

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ZONING COMMISSION

VIRTUAL PUBLIC HEARING

VIA WEBEX

THURSDAY, APRIL 4, 2024

The Public Hearing of the District of Columbia Zoning Commission convened via videoconference pursuant to notice at 4:00 p.m. EDT, Anthony Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson  
ROBERT MILLER, Vice Chairperson  
JOSEPH S. IMAMURA, Commissioner  
TAMMY STIDHAM, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN, Secretary  
PAUL YOUNG, Data Specialist

OFFICE OF ZONING LEGAL DIVISION STAFF PRESENT:

JACOB RITTING, Esquire

This transcript serves as the minutes from the Public Hearing held on April 4, 2024.

**Diversified Reporting Services, Inc.**

1426 Duke Street  
Alexandria, Virginia 22314  
(202) 467-9200

C O N T E N T S

Case No. 86-04B

Green Harris, LLC, PUD Modification of  
Significance, 2001 Wisconsin Avenue, NW,  
& 3300 Whitehaven Street, NW (Sq. 1299,  
Lot 328) - Ward 2

5

## P R O C E E D I N G S

(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. Today's date is April the 4th, 2024. We are convening and broadcasting this public hearing by video conferencing.

My name is Anthony Hood and I'm joined by Vice Chair Miller, Commissioner Stidham, and Commissioner Imamura. We're also joined by the Office of Zoning staff, Ms. Sharon Schellin and Mr. Paul Young, who will be handling all of our virtual operations and our Office of Zoning Legal Division counsel, Mr. Jacob Ritting.

I will ask all others to introduce themselves at the appropriate time.

The virtual public hearing notice is available on Officer of Zoning's website. This was seen as being recorded by a court reporting platforms, using our Webex and YouTube live.

The video will be available on Office of Zoning's website after the hearing. All persons planning to testify should have signed up in advance and will be called by name at the appropriate time.

At the time of signup, all participants will complete the oath or affirmation required by Subtitle Z 48.7. Accordingly, all those listening on Webex or by phone

1 will be muted during the hearing and only those who have  
2 signed up to participate or testify will be unmuted at the  
3 appropriate time.

4           When called, please state your name before  
5 providing your testimony. When you are finished speaking,  
6 please mute your audio. If you experience difficulty  
7 accessing Webex or with your telephone call in or have not  
8 signed up, then please call our OZ Hotline number at 202-  
9 727-0789.

10           If you wish to file written testimony or  
11 additional supporting documents during the hearing, then  
12 please be prepared to describe and discuss it at the time of  
13 your testimony.

14           The subject of this evening's hearing is Zoning  
15 Commission case number 86-04B, Green Harris, LLC, PUD  
16 modification of significance at square 1299, lot 328, 3300  
17 Whitehaven Street Northwest. Again, today's date is April  
18 4th, 2024.

19           The hearing will be conducted in accordance with  
20 provisions of 11 DCMR Chapter 4 as follows. Preliminary  
21 matters, applicant's case. The applicant has up to 60  
22 minutes. We have reviewed the record.

23           We probably still have some open loops that we  
24 will still need to understand, but I will tell you that I  
25 believe this can be done in 30 minutes. I would ask you to

1 hit the highlights, which means hit the issues.

2 And if you go over 30 minutes, that's fine.

3 That's not a hard fast rule. You have up to 60 minutes, but  
4 try to do it in 30 so we can have a reference of time.

5 Report of other government agencies, report of the  
6 Department of Transportation and Office of Planning, report  
7 of the ANC, then we have testimony of organizations, five  
8 minutes and individuals three minutes.

9 And we will hear in the following order from those  
10 who are in support, opposition or undeclared. Then we have  
11 rebuttal and closing by the applicant.

