

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

+ + + + +

PUBLIC HEARING

APPLICATION OF GEORGE WASHINGTON UNIVERSITY HOSPITAL  
16389 ANC-2A and 16409 ANC-2A

+ + + + +

WEDNESDAY

APRIL 7, 1999

+ + + + +

The Board met in Hearing Room 220 South at 441  
4th Street, N.W., Washington, D.C., at 9:30 a.m.,  
Sheila Cross Reid, Chairperson, presiding.

PRESENT

SHEILA CROSS REID, Chairperson  
HERBERT M. FRANKLIN, Member of the Zoning Commission  
JERRY GILREATH, Board Member

STAFF PRESENT

SHERI PRUITT-WILLIAMS, Interim Director, Office of  
Zoning  
PAUL HART, Office of Zoning  
JOHN NYARKU, Office of Zoning  
BEVERLY BAILEY, Office of Zoning  
ALBERTO BASTIDA, Office of Planning  
ALAN BERGSTEIN, Office of Corporation Counsel

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APPEARANCES:

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CHAIRPERSON REID: The hearing will now come to order. Good morning, ladies and gentlemen. This is the April 7th public hearing of the Board of Zoning Adjustments for the District of Columbia.

My name is Sheila Cross Reid, Chairperson. Joining me today are Gerry Gilreath, representing the National Capital Planning Commission and representing the Zoning Commission is Mr. Franklin.

Copies of today's hearing agenda are available to you. They are located to my left near the door. All persons planning to testify, either in favor or in opposition are to fill out two witness cards. These cards are located at each end of the table in front of us. Upon coming to speak before the Board, given both cards to the reporter who is sitting to my right.

The order of procedure for a Special Exception and various cases will proceed as follows:

(1) Statement of witnesses of the Applicant;

(2) Government reports, report of Office of Public Works, ANC, etcetera.

(3) Parties in support;

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1 (4) Parties in opposition;

2 (5) Closing remarks by the Applicant.

3 MS. PRUITT-WILLIAMS: Ms. Reid, this is  
4 a continuation of a hearing that has already been  
5 started, so we are actually now at the point where  
6 we're hearing from the Applicant new information  
7 that is a result of a meeting with DPW at the  
8 instruction of the Board and we were only going to  
9 open the record to deal with the new information.  
10 It will give the opponents the opportunity to  
11 respond to this new information and cross examine,  
12 but we're not going back and revisiting everything.

13 CHAIRPERSON REID: You're right. This  
14 is not our normal procedure. We are going to --

15 MS. PRUITT-WILLIAMS: This is the third  
16 hearing on this particular case, so this is a unique  
17 case for BZA. Third day of hearing, rather.

18 CHAIRPERSON REID: The order then will  
19 be that we will allow --

20 MS. PRUITT-WILLIAMS: The Applicant to  
21 present any new information or supplemental  
22 information.

23 CHAIRPERSON REID: And then the  
24 Government reports?

25 MS. PRUITT-WILLIAMS: Yes, in response  
26 to that information.

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1 CHAIRPERSON REID: In response to the  
2 information. Now that's -- and there will be no  
3 cross examination?

4 MS. PRUITT-WILLIAMS: No cross  
5 examination is allowed on the new information only.

6 MR. BERGSTEIN: If I may, any cross  
7 examination that would have been allowed by a party  
8 to a witness will be allowed, but only if it  
9 concerns the new information that's going to be  
10 given this morning.

11 CHAIRPERSON REID: Okay. So there will  
12 be --

13 MS. PRUITT-WILLIAMS: Correct, only on  
14 the new information presented. We are not going  
15 back to revisit any stuff that has been presented.

16 MR. BERGSTEIN: For the record, my name  
17 is Alan Bergstein and I'm an Assistant Corporation  
18 Counsel.

19 MS. PRUITT-WILLIAMS: And then the ANC  
20 and then parties.

21 CHAIRPERSON REID: Okay.

22 MS. PRUITT-WILLIAMS: But they're only  
23 in response to new information. I want to make that  
24 very clear, please. We're not going to go back --

25 CHAIRPERSON REID: And then we'll  
26 definitely have closing remarks by the Applicant?

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1 MS. PRUITT-WILLIAMS: Yes, then we'll  
2 have closing remarks.

3 MR. GILREATH: Madam Chair, may I  
4 inquire --

5 CHAIRPERSON REID: Are you talking to  
6 me?

7 MR. GILREATH: I want to inquire is DPW  
8 --

9 MS. PRUITT-WILLIAMS: We were just  
10 looking. I don't see Mr. Leyden.

11 CHAIRPERSON REID: Yes, that's very  
12 important. Okay, I hope that I didn't confuse you.  
13 Basically, what I was doing was reading what we  
14 normally read and the opening remarks. The Director  
15 explained that this is going to be a little bit  
16 different than what we normally, how we normally  
17 proceed because of the fact that this is a case  
18 that's being continued and what has happened is that  
19 we have asked for and received supplemental  
20 information. So we're going to be basically dealing  
21 with just that aspect of the case today.

22 All right, now, cross examination of the  
23 witnesses is permitted. We already talked about  
24 that. The record will be closed at the conclusion  
25 of each case, except for materials specifically  
26 requested by the Board and the staff will specify at

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1 the end of the hearing, exactly what is expected.

2 The proceeding of the Board in these  
3 contested cases must be based exclusively on the  
4 public record to avoid any appearance to the  
5 contrary. The Board requests that persons present  
6 do not engage Members of the Board in conversation.

7 At this time the Board will consider any  
8 preliminary matters. Preliminary matters are those  
9 which relate to whether a case will or should be  
10 heard today such as a request for postponement,  
11 continuous or withdrawal --

12 MS. PRUITT-WILLIAMS: Excuse me, Ms.  
13 Reid. The hearing has already started, so we don't  
14 -- there are no preliminary matters.

15 CHAIRPERSON REID: This is just the  
16 routine, for the record. If you're not prepared to  
17 go forward with the case today or if you believe  
18 that the Board should not receive -- now is the time  
19 to raise such a matter.

20 MR. MANDELBAUM: My name is Steve  
21 Mandelbaum. I'm the Advising Neighborhood  
22 Commissioner for this area and I would like to be  
23 heard in support of the project. I am new to the  
24 Commission. I was just elected and I haven't had  
25 the opportunity to speak on behalf of the project.

26 May I be heard?

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1 CHAIRPERSON REID: Just one second,  
2 please.

3 (Pause.)

4 CHAIRPERSON REID: Okay, what we'll do -  
5 -

6 MR. WATSON: The opponents do have the  
7 right to be heard before any decision is made with  
8 regard to admission of another party.

9 CHAIRPERSON REID: We haven't made that  
10 decision yet, Mr. Watson.

11 MR. WATSON: That's what I said. The  
12 parties have a right to be heard before a decision  
13 is made.

14 CHAIRPERSON REID: We have not made that  
15 decision. As a matter of fact, we're going to defer  
16 that decision until a little later, but we're  
17 determining how we're going to proceed in that this  
18 is a rather unusual situation because of the fact  
19 that the -- that part of the case, for the most  
20 part, has been heard and we're dealing to date only  
21 with the supplemental aspect of it, so counsel and  
22 Office of Planning, we're trying to determine how  
23 best to accommodate you, if we can.

24 MR. WATSON: If I can be indulged, this  
25 Board has already --

26 MR. BERGSTEIN: First of all, let me

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1 clarify something for a moment. Sir, are you asking  
2 to be a party or are you asking for the opportunity  
3 to testify as a witness?

4 MR. MANDELBAUM: I guess I'm asking for  
5 the opportunity for both, I guess as a party, I'm  
6 the ANC Commissioner and both the current and new  
7 hospital is in my District and I haven't had an  
8 opportunity to testify until today and let the views  
9 of the resident of my District be known.

10 MR. BERGSTEIN: Do you have a resolution  
11 from the ANC?

12 MR. MANDELBAUM: I did not vote on that.  
13 I'm new to the Commission.

14 MS. PRUITT-WILLIAMS: Excuse me, sir,  
15 when were you elected to the Commission or when did  
16 you actually come on?

17 MR. MANDELBAUM: I actually took a seat  
18 on the Commission in January, with the new term.

19 MR. BERGSTEIN: But you don't have a  
20 resolution from the ANC authorizing you to speak on  
21 behalf of the ANC with respect to the position that  
22 you want to espouse, is that correct?

23 MR. MANDELBAUM: That is correct. I'm  
24 not speaking on behalf of the Commission. I'm  
25 speaking on behalf of myself as a Commissioner of a  
26 single member District in which the property is

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1 located.

2 MR. BERGSTEIN: All right.

3 MR. WATSON: If I may for just a moment  
4 be heard. We object on the basis that this Board  
5 has already ruled on the application of a party who  
6 is resident in -- to be a party of a resident within  
7 200 feet who the record will show was not mailed  
8 notice by the Commission and the Commission has  
9 already refused that individual party status as an  
10 opponent and should we have a situation where  
11 proponents are admitted to party status in an  
12 untimely fashion, and opponents are not, there is  
13 certainly an appearance of unfairness.

14 CHAIRPERSON REID: Thank you. Did you  
15 not -- was the reason why you did not make the first  
16 hearing --

17 MS. PRUITT-WILLIAMS: I'm sorry, I  
18 erred. The first hearing was November 18th. He  
19 wasn't elected at that time. Then we had a second  
20 hearing in January.

21 CHAIRPERSON REID: Did you --

22 MR. MANDELBAUM: I was unaware of either  
23 of those.

24 CHAIRPERSON REID: You were not made  
25 aware of --

26 MR. MANDELBAUM: I was not. I

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1 definitely was not aware of the November and I don't  
2 believe I was aware of the January as well.

3 CHAIRPERSON REID: Well --

4 MR. BERGSTEIN: It is my recommendation  
5 that you defer ruling on this until the moment for  
6 come for him to testify in whichever capacity and  
7 then you can allow the parties to state their  
8 position at that time with respect to the request  
9 and that's what I would recommend that you do.

10 CHAIRPERSON REID: Okay, we'll defer it  
11 until the time for the witnesses.

12 MR. MANDELBAUM: Can I submit a letter?

13 CHAIRPERSON REID: You can submit it,  
14 then we'll make the decision or you can submit it  
15 after, but not before.

16 MR. MANDELBAUM: So --

17 CHAIRPERSON REID: Wait until the time  
18 we address this matter a little later and at that  
19 time you can submit it, but not right now.

20 MR. MANDELBAUM: Okay, thank you.

21 (Pause.)

22 CHAIRPERSON REID: Good morning.

23 MR. MOORE: Good morning, Madam Chair,  
24 Jerry Moore for the Applicant. I'm with the law  
25 firm of Arter & Hadden.

26 Madam Chair, the Applicant agrees with

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1 the procedural posture in which you stated into the  
2 record that this case is now at. We're at the  
3 posture where this case was filed on July, July 20th  
4 of 1998, some 8 months ago. We had our first public  
5 hearing on November 18th at which time we presented  
6 expert architects in the area of design in context  
7 with the neighborhood. We talked about the hospital  
8 being consistent, the design of the hospital being  
9 in consistency with the neighborhood. Also, we  
10 presented an expert architect with respect to the  
11 design of the parking garage. University Parking  
12 representatives were admitted in their expert  
13 capacity, testified that the parking on the  
14 university campus would at no time fall below the  
15 minimum of 2700 that this Board approved in the  
16 campus plan as late as 1993.

17 Louis Slade, our expert traffic and  
18 parking consultant, testified that if this  
19 application, if either of these applications are  
20 approved, it will have no adverse impact on the  
21 traffic or transportation systems or the pedestrian  
22 systems of this --

23 CHAIRPERSON REID: Let me just say this  
24 for the record. This is a case which has packed  
25 this room and therefore everyone in here should be  
26 afforded the ability to be able to hear and if you

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1 have extraneous noise or laughter, it cannot be  
2 allowed and I will have to ask you to leave. This  
3 is a warning.

4 MR. MOORE: Representatives from  
5 Universal Health Services testified as to the need  
6 for the replacement hospital and why an adaptive  
7 refit of the existing structure will not work.

8 There was cross examination of witnesses  
9 and the hearing ended at the conclusion of that  
10 cross examination.

11 At the conclusion of the November 18th  
12 case, the BZA requested that the Applicant confirm  
13 for the second hearing a statement of ownership of  
14 the hospital, a copy of the parking contract that  
15 the Applicant has with the Kennedy Center, John F.  
16 Kennedy Center for the Performing Arts, a statement  
17 of the George Washington University policy on  
18 selling Metro passes to its students and its  
19 faculty, an analysis of the pedestrian traffic on  
20 the west side of 23rd Street, a statement as to the  
21 parking fees collected by George Washington  
22 University on its lots and a statement of the  
23 student census that is connected with the hospital.  
24 All of those documents were submitted into the  
25 record on a timely fashion.

26 There was a follow-up hearing on January

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1 5, 1999 at which the Board heard the Office of  
2 Planning report. The Office of Planning report  
3 recommended approval of both of the applications  
4 before the Board.

5 You heard a DPW report on the Department  
6 of Public Works and that report found that there  
7 would be adverse impacts related to pedestrians on  
8 the west side of 23rd Street, that the emergency  
9 entrance on New Hampshire Avenue perhaps should be  
10 changed, that the location of loading facilities on  
11 24th Street had a potential for hazard and that the  
12 Department suggested that there would be more trucks  
13 on New Hampshire which the Department found would be  
14 an adverse impact.

15 Nonetheless, the Department recommended  
16 that New Hampshire Avenue be made one way  
17 southbound, that the entrance to the hospital be  
18 relocated to New Hampshire Avenue, and not on 23rd  
19 Street and that the loading dock be placed inside of  
20 the building.

21 The Advisory Neighborhood Commission  
22 presented its case in opposition on January 5th and  
23 persons in opposition and persons in support were  
24 heard.

25 At the conclusion of that hearing, the  
26 Board directed that the parties, particularly the

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1 Applicant meet with the Department of Public Works.  
2 As you recall, we had indicated -- yours truly  
3 indicated that that Department of Public Works  
4 Report had been compiled and filed without input  
5 from the Applicant. The Board suggested that we  
6 meet with the Department of Public Works, try to  
7 work out the concerns with the Department of Public  
8 Works and those meetings did occur and we will  
9 testify as to that today.

10 In addition, the Board afforded the  
11 Applicant the opportunity to place what additional  
12 supportive evidence into the record, all to be done  
13 with the other side, with the opposition parties  
14 having the opportunity to respond all by the 8th of  
15 February.

16 It was said then at that hearing that  
17 the Board would not hear any more from persons in  
18 opposition or persons in support, that the Board's  
19 hearing that was set for March 2nd was limited to  
20 the new information that was made a part of the  
21 record by virtue of the DPW Applicant and opposition  
22 filings that were due on the 8th of February.

23 Shortly before the hearing of March 2,  
24 1999, the Advisory Neighborhood Commission moved for  
25 postponement on the basis that their expert, Dr.  
26 Carter, was incapacitated at the time and was unable

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1 to appear to testify or to cross examine the  
2 Applicant's witnesses on March 2nd. The Applicant  
3 took no position with respect to that and the Board  
4 set the hearing for this morning, three hours, this  
5 morning, if Mr. Franklin was available. Mr.  
6 Franklin was available so we are here this morning.

7 Therefore, the purpose of our hearing  
8 today is five fold: (1) to address the enhancements  
9 to the design face of the hospital. The parking  
10 garage enhancements were submitted and discussed  
11 without objection at the January 5, 1999 hearing.

12 Second, to address the January meetings  
13 with the Department of Public Works and the  
14 resolution of the outstanding issues that had been  
15 suggested by the Department of Public Works.

16 Third, that the opposition gets an  
17 opportunity to present its findings on the revised  
18 Department of Public Works report and to cross the  
19 Applicant's witnesses on the testimony that they  
20 present today.

21 Then there will be a closing statement  
22 by the Applicant at which time we would ask the  
23 Board to close the record and decide case of the  
24 hospital at the first meeting in May. We are here  
25 today with that agenda.

26 As a procedural matter, Madam Chair, I

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1 have on my right, Noel Barrick of the firm HKS, who  
2 is the architect for the project. Mr. Barrick has  
3 not yet been sworn in. We would ask him to be sworn  
4 in as a witness. Oh, we don't have staff to do  
5 that.

6 Mr. Scaggs of HKS has been recognized as  
7 an expert and Mr. Scaggs was unable to be here  
8 today. Mr. Barrick is here on behalf of that firm.  
9 We ask the Board to continue with the status of Mr.  
10 Scaggs' testimony as expert and we ask that Mr  
11 Barrick be admitted as an expert as well.

12 Mr. Barrick, would you just briefly for  
13 the Board outline your background in architecture  
14 and planning?

15 MR. BARRICK: I've been with HKS for the  
16 past 22 years where I've been --

17 MR. WATSON: We have no objection.

18 CHAIRPERSON REID: We will recognize him  
19 as an expert witness.

20 MR. MOORE: Thank you. Mr. Barrick,  
21 will you state your name and your occupation for the  
22 record, please, sir?

23 MR. BARRICK: My name is Noel Barrick.  
24 I'm an architect. I reside at 6644 North Haven,  
25 Dallas, Texas.

26 MR. MOORE: And are you familiar with

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1 this project?

2 MR. BARRICK: Yes, I am.

3 MR. MOORE: And do you have testimony to  
4 present today in support of this project?

5 MR. BARRICK: Yes, I do.

6 MR. MOORE: Will you give that  
7 testimony, please?

8 MR. BARRICK: Yes.

9 MR. MOORE: Also, I would point out,  
10 suggest to the Board that on Mr. Barrick's right is  
11 Donald Pyskacek. He is here. He has been sworn in  
12 as a witness. He is a representative of Universal  
13 Health Services. He will assist Mr. Barrick with  
14 his presentation to the extent necessary.

15 MR. BARRICK: In the last Board meeting,  
16 there was concern expressed about the exterior  
17 facade on the 23rd Street side which faces George  
18 Washington University. This is the rendering of  
19 that facade.

20 Yes, it was previously submitted and we  
21 have recently submitted the revised design to that.

22 MR. MOORE: Excuse me, Mr. Barrick. We  
23 have a staff member here. Can we swear Mr. Barrick  
24 in?

25 CHAIRPERSON REID: I think Mr. Hart will  
26 have to do that and we just want to make sure --

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1 MR. WATSON: We have no objection.

2 MR. MOORE: They still have to be sworn.  
3 I'd like his testimony on the record as sworn  
4 testimony and I am told by Mr. Pyskacek that Mr.  
5 Pyskacek technically has never been sworn in and I'd  
6 like him sworn in as well.

7 CHAIRPERSON REID: All right, thank you.  
8 Ms. Sheri Pruitt-Williams will swear you in.

9 MS. PRUITT-WILLIAMS: Will you please  
10 stand and raise your right hands?

11 (Witnesses sworn.)

12 MR. MOORE: Thank you.

13 DIRECT EXAMINATION

14 MR. BARRICK: The new exterior facade  
15 design we feel is physically and visually been  
16 reduced in the amount of glass that was the major  
17 concern we had before. And in the previous design  
18 it was primarily all glass with vertical supports  
19 which were metal clad which gave it an overall  
20 monolithic appearance.

21 We have since then removed the metal  
22 supports and have added brick vertical supports and  
23 have also increased the width of those supports,  
24 reducing the amount of glass.

25 MR. WATSON: There is a request from the  
26 public that --

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1 MS. PRUITT-WILLIAMS: Mr. Watson, you  
2 have to talk from the mike so you can be on. Use  
3 that one if you need -- wait a minute, we need to  
4 plug it in, but you do have to talk from a mike.

5 MR. WATSON: There is a request from the  
6 public that the public be able to see what's being  
7 testified to.

8 MS. PRUITT-WILLIAMS: Excuse me, sir, we  
9 have some easels in the corner, if you could set  
10 them up, sort of diagonally so that the Board and  
11 the public could see them and if the public needs  
12 to, they'll unfortunately have to shift to this side  
13 of the room.

