly supports - **we oppose any use of public space that results in discharge of storm water into public space absent a complete, robust, and approved storm water management plan.**

Finally, we oppose this application because to approve it would be to undermine the settled vision of Van Ness as a walkable, sustainable urban neighborhood. Indeed, the city just awarded a local community group (the Van Ness Group) a $200,000 grant to, among other things, help implement that vision. It is a vision that ANC 3F also wholeheartedly endorses.

That details are embodied in DC Office of Planning’s Van Ness Commercial District Action Strategy, released in November 2015. Its central component is the neighborhood’s transformation from a vehicle-oriented, suburban model to a pedestrian-oriented, urban one. It is a transformation is already well underway - exemplified by the major Park Van Ness development right across the street, where an old, low-scale, auto-oriented, office and retail development has been replaced by a pedestrian-oriented, mid-rise, multifamily building with inviting ground floor retail. **A busy drive-through in the neighborhood now would represent a major step backward, and we strongly urge Committee members to reject the application on that basis.**

In conclusion, ANC 3F thanks Chick-fil-A for its willingness to work with us to address the community’s concerns about this project. In the final analysis, however, we find that the proposed use of public space for a drive-through at this restaurant would violate existing DDOT policies and city zoning ordinances, substantially increase the danger to pedestrians, impede traffic flow along Connecticut Avenue, fail to provide for storm water management, and violate the pedestrian, urban character of the neighborhood. These are fundamental objections, not things that could be mitigated with monitoring and tweaks to the queuing management system.

**We therefore strongly OPPOSE application #116016 and request that the Public Space Committee deny the application.**