12 Again, the OZ Hotline number is 202-727-0789.

13 Let me do this. What's the ANC again right quick?  
14 Somebody?

15 Anyway, we come back to it. Just can't remember.

16 All right. At this time, the Commission will be  
17 sending any preliminary matters.

18 Does the staff have any preliminary matters?

19 MS. SCHELLIN: The ANCs are 3B and 2E.

20 CHAIRPERSON HOOD: Okay. Thank you. I just  
21 couldn't remember it was 2 or 3.

22 Case No. 86-04B

23 MS. SCHELLIN: So we'll first go with the  
24 proffered expert witnesses.

25 First, we have Laurence Caudle. He's previously

1 been accepted in architecture. And I'll give you the ones  
2 that have previously been accepted, and that would be him  
3 and Daniel Solomon in transportation.

4 If you would go ahead and accept those two in this  
5 case?

6 CHAIRPERSON HOOD: Any objections? We've already  
7 had Laurence Caudle and Mr. Solomon as experts previously.

8 I don't see any objections. We will continue that  
9 status.

10 Ms. Schelling --

11 MS. SCHELLIN: And it looks, even though they put  
12 down Brian Bolin, I believe they're having Trini Rodriguez.  
13 Let me just make sure. I believe Trini Rodriguez is  
14 actually the one who is going to testify this evening.

15 And I know that she has previously been accepted.  
16 Let me just look at the note that they sent me. As far as  
17 their witnesses. Trini. Trini Rodriguez, she has testified  
18 before the Commission before.

19 So if the Commission would accept her as an expert  
20 in landscape architecture.

21 CHAIRPERSON HOOD: Okay, and we've done that  
22 previously, right?

23 MS. SCHELLIN: Yes, she's previously been  
24 accepted.

25 CHAIRPERSON HOOD: Okay.

1 Any objections?

2 Okay, we will continue that status as well.

3 MS. SCHELLIN: Okay. And let's see who is next.

4 Okay, so then we have, Sheila Nale. Her resume is  
5 at Exhibit 16E as in Edward. And she's being proffered as a  
6 civil engineer.

7 CHAIRPERSON HOOD: Okay. Okay, we have Ms. Sheila  
8 Nail and then her exhibit I think is 16d?

9 MS. SCHELLIN: E as in Edward.

10 CHAIRPERSON HOOD: Oh, 16E?

11 MS. SCHELLIN: Um-hum.

12 CHAIRPERSON HOOD: Okay. All right, 16E. Any  
13 objection?

14 MS. SCHELLIN: Page 7.

15 CHAIRPERSON HOOD: Yeah. All of the resumes are  
16 there.

17 MS. SCHELLIN: Yes. The next one also is being --  
18 is page 2.

19 CHAIRPERSON HOOD: You know something -- something  
20 must be wrong with my -- because I have 16, you say it's E,  
21 but it says 16V on mine. So I don't know if anybody else  
22 has that same problem.

23 Anyway, maybe it's the operator's problem.

24 MS. SCHELLIN: Okay. Sorry, my case summary says  
25 E. So.

1                   CHAIRPERSON HOOD: That's all right. Whatever.

2 We know it's --

3                   MS. SCHELLIN: Yeah, whatever --

4                   CHAIRPERSON HOOD: -- it's either V or E.

5                   MS. SCHELLIN: -- it is.

6                   CHAIRPERSON HOOD: All right.

7                   COMMISSIONER IMAMURA: Ms. Schellin? My audio  
8 went out. Who was the proffered expert for the architect?  
9 Is it Laurence?

10                  MS. SCHELLIN: The other one is Gui Almeida. His  
11 resume is on page 2 in architecture.

12                  COMMISSIONER IMAMURA: There were two, were they  
13 not?

14                  MS. SCHELLIN: So those were the two -- both of  
15 those need to be accepted as experts, yes.

16                  I'm sorry?

17                  COMMISSIONER IMAMURA: I'm sorry, who -- I'm  
18 sorry, who was the first one, Ms. Schellin?

19                  MS. SCHELLIN: The first one was Sheila Nale, N-a-  
20 l-e.

21                  COMMISSIONER IMAMURA: That was civil. Who's the  
22 two architects?

23                  MS. SCHELLIN: The other one was Laurence  
24 Caudle --

25                  COMMISSIONER IMAMURA: Caudle.



1 MS. SCHELLIN: -- whose previously been accepted.

2 COMMISSIONER IMAMURA: That's right. Okay.

3 MS. SCHELLIN: And then landscape architecture,  
4 Trini Rodriguez.

5 COMMISSIONER IMAMURA: Rodriguez, right. Okay.

6 CHAIRPERSON HOOD: So right now we're on Ms.  
7 Sheila Nale. I don't have any objections and she's being  
8 offered, what is it, Ms. Schellin, civil engineering?