14 CHAIRPERSON REID: Okay, we have in our  
15 package the renderings, so you can explain it that  
16 way as to allow the public --

17 MR. MOORE: It was submitted to the  
18 Board --

19 CHAIRPERSON REID: Yes, we have it.

20 MS. PRUITT-WILLIAMS: You've got to wait  
21 for the mike to be plugged in. Please use the hand  
22 mike.

23 CHAIRPERSON REID: Before you say  
24 anything in this hearing, it must be on the mike so  
25 that everyone can pick it up and as the recorder can  
26 pick it up as well.

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1 Thank you.

2 (Pause.)

3 MR. WATSON: I have an objection. There  
4 was submitted on February 8th a submission which  
5 alleged to be the changes that were being made.  
6 Unless I am grossly incorrect, it appears to me that  
7 these renderings show a different design than was  
8 submitted to this Board on February 8th.

9 I'd like to know what we're testifying  
10 to. Is this an additional design or this is a new  
11 case.

12 MR. MOORE: This is certainly not a new  
13 case, Madam Chairperson. The record is still open  
14 in this case. The Applicant has made refinements to  
15 the design that it has made in view of the comments  
16 that were made by the Board. This rendering that  
17 you see here before you today represents the  
18 Applicant's best efforts to meet the concerns that  
19 were expressed in the community and by the Board.

20 CHAIRPERSON REID: Okay.

21 MR. FRANKLIN: Mr. Moore, it does differ  
22 from what we have on the dais.

23 MR. MOORE: Yes, it does.

24 MR. PYSKACEK: It is essentially the  
25 same. It is a different rendering, basically, to  
26 what we felt would more clearly show what the intent

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1 was. If you look, Mr. Franklin, at one against the  
2 other, you'll see it's pretty close. We just had  
3 hoped to get a different rendering by a different  
4 renderer to try and express it more clearly.

5 MR. FRANKLIN: Well, I'd appreciate it,  
6 Madam Chair, if we could have that passed among us,  
7 because from a distance it does look different from  
8 what I see in the February 8th submission.

9 MR. MOORE: Mr. Franklin, I just  
10 submitted it into the record.

11 MS. PRUITT-WILLIAMS: It's only one set  
12 though. Excuse me, Mr. Moore, do you have any extra  
13 sets of those?

14 MR. MOORE: I have one more that I can  
15 let Mr. Watson have.

16 MS. PRUITT-WILLIAMS: Okay.

17 MR. FRANKLIN: As you proceed, why don't  
18 you explain the differences between what we saw on  
19 February 8th and what we're seeing today.

20 CHAIRPERSON REID: What the  
21 modifications are.

22 MR. PYSKACEK: The previous one as Mr.  
23 Barrick had testified had a facade at the front of  
24 the building, at the main entrance primarily  
25 entirely of glass. The modified rendering of the  
26 intent of the facade at that area, as presented on

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1 February 8th as Mr. Barrick has testified shows a  
2 large overhand, creating a deep shadow, brick peers  
3 rising in place of the what was metal divisions and  
4 column covers and approximately 50 percent less  
5 glass. The difference between the two renderings of  
6 the February 8th included in the brochure that was  
7 filed and this current one that was filed is  
8 basically that there is a, as you can see, the major  
9 base here was raised one floor to the third floor  
10 from the second floor and the percentage of brick  
11 spandrel at that point was increased approximately  
12 another 10 or 20 percent.

13 The amount of glass on the first and  
14 second floor remains the same. The amount of glass  
15 on the upper floors are slightly less and those are  
16 the basic two changes. It's just a question of  
17 moving a cornice up one floor.

18 CHAIRPERSON REID: And also in the  
19 center portion it appears that there is a wide band  
20 that has been added.

21 MR. PYSKACEK: That band, that vertical  
22 column cover is the same as the one here, except  
23 it's been made wider and reduced the glass area.

24 CHAIRPERSON REID: Okay. And then  
25 you've added two more? You added one in the center  
26 and then two other vertical bands on either side of

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1 it?

2 MR. PYSKACEK: They actually are on here  
3 and they are represented by a single line and that's  
4 one of the reasons we tried to make it a clearer  
5 rendering. If you look very closely you can see  
6 there's a line in between the two glasses there. On  
7 this one it just was very hastily done and it didn't  
8 really appear --

9 MR. BARRICK: Ms. Reid, I think if you  
10 remember, we had about a week to redesign the  
11 exterior facade and we did do that in the week to  
12 get it in by that February 8th date. A week or two  
13 since that date we did try to refine that facade to  
14 better delineate it because we did have to do it  
15 rather rapidly and that's what this design shows.

16 CHAIRPERSON REID: So this final design  
17 that you're presenting here today is going to be the  
18 final design that --

19 MR. BARRICK: Yes ma'am. That is the  
20 design, yes ma'am.

21 CHAIRPERSON REID: Thank you.

22 MR. BARRICK: I agree that Mr. Pyskacek  
23 said about the exterior design. I'll maybe  
24 elaborate just a little bit more about it

25 We do feel that this exterior design  
26 also does relate to the community as far as color

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1 and texture. It complements the surrounding  
2 neighborhood and is complementary with other  
3 facilities at George Washington University, with the  
4 Wellness Center and other housing projects.

5 We have accentuated the entrance that  
6 band you pointed out on the vertical member in the  
7 center. We feel the entrance is very important.  
8 This is a very active area. The entrance does face  
9 out towards  
10 George Washington University. It also faces towards  
11 the parking garage which is about a half a block  
12 from here. So we want to make sure that everybody  
13 knows this is the entrance. Obviously, the Metro  
14 Station is adjacent to it as well.

15 The facade is approximately 50 percent  
16 glass. The glass we are using is a shaded glass, a  
17 tinted glass which has a low E coating on it on the  
18 third surface which really allows the heat gain or  
19 loss to be happen slowly. It is insulated glass. I  
20 think it's vented on the exterior.

21 Since this is an active area at night,  
22 we all do want to express you do see an entrance  
23 there, an entrance canopy. That will be well lit  
24 and will light the whole area around there, the  
25 Metro Station and all, which we think will be an  
26 asset to the community.

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1 CHAIRPERSON REID: This is the entrance  
2 to the Metro Station right there?

3 MR. BARRICK: Yes ma'am, just to the  
4 left of that.

5 MR. PYSKACEK: What you see there are  
6 the moving stairwells going into the Metro Station  
7 before somewhat shiny round railings.

8 CHAIRPERSON REID: I understand.

9 MR. MOORE: Mr. Barrick, this design was  
10 designed with this being a people place in mind, was  
11 it not?

12 MR. BARRICK: Very much so.

13 MR. MOORE: And designed to relate to  
14 the existence of the Metro Rail Station there?

15 MR. BARRICK: Yes.

16 MR. MOORE: And Mr. Franklin had a  
17 concern at the November 18th meeting that with the  
18 amount of glass that the first design had that this  
19 building would sort of be a lantern there, instead  
20 of a building that's consistent with urban design.  
21 Would you comment on that?

22 MR. BARRICK: Well, there's going to be  
23 a lantern at the lower levels primarily. The upper  
24 levels which are patient rooms, since we do have  
25 tinted glass, it's not going to be bright, bright  
26 lights coming out of those.

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1 MR. MOORE: But in your opinion is it  
2 important that there be adequate lighting around the  
3 Metro Rail Station for security purposes and for way  
4 finding?

5 MR. BARRICK: Definitely.

6 MR. MOORE: Is this building, in your  
7 judgment consistent with the architecture of the  
8 university buildings in the area?

9 MR. BARRICK: Yes sir.

10 MR. MOORE: And is consistent in your  
11 judgment with the architecture of non-university  
12 buildings in your area?

13 MR. BARRICK: Yes sir.

14 MR. PYSKACEK: One quick statement in  
15 relation to glass I think that's very important.  
16 The Health Department and the Building Department  
17 has as part of their regulations what is called the  
18 guidelines, the hospital construction from health  
19 and human services and the AIA and what we have  
20 attempted to do here is to cut the glass down to  
21 those minimum standards, that is height and width,  
22 patient rooms, that kind of thing. And I think we  
23 are probably at the minimum standards or close to it  
24 now in the guidelines.

25 MR. MOORE: Mr. Pyskacek, you are an  
26 administrator at Universal Health Services, are you

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1 not?

2 MR. PYSKACEK: No, I'm a Vice President  
3 in charge of design and construction.

4 MR. MOORE: But you are familiar with --

5 MR. PYSKACEK: A registered architect  
6 and --

7 MR. MOORE: You're familiar with the  
8 design of hospitals, are you not?

9 MR. PYSKACEK: Yes sir.

10 MR. MOORE: And is it your opinion that  
11 glass on hospital structures aids in the wellness  
12 process?

13 MR. PYSKACEK: It not only does aid, but  
14 it is mandated that the patient be able to see  
15 daylight, the sun and darkness during the day to  
16 enhance his comprehension of whether -- of his  
17 wellness and whether he is conscious.

18 MR. MOORE: So glass is a very important  
19 component of any hospital design, regardless of  
20 where that hospital is located?

21 MS. PRUITT: Yes, yes.

22 MR. MOORE: We have no further questions  
23 of these witnesses.

24 (Pause.)

25 MR. MOORE: Madam Chairperson --

26 CHAIRPERSON REID: Just one second,

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1 please.

2 (Pause.)

3 MR. MOORE: Mr. Barrick, will you  
4 continue, please?

5 MR. BARRICK: Yes, let me turn to the  
6 photos.

7 (Pause.)

8 We'd like to also address the exterior  
9 facade on the New Hampshire side of the building.  
10 The photograph on the left is a photograph of I  
11 Street and New Hampshire. This particular  
12 photograph was taken with our backs to the historic  
13 sign. We just took the photograph looking out  
14 toward I Street and the existing parking lot, George  
15 Washington University Hospital in the background.

16 Obviously, we just took a photograph of  
17 what we saw. We wouldn't normally put a no left  
18 turn to buses on a rendering, however, we felt that  
19 since it was an existing condition we would do that.

20 CHAIRPERSON REID: I'm sorry, I can't  
21 hear you. You need to project your voice. I can't  
22 hear you well and I don't know whether people in the  
23 back can hear you. So you need to keep the volume.

24 MR. BARRICK: We did just the photograph  
25 as it was. We didn't try to compose anything. We  
26 took it with our back to the historic district sign.

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1 Normally, in a rendering, particularly the rendering  
2 on the right, we wouldn't put a no left turn bus  
3 sign on it. However, that is an existing condition  
4 and therefore we just showed it.

5 What the rendering on the right shows is  
6 the elevation of the New Hampshire Street site. The  
7 truck dock which is on the right side of this, which  
8 you can see just beyond the island, you see a  
9 portion of that, there has been concern about the  
10 screening of this. We have shown on this particular  
11 rendering, we kind of in a lighter green have showed  
12 what would happen if the -- I believe the hedge  
13 there is 3 to 4 feet tall now. What would happen if  
14 that were increased to 6 to 8 feet because there was  
15 some concern about screening the truck dock.

16 MR. PYSKACEK: The tree, as you see it,  
17 is in winter condition. This was taken for the  
18 February meeting. That tree is then colored in on  
19 the artist's conception to show what it would look  
20 like when it's green. It's the same tree. That  
21 darker green which I will point to now is the  
22 current hedge and the light green above is  
23 additional planting that we would agree, the  
24 Applicant would agree to providing DPW and that is  
25 public space, whatever they would require or agree  
26 with us to enhance the screening, we would do.

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1 CHAIRPERSON REID: In your rendering  
2 that we have in our packages, you have a winter and  
3 I guess summer view. Now looking at that particular  
4 view, it appears that what's increasing the  
5 landscaping, the shrubbery there, it's almost  
6 completely camouflaged?

7 MR. PYSKACEK: We believe that from that  
8 vantage point that the truck dock will be almost  
9 impossible to see.

10 CHAIRPERSON REID: Okay, but in the  
11 winter time from the landscaping that there's  
12 already, there's still quite a bit you can see.

13 MR. PYSKACEK: Yes ma'am. I think the  
14 photograph at the left that is also included in the  
15 February package, which is the same as the one you  
16 referred to here which I will hold up which is the  
17 current summer, without enhancement, that's what you  
18 will see. That winter package shot does not include  
19 the hospital drawn in, but I think it's fairly  
20 obvious to make the judgment, and I will go up and  
21 point in a minute, that the present hedge in the  
22 winter time still remains green since it's an  
23 evergreen hedge. And that will approximately block  
24 maybe 80 percent or 90 percent of the doors in  
25 height of the truck dock.

26 MS. PRUITT-WILLIAMS: Excuse me, sir,

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1 are you proposing any specific evergreens or is this  
2 right now generic trees or deciduous with the  
3 additional hedge?

4 MR. PYSKACEK: What you see again on the  
5 winter shot is what's there now. What you see on  
6 the proposed artist's concept is what is there now  
7 in the dark green hedge --

8 MS. PRUITT-WILLIAMS: Right, in the  
9 light green?

10 MR. PYSKACEK: And the light green in  
11 back of it is what we would propose to enhance with  
12 the approval of DPW and open space. We would select  
13 the proper one. We do not have a --

14 MS. PRUITT-WILLIAMS: You have no tree -  
15 -

16 MR. PYSKACEK: No specific name of a --

17 MS. PRUITT-WILLIAMS: Are you thinking  
18 of deciduous or evergreen?

19 MR. PYSKACEK: We would, of course, try  
20 to select evergreen, if we could, so it would remain  
21 green all year long.

22 MS. PRUITT-WILLIAMS: Thank you.

23 CHAIRPERSON REID: I think that's a good  
24 point that obviously the evergreen would do a better  
25 job of buffering the impact of the aesthetics with  
26 that being seen from the residential area across

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1 from that island. And I'm understanding that the  
2 island is public space. Nonetheless, I just think  
3 that from the winter aspect of it, it still seems to  
4 me that you can -- there's quite a bit of that  
5 loading dock in view. So perhaps there could be  
6 something worked out where there could be some  
7 additional landscaping or trees such that you could  
8 hardly see it at all in the wintertime.

9 MR. PYSKACEK: Yes ma'am. We have, I  
10 believe, and I believe as testified by DPW, Mr.  
11 Leyden and/or the other gentleman, we have some open  
12 space negotiation to do a DPW in terms of sidewalks  
13 and all those open space considerations should you  
14 honor us with approving this project. We would  
15 attempt to bring that up at that time as a part of  
16 that.

17 CHAIRPERSON REID: That was a major  
18 objection in the hearing, adverse impact on the  
19 aesthetic aspect of that loading dock being  
20 considered offensive to the residents, so I  
21 certainly hope that will be mitigated.

22 MR. BARRICK: Yes ma'am, and I'd also  
23 like to maybe remind you that I believe on the last  
24 meeting, we did not have a design such that an 18  
25 wheeler -- there's probably going to be there one a  
26 day, that an 18 wheeler could not get fully back

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1 into the truck dock and close the door. In the  
2 February 8th design, we now have the dock designed  
3 such that when any truck comes in there, it will  
4 back in, the doors will be closed.

5 CHAIRPERSON REID: And the doors will  
6 remain closed at all times, except when trucks are  
7 entering or exiting the loading dock area?

8 MR. BARRICK: Yes ma'am.

9 CHAIRPERSON REID: Even when the trucks  
10 are inside, unloading, they will also have the doors  
11 lowered, is that not correct?

12 MR. WATSON: I object to the architect  
13 testifying as to the management of the structure.  
14 He will have nothing to do with.

15 MR. PYSKACEK: As an officer of  
16 Universal Health and an officer of the partnership,  
17 hospital partners, I can testify to the management.  
18 And we have so stated, I think, in the  
19 transportation --

20 CHAIRPERSON REID: In the information  
21 that has been submitted, it's just basically  
22 reiterating for clarity that this is what the intent  
23 is as far as the loading is concerned.

24 MR. FRANKLIN: Have we gone on to that  
25 issue, Madam Chair, or are we going to hear from the  
26 transportation consultant?

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1 CHAIRPERSON REID: We will hear from the  
2 transportation. This is correct.

3 MR. FRANKLIN: I'll reserve my questions  
4 until the transportation consultant.

5 CHAIRPERSON REID: DPW will give their  
6 presentation after this, but I just wanted to  
7 clarify while we had the witnesses here, the  
8 Applicants here, exactly what the intent was as far  
9 as the loading dock.

10 MR. BARRICK: I would also just like to  
11 remind everyone, there are other facilities directly  
12 adjacent to this on New Hampshire and the other  
13 streets around there that also have truck docks, so  
14 it's not uncommon to have truck docks within this  
15 area.

16 The 7-11 which is right across the  
17 street does not have a truck dock and trucks  
18 presently stop in the middle of that street to  
19 unload.

20 CHAIRPERSON REID: I understand that,  
21 and be that as it may, nonetheless, the objection in  
22 this regard was to this particular loading dock, in  
23 particular. This is the one we want to try to deal  
24 with here today as far as the adverse impact is  
25 concerned.

26 MR. MOORE: Madam Chair, does the Board

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1 have any questions of these witnesses? We have  
2 another witness on transportation and parking issues  
3 and also loading dock issues as it relates to  
4 transportation.

5 MR. FRANKLIN: I have one or two on the  
6 architecture.

7 MR. MOORE: Thank you.

8 CHAIRPERSON REID: Do you want to cross  
9 examine these witnesses?

10 I'll allow Mr. Frankly to question the  
11 witnesses that -- the other witnesses that come  
12 forward, and then we can have cross examination all  
13 at the same time.

14 MR. WATSON: I object in not cross  
15 examining directly after their testimony.

16 MR. MOORE: Madam Chair, Mr. Franklin  
17 said he had some questions.

18 CHAIRPERSON REID: Overruled. This is  
19 the procedure we intend to --

20 MR. FRANKLIN: Mr. Watson was going to  
21 wait until I was finished.

22 CHAIRPERSON REID: That's what I said.  
23 That's what I just said, Mr. Watson, that after Mr.  
24 Franklin has finished his questioning then you can  
25 cross examine.

26 MR. FRANKLIN: First of all, can you

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1 hear me? I don't know if this mike is working.

2 Who is the design architect on this  
3 project? Mr. Toby testified initially and a  
4 gentleman from Plano, Texas testified. Now Mr.  
5 Barrick is here.

6 MR. BARRICK: It's a joint design  
7 between HKS and Toby Davis. Toby Davis took the  
8 initial design effort on and we have since taken it  
9 over.

10 MR. FRANKLIN: Oh, I see.

11 MR. MOORE: And you are HKS, sir?

12 MR. BARRICK: Yes, and we are HKS.

13 MR. FRANKLIN: Are you representing that  
14 there are no changes to any other aspects of the  
15 facade that we've seen in the February 8th  
16 submission with respect to other elevations? Are  
17 those unchanged?

18 MR. BARRICK: Yes sir.

19 MR. FRANKLIN: I have no further  
20 questions about the facade. I do think you've been  
21 responsive to my concerns and it's a much more  
22 contextual statement than the first design which I  
23 did not think was responsive to the context of the  
24 neighborhood or the university environment and I  
25 believe this is, and while I would quibble about  
26 some of the changes you've made from February 8th,

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1 this is not the Fines Arts Commission, so I will  
2 not take your time and mine.

3 MR. MOORE: Thank you. Madam Chair, I  
4 will offer these witnesses for cross examination at  
5 this point.

6 CHAIRPERSON REID: Mr. Watson?

7 CROSS EXAMINATION

8 MR. WATSON: Let me first ask the  
9 questions, will there be other architectural  
10 witnesses as to changes within the interior of the  
11 building? Is this limited just to facade and will  
12 there be other testimony as to the interior?

13 MR. BARRICK: No.

14 MR. WATSON: Are these witnesses being  
15 presented to support their interior modifications  
16 which were proposed in their February 8th  
17 submission?

18 MR. BARRICK: I'm sorry, I don't  
19 understand your question.

20 MR. FRANKLIN: I could answer that from  
21 my standpoint. The Board simply requested  
22 revisiting the facade. I don't recall that we  
23 requested any supplemental information with respect  
24 to the interior of the building.

25 MR. WATSON: There were changes made in  
26 the interior of the building based on the minor

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1 changes, but they do have some effect, based on the  
2 new proposals as to the operation of this building.

3 MR. FRANKLIN: Well, to the extent that  
4 those changes have any effect externally, I suppose  
5 they might be relevant, but generally speaking, the  
6 Board as I see it, doesn't go into the interior.