9 Yeah, civil engineering.

10 MS. SCHELLIN: Yes.

11 CHAIRPERSON HOOD: Yes.

12 COMMISSIONER IMAMURA: I don't have any  
13 objections, Mr. Chairman, on any of the proffered expert  
14 witnesses. Nor do I have any objection to Mr. Caudle. But  
15 his resume posted in there is of a different format than we  
16 typically -- than we typically endorse or receive.

17 So if possible by the applicant, I'd like to see a  
18 new resume that gives the length of tenure or career. It's  
19 just two paragraphs, if I recall.

20 CHAIRPERSON HOOD: Yeah. And even though we had  
21 Mr. Caudle previously, I'm going to ask the applicant,  
22 Commissioner Imamura is exactly right. We've had this  
23 happen before. Even though we've done you previously, you  
24 still need to provide us your best resume for the record.

25 Okay.

1 COMMISSIONER IMAMURA: Right. Thank you, Mr.  
2 Chairman.

3 CHAIRPERSON HOOD: Thank you. So we'll continue  
4 that.

5 Let's go back to Ms. Nale. Any objections?  
6 Anybody else for Ms. Nale, civil engineer?

7 Okay. Now, who's the next -- the last one that we  
8 have, Ms. Schellin? The last person there?

9 MS. SCHELLIN: Almeida. Page 2 of the exhibit  
10 DEB.

11 CHAIRPERSON HOOD: Page 2?

12 MS. SCHELLIN: Uh-huh.

13 CHAIRPERSON HOOD: Almeida. How do you pronounce  
14 the first name, Ms. Schellin?

15 MS. SCHELLIN: Well, they have him listed G-u-i,  
16 so I'm going to say --

17 CHAIRPERSON HOOD: Gil -- Guilherme. Okay.  
18 Guilherme. And he can correct us, hopefully.

19 MS. SCHELLIN: Yes.

20 CHAIRPERSON HOOD: Any objections? Looks like --  
21 now, this is not our regular resume, but it looks nice.

22 COMMISSIONER IMAMURA: It's very designy, but no  
23 objections. It has all -- it contains all the information  
24 that we're looking for. That's why Mr. Caudle's stands out.

25 CHAIRPERSON HOOD: Okay. All right, so we will

1 proffer -- we can add everybody to, unless I hear from  
2 anybody else, Vice Chair or Commission Stidham?

3 All right, we will -- we will go with Commissioner  
4 Imamura's recommendation on all of them. And I really like  
5 Mr. Guilherme's resume. I like it. I probably couldn't  
6 look at the substance because I like the design.

7 So anyway, I'll leave it at that.

8 Okay, Ms. Schellin, anything else?

9 MS. SCHELLIN: Just very quickly, the applicant  
10 has agreed to try to present in 30 minutes, making reference  
11 to exhibits that they've presented, and to hit any issues,  
12 outstanding issues or thresholds that they need to meet.

13 They're represented by Jeff Utz and Laurence  
14 Ferris from Goulston & Storrs. And then you have ANC 3B,  
15 Jackie Blumenthal has been authorized to represent them.  
16 ANC 2E Commissioners Daniel Chow, Kishan Putta, and  
17 Gwendolyn Loci have been authorized to represent them.

18 OP has submitted their report at Exhibit 25, DDOT  
19 submitted theirs at Exhibit 26. ANC 2E, Exhibit 14. And it  
20 says also ANC 3B, is at Exhibit 14, but I believe that's a  
21 typo, unless they submitted together.

22 CHAIRPERSON HOOD: Okay. What I'm gonna do first,  
23 before the applicant starts, I want to bring the applicant  
24 up. And before they start, I have a statement and I want to  
25 thank our council for always making sure to prepare and

1 we're ready to move forward.

2 I certainly don't take all the credit, but I'm  
3 sure my colleagues now will take some of it. But our  
4 council definitely has teed us up and before Mr. -- if you  
5 bring everybody up, I want to read a statement to get  
6 started first.

7 And I'm sure we've all reviewed it and we want to  
8 make sure we get to the bottom of some of this. And I  
9 believe we can do this if we need the highlights in 30  
10 minutes or so.

11 All right, everybody's up. I want to read this  
12 statement.

13 There is a potential conflict between the height  
14 limitation of the inner -- and I'm going to refer to the  
15 naval overlay as the Naval Observatory as NO from now on,  
16 there's a limitation of the NO overlay underlining zone and  
17 the height achievable through the MU-4 zone, which is a PUD  
18 related map amendment zoning, with two possible  
19 interpretations that are stated -- that I will state.

20 We the Commission, or we can conclude that the  
21 height of the original PUD approval of 51 feet is the  
22 maximum height the Commission would approve in a  
23 modification of this PUD because of the strict reading of  
24 Subtitle X 300.4. Or the Commission could conclude that it  
25 can approve any height permitted within the previously

1 approved C2-A, now is what we call our MU-4 zones.

2           We asked the applicant to refer to the  
3 applications -- we still have to refer this either way to  
4 NCPC. And I think some other bodies look at this case as  
5 well to evaluate the potential impact on the Naval  
6 Observatory and the Commission will evaluate the potential  
7 impacts and mitigations.

8           But the PUD benefits and amenities and the  
9 requested development incentives under the PUD balancing  
10 test. We therefore, are -- this Commission am asking the  
11 applicant to address the issues in a post-hearing submission  
12 and that we will deliberate on that issue when we consider  
13 proposed action.

14           But if you want to hit it now -- but we ask you to  
15 give us that in a pre-hearing submission. Now, we have  
16 other options and if we take other options, we will look at  
17 it, we will address -- we look at you to address the  
18 potential impacts on the Naval Observatory and propose  
19 sufficient mitigation measures before this Commission will  
20 consider any proposed action.

21           And we expect to be again, this will go to NCPC  
22 before we take final action. Now, Mr. Utz, I'm sure you  
23 have been apprised of this situation already, but if you  
24 haven't, you can always reach out to our counsel who  
25 surprised us and versed us to some degree.

1           And if you can hit some of this now, you can do  
2 it. But also in a later submission before we deliberate on  
3 the proposal, I think, would be sufficient.

4           But again, you have no opposition, at least I  
5 don't see any opposition, other than we do have a motion and  
6 I want to talk about it after I get through this.

7           Any questions, Mr. Utz?

8           MR. UTZ: No questions. We're happy to address  
9 (audio cutout).

10          CHAIRPERSON HOOD: Okay. My sound went out a  
11 little bit. My sound went out.

12          You said no questions.

13          I can hear you now. Yes, yes.

14          MR. UTZ: Thank you. Sorry, we're having some  
15 technical difficulties here.

16          No questions. We're happy to address that as part  
17 of our undertaking here.

18          CHAIRPERSON HOOD: Okay. And also if you have not  
19 done so, I mean, you're going to do it verbally, but we also  
20 would like to submission on that as well.

21          All right, colleagues, we do have two motions. I  
22 don't think, actually, I hate -- I don't buy either one from  
23 the, one from the Parents Association and one from the  
24 applicant.

25          I don't buy either one of them about a

1 postponement. But what I would -- what I would say, I would  
2 encourage, unless my colleagues disagree and I can go  
3 around, but I would encourage the applicant to continue to  
4 work with the parents group.

5           It's always important that we have discussions and  
6 make sure that we apprised that. I think they asked for a  
7 month off and then the applicant came back and was against  
8 that and said that I believe -- they believe it's going to  
9 impact development.