7 MR. WATSON: The external changes have  
8 to do with the traffic flow. The internal changes  
9 deal with the traffic flow.

10 MR. FRANKLIN: That's true, you have not  
11 touched on the change in the ambulance entrance.

12 MR. PYSKACEK: If we may, we would let  
13 the traffic -- when our traffic consultant -- in  
14 terms of interior changes, the only interior changes  
15 we know of at this time in our own perception were  
16 those that were part of the expression to satisfy  
17 the Board's concerns. In other words, yes, we made  
18 the dock longer inside so that the trucks could be  
19 completely enclosed. We didn't change the location  
20 of it or -- other than that.

21 We didn't do a lot to the emergency room  
22 either other than to possibly change the traffic  
23 pattern and that could be testified to later.

24 MR. WATSON: Is it the indication that  
25 the renderings are indicative of the operation of  
26 the hospital as is proposed in the current February

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1 8th submission?

2 MR. BARRICK: Yes.

3 MR. WATSON: Is there a reason why the  
4 ambulance is shown going the wrong direction in your  
5 rendering?

6 MR. BARRICK: It just wasn't changed.

7 MR. WATSON: If we could proceed back to  
8 your so-called buffering, hiding of the facade, the  
9 loading dock. Am I correct that this direction is  
10 coming from the southwest, looking to the northeast?

11 MR. BARRICK: If you have your  
12 directions correct, that is correct.

13 MR. WATSON: I have an expert architect  
14 here. I'm asking -- so we have the record clear --  
15 is this looking from the southwest to the northeast?

16 MR. BARRICK: It is looking down New  
17 Hampshire Avenue and down the I Street mall.

18 MR. WATSON: I assume it's looking up  
19 New Hampshire Avenue.

20 MR. BARRICK: What's up and down?

21 MR. WATSON: Thank you. Now assume we  
22 were to look at your structure not from the  
23 southwest to the northeast, but look from across New  
24 Hampshire Avenue and basically looking from the  
25 northwest to the southeast, tell me what plantings  
26 are between the viewer and the loading dock

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1 entrance?

2 MR. PYSKACEK: The plantings that you  
3 would see enhances or unenhances as the case may be,  
4 would be on this triangular piece of open space.

5 Also, also, as you see the green  
6 approaching 24th Street along the side of New  
7 Hampshire Avenue, that would be planted also. So  
8 those are the plantations, the plantings that would  
9 be there.

10 On the other hand, if you will point  
11 out, sir, where the view you're suggesting would be,  
12 we can talk further.

13 MR. WATSON: If one were to look  
14 basically going since this building is on an angle,  
15 basically going due west from the loading dock into  
16 the intersection of 24th Street and New Hampshire  
17 Avenue, would you tell me what plantings are between  
18 the view there and the entrance to the loading dock.

19 MR. PYSKACEK: Looking down 24th Street?

20 MR. WATSON: No, I am saying to look  
21 across 24th Street. I'm suggesting to go due east  
22 from the -- I'm sorry, due west, going due west from  
23 the loading dock, just walking straight out west  
24 from the loading dock looking toward the building,  
25 what plantings would be in between?

26 MR. PYSKACEK: Well, you would still

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1 have a part of that triangle. You would have about  
2 half of it shielding --

3 MS. PRUITT-WILLIAMS: Excuse me, Mr.  
4 Watson.

5 MR. WATSON: If I could ask --

6 MS. PRUITT-WILLIAMS: I want to make  
7 sure I'm understanding. Are you asking what  
8 plantings would be in the driveway of the loading  
9 dock, in that area?

10 MR. WATSON: Well, I think that's a  
11 reasonable way to describe it.

12 MS. PRUITT-WILLIAMS: I'm just trying to  
13 understand what you're asking.

14 MR. WATSON: If I could suggest going to  
15 the Applicant's Exhibit A which may be clearer and  
16 their drawing number A.0. Now we are looking at the  
17 loading dock which is in the -- I'm not sure which -  
18 - I guess it's in the upper left hand corner of this  
19 -- this document wording is right side up. And  
20 we'll see it says 24th Street.

21 I'm asking if one goes out from the  
22 loading dock at a slight angle so it's past the  
23 triangle, is there any planting between the loading  
24 dock and all the way across New Hampshire Avenue.

25 CHAIRPERSON REID: Are you referring to  
26 the public space?

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1 MR. WATSON: I am referring basically --  
2 what I'm asking is if one is walking along New  
3 Hampshire Avenue, are there not considerable spaces  
4 when there is nothing between the pedestrian and the  
5 loading dock?

6 MR. BARRICK: There is a point when you  
7 look directly where the entrance to the truck dock  
8 is which has the apron to the truck dock, that there  
9 are no trees there, yes.

10 MR. WATSON: From the residences across  
11 New Hampshire Avenue, the full effect of the loading  
12 dock would be visible with no cover --

13 CHAIRPERSON REID: You're testifying,  
14 Mr. Watson. Pose it in a question format.

15 MR. WATSON: That's what I'm saying, is  
16 it not true from across New Hampshire Avenue there  
17 would be places where the loading dock is entirely  
18 visible from the --

19 MR. BARRICK: Can you point where that  
20 residence is you're asking?

21 MR. WATSON: I am talking about an  
22 individual standing right at the apex, I guess it  
23 is, of the western side of 24th Street where it  
24 comes to New Hampshire Avenue, standing there would  
25 one look directly in, just past it, directly into  
26 the loading dock with no vegetation?

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1 MR. PYSKACEK: I will now put my pen on  
2 the spot that Mr. Watson put his pen and attempt to  
3 describe what you see.

4 I'm now pointing to the spot of the  
5 corner of 24th Street and New Hampshire Avenue  
6 across that intersection from the hospital where Mr.  
7 Watson had pointed his pen. And of course, this is  
8 the loading dock right here on this drawing which is  
9 part of the record. And if you stand here and look  
10 you would see planting here which would, as I said  
11 earlier, shield about half the dock. If you moved  
12 up New Hampshire Avenue, around the corner and you  
13 looked directly in, you will see the loading dock  
14 down that street. That's obvious. But that area  
15 right there has limited residential. That's where  
16 the 7-11 is.

17 CHAIRPERSON REID: Order.

18 MR. WATSON: The geography speaks for  
19 itself. If one is in an apartment above the first  
20 or second floor, would one be buffeted from the view  
21 of the loading dock?

22 MR. MOORE: Second or -- I don't  
23 understand the question.

24 MR. WATSON: If one is across the street  
25 even where you alleged there is vegetation but  
26 slightly higher up, you're on a second floor higher

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1 than an 8 foot hedge, would you look down directly  
2 from the second floor of a building directly into  
3 the loading dock?

4 MR. MOORE: Do you know the answer to  
5 that?

6 MR. PYSKACEK: I don't know. I don't  
7 have the foggiest idea.

8 MR. WATSON: Thank you. You indicated  
9 the operation of this loading dock would be that  
10 trucks such as 18 wheelers would back into it. Is  
11 that correct?

12 MR. PYSKACEK: That's correct.

13 MR. WATSON: Correct me if I am wrong, I  
14 assume then that the method one would do is a truck  
15 would be on 24th Street, would go around on to New  
16 Hampshire Avenue and then back into the loading  
17 dock. Is that correct?

18 MR. PYSKACEK: I think that would be  
19 answered by our transportation --

20 MR. WATSON: This is a design question.  
21 It has to go with the renderings you provided as an  
22 expert.

23 MR. PYSKACEK: We will have --

24 MR. MOORE: He's going to have to  
25 explain it to me a little better, if it's a design  
26 question.

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1 MR. WATSON: I am asking, you designed  
2 this loading dock. How does a truck back into the  
3 loading dock? Where is it located when it starts to  
4 back?

5 CHAIRPERSON REID: Mr. Watson, I think  
6 that question can be bettered answered by the  
7 transportation expert --

8 MR. WATSON: No, because they have  
9 presented us with a rendering showing parking spaces  
10 --

11 CHAIRPERSON REID: Okay, wait a minute.  
12 Do you know the answer to this question?

13 MR. PYSKACEK: No ma'am, I would defer  
14 to the transportation expert.

15 CHAIRPERSON REID: They don't know.

16 MR. WATSON: Let me ask this question.  
17 I think we have a right to inquire of an expert.

18 Are you telling me that as architects  
19 testifying as architectural experts, you are not  
20 aware of how your design works in entering the  
21 building?

22 MR. PYSKACEK: No, I am testifying that  
23 in response to the BZA, we have redesigned the doors  
24 on the loading dock to completely shelter the  
25 trucks. How the trucks get in, we have acquired the  
26 consultation of a transportation expert and I would

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1 wish that they would testify to that. We are in  
2 concert with what their testimony will be.

3 MR. WATSON: I object to the expert  
4 refusing to answer a question --

5 MR. BERGSTEIN: Madam Chair --

6 MS. PRUITT-WILLIAMS: Mr. Watson, he  
7 answered the question. He said he didn't know how  
8 it was done.

9 MR. BERGSTEIN: Madam Chair, the witness  
10 says that he does not have the knowledge to answer  
11 the question. I think for the record that's the  
12 answer. And you can do with that response as you  
13 would --

14 MR. WATSON: I will put on the record  
15 since we are in this day and age quite understanding  
16 of what is truth and not and what are full  
17 disclosure, if this architect is claiming that he  
18 designed the building without knowledge as to how  
19 vehicles enter the building, I question the  
20 expertise of this architect.

21 MR. MOORE: That is not what he said --

22 CHAIRPERSON REID: Do you have any other  
23 questions?

24 MR. WATSON: My question then is is this  
25 rendering that has been presented is the position of  
26 the Applicant that parking will be available on New

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1 Hampshire Avenue directly adjacent to the loading  
2 dock?

3 MR. MOORE: Mr. Watson, he can't testify  
4 as to parking --

5 MR. WATSON: This witness presented a  
6 rendering. I'm asking him whether this rendering is  
7 an accurate representation.

8 MR. BARRICK: Yes.

9 CHAIRPERSON REID: Did you hear the  
10 answer, Mr. Watson?

11 MR. WATSON: I believe I heard Mr. Moore  
12 answer, I did not hear the witness answer.

13 MR. BARRICK: Yes.

14 MR. WATSON: This was answered so the  
15 record is clear by Universal Health Services, that  
16 Universal Health Services' position that it will  
17 support parking on New Hampshire Avenue adjacent --

18 MS. PRUITT-WILLIAMS: Mr. Watson, he  
19 didn't testify to parking at all. He testified to  
20 the design of that rendering --

21 MR. WATSON: The rendering shows  
22 vehicles parked there. I am asking whether the  
23 Applicant believes that this is an accurate  
24 representation of their application.

25 MS. PRUITT-WILLIAMS: My understanding  
26 was --

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1 MR. PYSKACEK: Yes.

2 MS. PRUITT-WILLIAMS: That that is an  
3 accurate representation of the building rendering?  
4 Is that correct, sir?

5 MR. PYSKACEK: Yes.

6 MS. PRUITT-WILLIAMS: That's different.

7 MR. WATSON: For the record, I am not  
8 here for the purpose of whether renderings are good  
9 art or bad art. The question is I'm trying to  
10 ascertain is what the application is of Universal  
11 Health Services.

12 CHAIRPERSON REID: Well, you can ask him  
13 those questions, but if he cannot answer it, I would  
14 suggest that you ask that of the transportation  
15 expert or parking expert, traffic expert.

16 MR. WATSON: You may comment as to  
17 location of a 7-11 across New Hampshire Avenue. Can  
18 you tell me what other structures are across New  
19 Hampshire Avenue?

20 MR. PYSKACEK: At this time?

21 MR. WATSON: Yes.

22 MR. PYSKACEK: I can't --

23 MR. WATSON: Again, I object. Mr. Moore  
24 has just said to its own witness an answer. I would  
25 like the answers of these witnesses without Mr.  
26 Moore coaching them.

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1 CHAIRPERSON REID: Okay, I don't know  
2 what Mr. Moore said, but Mr. Moore is the counsel to  
3 these Applicants, the Applicant, so therefore, I  
4 cannot get involved in what he's saying or know what  
5 he's saying.

6 MR. WATSON: Ms. Reid, this is presented  
7 as an expert witness. I am entitled to know the --

8 CHAIRPERSON REID: I don't know what  
9 he's saying, so therefore as a counselor he does  
10 have a right to speak to his -- the Applicant, so  
11 that becomes like a very murky area and I can't rule  
12 on that. However, address your question to the  
13 Applicant and the Applicant will answer your  
14 question. This is what we need to do here. Thank  
15 you.

16 MS. TYLER: My name is Maria Tyler and  
17 I'm a party to the case for ANC-2A and also for my  
18 single member district. The gentleman here from  
19 Texas made the statement that --

20 CHAIRPERSON REID: Excuse me, are you  
21 done with your cross examination?

22 MR. WATSON: I am not.

23 MS. TYLER: I am questioning --

24 MS. PRUITT-WILLIAMS: Ms. Tyler, you  
25 have to wait until Mr. Watson finishes.

26 CHAIRPERSON REID: Mr. Watson is not

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1 done yet. Mr. Watson is not done yet and then --

2 MS. TYLER: There was a specific point -  
3 -

4 CHAIRPERSON REID: You can come after  
5 him and ask it, but not right now.

6 MS. TYLER: There are so many  
7 misstatements made by these gentlemen --

8 MS. PRUITT-WILLIAMS: Ms. Tyler, you  
9 will have a time to testify. If you don't adhere to  
10 the rules, we'll have to have people removed.

11 MS. TYLER: Thank you.

12 MR. WATSON: If we can go back, it was  
13 specifically asked as to were you aware of what  
14 other properties were across the street.

15 MR. PYSKACEK: I would like to ask a  
16 question of the Board. I think in our original  
17 presentation we went to great detail, including  
18 photographs, other means of graphic presentation of  
19 what's across the street, what's on all three  
20 streets and I was aware of it at that time. I'm  
21 grossly aware of it now, but the point is I think  
22 we're only testifying as to the new information and  
23 so I'm not prepared to bring that information out at  
24 the moment.

25 MR. MOORE: That information is in the  
26 record as of the February 8th hearing, is it not?

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1 MR. WATSON: They specifically --

2 MR. MOORE: Is it not Mr. Pyskacek?

3 CHAIRPERSON REID: Just --

4 MR. WATSON: I don't understand the  
5 right of counsel to ask his own witnesses questions  
6 during my cross examination.

7 Now there was testimony by this witness  
8 as to the 7-11. There was testimony as to the site  
9 lines. I have ever right to ask him what is across  
10 the street and how high it is to know whether those  
11 site lines are meaning at all.

12 CHAIRPERSON REID: Very well,

13 MR. WATSON: Now what is across the  
14 street that you are saying is buffered from the  
15 loading dock?

16 MR. MOORE: Asked and answered.

17 MR. WATSON: I would like the Board to  
18 make ruling. I have no idea what counsel is saying  
19 was asked and answered. I am asking what is across  
20 the street that is buffered by the so-called  
21 plantings. Simple question.

22 MR. BERGSTEIN: Mr. Moore, could you  
23 indicate what you believe the answer was?

24 MR. MOORE: Mr. Bergstein, the witness  
25 in my recollection and I think the record will show  
26 that -- answered the question that he is not today

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1 prepared to testify as to what is across the street,  
2 that he did participate in the documents that were  
3 submitted to the Board on February 8th of this year.  
4 And those documents set forth with particularity not  
5 only the uses that are across 24th and New Hampshire  
6 Avenue, but the height and the bulk of each of those  
7 buildings.

8 MR. BERGSTEIN: Madam Chair, Mr. Moore  
9 has indicated what he believes the answer to the  
10 question was. As presiding officer, you can  
11 determine whether or not that's, in fact, the case  
12 and then have Mr. Watson go on to the next question  
13 or if you believe that that was not responsive to  
14 the question that Mr. Watson just posed, then you  
15 can ask Mr. Watson to ask the question and the  
16 witness --

17 CHAIRPERSON REID: Mr. Bergstein, the  
18 question had already been answered by the witness.  
19 He said he did not know and that it was a matter of  
20 record and that is the only answer that I would  
21 accept from the witness and that's been proffered to  
22 Mr. Watson, so then I guess we have to move to the  
23 next question.

24 MR. WATSON: I will proceed. Mr.  
25 Barrick, you testified at one point that the loading  
26 dock was 80 percent obscured. Is that correct?

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1 MR. BARRICK: I don't think I did.

2 MR. WATSON: Well, then your colleague  
3 here -- did you testify it was 80 percent obscured?

4 MR. PYSKACEK: Yes sir, as represented  
5 in that artist's rendering.

6 MR. WATSON: As represented in the  
7 artist's rendering. At what level is the artist's  
8 rendering due? The eye which is looking at the  
9 rendering, at what level is that?

10 MR. PYSKACEK: Approximately 5 to 6 feet  
11 above grade at the sign that we sat against when we  
12 took the picture.

13 MR. WATSON: You say took the picture.  
14 This is an artist's rendering. I'm talking about  
15 this, the artist's rendering that you've shown.

16 If I am correct, the artist's rendering  
17 doesn't show the loading dock at all.

18 MR. BERGSTEIN: Excuse me, are these  
19 pieces of evidence, are they going into the record  
20 or are in the record and are they marked in some way  
21 so that we can --

22 CHAIRPERSON REID: Yes.

23 MR. PYSKACEK: They are, I believe, in  
24 the February 8th submission.

25 MR. BERGSTEIN: Are they marked as A or  
26 B or 1 or 2 so that when we're referring to these

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1 many different pieces of evidence, we can all look  
2 back and understand what we're talking about? Is it  
3 possible we can all refer to them as the same thing,  
4 either Rendering 1 or whatever so we all know we're  
5 talking about and if we find these things we can  
6 later reference back to them in the record?

7 MR. FRANKLIN: Madam Chair, I believe  
8 the new rendering that was presented this morning  
9 was not introduced into the record.

10 MR. BARRICK: That's correct. That was  
11 the only one that was not in that December 8th.

12 MR. FRANKLIN: I take it, Mr. Moore,  
13 you'd want to do so?

14 Madam Chair, I wonder, we seem to be  
15 spinning our wheels around an issue that seems to me  
16 to be pretty evident and that is there's going to be  
17 a certain amount of that loading dock that is not  
18 screened from eye level, a person walking the street  
19 and it's not going to be screened from somebody  
20 looking out of a second story window. We can have  
21 some -- maybe sometime there can be a stipulation as  
22 to how much of it is not screened. It seems to me  
23 that it's impossible to screen the loading dock 100  
24 percent and the question is whether it's screened 80  
25 percent, 85 percent, 70 percent or whatever -- so  
26 assuming there's evergreens planted it's going to be

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1 screened as depicted in the artist's rendering, but  
2 I for one have to accept that there will be a  
3 portion of the loading dock that is not screened.

4 If that's Mr. Watson's point, I accept  
5 it.

6 MR. WATSON: I have no further  
7 questions.

8 CHAIRPERSON REID: I think we had  
9 another question from the party. Ms. Tyler --

10 MS. PRUITT-WILLIAMS: Madam Chair, Ms.  
11 Tyler and --

12 CHAIRPERSON REID: Come forward if you  
13 are a party in this case.

14 MS. PRUITT-WILLIAMS: You have to speak  
15 into the mike.

16 CHAIRPERSON REID: Give your name and  
17 address, please.

18 MS. TYLER: Ma'am, I have a point of  
19 clarification first. I understand from the  
20 Executive Director, Ms. Pruitt, that we will be able  
21 to comment on the items that are represented today  
22 that were new in addition to cross examining, that  
23 we would be able.

24 CHAIRPERSON REID: Correct.

25 MS. TYLER: Thank you very much. So for  
26 the moment probably my cross examination will thus

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1 be very limited, but just let me ask one question,  
2 thank you, ma'am.