10           I don't believe in either one of those, so I'm not  
11 taking a side. I don't believe in either one of those  
12 statements. I think that we can continue to move forward  
13 and we also want to make sure that we stay within the  
14 regulations of the Zoning Commission.

15           Some of those things that I read, some of the  
16 issues that are going on are not within the purview of this  
17 Commission. So let me hear from others.

18           Commissioner Imamura?

19           COMMISSIONER IMAMURA: Thank you, Mr. Chairman.

20           I'm in agreement. I think there's still ample  
21 time to work together and resolve any issues without putting  
22 a delay on this. So I'm not in support of the motion to  
23 delay.

24           CHAIRPERSON HOOD: Okay.

25           Commissioner Stidham?

1           COMMISSIONER STIDHAM: I'm also in agreement. I  
2 think it can be worked through and no need to postpone.

3           CHAIRPERSON HOOD: Okay. And Vice Chair Miller?

4           VICE CHAIR MILLER: I agree with you and our  
5 colleagues on this matter.

6           CHAIRPERSON HOOD: Okay. And I want to make it  
7 clear, not the parent group, but I didn't agree with the  
8 applicants' response either about impacting their  
9 development.

10           So I didn't take it -- I didn't agree with  
11 anybody. So anyway, we are where we are.

12           Okay. Anything else, Ms. Schellin?

13           Now let me ask this. Do my colleagues have  
14 anything they want to see as they go through their  
15 presentation?

16           Okay.

17           VICE CHAIR MILLER: Well --

18           COMMISSIONER IMAMURA: Go ahead. I'll yield to  
19 Vice Chair Miller first.

20           VICE CHAIR MILLER: I was just going -- thank you,  
21 Commissioner Imamura.

22           Mr. Chairman, I was just going to say that as part  
23 of that post-hearing submission on whether the Naval  
24 Observatory zone height limit should or should not be  
25 applicable, if the applicant, as part of their post-hearing



1 submission or the present presentation today, if the  
2 Commission, I think that there's a reasonable interpretation  
3 that can be -- it's reasonable to interpret the rule,  
4 whatever rule it is, because it's ambiguous, about whether,  
5 what the height should be.

6 But I would like, if the applicant was part of the  
7 post-hearing submission, if not today, to say, if the  
8 Commission were to say, for example, just as an example,  
9 that it can't be more than the previously approved PUD  
10 height of 51 point something feet, even though the NO Naval  
11 Observatory overlay height limit is 40, which was adopted  
12 after this PUD was originally adopted.

13 But since this is a modification of significance,  
14 we might go a different route on what's allowed or not  
15 allowed. But if we were to say 51 feet or 40 feet, which I  
16 don't think we're going to say 40 feet, but if we were to  
17 say 51 feet was the height limit, how much housing would be  
18 lost in the proposed project or how much program use would  
19 be lost? It looks like at least a floor would be lost. And  
20 I know some of that is not housing. Some of it was for the  
21 British, some of the building space is for the British, I  
22 think for the British International School.

23 So if that could just be part of the post-hearing  
24 submission that where you address this issue, Mr. Utz, I'd  
25 appreciate that.

1                   That's it, Mr. Chairman, for now.

2                   CHAIRPERSON HOOD:   Okay.

3                   Commissioner Imamura?

4                   COMMISSIONER IMAMURA:   Thank you, Mr. Chairman.

5                   And thank you, Vice Chair Miller.

6                   I share the same request, Mr. Utz, but I'd like to  
7                   take it one step further.   I'd like to see the math behind  
8                   it.

9                   So please show the arithmetic, so that way we can  
10                  see how the applicant arrived at the final numbers and sort  
11                  of what that Delta is.   I think that'll be important.   But  
12                  in terms of the presentation tonight, Mr. Utz, I was excited  
13                  to set this down.

14                  I'm interested to hear more about the project.  
15                  Obviously, I'd like to hear about the architecture,  
16                  landscape architecture, the sustainability, as well as  
17                  stormwater management.

18                  I think there's a lot of things to highlight in  
19                  this project, and if you're able to, as Chairman Hood asked  
20                  and suggested, and I fully support, if you could address the  
21                  NO overlay head on and be forthright with it, that would  
22                  help us make an informed decision as we deliberate.

23                  So thank you, Mr. Chairman.

24                  CHAIRPERSON HOOD:   Okay.

25                  Thank you, Mr. Utz.

1 I think, Mr. Utz, we're going to turn it over to  
2 before we take up the other 30 minutes that I was going to  
3 give you.

4 But anyway, go right ahead.

5 MR. UTZ: Great, thank you.

6 Could we please pull the presentation up?

7 Thank you, Mr. Young.

8 Good afternoon, Commissioners. For the record,  
9 I'm Jeff Utz of Goulston & Storrs. I'm land use counsel in  
10 today's case. I'm here on behalf of the applicant and  
11 affiliate of Grosvenor, and with me today is Laurence  
12 Ferris, also of Goulston.

13 We're happy to talk through the issues that you  
14 raised in the introduction to this. I'll give a brief  
15 caption and then I will elaborate on some of the NOPD versus  
16 C2-A/MU-4 zoning that actually applies to the site now.

17 And we can walk through the open items as well  
18 from the agency input. So to that degree. Sorry, to that  
19 point.

20 With us today are representatives of Grosvenor,  
21 with testimony to be led by Eddie Mansius. And then also  
22 presenting will be Gui Almeida from Hickok; Trini, as  
23 mentioned; Parker Rodriguez, Daniel Solomon of Gorove Slade  
24 sorry, I'm having technical difficulties here.

25 And let me just jump right ahead, I'm trying to

1 save some time, although right now it doesn't seem like it.

2 Next slide, please.

3 Great, thank you.

4 So we're here today for a modification of  
5 significance to an existing PUD for the property at 3300  
6 Whitehaven. The PUD slide also includes the existing  
7 building at 2001 Wisconsin Avenue that's occupied by the  
8 British International School of Washington.

9 The portion of the site that's within 3300  
10 Whitehaven currently consists of a 1960s era office building  
11 that is vacant. As you can see on the slide, it is located  
12 on the east side of the site with Dumbarton Oaks immediately  
13 east.

14 Next slide, please.

15 The application we're presenting today constitutes  
16 the second phase of a two-phase redevelopment effort that  
17 Grosvenor has undertaken since taking ownership in 2020.  
18 The site is subject to a PUD and map amendment that was  
19 originally approved in 1986 in Order 495 under the PUD C2-A  
20 zoning, which now means that it's designated MU-4 under the  
21 2016 regulations.

22 The first phase of the project was the  
23 redevelopment of a portion of the below-grade garage with a  
24 new below-grade gymnasium for the British International  
25 School. That was approved by the Commission as a

1 modification of consequence in 2022 as case 86-04A.

2           Grosvenor proceeded in short order with  
3 construction after approval, and the gym was completed and  
4 delivered to the school this past December.

5           Phase two of the project, that's the subject of  
6 today's modification of significance application, consists  
7 of a redevelopment of the office building at 3300 Whitehaven  
8 with new multi-family residential with approximately 268  
9 units, and 5,700 square feet of new space for the British  
10 International School.

11           The project will also include new outdoor play  
12 facilities for the school that will supplement the new  
13 16,000 square foot gymnasium, as well as new publicly  
14 accessible pocket park space abutting Whitehaven Street.

15           The project has been reviewed and approved by the  
16 old Georgetown Board and the Commission of Fine Arts.

17           As we'll be discussing in more detail, we've  
18 worked closely with ANC 2E, the ANC for the property, and  
19 ANC 3B, which is located immediately north across Whitehaven  
20 and is also an affected ANC.

21           We've been working and meeting regularly with the  
22 ANCs throughout the development process for both phases of  
23 the project dating back to 2021. We're pleased to have  
24 letters and support from both ANCs, which are Exhibit 14 and  
25 16 in the record. I'm sorry, 14 and 15 in the record.

1           We've also been working with various district  
2 agencies involved in the process, and we're happy to have  
3 OP's report recommending approval and a report from DDOT  
4 confirming they have no objection, along with other  
5 statements of no objections from DHCD, DPR, FEMS, and DOEE.