3 Do the gentlemen realize that our  
4 opposition regarding the loading dock was very  
5 important in terms of the site, but that was only  
6 one important point. Do these gentlemen realize  
7 that our opposition to the loading dock has been on  
8 the basis of the very disruptive traffic and --

9 CHAIRPERSON REID: This should be posed  
10 in the form of a question. No testimony, just ask a  
11 question.

12 MS. TYLER: Do these gentlemen realize  
13 that our opposition has been on the basis of the  
14 most -- as we have already presented and as we will  
15 continue to present today in follow-up --

16 MS. PRUITT-WILLIAMS: What's the  
17 question, Ms. Tyler?

18 MS. TYLER: That it is based on the very  
19 disruptive traffic that will be created.

20 CHAIRPERSON REID: I will allow that,  
21 just please, give us the question.

22 MS. TYLER: I would like to have a yes  
23 or no. That was the most important --

24 CHAIRPERSON REID: All right.

25 MS. PRUITT-WILLIAMS: Ms. Tyler, we  
26 haven't gotten to traffic yet.

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1 MS. TYLER: Do you realize that because  
2 you said that --

3 CHAIRPERSON REID: Ms. Tyler, do you  
4 want to ask it of these witnesses or do you want to  
5 wait for the traffic, transportation experts?

6 MS. TYLER: Well, I would like to ask  
7 both because --

8 CHAIRPERSON REID: Okay, can you answer  
9 the question, please?

10 MR. PYSKACEK: Yes.

11 CHAIRPERSON REID: Next question.

12 MS. TYLER: The next question I will  
13 address in my statement. There was a statement made  
14 by one of these gentlemen, I think the one from  
15 Texas that the -- in reply to a question by the  
16 Board that the present changed facade is in  
17 conformity with the buildings that are non-  
18 university. And the answer was yes.

19 Does he realize what is across the  
20 street from 24th Street? Does he realize that we  
21 presented evidence from the Foggy Bottom Historic  
22 District and I will come back to that in a follow-  
23 up in order to address this particular question.

24 MR. BARRICK: Yes, we are aware of what  
25 is around the facility and we feel we're in context  
26 with generally what is around that facility, yes.

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1 MS. TYLER: Therefore, ma'am --

2 MR. WATSON: I have an objection. The  
3 witness previously testified that he was not aware  
4 as to what was across the street from the facility.

5 MS. TYLER: There is an inconsistency.  
6 May I ask the question that on the one hand this  
7 witness stated that it will be in conformity with --

8 CHAIRPERSON REID: Direct your question  
9 specifically.

10 MS. TYLER: On the one hand -- my  
11 question is, on the one hand he stated --

12 CHAIRPERSON REID: Not "he" -- you.

13 MS. TYLER: My question is the  
14 following. On the one hand he refuses a question -  
15 -

16 CHAIRPERSON REID: No, no. It has to be  
17 posed to him in a form of a question.

18 MS. TYLER: I'm not an attorney. That's  
19 the last thing I am.

20 CHAIRPERSON REID: Ask directly of him.

21 MS. TYLER: Okay, how could you state,  
22 Mr. Barrick, that this building will be in  
23 conformity with non-university buildings when you  
24 are not able to answer the question of our attorney  
25 and state what is opposite the loading dock, for  
26 example?

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1 MR. BARRICK: I believe we stated that  
2 already in previous testimony and we did not choose  
3 to testify again.

4 CHAIRPERSON REID: All right, Ms. Tyler.

5 MS. TYLER: All right, we will then  
6 follow up in our follow up testimony. Thank you.

7 MS. BECKER: I'm Ellie Becker of the  
8 Foggy Bottom Association. I first of all appreciate

9 --

10 CHAIRPERSON REID: You are a party?

11 MS. BECKER: Yes.

12 CHAIRPERSON REID: Give your address.

13 MS. BECKER: 2520 I Street, Northwest.

14 I would first like to be given the opportunity to  
15 look at the rendering which supposedly shows loading  
16 dock and the hedges. We were not able to see that.

17 MR. BARRICK: It's right there.

18 (Pause.)

19 MS. BECKER: My question has to do with  
20 I think I understood that there will be a hedge to  
21 the south of this building which would be to the  
22 north of the pedestrian mall. Is that correct?

23 MR. BARRICK: A hedge?

24 MS. BECKER: A hedge of some kind.

25 MR. BARRICK: There will be landscaping,  
26 yes.

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1 MS. BECKER: Do you -- what do you have  
2 in mind as to the height and depth of that? It  
3 doesn't really show on these.

4 MR. BARRICK: That was previously  
5 submitted in earlier testimony. We submitted a  
6 landscape plan that was prepared by a local  
7 landscape architect.

8 MS. BECKER: I don't believe that was  
9 provided to me. So the question is if there is  
10 landscaping and/or hedging to the north of the  
11 pedestrian mall, say the south of the building to  
12 hide the loading dock, is it -- did anybody take  
13 into account the security measures for people using  
14 that pedestrian mall?

15 MR. BARRICK: Yes.

16 MS. BECKER: Thank you. I'm looking  
17 forward to it not be enough to hide somebody because  
18 it's a very --

19 CHAIRPERSON REID: Testimony.

20 MS. BECKER: Sorry.

21 CHAIRPERSON REID: That's the end of  
22 this particular segment of cross examination.

23 MR. MOORE: Madam Chair, I would then  
24 bring my -- if you want to continue?

25 CHAIRPERSON REID: Yes.

26 MR. MOORE: I would call Lou Slade and

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1 Byron Wills to talk about transportation and  
2 parking.

3 CHAIRPERSON REID: Gentlemen who had  
4 come up earlier and requested party status, single  
5 member district, the ANC, yes, single member  
6 district, just allow me to talk to him about his  
7 status.

8 My understanding is that as a single  
9 member district representative you were not able to  
10 come to the hearing in January?

11 MR. MANDELBAUM: I was not sworn in at  
12 that time, so I was not a member of the Commission.

13 CHAIRPERSON REID: Were you here?

14 MR. MANDELBAUM: No, I was not.

15 CHAIRPERSON REID: Okay, but you could  
16 have been.

17 MR. MANDELBAUM: I was not aware that  
18 this hearing was taking place on that date. I just  
19 in early January, January 5th --

20 CHAIRPERSON REID: Nonetheless, the  
21 understanding is that you do not at this time have  
22 party status.

23 MR. MANDELBAUM: That is correct.

24 CHAIRPERSON REID: And we could not  
25 grant you party status, however, you can, based on  
26 the testimony that's given here today regarding the

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1 supplemental information that's here, testify or  
2 question the witness.

3 MR. MANDELBAUM: Okay.

4 CHAIRPERSON REID: Not questioning, I  
5 mean you can testify as a witness based on the  
6 proceedings here today. You would be allowed to do  
7 that.

8 MR. MANDELBAUM: Okay.

9 CHAIRPERSON REID: You just would not be  
10 allowed to cross examine, that's all.

11 MR. BERGSTEIN: We just need to clear it  
12 up at this time, sir, because normally a party would  
13 at this point be able to cross examine those  
14 witnesses. So at this point the chair has ruled  
15 that you won't be given party status which means  
16 that you won't have the opportunity to cross examine  
17 and when witnesses are called that will be your  
18 opportunity to give the testimony that's going to be  
19 permitted.

20 CHAIRPERSON REID: You can give it to  
21 Tony and you can submit the written, your written  
22 report for the record.

23 MR. WATSON: So that I am clear, is the  
24 ruling that any member of the public can speak as a  
25 witness?

26 A witness is a witness for a party or as

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1 a member of the public. He's not been indicated as  
2 a witness for a party. He asked for party status  
3 himself. I am assuming then the ruling is that any  
4 member of the public can appear as a witness with  
5 regard to the supplemental material?

6 MR. BERGSTEIN: If there are witnesses  
7 that were pre-identified at the beginning of this  
8 hearing, those are the witnesses who can testify  
9 with respect to the supplemental material. In this  
10 case, you are permitting this individual to also  
11 testify, but only with respect to the supplemental  
12 material.

13 MR. WATSON: Pardon me, but I don't  
14 understand what pre-identified means.

15 CHAIRPERSON REID: Those that testified  
16 previously in the hearing segments that we had,  
17 those witnesses.

18 MR. BERGSTEIN: The question is do you  
19 wish to allow anyone who wishes to testify today,  
20 but only with respect to the supplemental materials  
21 that are being presented to testify or with the  
22 exception of this particular witness do you want to  
23 limit the witness testimony to those persons who had  
24 testified previously int his proceeding?

25 CHAIRPERSON REID: Yes.

26 MR. MOORE: Madam Chair, I would agree

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1 with the ruling that you just made. This has been a  
2 long process. This application, these applications  
3 were filed the 20th of July. Any person or party  
4 has had full opportunity to present their views to  
5 the Board.

6 To the extent that Mr. Mandelbaum is  
7 here today and he is a new ANC Commissioner who  
8 wants to testify in support, we would very much  
9 support him, the Chair ruling that his testimony can  
10 be placed in the record and the Board would take due  
11 note of that. But this case needs to be decided and  
12 there are a number of people in the room which we  
13 brought which are in support of the application and  
14 these are not only residents of the area, but also  
15 people who work in the hospital and I assume there  
16 are people who would like to testify today in  
17 opposition to this application.

18 My understanding is that this hearing  
19 was very limited, that it was the ruling of the  
20 chair and I would urge the chair to keep the witness  
21 list to those who are -- have already testified  
22 today and those who are parties and the issues that  
23 are before this Board today, today, are those  
24 relating to design and those relating to parking and  
25 transportation as it relates to the DPW study.  
26 That's all. We need to move on.

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1 CHAIRPERSON REID: Mr. Moore, thank you  
2 very much. I had not finished.

3 MR. MOORE: I'm sorry.

4 CHAIRPERSON REID: But no, today is  
5 exactly that. It is for the purpose of looking at  
6 the supplemental information that's been presented  
7 to us and those persons who have already testified  
8 as witnesses will be given an opportunity to  
9 testify, testify on the supplemental information  
10 that's been submitted only. The exception is for  
11 this gentleman who was not here before because he is  
12 an ANC single member district representative to  
13 testify at the time of witness testimony and that's  
14 an exception, the only exception.

15 MR. MOORE: I would cede my time to Mr.  
16 Mandelbaum.

17 MR. MANDELBAUM: My name is Steve  
18 Mandelbaum. I'm the Commissioner --

19 CHAIRPERSON REID: No, no --

20 MR. WATSON: I object to this process.

21 CHAIRPERSON REID: Mr. Moore, he will be  
22 brought back up. Not at this time.

23 DIRECT EXAMINATION

24 MR. MOORE: Sir, would you state your  
25 name for the record?

26 MR. SLADE: My name is Louis Slade. I

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1       reside at 3500 Cresada Street.

2                   MR. MOORE:   And you've been sworn in and  
3       recognized by the Board as an expert and you have  
4       done detailed traffic and pedestrian studies of this  
5       application?

6                   MR. SLADE:   Yes, I have.

7                   MR. MOORE:   Sir, would you identify  
8       yourself?

9                   MR. WILLS:   I'm Byron Wills.

10                  MR. MOORE:   Are you employed, sir?

11                  MR. WILLS:   Yes.

12                  MR. MOORE:   How are you employed?

13                  MR. WILLS:   With George Washington  
14       University.

15                  MR. MOORE:   In what capacity?

16                  MR. WILLS:   I'm the program manager for  
17       the parking operations.

18                  MR. MOORE:   You're in charge of parking  
19       operations for the hospital?

20                  MR. WILLS:   I am.

21                  MR. MOORE:   And you have been sworn in?

22                  MR. WILLS:   I have been sworn in.

23                  MR. MOORE:   Mr. Slade, do you have  
24       testimony for us today?

25                  MR. SLADE:   Yes, I do.

26                  MR. MOORE:   Will you give it, sir.

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1                   MR. SLADE: Madam Chair, members of the  
2 Board, I'm pleased to be here today. I'm going to  
3 cover two points and I'll try to be as concise as I  
4 can. The first is that at our January 5th hearing,  
5 you directed us to meet with DPW to work with them  
6 to develop a consensus on how the hospital entrances  
7 should be located and operated. And subsequent to  
8 that we had three meetings with DPW and I wanted to  
9 briefly go over the substance of those meetings and  
10 the participants in these meetings.

11                   First of all, they were work sessions in  
12 that meeting. They were lengthy and there was an  
13 effort for everyone to roll up their sleeves to  
14 insure that we found ways to make this project work  
15 well from a standpoint of its impact.

16                   The first meeting, the major substance  
17 of the meeting involved the owner and the architect,  
18 we were present, discussing the internal workings of  
19 the hospital and how the three driveways, the main  
20 entrance, the emergency room driveways and the  
21 loading dock related to internal workings of the  
22 hospital and how the grades of the streets affected  
23 how those driveways had to be located.

24                   This was a lengthy presentation to  
25 members of DPW so they would have an understanding  
26 of how these driveways had to relate to one another

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1 internally. We also expressed at that meeting that  
2 we thought that the results of the internal  
3 configuration which dictated the location of the  
4 driveways was fortunate, because it led to locating  
5 the three driveways in the most logical locations  
6 for this site, that the main entrance where most  
7 pedestrians would enter the hospital, either having  
8 arrived by automobile or by Metro, would be near the  
9 Metro Station. The front door of this hospital has  
10 to be at the Metro Station. The existing hospital  
11 is very dependent on Metro, both for patients as  
12 well as employees of the hospital.

13 Secondly, the emergency room driveway  
14 had to be at Washington Circle. That is where the  
15 ambulances coming to the emergency room come from  
16 and we offered and later this was part of a  
17 subsequent meeting that Captain Blaylock from  
18 Emergency Medical Services would be glad to come and  
19 talk to DPW about that aspect. This left the  
20 loading dock in the corner of the hospital, you just  
21 heard testimony about, and there are two things  
22 about the loading dock in that location. One is  
23 that of all the sidewalks around this hospital, this  
24 is where the least amount of pedestrian traffic is.  
25 Secondly, there is an opportunity with the  
26 triangular island at the intersection to do some

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1 buffering of the visible impacts of the loading  
2 dock.

3 So that first meeting the result of the  
4 meeting was an understanding on DPW's part about why  
5 these driveways were fixed where they were located.  
6 And it was agreed that we would proceed with  
7 additional work sessions to talk about how those  
8 driveways could be made as workable and as safe as  
9 possible and it would be two parts to that. Number  
10 one was, as I mentioned, Captain Blaylock would come  
11 to a subsequent meeting to talk about the emergency  
12 room driveway from his viewpoint and the second part  
13 was that we would work with the hospital team to  
14 identify measures that could be taken in the design  
15 of these driveways to create as safe an environment  
16 for pedestrians and motorists as possible.

17 We then proceeded to have two more work  
18 sessions. These were all at DPW. One of the work  
19 sessions involved Captain Blaylock. He confirmed  
20 that --

21 MR. WATSON: I object to the testimony  
22 of Captain Blaylock being put on this record. I  
23 object to any testimony of Captain Blaylock being  
24 put in through this witness. Captain Blaylock is an  
25 official of the District of Columbia Fire  
26 Department. This Board has requested the Fire

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1 Department for their comments. To my knowledge,  
2 this is something in addition to their comments and  
3 I object to the attempt to include a purported  
4 expert through someone else's testimony.

5 CHAIRPERSON REID: Sustained.

6 MR. SLADE: I'm sorry, Madam Chair.

7 CHAIRPERSON REID: Sustained. Please  
8 continue.

9 MR. SLADE: At one of the subsequent  
10 meetings, discussed the location of the emergency  
11 room. Captain Blaylock was present at that meeting.  
12 There was discussion at the meeting about how we  
13 would propose emergency room operate with traffic  
14 entering from New Hampshire and exiting on 23rd. As  
15 a result of statements made by Captain Blaylock and  
16 discussions among the participants of the party --

17 MR. WATSON: I object --

18 MR. SLADE: It was agreed --

19 MR. WATSON: I object. Again, we're  
20 putting in --

21 MS. PRUITT-WILLIAMS: Mr. Watson, the  
22 chair already ruled on that.

23 MR. SLADE: Madam Chair, I often have to  
24 collaborate with experts in the city on matters.  
25 This is how we get things done so they work well in  
26 the city.

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1 CHAIRPERSON REID: The objection as  
2 stated on the record is statements made by Captain  
3 Blaylock without his testimony to corroborate that.

4 MR. SLADE: Very well. I was present at  
5 a discussion where Captain Blaylock was present.  
6 There was input to that discussion by all members  
7 present. The consensus was that the emergency  
8 entrance was at the right location and that if the  
9 entrance was operated with traffic entering from  
10 23rd Street and exiting on New Hampshire it would be  
11 equally acceptable to Emergency Medical Services and  
12 would have the potential of creating a safer  
13 pedestrian environment than the original proposal.

14 MR. WATSON: I don't mean to be  
15 disruptive, but I don't know how many times I can  
16 say that I don't think we should hear on the record  
17 what's accepted to Emergency Medical Services.  
18 They're available. They can testify.

19 CHAIRPERSON REID: Mr. Watson, at this  
20 juncture, the witness is simply giving us  
21 information as to the discussion at that particular  
22 meeting without citing anyone in particular, so I  
23 don't see anything wrong with that.

24 MR. WATSON: He cited an official body  
25 of the District of Columbia and said they agreed to  
26 it.

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1                   CHAIRPERSON REID: That particular -- we  
2 had eliminated or we had stopped in him from citing  
3 specifically a quote from Mr. Blaylock. And he is  
4 just at this juncture giving us information about  
5 the course of that particular meeting, without  
6 citing specifically or quoting anyone there.

7                   MR. MOORE: Just for the record, Madam  
8 Chair, I would just add that what the witness, my  
9 view of what the witness says, the witness said  
10 there was consensus at the meeting and he stated  
11 what the consensus is. That is his opinion, not  
12 Captain Blaylock's testimony.

13                   CHAIRPERSON REID: I understand that.

14                   MR. SLADE: The other matters brought up  
15 at the two, the second meeting and the third meeting  
16 had to do with additional data. We offered to  
17 compile additional data to address any of the  
18 questions which DPW had. DPW was in the process of  
19 collecting their own data and they chose to follow  
20 that route. However, they did agree that it would  
21 be useful for us to provide videotape of traffic  
22 conditions around the cite during a weekday and we  
23 did provide that videotape to them for their view.

24                   Finally, we as a result of working with  
25 the hospital team, we outlined a series of design  
26 and operational measures which the hospital is ready

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1 to commit to, to insure that the environment at  
2 these three driveways will be as safe as possible  
3 and I'll just summarize those very briefly.

4 At the loading dock, the hospital will  
5 have a loading dock management plan. There will be  
6 a manager present and the dock will operate within  
7 hours that are restricted between 7 a.m. and 6 p.m.

8 As someone else testified, the doors  
9 will be closed at all times except when a vehicle is  
10 entering or exiting the loading dock and that  
11 manager will be responsible for controlling that  
12 door.

13 All vendors to the hospital who must use  
14 the loading dock will be requested to use as small a  
15 truck possible and if tractor trailer trucks can be  
16 avoided, they will be avoided.

17 The sidewalk in front of the -- where  
18 the loading dock crosses the sidewalk and this will  
19 be true for all the driveways, that sidewalk will  
20 have a change in pattern or material to distinguish  
21 it from other sidewalk approaching the loading dock  
22 and the purpose of that is simply to make the  
23 pedestrian aware that they're entering an area where  
24 the driveway is crossing the sidewalk. Signs will  
25 also be used to alert pedestrians that they are  
26 approaching a driveway.

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1           A signal, flashing light, will be placed  
2           at the loading dock and will come on and flash a  
3           warning to pedestrians whenever the door is opened.  
4           This is simply to make pedestrians aware that the  
5           door is open is when of course a truck is using that  
6           driveway.

7           And then as others have testified, the  
8           loading itself, the operation will take place behind  
9           the closed loading dock doors and landscaping will  
10          be used to mitigate the visual impact of the loading  
11          dock.

12          In addition to those items at the other  
13          two driveways, signs and pavement change will also  
14          be used. The main entrance and all on 23rd Street,  
15          the Applicant will work with DPW to widen the  
16          sidewalks as much as possible. If you recall, there  
17          was concern about the inadequacy and the substandard  
18          sidewalks on the west side of 23rd Street and that  
19          will be changed with this project. And then a sign  
20          will be placed on New Hampshire Avenue indicating to  
21          motorists to not block the driveway so that when  
22          vehicles are coming out of the emergency room onto  
23          New Hampshire, they'll have a clear access out into  
24          the street.

25          I want to go back to the point about the  
26          videotape. We have used videotape on many projects.

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1 It's very useful to understand how traffic  
2 conditions change through the day. This particular  
3 videotape --

4 MR. WATSON: I object to discussion of  
5 the videotape which has not been made available to  
6 anyone else.

7 CHAIRPERSON REID: Sustained.

8 MR. SLADE: We submitted the videotape  
9 to DPW in response to their interest in seeing that.  
10 The videotape show traffic congestion during the  
11 peak commuter hour in the morning and in the  
12 afternoon and showed very low levels of congestion  
13 at other times of the day on both the 23rd Street  
14 and New Hampshire Avenue side.

15 MR. WATSON: I objection to the  
16 categorizations as I just indicated of the videotape  
17 which I believe you sustained. He's telling us now  
18 what it shows.

19 CHAIRPERSON REID: Mr. Slade, try to  
20 give testimony without going into details about the  
21 videotape in that we don't have it. We don't know  
22 specifically what's on it.

23 MR. SLADE: I'll move on.

24 CHAIRPERSON REID: Thank you.

25 MR. SLADE: The second topic I want to  
26 cover this morning is the campus parking plan.

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1 We've talked about this at previous hearings. Mr.  
2 Wills and I have been working on this plan and this  
3 plan will be submitted as part of the new campus  
4 plan which will come to the BZA at the end of the  
5 year.

6 At this time, the parking plan has been  
7 worked out in enough detail to assure that the  
8 parking requirements in the current campus plan can  
9 and will be met at all times over the next three  
10 years during the construction of the hospital and  
11 other projects which are taking place on the campus.

12 The campus plan requires that a minimum  
13 of 2700 parking spaces be maintained at all times on  
14 campus. The university parking operations have  
15 found several locations where additional capacity  
16 can be developed, and in fact, some of those  
17 locations have already been developed so that when  
18 the surface parking lots of the proposed hospital  
19 site are taken out of service, the supply of parking  
20 will remain above 2700 spaces.

21 Finally, in conclusion, Madam Chair and  
22 members of the Board, we have conducted extensive  
23 studies of pedestrian, vehicular, loading, parking  
24 effects of this proposal. You've challenged us.  
25 The community has challenged us. The community's  
26 expert has written a report which we've reviewed

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1 extensively and we've worked closely with DPW about  
2 all the concerns that have been raised by you and  
3 the community. I'm convinced as a result of this  
4 that we have very carefully tested every aspect of  
5 this project and that we have a project that will  
6 have impacts, but those impacts are well within  
7 acceptable standards and limit in an urban situation  
8 that we have here.

9 I think it's important to simply  
10 characterize the project from the traffic and  
11 parking standpoint to understand it. There's an  
12 existing hospital on the east side of 23rd Street.  
13 The new hospital will be on the west side of 23rd  
14 Street. The main entrance will be moved across the  
15 street. There will be no real change as a result of  
16 that main entrance, except we think a slight benefit  
17 because much of the traffic comes from the north  
18 approaching the hospital and it will make right  
19 turns into the main entrance now and then make right  
20 turns out to go to the parking facility where  
21 hospital visitors park and doctors and other staff.

22 So moving the main entrance across the  
23 street does not change things on 23rd Street, except  
24 that we're adding some driveways to that west  
25 sidewalk. We're proposing to widen the sidewalk to  
26 mitigate the effect of those driveways and assure

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1 that those a standard, greater than standard  
2 sidewalk for the heavy flow of pedestrians on that  
3 side of the street. We're placing the pedestrian  
4 entrance adjacent to the Metro Station. Today,  
5 pedestrians, and the majority of people to come to  
6 the hospital do so by Metro must cross 23rd Street.  
7 They won't need to cross 23rd Street with the  
8 hospital on the west side. All beneficial, all  
9 beneficial from the traffic and pedestrian and  
10 safety and operations standpoint.

11 We're moving the emergency room from a  
12 location on Washington Circle to another location  
13 adjacent to Washington Circle. The entrance will be  
14 on 23rd Street and everyone involved and who is  
15 concerned about this has expressed their opinion  
16 that this will work and that this is the right place  
17 for that emergency entrance.

18 We're locating a loading dock on the  
19 west side of the hospital adjacent to a  
20 neighborhood. At the present time, the driveway for  
21 the 265 parking spaces is located on New Hampshire  
22 Avenue, just a couple hundred feet north of where  
23 this loading dock is located, so we're replacing a  
24 driveway which generates the traffic that 265 car  
25 parking lot generates with a driveway which  
26 generates on average 27 truck trips a day, a radical

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1 decrease, it's a very significant decrease in the  
2 total vehicular traffic on that street.

3 I just realized I forgot to mention one  
4 of the measures that we're incorporated in the  
5 loading dock management plan and that is to work  
6 with DPW on a routine plan for trucks to and from  
7 that dock that use the streets that has a minimal  
8 impact on the community as possible.

9 CHAIRPERSON REID: Mr. Slade, you say  
10 that you're going to or you have?

11 MR. SLADE: That is part of the  
12 commitment, we believe we have the routing we've  
13 suggested at DPW and perhaps they can comment on  
14 that this morning. We're proposing that trucks  
15 approach the loading dock from the south on 24th  
16 Street, use the dock and then return in that  
17 direction after they leave the dock. We think  
18 that's the best location for the trucks to approach  
19 and depart from.

20 Finally, we're moving the parking that  
21 is on this site, adjacent to the neighborhood to the  
22 interior of the campus where it will serve the  
23 hospital very well. It's within visible site of the  
24 new main entrance to the hospital. Doctors,  
25 visitors and staff will be able to go to this  
26 parking facility which is an existing facility being

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1 expanded and walk a very short distance to the new  
2 hospital.

3 I think I've covered all the key points  
4 of what these changes mean from the traffic  
5 standpoint. There is a lot of traffic in this  
6 neighborhood. I've estimated that the traffic on  
7 the campus streets, including New Hampshire Avenue  
8 adjacent to the hospital site on an average weekday  
9 is 85 percent of the traffic is not generated at  
10 George Washington University or George Washington  
11 University Hospital. It is through traffic passing  
12 through this neighborhood. The sense that there's  
13 an enormous amount of traffic at this site is  
14 accurate during commuter peak hours because a lot of  
15 commuters must use these streets. When those  
16 commuter peak periods are over, in the middle of the  
17 day and in the evening, these streets are lightly  
18 used.

19 In my professional judgment, approval of  
20 this hospital project will not an adverse effect on  
21 neighboring properties from the standpoint of  
22 vehicular traffic, pedestrian traffic, parking and  
23 loading.

24 Thank you.

25 CHAIRPERSON REID: Thank you.

26 MS. PRUITT-WILLIAMS: Mr. Watson, the

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1 Board has the opportunity to question first, please.

2 MR. MOORE: Mr. Wills, in your capacity  
3 as the parking manager for George Washington  
4 University, you have studied these applications,  
5 have you not?

6 MR. WILLS: Yes, I have.

7 MR. MOORE: Will there ever be a time  
8 that the parking for the George Washington  
9 University falls below the 2700 required in the  
10 approved campus plan?

11 MR. WILLS: No, there will not.

12 MR. MOORE: Thank you. Please answer  
13 any questions from the Board.

14 MR. GILREATH: I have a question. The  
15 loading of these trucks coming in, is that going to  
16 occur during the day when rush hour, between morning  
17 rush hour and evening rush hour, the loading and  
18 unloading take place?

19 MR. SLADE: The loading dock is proposed  
20 to be open to accept trucks from 7 a.m. to 6 p.m.  
21 The scheduling of specific arrivals and departures  
22 will be made to avoid the peak period as much as  
23 possible. Some goods must be brought in early in  
24 the morning which are essential to the operation of  
25 the hospital, but that should be a relatively low  
26 number of trucks.

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1 MR. FRANKLIN: Mr. Slade, I had a  
2 question about that schedule as well. 6 p.m. is  
3 regarded as the cutoff for what reason?

4 MR. SLADE: I can't answer you, Mr.  
5 Franklin, because it's an internal hospital  
6 requirement. I think it has to do with the  
7 functions of the hospital and that there are things  
8 that need to be either delivered or picked up near  
9 the end of the regular work day.

10 MR. FRANKLIN: Well, perhaps I need an  
11 education as to why these hours were chosen. They  
12 seem to be coterminous with the time that we've been  
13 told that is the most heavy traffic in the area.  
14 Obviously, we don't want to have trucks there to  
15 interrupt people when they're asleep or what have  
16 you, but it seems to me 6 p.m. is the height of the  
17 rush hour.

18 MR. MOORE: Mr. Franklin, I have the  
19 administrator of the hospital here who has been  
20 sworn in as a witness and he can address your  
21 question.

22 MR. FRANKLIN: Mr. Schaengold

23 MR. MOORE: Yes, it's Mr. Schaengold.

24 MR. FRANKLIN: I think we need a little  
25 education as to what the demands are for these  
26 hours.

MR. SCHAENGOLD: The hours,

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1 first of all, I'm Philip Schaengold. I'm the Chief  
2 Executive Officer of the George Washington  
3 University Hospital. The hours of operation of the  
4 dock of 7 a.m. in the morning to 6 p.m. are sort of  
5 the general parameters of when the docks are open  
6 today.

7 We usually begin receiving some  
8 deliveries of material as early as 7 in the morning  
9 to correspond with our normal operations and  
10 staffing of the facilities. The 6 p.m. end date  
11 simply reflects the normal operations through half  
12 of the evening shift and there are occasions where  
13 last minute supplies, linen are either picked up or  
14 delivered by relatively small vans.

15 We do not anticipate a utilization of  
16 the dock by a large vehicle except but once a day  
17 and our goal would be to schedule it in the manner  
18 that does not conflict with the peak hours.

19 MR. FRANKLIN: In other words, you'd be  
20 willing to adhere to a program whereby the street  
21 was not blocked as such and I understand, am I  
22 correct that the only time there would be a  
23 necessary blockage of the street would be for the 18  
24 wheelers?

25 MR. SCHAENGOLD: That is correct.

26 MR. FRANKLIN: Is that correct, Mr.

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1 Slade?

2 MR. SLADE: Yes.

3 MR. FRANKLIN: And are you felling us  
4 that the deliveries in such vehicles would be  
5 limited to one a day, let's say, at a time that did  
6 not conflict with the peak congestion during the  
7 day. Is that what we're hearing?

8 MR. SLADE: Yes, that is what you're  
9 hearing. That first part is that there is a major  
10 vendor that must use large vehicles and at this  
11 point it looks like it will be a tractor trailer and  
12 that commitment to limit the number is it's one a  
13 day, sometimes two, but never more than two and two  
14 a day is very rare.

15 MR. FRANKLIN: And at what time?

16 MR. SCHAENGOLD: We will work with the  
17 vendor to insure that that occurs in off hours,  
18 meaning anything beyond the 7 to 9 o'clock period.  
19 They make a delivery pretty much to a number of  
20 institutions in the District. They come out of  
21 usually Maryland. We will work with them to insure  
22 that they don't come to our site at the peak morning  
23 hours.

24 They do not deliver beyond the  
25 mid-morning, midday period.

26 MR. FRANKLIN: Mr. Slade, if an 18

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1 wheeler comes and does have to block the street,  
2 with the redesign do they go in head first or do they  
3 go in back first?

4 MR. SLADE: They back in.

5 MR. FRANKLIN: They back in. Okay, so  
6 the heading out probably is not going to take very  
7 much time.

8 MR. SLADE: Right.

9 MR. FRANKLIN: On the backing in  
10 process, do you have an opinion as to how long that  
11 would take?

12 MR. SLADE: It's intended to be very  
13 brief. The vehicle will pull up to the loading area  
14 -- they're all to the curb. Puts flashers on. The  
15 dock attendant will open the doors and come out to  
16 insure that when the vehicle is backing that no  
17 pedestrian is put in harm's way. The vehicle then  
18 pulls forward into the -- alongside that island and  
19 then backs into the driveway. So it can very well  
20 be within a minute.

21 MR. FRANKLIN: Would you analogize to  
22 what happens on Connecticut Avenue and Porter Street  
23 when fire trucks have to back into the fire station  
24 on Connecticut Avenue.

25 MR. SLADE: Yes, of course some of those  
26 fire trucks are bigger.

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1                   MR. FRANKLIN: Longer. Do you have an  
2 opinion as to whether under this loading dock  
3 management plan, parking -- Mr. Watson raised  
4 earlier the question of whether parking adjacent to  
5 the loading dock on I guess it's 24th or New  
6 Hampshire, would be prudent?

7                   MR. SLADE: There will be some  
8 adjustment to on-street parking in the vicinity of  
9 the loading dock. We have not worked out the  
10 specific spaces that will be affected. That  
11 typically comes when the site --

12                   MR. FRANKLIN: Is that something within  
13 the purview of DPW?

14                   MR. SLADE: Yes.

15                   MR. FRANKLIN: So what you're  
16 representing is you think that in your opinion it  
17 might be necessary to prohibit parking within some  
18 distance from the loading dock at that point to  
19 allow for maneuverability?

20                   MR. SLADE: Yes. On a project like  
21 this, every curb parking space will be looked at to  
22 see what the proper ultimate location will be, both  
23 on the west side and the east side. And that's a  
24 step taken as the plans move into construction  
25 drawings.

26                   MR. FRANKLIN: I need a little education

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1 on this. You showed some photographs of other  
2 loading docks in the vicinity. Are those docks  
3 capable of handling the really large vehicles or  
4 does one -- when a loading dock is provided, is  
5 there any -- maybe I should put this to DPW folks,  
6 but the question is on the photographs we're seeing,  
7 are those loading dock likely to be visited by 18  
8 wheelers?

9 MR. SLADE: I think the answer is yes on  
10 maybe two of them, maybe two or three of them. Some  
11 are not designed for 18 wheelers.

12 MR. FRANKLIN: It does appear to me that  
13 those are not really capable of handling very large  
14 vehicles without some blockage of the street.

15 MR. SLADE: I think the package that you  
16 saw was primarily from the immediate neighborhood.

17 MR. FRANKLIN: Right.

18 MR. SLADE: And most of those do not  
19 handle 18 wheelers without having to encroach across  
20 the sidewalk.

21 MR. FRANKLIN: If you have a loading  
22 dock that is not as deep as the one you're  
23 proposing, is there any regulation that says that 18  
24 wheelers cannot deliver to those loading docks  
25 because of the street blockage problem? Or once you  
26 have a loading dock it just takes anyone who comes?

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1                   MR. SLADE: I don't know the answer to  
2                   that. The zoning ordinance is intended to provide  
3                   the right size loading docks for the use so that if  
4                   at least a relatively new building does not have a  
5                   loading dock that will handle an 18 wheeler, then  
6                   it's expected the 18 wheeler is only come to come  
7                   when furniture is being moved in or out of the  
8                   building or a major move is taking place. And that  
9                   is either handled by straddling the sidewalk or at  
10                  the curb by bagging meters or by some other means of  
11                  clearing the curb lane so that loading can take  
12                  place and materials are taken across the sidewalk.

13                  MR. FRANKLIN: Thank you.

14                  CHAIRPERSON REID: Mr. Slade, what are  
15                  the peak hours both in the morning and afternoon?

16                  MR. SLADE: Well, it's a long peak  
17                  period. Typically, I think this is typical of  
18                  downtown. The peak extends all the way from 7 a.m.  
19                  until 9 a.m. and then in the afternoon from 4 p.m.  
20                  to 6 p.m.

21                  CHAIRPERSON REID: So you're going to  
22                  try to have the morning hours, the peak hours, the  
23                  smaller vans and the other -- the larger vehicles  
24                  will be utilized when traffic is lighter. Is that  
25                  my understanding?

26                  MR. SLADE: That's correct.

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1 CHAIRPERSON REID: My other question is  
2 you mentioned that when the large truck is backing  
3 into the loading dock that it would be lights that  
4 would flash to warn pedestrians. Would there also  
5 be an audio signal beeping or something like that?

6 MR. SLADE: There could be. There could  
7 be for the hearing impaired.

8 MR. FRANKLIN: I think the trucks  
9 themselves are equipped with such beepers.

10 MR. SLADE: Audible when they're  
11 backing.

12 CHAIRPERSON REID: Yes, okay. We're  
13 going to take a short 5 minute break.

14 (Off the record.)

15 CHAIRPERSON REID: The hearing will  
16 please come to order. The hearing will please come  
17 to order.

18 MS. PRUITT-WILLIAMS: Excuse me, could  
19 the hearing please come to order?

20 CHAIRPERSON REID: We have a couple of  
21 housekeeping items. One is that those of you who  
22 are relying on the clock on the back of the wall, it  
23 has not been reset and the time is now 12 o'clock  
24 approximately. This hearing is supposed to draw to  
25 a close for today at 12:30, so we would ask that --  
26 try to expedite as much as we can. We understand

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1 that this hearing will be continued on April 22nd at  
2 9:30 a.m. Anyway that was already set, but we need  
3 to get through as much as we can possibly. For any  
4 witness that's testifying, you have three minutes.  
5 Parties have --

6 MS. PRUITT-WILLIAMS: Madam Chair,  
7 actually parties -- I thought it was 15 minutes.

8 CHAIRPERSON REID: It depends on the  
9 ANC. ANC will have 15 minutes.

10 MR. WATSON: I object to 15 minutes for  
11 the ANC. We will have over 3 hours of testimony by  
12 the Applicants and the ANC deserves at least an  
13 equivalent of time to respond.

14 MS. PRUITT-WILLIAMS: The Applicant is  
15 the person who has to do the burden of proof, sir,  
16 so they generally get a little bit more time.

17 MR. WATSON: I will state right now that  
18 in the event the ANC is limited to 15 minutes, we  
19 will raise on appeal the great weight has not been  
20 statutorily provided to the Advisory Neighborhood  
21 Commission.

22 CHAIRPERSON REID: We will take that  
23 into consideration. How much time do you think you  
24 need?

25 MR. WATSON: I don't know what is going  
26 to come from their further witnesses, but my

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1 estimate is that we have probably on the order to  
2 two to two and a half hours.

3 MR. MOORE: Madam Chair, I would point  
4 out that the time that we have been up here has also  
5 been lengthened by the examination and cross  
6 examination of ANC and all the parties.

7 Our direct testimony, if it were  
8 compacted, without those democratic interruptions  
9 would be about an hour.

10 CHAIRPERSON REID: Mr. Watson, I don't  
11 think that we're going to be able to do that today,  
12 anyway. We only have 30 minutes. So we will take  
13 that into consideration and perhaps extend you an  
14 hour.

15 MR. SLADE: Madam Chair, I'm finished.  
16 I just had two more comments to make. I think first  
17 of all it's important to note that every commercial  
18 building in the city of Washington and every large  
19 residential building has loading docks, have  
20 sidewalks, have sidewalks crossing those loading  
21 docks, so what we're proposing here with driveways  
22 crossing sidewalks is very common downtown and to my  
23 knowledge of working in my field here for about 28  
24 years, driveways crossing sidewalks are not a safety  
25 issue in the District of Columbia or any other major  
26 city.

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1                    Secondly, this site will be developed as  
2                    a hospital or similar use if we're not successful  
3                    here and it will be a large structure of this scale.  
4                    It will have loading requirements and therefore  
5                    loading docks will be provided. It would be  
6                    imprudent to put loading with backing trucks on a  
7                    major street like 23rd Street which carries about  
8                    fives times more traffic than the streets on the  
9                    west side of the site. So I would anticipate that  
10                   any building built on this site will have its  
11                   loading dock on the west side of the site.

12                   Thank you.

13                   CHAIRPERSON REID: Are you done?

14                   MR. MOORE: Yes. Questions of the Board  
15                   and/or cross examination.

16                   CHAIRPERSON REID: Mr. Franklin, are you  
17                   done with your questions?

18                   MR. FRANKLIN: Yes.

19                   CHAIRPERSON REID: Mr. --

20                   MR. GILREATH: I have no questions.

21                   CHAIRPERSON REID: Okay, Mr. Watson,  
22                   cross examine.

23                   CROSS EXAMINATION

24                   MR. WATSON: Mr. Slade, did you consider  
25                   the application with the Americans With Disabilities  
26                   Act in your planning?