6           Next slide, please.

7           You can see here a summary of the conditions  
8 outlined in OP's report, all of which the applicant can  
9 agree to, except for one.

10           First, OP proposes a condition prohibiting any  
11 communal rooftop amenity or recreation space above the fifth  
12 level, and we agree with this restriction.

13           Next, OP requested that signage for the building  
14 be limited to the first floor, which we also can agree to.  
15 The signage images are shown in the appendix as pages 71 and  
16 76 of the presentation.

17           Next, OP requested a plan showing proposed  
18 lighting for the roof areas of the project. We have  
19 included a roof lighting plan in the presentation today, and  
20 we can show you that.

21           Next, OP proposed that the standard 10 percent  
22 parking flexibility be limited here to only allow reduction  
23 in parking and not permit flexibility to increase parking.

24           We're continuing the request for standard  
25 flexibility consistent with prior and other Commission

1 approvals for PUDs and design review applications that  
2 allows parking to be adjusted 10 percent up or down.

3           Allowing a 10 percent increase to the proposed 248  
4 parking spaces proposed by the project would still allow for  
5 less parking than exists on the site today.

6           Lastly, OP requested that the design flexibility  
7 for sustainability be changed to refer specifically to LEED  
8 gold certification, and since that is the applicant's  
9 proffer, we are in agreement with that revision.

10           Next slide, please.

11           We've also summarized DDOT's proposed conditions  
12 from their report, all of which the applicant agrees to.  
13 Mr. Solomon was going to discuss this later in the  
14 presentation, but I'll summarize it here in hopes that we  
15 can streamline the presentation, and then if you have  
16 additional questions, Mr. Solomon can answer those.

17           But DDOT requested that the applicant fund and  
18 construct additional improvements to the pedestrian network  
19 surrounding the site, and the applicant agrees.

20           Those elements are shown here that the applicant  
21 install a missing crosswalk, pedestrian signals and curb  
22 ramps at the 35th street and Wisconsin Avenue intersection,  
23 with the caveat that if the ANC does not agree with those  
24 improvements, there would instead be a contribution to  
25 DDOT's mitigation fund.

1           DDOT also requested to add striping for parking  
2 boxes on Whitehaven, add high visibility crosswalk striping  
3 to the east side of Wisconsin Avenue and Whitehaven, and add  
4 concrete curb extensions at the mid-block crosswalk on  
5 Whitehaven.

6           The DDOT condition is no objection on the  
7 implementation of transportation demand management plan  
8 elements outlined in the CTR. Again, the applicant agrees  
9 to all of these items.

10           Next slide, please.

11           In addition, we wanted to briefly note the other  
12 agency reviews and input for the project that were relayed  
13 in OP support. Taking it from the top, BACD stated that it  
14 had no objection to the application and voiced their  
15 appreciation for the project's affordable housing  
16 commitment.

17           DPR also indicated it had no objection and stated  
18 their appreciation for the proposed pocket park. FEMS  
19 stated that it had no objection. And finally, DOEE stated  
20 that they applaud the project and they included in their  
21 comments some items that they are encouraging the applicant  
22 to explore as the project moves forward, and the applicant  
23 will indeed explore each of those four items.

24           We're happy to talk about those items in more  
25 detail if the Commission has questions.



1               Next slide, please.

2               The Comprehensive Plan designation for the site is  
3 consistent with the project, in the existing C2-A now MU-4  
4 zoning for the site, under the approved PUD, as we outlined  
5 in detail in our material submitted in the record.

6               Here, you see that again. The site has a split  
7 future land use map designation, with the west side  
8 primarily mapped as low density commercial and the east side  
9 primarily designated as moderate density residential.

10              The generalized policy map designates the site as  
11 part of the main street mixed use corridor that runs along  
12 this portion of Wisconsin Avenue.