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1                   MR. MOORE:  What does that have to do  
2 with the zoning case?

3                   MR. WATSON:  I would like him to answer  
4 the question.

5                   MR. MOORE:  You're going to answer my  
6 question first, Mr. Watson.

7                   MR. WATSON:  I didn't realize the other  
8 counsel could order me to do whatever.

9                   MR. MOORE:  Would you answer my question  
10 first?  What relevance does the Americans With  
11 Disabilities Act have before a zoning board?

12                   MR. WATSON:  Have I been asked a  
13 question by the Board?

14                   CHAIRPERSON REID:  You can answer that  
15 question.

16                   MR. WATSON:  The answer is very simple.  
17 The Americans With Disabilities Act require that for  
18 pedestrians that any visual impact which is given  
19 has to also been given by sound as well.  And I want  
20 to know whether or not they believe they will comply  
21 with the Americans With Disabilities Act and  
22 whenever their flashing lights are flashing for  
23 pedestrians, not for vehicles, when they are  
24 flashing for pedestrians, whether they are going to  
25 have an audible warning?

26                   CHAIRPERSON REID:  Mr. Watson, I asked

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1 that question and they responded to it that they  
2 would.

3 MR. WATSON: That wasn't clear that they  
4 would. They said they might. And I want to know  
5 whether they considered the Americans With  
6 Disabilities Act. It's a perfectly --

7 CHAIRPERSON REID: Answer the question,  
8 please.

9 MR. SLADE: The building will be  
10 designed to be in full compliance with ADA.

11 MR. WATSON: So you expect then that  
12 there will be audible warning?

13 MR. MOORE: Asked and answered.

14 MR. WATSON: Let us talk about how you  
15 expect this management plan to work with the  
16 flashing lights and audible warning. You indicated  
17 that the flashing lights at the loading dock will be  
18 on only when the loading dock is up, is that  
19 correct?

20 MR. SLADE: Yes.

21 MR. WATSON: How will the operator of  
22 the loading dock know when to raise the loading  
23 dock?

24 MR. SLADE: He'll observe the arrive of  
25 a truck and he'll raise the door for an arriving  
26 truck or when a truck is finished loading, he'll

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1 raise the door for that truck to leave.

2 MR. WATSON: Is it your testimony that  
3 the operation of the hospital will have a full-time  
4 person for the purpose of watching for trucks?

5 MR. SLADE: There will be a loading dock  
6 manager as there is today.

7 MR. WATSON: And that that person is  
8 that person on the loading dock at all times?

9 MR. SLADE: Yes.

10 MR. WATSON: And from what hours?

11 MR. SLADE: I don't know.

12 MR. WATSON: Well, then how do you know  
13 that he's there at all times if you don't know what  
14 hours --

15 MS. PRUITT-WILLIAMS: He answered that,  
16 Mr. Watson, that he didn't know.

17 MR. WATSON: What did you base your  
18 statement that he's there at all times?

19 MR. SLADE: The proposal is to have a  
20 full-time manager of the loading dock.

21 MR. WATSON: Full-time, does that mean 8  
22 hours a day?

23 MR. SLADE: The dock will be in  
24 operation from 7 a.m. to 6 p.m. --

25 MR. WATSON: That's how many hours?

26 MR. SLADE: It will include all of the

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1 hours of operation of the dock. It may go beyond  
2 that. I don't know if it will go beyond that.

3 MR. WATSON: What sort of commitment is  
4 the Applicant offering to insure that there's always  
5 a person in attendance?

6 MR. SLADE: I don't know what the nature  
7 of the commitment will be in terms of a legal  
8 document.

9 MR. WATSON: Is the loading dock the  
10 only place that there will be flashing lights?

11 MR. SLADE: Yes, I believe so.

12 MR. WATSON: Did you review the report  
13 filed by the Department of Public Works?

14 MR. SLADE: Yes.

15 MR. WATSON: What was the conclusion of  
16 the Department of Public Works?

17 MR. MOORE: Speaks for itself.

18 MR. WATSON: I asked -- he's an expert  
19 testifying that he has complied with the traffic  
20 plan. I'd like to know what the --

21 MR. MOORE: The report of the Department  
22 of Public Works speaks for itself.

23 MR. WATSON: Did you consider having  
24 flashing lights at the emergency entrances and exit?

25 MR. SLADE: I just don't recall at this  
26 moment.

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1                   MR. WATSON:  You're talking about the  
2                   traffic and warning pedestrians.  Will there be  
3                   flashing lights there?  Did you assume that there  
4                   would be flashing lights there?

5                   MR. SLADE:  We discussed a lot of  
6                   different options to make each driveway a safe  
7                   environment and I'm sure we talked about flashing  
8                   lights at that driveway as well, but I don't believe  
9                   that was in our final determination that that would  
10                  be provided at the emergency room.

11                  MR. WATSON:  Did you agree with the  
12                  consensus of the parties at your meetings?

13                  MR. SLADE:  Yes.

14                  MR. WATSON:  Did one of the parties at  
15                  your meeting state specifically that there would be  
16                  warning lights for pedestrians at the emergency  
17                  entrance and exit?

18                  MR. SLADE:  I'd have to look at the DPW  
19                  report which captures what that consensus was.

20                  MR. WATSON:  Let's go to the discussion  
21                  of what the main entrance of the hospital and the  
22                  functioning of traffic there.

23                  Where is the main entrance to the  
24                  hospital?

25                  MR. SLADE:  On 23rd Street.

26                  MR. WATSON:  And how does one approach

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1 that main entrance?

2 MR. SLADE: Either from the north or  
3 south on 23rd Street by car.

4 MR. WATSON: And is that a circular  
5 driveway or elliptical driveway?

6 MR. SLADE: Yes.

7 MR. WATSON: Is there any other entrance  
8 from the Metro level?

9 MR. SLADE: From the Metro level? I  
10 don't understand --

11 MR. WATSON: The exit of the Metro  
12 Station, is there an entrance there?

13 MR. SLADE: There's not a vehicular  
14 entrance other than the elliptical driveway.

15 MR. WATSON: Is there a patient entrance  
16 there?

17 MR. SLADE: There's a patient and  
18 visitor and staff entrance at the southeast corner  
19 of the building near the Metro Station.

20 MR. WATSON: Did you consider the flow  
21 of vehicles through the main entrance driveway?

22 MR. SLADE: Yes.

23 MR. WATSON: How many vehicles did you  
24 consider would go through at the peak time?

25 MR. SLADE: Well, we did traffic counts  
26 at the existing hospital and we assumed that the

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1 level would be the same with a slight amount of  
2 growth given that the hospital anticipates business  
3 will increase. But I don't remember the precise  
4 number. It's in our report.

5 MR. WATSON: You're telling me you have  
6 no recollection of numbers going through. Can you  
7 give us an approximate number?

8 MR. SLADE: I think it was in the range  
9 of 20 vehicles per hour.

10 MR. WATSON: Twenty vehicles per hour?

11 MR. SLADE: Yes.

12 MR. WATSON: Do you know how many  
13 patients are coming to this hospital per day?

14 MR. SLADE: No, I don't.

15 MR. WATSON: Do you know how many beds  
16 are in the hospital?

17 MR. FRANKLIN: Madam Chair, I would like  
18 to ask whether this is germane to what we have been  
19 devoting -- are there changes that have been  
20 testified to that are related to this?

21 MR. WATSON: It's going to cause a  
22 blocking of the emergency entrance.

23 MS. PRUITT-WILLIAMS: Changes in the  
24 number of beds before?

25 MR. WATSON: I'm not testifying.

26 MR. FRANKLIN: It strikes me that we're

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1 going over ground that we went over at the last  
2 hearing.

3 MR. WATSON: No, we're not because  
4 they've changed the location of the emergency  
5 entrance. The entrance is now --

6 MR. FRANKLIN: You're talking about the  
7 main entrance of the hospital.

8 MR. WATSON: That's right. The main  
9 entrance and we can proceed -- the main entrance is  
10 just to the south of the emergency entrance, to any  
11 extent that there's backup from the main entrance it  
12 will block the emergency entrance. We have had  
13 testimony here that --

14 MR. FRANKLIN: Why don't you ask that  
15 question? Will there be a backup?

16 MR. WATSON: Well, because --

17 MR. FRANKLIN: Or will there be  
18 blockage?

19 MR. WATSON: He apparently is indicating  
20 and I have to know what the basis of his answer is.  
21 He doesn't know how many patients are in the  
22 hospital.

23 If I can proceed further, you have  
24 indicated that you base this on your analysis of the  
25 existing main entrance.

26 Is there valet parking at the existing

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1 main entrance?

2 MR. SLADE: No.

3 MR. WATSON: Is there going to be valet  
4 parking at the new hospital?

5 MR. SLADE: No.

6 MR. WATSON: Your testimony is there  
7 will not be valet parking at the main entrance?

8 MR. SLADE: Correct.

9 MR. WATSON: Where is the closest  
10 parking, where is the closest parking to the current  
11 main entrance, the proposed main entrance, I'm  
12 sorry.

13 MR. SLADE: The closest parking to the  
14 proposed main entrance that is hospital parking?

15 MR. WATSON: Hospital parking.

16 MR. SLADE: It will be in the university  
17 parking garage, a half block to the east along I  
18 Street.

19 MR. WATSON: Is that further from the  
20 existing -- from that parking is from the existing  
21 hospital now?

22 MR. SLADE: It's slightly further than  
23 the surface lot that exists on the proposed hospital  
24 site.

25 MR. WATSON: Have you done any analysis  
26 as to the length of time that it takes for a patient

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1 to be discharged from a car or to enter a car from  
2 the hospital?

3 MR. SLADE: No.

4 MR. WATSON: Do you know how many cars  
5 are likely to be parked at any given time in the  
6 main entrance?

7 MR. SLADE: Based on our observations of  
8 the existing entrance, yes, it varies from zero to a  
9 few.

10 MR. WATSON: If a car was parked in the  
11 middle of the main entrance drive and was blocking  
12 the traffic proceeding through there and cars were  
13 behind it, how many cars could queue up behind that  
14 car before a car would block the sidewalk?

15 MR. SLADE: Perhaps one or two,  
16 depending on where the standing vehicle is located.

17 MR. WATSON: So that if a standing  
18 vehicle is located in the middle and two more cars  
19 arrive, the sidewalk will be blocked by cars coming  
20 in?

21 MR. SLADE: It could be. It rarely, if  
22 at all happens today, so it's unlikely to happen in  
23 the future.

24 MR. WATSON: But three cars arriving at  
25 the same time could do that.

26 Now if that car blocked the sidewalk and

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1 then cars went out into the street, how many cars  
2 could queue from the entrance to the main entry and  
3 the emergency entrance?

4 MR. SLADE: I don't know. I'd have to  
5 look at the plans and measure them.

6 MR. WATSON: You analyzed the parking  
7 going through this and you specifically analyzed the  
8 change in the emergency entrance. Was no  
9 consideration given to the possibility of a queue of  
10 cars?

11 MR. SLADE: It was definitely  
12 considered.

13 MR. WATSON: Well, if it was considered  
14 and you're testifying to your opinion, can I know  
15 what that's based on?

16 MR. SLADE: Yes, observation of existing  
17 hospital and what you're describing does not happen  
18 and will not happen.

19 MR. WATSON: Would you ever have as many  
20 as six cars arriving at the same time?

21 MR. SLADE: No.

22 MR. WATSON: You would never have six  
23 cars arriving at the hospital?

24 MR. SLADE: I'll never say never about  
25 traffic, but it's such a rare occurrence, that it  
26 doesn't have to be designed for.

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1 MR. WATSON: Now, how often would you  
2 have three cars arriving?

3 MR. SLADE: Very rarely. 20 in an hour  
4 means that there's rarely going to be three.

5 MR. WATSON: Now if I were to tel you,  
6 giving you a hypothetical as an expert, as an  
7 expert, I can give him a hypothetical. A  
8 hypothetical as an expert that there were going to  
9 be 100 patients admitted at the hospital per day and  
10 100 patients discharged from the hospital per day  
11 meaning that there were 200 patient trips. And when  
12 would you respect patient trips would come to the  
13 hospital?

14 MR. SLADE: They are scheduled  
15 throughout the day, admittance is a scheduled event.

16 MR. WATSON: That is a scheduled event.  
17 Are those likely to be scheduled between early  
18 morning and late afternoon?

19 MR. SLADE: Yes.

20 MR. WATSON: So that would cover maybe a  
21 10 hour period?

22 MR. SLADE: Yes.

23 MR. WATSON: So if I were to tell you  
24 that there were going to be 100 admitted and 100  
25 discharged, how many vehicles would you expect to  
26 come per hour from patients alone?

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1 MR. SLADE: I don't have an estimate of  
2 that.

3 MR. WATSON: If each patient comes in  
4 one car and there are 200 trips, how many cars is  
5 that?

6 MR. SLADE: Some patients come by Metro.

7 MR. WATSON: Did you do any analysis of  
8 how many patients who are being admitted to the  
9 hospital come by Metro?

10 MR. SLADE: No.

11 MR. WATSON: As a traffic expert, do you  
12 expect that very many patients come to be admitted  
13 to a hospital by Metro?

14 MR. SLADE: I don't use the term "very  
15 many" in my analysis. I don't know the number.

16 MR. WATSON: Do you expect that more  
17 than 1 or 2 percent of patients coming to be  
18 admitted to a hospital would come by Metro?

19 MR. SLADE: I do expect it would be  
20 greater than 1 or 2 percent.

21 MR. WATSON: And what percentage do you  
22 expect would come by Metro.

23 MR. MOORE: Asked and answered.

24 MR. WATSON: I asked him what  
25 percentage.

26 MR. MOORE: Greater than 1 or 2 percent.

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1 MR. WATSON: I asked what percentage  
2 greater. We could get much quicker if we weren't  
3 playing shell games.

4 MR. SLADE: I don't have a precise  
5 estimate, Mr. Watson. You're asking a difficult  
6 question. I'm simply saying that it is not  
7 insignificant.

8 MR. WATSON: What do you mean by  
9 insignificant? If very many has no meaning, what  
10 does insignificant mean?

11 MR. SLADE: Greater than 1 or 2 percent.

12 MR. WATSON: How much greater?

13 MR. SLADE: I said I don't know. I  
14 don't want to venture a guess --

15 CHAIRPERSON REID: Next question, Mr.  
16 Watson.

17 MR. WATSON: What did you use for your  
18 estimate of number of people coming to the hospital  
19 by vehicle if you don't know how many come --

20 MR. SLADE: We counted the number of  
21 cars which come to the existing hospital.

22 MR. WATSON: And when did you count  
23 them?

24 MR. SLADE: During the peak hours during  
25 summer last year.

26 MR. WATSON: And what are the peak

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1 hours?

2 MR. SLADE: The peak commuter hours, we  
3 probably started our counts at 6:30 in the morning  
4 and went through 9:30 in the morning, typically  
5 covering a 3 hour period to insure we'd cover the  
6 commuter peak and then we typically would start  
7 around 3:30 in the afternoon and go to 6:30 in the  
8 afternoon.

9 MR. WATSON: Mr. Slade, does the  
10 commuter peak, that is people going to jobs, have  
11 anything whatsoever to do with what time people  
12 arrive as patients at hospitals?

13 MR. SLADE: No, but it has --

14 MR. MOORE: Do you know the answer?

15 MR. SLADE: Yes. It has to do with  
16 doing a traffic study.

17 MR. WATSON: We are doing a traffic  
18 study of the number of cars that go through the  
19 driveway.

20 MR. SLADE: No, we're not.

21 MR. WATSON: I asked you how many people  
22 would go through --

23 MR. SLADE: No, you asked me when I did  
24 my traffic count. And I told you and I'm telling  
25 you why.

26 MR. WATSON: You did your traffic count

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1 then. I am asking you again how many will go  
2 through the driveway to the main entrance of the  
3 hospital?

4 MR. SLADE: And I said that I -- based  
5 on our counts the peak hour traffic is typically in  
6 the range of 20 or less vehicles.

7 MR. WATSON: Is that peak hour in the  
8 hospital driveway or the peak hour in the street?

9 MR. SLADE: Based on my observations of  
10 the street and when I'm there during off peak  
11 periods, the range that I've indicated, I think is  
12 typical throughout the day.

13 MR. WATSON: Did you do any counts  
14 throughout the day in the driveway?

15 MR. SLADE: We did videotaping and I  
16 observed the videotapes.

17 MR. WATSON: Did you do any actual  
18 counts in the driveway?

19 MR. SLADE: Yes.

20 MR. WATSON: And when did you do this?

21 MR. SLADE: During the peak periods,  
22 commuter peak periods.

23 MR. WATSON: Have you reviewed the  
24 revised drawings submitted by the Applicant?

25 MR. SLADE: Yes. I have seen the  
26 revised drawings.

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1 MR. WATSON: What's your interpretation  
2 as the reason why the drawings don't show the  
3 direction that the traffic is going through the  
4 emergency entrance?

5 MR. SLADE: I think it was inadvertent.

6 MR. WATSON: You think it was  
7 inadvertent on two different drawings?

8 MR. SLADE: Yes.

9 MR. WATSON: And what leads you to  
10 believe this?

11 MR. MOORE: Where are we going with  
12 this, Mr. Watson? The drawings show the height and  
13 mass of the hospital.

14 MR. WATSON: If we're having Mr. Moore  
15 testify, the Board can look itself. The drawings  
16 originally show the direction of the traffic. The  
17 drawings show the direction of the traffic for each  
18 of the other entries --

19 CHAIRPERSON REID: Mr. Watson, remember  
20 now, you asked the question and he thought it was  
21 inadvertent and that's the answer.

22 MR. WATSON: I asked him what the basis  
23 was for him thinking it was inadvertent.

24 CHAIRPERSON REID: Then you were  
25 testifying.

26 MR. WATSON: I am asking what the basis

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1 is for him thinking --

2 CHAIRPERSON REID: Can you answer that,  
3 Mr. Slade?

4 MR. WATSON: What is the basis for your  
5 thinking it's inadvertent?

6 MR. SLADE: It's just an assumption that  
7 I made. The purpose of the drawings was to show the  
8 height and mass of the buildings and not to be a  
9 traffic drawing.

10 MR. WATSON: But you said you relied on  
11 it for your traffic study.

12 MR. SLADE: No, I didn't rely on the  
13 drawings from my traffic study.

14 MR. WATSON: What side of the street do  
15 Americans normally drive on?

16 MR. SLADE: Is this a trick question,  
17 Mr. Watson?

18 MR. MOORE: This is absolutely absurd.

19 MR. WATSON: It is not absurd.

20 CHAIRPERSON REID: Mr. Watson, I think  
21 we all know the answer to that question. We know  
22 that. Let's move on.

23 BY MR. WATSON: Is it they keep to the  
24 right?

25 MR. SLADE: Yes, it is.

26 MR. WATSON: What side will they keep to

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1 when they come into the emergency entrance of your  
2 hospital?

3 MR. SLADE: They'll keep to the right.

4 MR. WATSON: Are you telling me that the  
5 patient coming into the hospital sitting in the  
6 passenger seat of an automobile will keep to the  
7 right of a two lane entrance, get out the passenger  
8 side and then have to cross two lanes of entrance  
9 ahead of the vehicle they came in?

10 MR. SLADE: I'm not sure I followed you,  
11 Mr. Watson. Are you talking about within the  
12 emergency room driveway itself?

13 MR. WATSON: Within the emergency room,  
14 let's back up. How many lanes are there coming into  
15 the emergency room driveway?

16 MR. SLADE: It's roughly two lanes wide.

17 MR. WATSON: What do you mean by  
18 "roughly two lanes"? You're a traffic expert. How  
19 many lanes come in?

20 MR. SLADE: It's not striped to be a  
21 number of lanes. It's 20 some feet wide. It's a 24  
22 foot lane.

23 MR. WATSON: Are there pillars down the  
24 middle?

25 MR. SLADE: I think so, yes.

26 MR. WATSON: Well, there are pillars

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1 down the middle that strikes me as somewhat more  
2 extreme than striping. How many lanes are there on  
3 either side of the pillars?

4 MR. SLADE: I'd have to look at the plan  
5 to answer your question.

6 MR. WATSON: Let's show you the plan  
7 here.

8 (Pause.)

9 MR. WATSON: Can you tell me from that  
10 plan how many lanes there are coming in to the  
11 emergency entrance?

12 MR. SLADE: It's a travel way that's all  
13 northbound and it's divided by columns --

14 MR. WATSON: How do you know it's  
15 northbound.

16 MR. MOORE: How many questions are you  
17 going to ask? Would you let him answer the first  
18 question without asking another question, Mr.  
19 Watson?

20 What is your question? What is the  
21 question on the table?

22 MR. WATSON: The question is how many  
23 lanes there were, but they answered they were  
24 northbound. Gratuitously, I want to know how he  
25 knows they're northbound.

26 MR. SLADE: I should say west and

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1 northbound, northwest bound and it's divided by the  
2 placement of columns, so it's not necessarily  
3 intended to be lanes, but it's two lanes.

4 MR. WATSON: There are two lanes?

5 MR. SLADE: Yes.

6 MR. WATSON: When someone drives into  
7 that emergency entrance, will they keep to the right  
8 or will they keep to the left?

9 MR. SLADE: They can go to the left or  
10 the right. They have that choice.

11 MR. WATSON: So you're saying there's  
12 nothing apparent which side they come into?

13 MR. SLADE: That's correct.

14 MR. WATSON: From drivers, particularly  
15 in emergency situations, do you believe this  
16 presents any danger, that ambiguity as to which side  
17 of the lanes they keep on?

18 MR. SLADE: No, it doesn't make any  
19 difference. They're getting into the emergency area  
20 which is what their destination is.

21 MR. WATSON: When one is designing an  
22 entry to go in a particular direction, one normally  
23 indicates it. What gives you the indication in  
24 those drawings as to what the direction of traffic  
25 is?

26 MR. SLADE: The drawings don't give an

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1 indication.

2 MR. WATSON: What direction are the  
3 vehicles facing on the drawings?

4 MR. SLADE: They're facing eastbound.

5 MR. WATSON: Is that the proper  
6 direction or the improper direction?

7 MR. SLADE: Improper.

8 MR. WATSON: And was that inadvertence  
9 as well?

10 MR. SLADE: Yes.

11 MR. WATSON: Now when you are designing  
12 a loading space and designing for traffic to come in  
13 and go out, does it matter which direction the  
14 traffic is moving?

15 MR. SLADE: Yes.

16 MR. WATSON: And would you design  
17 differently if it's moving one way as opposed to  
18 moving another direction?

19 MR. SLADE: Yes.

20 MR. WATSON: When you examined the plans  
21 and the change of direction, did you inquire as to  
22 why the configuration was not changed at all?

23 MR. SLADE: No, I did not make that  
24 inquiry. The configuration is designed to function  
25 internally for emergency purposes and that's the  
26 primary --

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1 MR. WATSON: It also has to function,  
2 does it not, to move vehicles?

3 MR. SLADE: Yes.

4 MR. WATSON: That you're an expert on.  
5 Correct?

6 MR. SLADE: I thought that was a  
7 statement. You were giving me credit --

8 MR. WATSON: No. Is that correct.

9 CHAIRPERSON REID: It's a statement with  
10 a question.

11 MR. WATSON: I'll withdraw the question.

12 MR. SLADE: Okay.

13 MR. WATSON: You testified initially  
14 that this was a proper entrance and safe entrance  
15 for cars going from New Hampshire Avenue to 23rd  
16 Street, is that correct?

17 MR. SLADE: Yes.

18 MR. WATSON: Did you analyze the  
19 configuration of the space?

20 MR. SLADE: Yes.

21 MR. WATSON: You have now testified that  
22 this is a safe entrance to go from 23rd Street to  
23 New Hampshire Avenue, is that correct?

24 MR. SLADE: Correct.

25 MR. WATSON: Did you analyze the  
26 configuration?

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1 MR. SLADE: Yes.

2 MR. WATSON: Can you give to us the  
3 reasons why the configuration did not change in the  
4 slightest regardless of which way the traffic was  
5 going?

6 MR. SLADE: The configuration works in  
7 either direction.

8 MR. WATSON: Is it not true there that  
9 it has a wider space at one point when you were  
10 coming in from New Hampshire Avenue and going out  
11 23rd Street?

12 MR. SLADE: The driveways themselves  
13 where they connect to the two streets, New Hampshire  
14 and 23rd are restricted in width by the District of  
15 Columbia standards, so they're similar or they're  
16 identical in those portions.

17 Within the emergency area itself, the  
18 driveway has been widened to enable ambulances to  
19 maneuver into parking spaces, so it's the columns  
20 that are restricting where the internal curbs are.

21 MR. WATSON: On the drawing, where will  
22 the ambulances maneuver?

23 MR. MOORE: The drawings speak for  
24 themselves.

25 MR. SLADE: In the paved area, Mr.  
26 Watson.

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1 MR. WATSON: Again, if you could answer  
2 the question. I don't understand traffic.

3 MR. SLADE: They'll maneuver in the  
4 paved area which is between --

5 MR. WATSON: Where is the parking space?

6 MR. SLADE: There are two spaces shown  
7 in this drawing we're looking at and they're on the  
8 north portion of that driveway area. One shows a  
9 vehicle in one of the spaces.

10 MR. WATSON: Are they perpendicular to  
11 the driveway area?

12 MR. SLADE: Yes.

13 MR. WATSON: Now when you were going  
14 from New Hampshire Avenue to 23rd Street a vehicle  
15 would come in and make a 90 degree left turn between  
16 two columns into the parking spaces, is that  
17 correct?

18 MR. SLADE: Yes.

19 MR. WATSON: Would you describe for us  
20 the path that a vehicle will take coming in from  
21 23rd Street to get into one of those parking spaces?

22 MR. SLADE: The vehicle can come in on  
23 either side of the columns and if it comes in on the  
24 left side of the columns it will pull directly into  
25 a parking place. If it comes in on the right side  
26 of the columns, it would probably have to pull up

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1 along the parking spaces, back up a bit and pull in.

2 MR. WATSON: So you're saying the  
3 emergency room has been designed to require backing  
4 in and out of the parking spaces that's in the  
5 emergency facility?

6 MR. SLADE: It's not required. As I  
7 said, they can come in more directly.

8 MR. WATSON: Is it a more difficult task  
9 to get into the parking spaces with the reverse  
10 direction than it is with the previous direction?

11 MR. SLADE: No, when I reviewed it, I  
12 thought that the maneuvering was equal, that the  
13 change in direction made no essential difference to  
14 the actual function within the driveway area.

15 MR. WATSON: Well, do you have to make a  
16 turn greater than 90 degrees if you stick with  
17 staying on the right hand side as we do in general  
18 of the entrance?

19 MR. SLADE: If you stay on the right  
20 hand side of those two columns, you cannot pull  
21 directly into the parking space without backing up.

22 MR. WATSON: What angle is the term that  
23 is ultimately made, approximately?

24 MR. SLADE: It's beyond 90 degrees.

25 MR. WATSON: Is it well beyond 90  
26 degrees?

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1 MR. SLADE: Yes, it's probably 110 or  
2 more.

3 MR. WATSON: Is that thought of as an  
4 optimum situation in the emergency room?

5 MR. SLADE: I think given the site  
6 configuration, it's the best design possible.

7 MR. WATSON: I didn't ask about this  
8 site configuration. I asked whether that's  
9 considered optimum.

10 MR. SLADE: No.

11 MR. WATSON: And I believe you also  
12 testified it's not considered optimum to have  
13 choices of whether you bear to the right or the left  
14 when you come in?

15 MR. SLADE: No, I think having choices  
16 is necessary in an emergency area.

17 MR. WATSON: Now let's go back to your  
18 loading docks. You indicated to me that the vehicle  
19 would come forward and go past the loading dock and  
20 then back into it, is that correct?

21 MR. SLADE: Correct.

22 MR. WATSON: So a vehicle would go on  
23 New Hampshire Avenue, is that correct?

24 MR. SLADE: Yes.

25 MR. WATSON: Approximately what amount  
26 of time do you expect that it would take to go onto

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1 New Hampshire Avenue and back in?

2 MR. SLADE: What size vehicle are we  
3 talking about?

4 MR. WATSON: Well, let's start out with  
5 an 18 wheeler.

6 MR. SLADE: The vehicle pulls up to the  
7 curb in front of the loading dock. The loading dock  
8 manager opens the door and comes out. The vehicle  
9 pulls forward, stops and then backs into the  
10 driveway and the total operation that I just  
11 described could take more than a minute. Typically,  
12 I think it will take a minute or less.

13 MR. WATSON: Now let's go back to this  
14 line again. You're saying the truck drives up and  
15 stops there in front of the driveway, is that  
16 correct?

17 MR. SLADE: Yes.

18 MR. WATSON: And waits for the manger to  
19 come out?

20 MR. SLADE: Yes.

21 MR. WATSON: Now in the off chance that  
22 that manager at some time in the day might be on the  
23 telephone, is it possible that there could be a  
24 several minute wait there for the manger to come  
25 out?

26 MR. SLADE: This is one vendor. There's

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1 only one vendor that will come with an 18 wheeler  
2 and the manager will know pretty much time this  
3 vendor will arrive. In fact, the vendor will  
4 probably have a cell phone and will call in advance.  
5 So we anticipate that there won't be any delay at  
6 that point.

7 MR. WATSON: Is there any possible over  
8 the next 50 years the vendor may change?

9 MR. MOORE: Do you know the answer to  
10 that question?

11 MR. SLADE: I don't know.

12 MR. WATSON: But you've relied on the  
13 fact that it will be one vendor with one mode of  
14 operation?

15 MR. SLADE: We've described the current  
16 mode of operation.

17 MR. WATSON: Now that truck you say  
18 stops there. At some point the manager comes out,  
19 opens the doors, then the driver pulls forward and  
20 after that backs up again?

21 MR. SLADE: Yes.

22 MR. WATSON: And then pulls forward  
23 again?

24 MR. SLADE: Not necessarily.

25 MR. WATSON: Well, the 18 wheeler, can  
26 the 18 wheeler in one curve back up and go all the

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1 way back into the loading dock?

2 MR. SLADE: I would anticipate that this  
3 driver, given that he is visiting this hospital on a  
4 regular basis will be able to make that maneuver  
5 very efficiently.

6 MR. WATSON: But it might be possibly he  
7 has to pull out again?

8 MR. SLADE: From time to time there will  
9 be a new driver or the need to maneuver somewhat.

10 MR. WATSON: When that is happening will  
11 traffic have to be directed on 24th Street?

12 MR. SLADE: No, I think traffic will  
13 just wait, briefly, while this takes place.

14 MR. WATSON: Are you aware as to whether  
15 or not the George Washington University has  
16 suggested that staff would be available to direct  
17 traffic?

18 MR. MOORE: Excuse me, Mr. Watson, the  
19 university didn't make that representation.  
20 Universal made it, just for the record.

21 MR. WATSON: I thought we were on the  
22 George Washington University campus. I apologize.

23 MR. MOORE: You are.

24 MR. WATSON: And the university  
25 apparently is not committing. You're saying the  
26 university is not committed to having personnel

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1 there?

2 MR. MOORE: I am saying the Universal  
3 Health Services has committed to have the person  
4 there. It's just a technical correction on my part.

5 MR. WATSON: If I can ask Mr. Slade,  
6 what's the function of this person?

7 MR. SLADE: To insure that when the  
8 truck is backing that there's -- no one is put in  
9 harm's way, either pedestrian or motorist.

10 MR. WATSON: Well, let me understand --

11 CHAIRPERSON REID: Excuse me, Mr.  
12 Watson, let me interrupt you just a second here.  
13 Although we are over time, how much longer do you  
14 think you need

15 --

16 MR. WATSON: I'd like to finish within  
17 ten minutes.

18 CHAIRPERSON REID: Then we will extend,  
19 grant you that time, given the fact that we did  
20 start late this morning.

21 MR. WATSON: What do you foresee the  
22 function is? Would this person be at times  
23 directing traffic?

24 MR. SLADE: No, he would simply be  
25 observing that the path that the truck is backing  
26 into is clear, so he can warn the driver or a

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1 pedestrian in that path to make sure of their  
2 safety.

3 MR. WATSON: The function of this person  
4 will never be to halt traffic, either on 23rd Street  
5 or on New Hampshire Avenue?

6 MR. SLADE: Correct.

7 MR. WATSON: During the time that the  
8 vehicle is there, well, let me back up a second.  
9 With regard to other vehicles, not an 18 wheeled  
10 truck, but the next size down, a moving van type of  
11 vehicle, same process be followed?

12 MR. SLADE: Yes.

13 MR. WATSON: And that vehicle will stop  
14 in front and wait for the operator to come out and  
15 open the door?

16 MR. SLADE: Correct.

17 MR. WATSON: And then back in. What  
18 about going to a smaller vehicle, a van?

19 MR. SLADE: The vans, the door, of  
20 course, has to be open so the manager of the loading  
21 dock will open the door for the van. The van will  
22 have a much easier maneuver to back in. In fact,  
23 some of the vans will be able to pull forward in.

24 MR. WATSON: Where will the van be while  
25 it's waiting for the door to be opened?

26 MR. SLADE: Same location, stopped at

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1 the curb.

2 MR. WATSON: Which curb?

3 MR. SLADE: The curb that demarks the  
4 end of the driveway?

5 MR. WATSON: I guess what I'm trying to  
6 say which -- I don't understand which end of the  
7 driveway. Is that on 24th Street? Is it on New  
8 Hampshire Avenue? Which is the curb?

9 MR. SLADE: The driveway attaches to  
10 24th Street.

11 MR. WATSON: And will they be in front  
12 of the driveway or before the driveway?

13 MR. SLADE: Yes, in front of the  
14 driveway.

15 MR. WATSON: Now you're saying that he's  
16 going to pull up parallel -- he's going to pull up  
17 on the street in front of the driveway?

18 MR. SLADE: Yes.

19 MR. WATSON: Now in order to turn in,  
20 he's going to have to back up and then turn in?

21 MR. SLADE: A small panel truck probably  
22 won't have to. The driveway is wide. It's the  
23 width of the entire loading area.

24 MR. WATSON: As a traffic expert, isn't  
25 it more likely that this van driver will come and  
26 make his right turn into the driver to wait for it

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1 to be --

2 MR. SLADE: He made turn on to the  
3 apron, yes.

4 MR. WATSON: May turn on to the apron,  
5 but didn't you indicate to me that the lights don't  
6 start flashing until the door goes up?

7 MR. SLADE: That's correct.

8 MR. WATSON: So every one of these  
9 drivers turns across the sidewalk before the warning  
10 lights?

11 MR. SLADE: No, the apron is between the  
12 sidewalk and the curb.

13 MR. WATSON: And how long is that?

14 MR. SLADE: I don't recall, but it's  
15 certainly enough to pull the front wheels of the  
16 vehicle onto.

17 MR. WATSON: Oh, you're saying he leaves  
18 himself in the street and front wheels in the --  
19 would that block traffic on 24th Street?

20 MR. SLADE: Briefly, waiting for the  
21 door to be opened.

22 MR. MOORE: What size vehicle, Mr.  
23 Watson, are you talking about?

24 MR. WATSON: I'm talking about a van.

25 MR. SLADE: A van in that position or  
26 any truck along the curb won't block traffic that's

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1 moving along that driveway. There's parked cars  
2 along that side of the street as well.

3 MR. WATSON: Why do you assume that that  
4 van driver won't drive his van all the way up to the  
5 door to wait for it to be opened?

6 MR. SLADE: Well, he could do that as  
7 well.

8 MR. WATSON: And if he does that, would  
9 he cross the sidewalk?

10 MR. SLADE: Yes.

11 MR. WATSON: And do you think, from your  
12 knowledge of van drivers, do you think that's  
13 likely?

14 MR. SLADE: It's possible and not  
15 unlikely and not unsafe.

16 MR. WATSON: Now how many spaces are  
17 there within this loading dock being provided?

18 MR. SLADE: I think there's five.

19 MR. WATSON: How many spaces are there  
20 in the existing loading docks?

21 MR. SLADE: I think there's five.

22 MR. WATSON: You think. Do you know?

23 MR. SLADE: I just don't -- my memory,  
24 the last time I looked was probably two months ago,  
25 but my recollection is there's five in the existing  
26 hospital and we're replicating those five.

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1                   MR. WATSON: Are there any supplementary  
2 docks within the existing hospital other than the  
3 main loading dock area?

4                   MR. SLADE: I'm not sure. I don't think  
5 so. There is a loading area, now that you mention  
6 it, there's a driveway near the north end of the  
7 existing hospital and that may be a loading area,  
8 I'm not sure what it's function is.

9                   MR. WATSON: Did you examine the traffic  
10 flow around the existing hospital?

11                  MR. SLADE: Yes.

12                  MR. WATSON: And you don't know what the  
13 function of another driveway is?

14                  MR. SLADE: I never saw a vehicle in  
15 that other driveway.

16                  MR. WATSON: Did you inquire?

17                  MR. SLADE: No.

18                  MR. WATSON: Now with regard to the  
19 parking spaces that are passed the driveway, you're  
20 coming along 24th Street, you make a right turn onto  
21 New Hampshire Avenue. I believe you testified one  
22 would have to lose some of those parking spaces, is  
23 that correct?

24                  MR. SLADE: I'm not sure if those are  
25 affected. We did look at the maneuvering area  
26 requirements at one time and I know some parking in

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1 the vicinity of this intersection is going to have  
2 to be relocated, but I can't recall exactly which  
3 spaces are affected.

4 MR. WATSON: You said relocated. These  
5 are public street parking spaces, are they not?

6 MR. SLADE: Yes.

7 MR. WATSON: Well, what does relocation  
8 of parking spaces mean? They'll be put where  
9 there's no parking now?

10 MR. SLADE: Yes.

11 MR. WATSON: Why is there no parking in  
12 the other places now?

13 MR. SLADE: The existing driveway to the  
14 surface parking lot. We could move two spaces there  
15 without any loss of space.

16 MR. WATSON: How many spaces are going  
17 to be necessary to be used for maneuvering?

18 MR. SLADE: I don't remember the exact  
19 number. It's in the range of four or five.

20 MR. WATSON: Has it been presented in  
21 any of your testimony?

22 MR. SLADE: No.

23 MR. WATSON: In any of your written  
24 material?

25 MR. MOORE: Mr. Watson, I think Mr.  
26 Slade testified that that is a subject that has to

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1 be worked out with the Department of Public Works.  
2 The Applicant has no ability to close any parking,  
3 public parking space on a public street.

4 MR. WATSON: I understand. With regard  
5 he has designed the traffic, I'd like to know how  
6 much space is necessary to be taken from what is now  
7 public parking for the residents.

8 MR. MOORE: And he has testified that  
9 there will be some. He doesn't know how much. That  
10 is a question he has to work with the propriety of  
11 the streets with the Department of Public Works.

12 MR. WATSON: If the Department of Public  
13 Works were not there and you wanted the optimum  
14 arrangement, Mr. Slade --

15 MR. MOORE: The fact is the Department  
16 of Public Works is there, Mr. Watson.

17 MR. WATSON: I would like to ask the  
18 question. If you wanted the optimal arrangements  
19 for your design, how many spaces need to be taken?

20 MR. SLADE: We haven't addressed the  
21 final number --

22 CHAIRPERSON REID: You have three  
23 minutes.

24 MR. WATSON: How have you examined the  
25 traffic, if you don't know?

26 MR. SLADE: This is a matter that is

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1 usually not addressed at this point when it involves  
2 a few spaces.

3 MR. WATSON: Now the next, you had  
4 talked about the other warning to pedestrians being  
5 given by means of changing the paving material, is  
6 that correct?

7 MR. SLADE: Yes.

8 MR. WATSON: How would a pedestrian  
9 notice that that was a warning change and not merely  
10 a cosmetic change?

11 MR. SLADE: We have another project in  
12 the District where the sidewalk crosses a driveway  
13 without any change and we've observed that  
14 pedestrians are not aware they're crossing a  
15 driveway and DPW has asked that client to change the  
16 driveway.

17 MR. WATSON: I didn't ask that question,  
18 Mr. Slade.

19 MR. SLADE: And we're applying the same  
20 guidance here.

21 MR. WATSON: So you're not applying your  
22 traffic expertise, somebody else has told you. I  
23 want to know, for instance, when I go out to K  
24 Street, the city has put in nice brick crosswalks.  
25 Those don't indicate danger to me. They indicate a  
26 crosswalk. Why wouldn't the change in paving

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1 indicate a crosswalk, just the way it does on K  
2 Street?

3 MR. SLADE: The change in paving along a  
4 sidewalk would indicate a crosswalk. Are you  
5 talking about a straight crosswalk on a street?

6 MR. WATSON: I'm talking about a brick  
7 crosswalk on K Street, dozens of them. Now  
8 indicates a crosswalk. It doesn't indicate danger.

9 MR. SLADE: Correct.

10 MR. WATSON: What sort of paving do you  
11 use to indicate danger?

12 MR. SLADE: We're not trying to indicate  
13 danger. We're simply trying to alert a pedestrian  
14 that he is in the area of a driveway.

15 MR. WATSON: What sort of -- well, let  
16 me go back. There are international traffic signs.  
17 Are there international pavement materials?

18 MR. SLADE: There are international  
19 crosswalk markings.

20 MR. WATSON: But we're not having a  
21 crosswalk, you said. This was to tell you you're  
22 over a driveway?

23 MR. SLADE: Yes.

24 MR. WATSON: Are you intending to put a  
25 crosswalk there?

26 MR. SLADE: No.

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1 MR. WATSON: So it's not a crosswalk.  
2 What is the paving material --

3 MR. SLADE: I'll tell you once and I'll  
4 tell you again. We have another project in the  
5 District --

6 MR. WATSON: I don't want to hear about  
7 other projects --

8 MR. MOORE: You asked him the question,  
9 let him answer.

10 MR. WATSON: I object to him answering  
11 about another project.

12 CHAIRPERSON REID: Okay, Mr. Watson, let  
13 him answer your question, please.

14 MR. SLADE: Mr. Watson, all of the items  
15 we apply for safety in the United States and in the  
16 world are based on experience on other projects.  
17 You'll have to let me answer it this way. We have  
18 another project in the District where the sidewalk  
19 is continuous across a driveway and there is a  
20 safety concern at that particular driveway.

21 The District of Columbia and we have  
22 worked together and have agreed to change the  
23 sidewalk material there so that it just adds to the  
24 information available to the pedestrian that helps  
25 them realize they're crossing a driveway and that's  
26 what we're proposing to do here.

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1 MR. WATSON: What will the changed  
2 material be?

3 MR. SLADE: I don't know.

4 MR. WATSON: Well, how do we know it  
5 will be successful in warning, if we don't know what  
6 it will be?

7 MR. SLADE: We'll change the material  
8 and anticipate that it will have that effect.

9 MR. WATSON: Can you give any experience  
10 anywhere where this technique is shown to be  
11 beneficial?

12 MR. SLADE: You want me to give you  
13 experience on another project?

14 MR. WATSON: No, no, I'm asking -- is  
15 there accepted scientific literature?

16 MR. SLADE: I have not found any  
17 scientific literature on this.

18 MR. WATSON: So your testimony to me is  
19 you have not found any scientific literature and the  
20 only thing you can talk about is the project not yet  
21 done?

22 MR. SLADE: We're talking about common  
23 sense.

24 CHAIRPERSON REID: Mr. Watson, how many  
25 more questions do you have? You're out of time.

26 MR. WATSON: I would like to just

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1 finished this. I had expected I'd be able to --

2 CHAIRPERSON REID: How many more  
3 questions do you have?

4 MR. WATSON: Probably half a dozen.

5 CHAIRPERSON REID: You can't do a half a  
6 dozen in a minute.

7 MR. WATSON: Well, then I think we  
8 should reconvene on the 22nd. We have a situation  
9 here where considerable testimony has been given as  
10 to the material that's going to surround windows and  
11 now we have a situation where everybody agrees  
12 presents a safety hazard and the expert witnesses  
13 from the architects say we don't know and the expert  
14 traffic witness says it will be some material and  
15 we'll put it in and see if it works.

16 MR. MOORE: You're not testifying, are  
17 you, Mr. Watson?

18 CHAIRPERSON REID: Be that as it may,  
19 Mr. Watson, nonetheless, in this segment what you're  
20 doing is asking questions and then the witnesses  
21 will answer your questions and then do a  
22 determination as to the interpretation of how the  
23 answered questions is left for us to decide.

24 MR. WATSON: I guess we'll have to  
25 reconvene on the 22nd.

26 MR. MOORE: Madam Chairperson, Mr.

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1 Watson asked you for 10 additional minutes. You  
2 granted him those 10 additional minutes. I would  
3 think he would be entitled to no more.

4 MR. WATSON: I don't believe there's any  
5 commitment to a particular time and again, I am  
6 putting on the record very clearly --

7 CHAIRPERSON REID: Mr. Watson, if you --

8 MR. WATSON: Great weight means an  
9 opportunity to be represented.

10 CHAIRPERSON REID: Mr. Watson, you're  
11 very much well aware and we shouldn't have to remind  
12 you that that's been twice that you've been reminded  
13 of that and that's totally unnecessary.

14 What we need to do at this juncture is,  
15 I would suggest that you wrap up your cross  
16 examination. This is the opportunity. We're not  
17 going to extend it. If you have a couple of very  
18 pertinent, relevant questions that you must have  
19 answered, I'll allow you to do that, but that's  
20 going to be the end of it.

21 MR. WATSON: I will put on the record at  
22 this point for the purpose of making the record on  
23 behalf of the Advisory Neighborhood Commission 2A  
24 that we believe our rights to be representing the  
25 community at these hearings have been deprived by  
26 cutting short of the cross examination and I will

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1 terminate here.

2 CHAIRPERSON REID: Very well. Very  
3 quickly, is there a party who had a question or any  
4 questions to ask these witnesses?

5 This will end the cross examination  
6 portion of this particular hearing.

7 MS. TYLER: Madam Chair?

8 CHAIRPERSON REID: Yes. Ms. Tyler, if  
9 you have a question, I will indulge you, but you  
10 must speak into the mike.

11 MS. TYLER: I would like to present the  
12 testimony whenever in the reply to what has been  
13 brought up by the Applicant today.

14 CHAIRPERSON REID: Do you have any cross  
15 examination questions?

16 MS. TYLER: I think they will be  
17 incorporated in the testimony.

18 MS. PRUITT-WILLIAMS: We'll do that on  
19 the 22nd.

20 MS. TYLER: Thank you. When th  
21 continuation takes place.

22 CHAIRPERSON REID: Is there anyone else  
23 who is a party to this case who wishes -- the ANC or  
24 a party to this case who wishes to cross examine  
25 these witnesses? This is the last opportunity to do  
26 so.

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1 I'm sorry, ma'am, can you come forward?

2 MS. BECKER: I'm Ana Becker. I probably  
3 will have questions, but not today.

4 CHAIRPERSON REID: You said will? No,  
5 there will be no other time. If you have a  
6 question, you could -- you are now granted that time  
7 to ask your question.

8 MS. BECKER: The question is will the  
9 trucks beep when they back up?

10 MR. SLADE: I believe it's OSHA who  
11 requires that all commercial vehicles have beeping  
12 devices on them that are activated when the truck is  
13 put in reverse, so the answer is yes.

14 MS. BECKER: Thank you.

15 CHAIRPERSON REID: All right. Ma'am, I  
16 don't know if you have party status? Come up and  
17 identify yourself, please.

18 MS. JONES: My name is Ellia Jones.

19 CHAIRPERSON REID: And you are?

20 MS. JONES: I was a former resident of  
21 Foggy Bottom and still have property there.

22 CHAIRPERSON REID: Okay, you weren't  
23 granted party status?

24 MS. JONES: No. I don't know what that

25 --

26 CHAIRPERSON REID: Party status the

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1 persons who are in close proximity to the property  
2 who have been granted the status when we began the  
3 case and you would then be allowed to cross examine  
4 the witnesses as well as you would be served with  
5 all the materials that would go into this particular  
6 case.

7 MS. JONES: I think I'm not then.

8 CHAIRPERSON REID: You would not be able  
9 to ask questions at this time.

10 MS. JONES: So can I ask one at another  
11 time?

12 CHAIRPERSON REID: No. You cannot.

13 MS. PRUITT-WILLIAMS: For this case,  
14 party status has already been determined. This is a  
15 continuation of a case that started in November,  
16 actually, and that's when the party status was  
17 determined at the opening.

18 MS. JONES: You had to get it then?

19 MS. PRUITT-WILLIAMS: Yes, that's how  
20 procedurally we work. You always identify parties  
21 at the beginning of a case.

22 MR. GILREATH: Well, could she testify  
23 as a witness?

24 MS. PRUITT-WILLIAMS: She can testify as  
25 a witness, yes.

26 MS. JONES: I would just like to --

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1 MS. PRUITT-WILLIAMS: But not at this  
2 time.

3 MS. JONES: I just have one question.

4 CHAIRPERSON REID: One moment.

5 (Pause.)

6 CHAIRPERSON REID: You can ask your  
7 question through your ANC representative.

8 The question must be asked through your  
9 ANC representative. Do you want to do that? Who is  
10 the ANC representative?

11 MS. PRUITT-WILLIAMS: Mr. Watson is  
12 representing the ANC. His time has been terminated.

13 Ms. Miller, Mr. Watson is representing  
14 you all and has been throughout this whole hearing.

15 CHAIRPERSON REID: Who will ask the  
16 question for --

17 MS. MILLER: The cross examination is  
18 done by the lawyer. The ANC is being represented by  
19 the chair and Maria Tyler who is also a party to the  
20 case and we've changed chairs, so we now have a  
21 chair and a former chair and that was supposed to  
22 have been cleared up and I talked to the staff about  
23 it.

24 CHAIRPERSON REID: Well, Ms. Miller at  
25 this point who is going to ask the question on  
26 behalf of the witness who just --

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1 MS. MILLER: Marie Tyler has party  
2 status and Rebecca has party status and our lawyer.

3 CHAIRPERSON REID: One of them please  
4 come forward.

5 Where is Ms. Tyler?

6 You can come forward and Ms. Tyler, you  
7 may come forward and what was the question that she  
8 asked you to ask for her. This is how we have to do  
9 it. I'm sorry.

10 MS. TYLER: Nobody asked me to ask any  
11 questions. ANC 2A will have testimony as a follow  
12 up of the data which were presented today by the  
13 Applicant during the --

14 MS. SPILLINGER: I will ask the  
15 question. I am the Chair of ANC 2A. I've not been  
16 sworn in.

17 (Witness sworn.)

18 MS. SPILLINGER: The question was could  
19 the hospital possibly use its current loading dock  
20 instead of building a new one? In other words, use  
21 the current loading dock and be able to transfer  
22 things underground or some other way to the new  
23 edifice?

24 MR. SLADE: In a simple terms, the  
25 answer is no.

26 CHAIRPERSON REID: Okay, thank you.

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1 MR. MOORE: I'm sorry, the lady  
2 identified herself as the chairperson of ANC2A. She  
3 didn't say her name on the record, please.

4 MS. SPILLINGER: I'm sorry, Barbara  
5 Spillinger.

6 CHAIRPERSON REID: And your address,  
7 please.

8 MS. SPILLINGER: 2500 Virginia Avenue.

9 CHAIRPERSON REID: Thank you very much.  
10 Okay, this will conclude the cross examination of  
11 the witness. Yes?

12 You have to come up to the mike.

13 MR. McLEOD: I'm James McLeod, Vice  
14 President of the Foggy Bottom Association.

15 MS. PRUITT-WILLIAMS: But you were not  
16 granted party status, sir, right?

17 MR. McLEOD: The Association was, yes,  
18 they were.

19 MS. PRUITT-WILLIAMS: They were?

20 MR. McLEOD: I've cross examined --

21 MS. PRUITT-WILLIAMS: I'm sorry, I am  
22 mistaken. I apologize.

23 MR. McLEOD: This is the traffic expert?

24 MS. PRUITT-WILLIAMS: Right.

25 MR. McLEOD: I just had a few questions.

26 CHAIRPERSON REID: They have to be --

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1 you only have just a couple minutes.

2 MR. McLEOD: Very brief, yes.

3 MR. McLEOD: In the drawings, I'm  
4 confused. On the ground level drawing of the  
5 Applicant's submission, it shows that the emergency  
6 ambulance vehicle entrance is just put in outline  
7 there while the main entrance is put in full. I  
8 don't understand why that is.

9 MR. SLADE: It's just a nature of the  
10 grades of the property, Mr. McLeod. So when you  
11 show a floor, you only show the entrance that  
12 provides access to that floor. The emergency is  
13 providing access to a different floor than the one  
14 you're looking at there.

15 MR. McLEOD: By moving the entrance to  
16 23rd Street rather than New Hampshire, isn't it true  
17 the ambulance still has to go through a pedestrian  
18 walkway from east to west on 23rd Street?

19 MR. SLADE: Yes.

20 MR. McLEOD: And the current hospital,  
21 that situation doesn't exist. Is that correct?

22 MR. SLADE: Well, it crosses a walkway.

23 MR. McLEOD: Just a walkway, but not a  
24 crosswalk.

25 MR. SLADE: I see what you're saying,  
26 yes.

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1                   MR. McLEOD: And you stated, I believe,  
2                   in the past that you factored in the additional  
3                   pedestrian traffic and I guess vehicular traffic for  
4                   developments in west end, including the one at 22nd?

5                   MR. SLADE: Correct.

6                   MR. McLEOD: How many additional  
7                   pedestrians do you predict per day based on just the  
8                   22nd and M Street?

9                   MR. SLADE: I can't tell you the precise  
10                  number. We used the study that I know you're very  
11                  familiar with because you were involved in that case  
12                  as well.

13                  We used the study that we did for that  
14                  case which included estimates of the number of  
15                  people who would be using public transportation and  
16                  we assume that the majority of them will be coming  
17                  from the station, but I don't recall the exact  
18                  number of pedestrians.

19                  MR. McLEOD: You don't know the exact  
20                  number of pedestrians.

21                  MR. MOORE: He said he didn't recall.

22                  MR. SLADE: I don't have the answer in  
23                  my head.

24                  CHAIRPERSON REID: He doesn't know. He  
25                  doesn't know. Go to the next question.

26                  MR. SLADE: It's in the report we did

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1 for that study.

2 MR. McLEOD: Isn't the Foggy Bottom  
3 Station the last station in the District of Columbia  
4 on the blue and orange line?

5 MR. SLADE: Yes.

6 MR. McLEOD: And isn't it true a lot of  
7 tourists use that stop to go to Georgetown or hotels  
8 in the west end?

9 MR. SLADE: Yes.

10 MR. McLEOD: And isn't it true that,  
11 well, isn't it likely that many of those pedestrians  
12 will be coming to time for the first time will use  
13 the very sidewalk, the western side of 23rd Street?

14 MR. SLADE: Yes.

15 MR. McLEOD: Going across your main  
16 entrance, main exit in the entrance to the emergency  
17 room?

18 MR. SLADE: Correct.

19 MR. McLEOD: I believe that's all the  
20 questions I had.

21 CHAIRPERSON REID: Thank you. Before we

22 --

23 MR. WATSON: May I just ask the chair to  
24 make clear as to what will go on in the meeting of  
25 the 22nd as to whether witnesses who have previously  
26 testified will be permitted to give additional

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1 public testimony not on as either party as well as  
2 whether others who have not previously testified who  
3 will be permitted to give testimony?

4 CHAIRPERSON REID: We, in our opening  
5 remarks, opening segment, I thought we had clarified  
6 that, but this particular hearing, this is a  
7 continuation in that only persons who had previously  
8 testified, witnesses, will be able, will be allowed  
9 to testify and only on the supplemental information.

10 MS. PRUITT-WILLIAMS: And also I have  
11 started a list. Could I please have everyone here  
12 today who is planning -- who has testified before  
13 and is planning on testifying on the 22nd, if you  
14 could just sign up, I'll put it over here on the  
15 side. We would appreciate it. It will help us.

16 CHAIRPERSON REID: Be sure to indicate  
17 whether you're in support or opposition for our  
18 records.

19 Before we close I have a couple of --  
20 just one second.

21 (Pause.)

22 We made one exception and that was for  
23 the gentleman, Mr. Mandelbaum, was the only  
24 exception that we made. The ANC single member  
25 district representative of the ANC.

26 MR. MOORE: Madam Chair, because this

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1 case is now eight and a half months old, I would ask  
2 that the chair set time limits on the presentation  
3 of all parties on April 22nd so that we can get  
4 through this matter.

5 MS. PRUITT-WILLIAMS: Well, Mr. Moore,  
6 time limits have been established, particularly for  
7 witnesses which are like 3 minutes.

8 MR. MOORE: Then I would ask --

9 MS. PRUITT-WILLIAMS: And I wanted to  
10 remind everybody to pare their testimony to a three  
11 minute --

12 CHAIRPERSON REID: They were granted an  
13 hour for the opposition which includes ANC and the  
14 parties who are involved with the opposition.

15 MR. WATSON: I object to the setting of  
16 fixed limitation of time since no previous  
17 limitations were set.

18 MS. PRUITT-WILLIAMS: Noted.

19 CHAIRPERSON REID: They were. There  
20 were time limitations set from the onset, Mr.  
21 Watson. You must have forgotten. It's in the  
22 testimony. If you check the record, you will see.

23 Before we close I had just two other  
24 questions, very quick questions and that is, Mr.  
25 Slade, how many, approximately how many vendors per  
26 day do you anticipate would be actually using the

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1 loading dock? Per day and/or per week?

2 MR. SLADE: We did surveys at the  
3 existing loading dock and we'll have a similar  
4 level. The average of our five days of surveys was  
5 27 different vehicles came to the loading dock.

6 CHAIRPERSON REID: Per?

7 MR. SLADE: Per day on a daily basis.

8 CHAIRPERSON REID: Twenty-seven vehicles  
9 will come to the loading dock?

10 MR. SLADE: Yes.

11 CHAIRPERSON REID: My other question is  
12 -- and some days it will be heavier and some days  
13 lighter?

14 MR. SLADE: Yes, but I think the worse  
15 day was only 32. It doesn't vary by a great amount.  
16 It probably ranges between 25 and 35.

17 CHAIRPERSON REID: My other question is  
18 in listening to some of the testimony here this  
19 morning and some of the questioning, are there for  
20 the sliding doors, is that what you call it, I don't  
21 know loading dock that well, but the doors that  
22 slide up and down, that would be overhead doors,  
23 they would be opened manually by the attendant?

24 MR. SLADE: Well, there's an electrical  
25 noter.

26 CHAIRPERSON REID: Is there an automatic

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1 apparatus that could be used by the drivers to open  
2 the door?

3 MR. SLADE: Yes.

4 CHAIRPERSON REID: I don't know if  
5 there's such -- I'm just wondering if, in fact --

6 MR. SLADE: We could equip each of the  
7 vendors with something like that.

8 CHAIRPERSON REID: Rather than relying  
9 on the attendant who may or may -- if the weather is  
10 inclement or something like that and they have to  
11 wait, if they -- if the vendors had the instrument  
12 by which the door could be automatically opened.

13 MR. SLADE: We can look at that, Madam  
14 Chair.

15 CHAIRPERSON REID: Okay. That will then  
16 --

17 MR. SLADE: Madam Chair?

18 CHAIRPERSON REID: One more question.

19 MR. SLADE: There will be a camera  
20 monitoring the entrance, the loading dock outside,  
21 just for security purposes and safety and so forth  
22 and so the manager will have access to what's going  
23 on outside that way and of course, he'll see the  
24 trucks when they arrive.

25 CHAIRPERSON REID: Okay.

26 MR. SLADE: Many of the drivers have

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1 cell phones and they'll have this number if they're  
2 a regular vendor and they'll call ahead.

3 CHAIRPERSON REID: That's part of the  
4 loading dock maintenance and management that you are  
5 referring to?

6 MR. SLADE: Yes.

7 CHAIRPERSON REID: Okay. Thank you. So  
8 we will then conclude today's hearing. We'll resume  
9 at about 1:25, 1:30 for the afternoon hearings.

10 (Whereupon, at 12:58 p.m., the hearing  
11 was recessed to reconvene tomorrow, Thursday, April  
12 22, 1999.)

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