13              Next slide, please.

14              Following on the discussion from set down, we have  
15 a diagram showing the future land use map together with the  
16 proposed building footprint for the residential project.  
17 Again, the project's FAR is consistent with the existing  
18 zoning from the original 1986 PUD approval, and the proposed  
19 FAR and use are consistent with both the low density  
20 commercial and moderate density residential future land use  
21 map designations on the site.

22              Obviously, the comprehensive plan framework  
23 element is clear that the future land use map is to be  
24 interpreted broadly and soft edge, and it expands on this  
25 idea, confirming that the future land use map is not parcel

1 specific and the boundaries are not applied with precision  
2 in the same manner as the zoning map.

3           So with that overview of our application, I'm  
4 happy to drill more into the NOPD concept that was discussed  
5 previously.

6           The thesis of this concept is that the approval of  
7 the 1986 PUD vested this site with the zoning that was in  
8 place at that time. It was C2-A, and that's the zoning that  
9 has remained with the site since then.

10           When the zoning regulations were rewritten and  
11 reissued in 2016, the C2-A zone was modified to MU-4. MU-4  
12 is the inheritor of the C2-A zoning, so MU-4 applies to this  
13 site.

14           The height restrictions that relate to NOPD did  
15 not attach to this site because of the PUD that was  
16 previously approved here and is still in existence. There's  
17 a PUD covenant that's approved and was recorded on the site  
18 prior to the effectuation of the NOPD overlay.

19           So we are dealing with an MU-4 site that's subject  
20 to a PUD and therefore able to be approved by the Commission  
21 to reach the height and the mass, the density that's  
22 approved with a C2-A/MU-4 PUD, so it can reach that height  
23 of 65 feet. It can reach a FAR of 3.6 FAR.

24           We're happy to detail that more in a post-hearing  
25 submission, along with some of the other elements that were

1 mentioned upon the opening of today's proceeding by the  
2 Commission, and happy to answer further questions as we go  
3 on today, but I don't want to belabor my section.

4 I feel like I've already done that, so let me go  
5 ahead and hand it over to Eddie to speak a bit about the  
6 applicant. Some of the project's themes, the benefits and  
7 amenities, and community outreach.

8 MR. MANSIUS: Thank you, Jeff.

9 Good evening, everyone. My name is Eddie Mansius.  
10 I am the senior development manager working on the project  
11 on behalf of the applicant, also joined this afternoon by  
12 two of my colleagues, Brian Stewart and Isaac Metzger.

13 Go to the next slide, please.

14 Actually, skip to the -- probably the two slides  
15 from now. We'll go over the existing massing later on the  
16 presentation and the proposed, but if you go to the project  
17 theme slide, this is perfect. Thank you.

18 As far as themes go for the proposed projects,  
19 I'll take this list mostly as read. But one of the  
20 important motifs that we definitely want to highlight here  
21 is the sustainability component of the project.

22 You know, in North America, Grosvenor has  
23 ambitious goals to meaningfully reduce our carbon emissions  
24 by 2030, and have a strong commitment to the world Green  
25 Building Council reflecting as such. So you'll see that as

1 a theme in our application materials, either via our use of  
2 mass timber for the building and an emphasis on electricity  
3 over natural gas as a source of energy for our building  
4 appliances. So that is something that you'll see kind of  
5 woven throughout here as we go through the slides.

6 Next slide, please.

7 To take a look behind us for a moment. The  
8 application that we've submitted is the culmination of  
9 almost 20 public meetings going back as far as 2021. This  
10 summary that's on the slide here, of course, does not  
11 consider all of the collaborative and ad hoc meetings with  
12 key stakeholders like the National Park Service, Dumbarton  
13 Oaks Park Conservancy, single member district reps from ANCs  
14 2E and 3B, and importantly, our tenants, the British  
15 International School of Washington, with whom we've been  
16 engaging on the plans for the two phase project since  
17 shortly after Grosvenor purchased the site in 2020.

18 Next slide, please.

19 It's important to note that the redevelopment of  
20 the overall site has been split into two phases. The first  
21 of which was an athletic facility that was completed at the  
22 end of 2023, it is now being enjoyed by the British School  
23 students.

24 This first phase was critical to the success of  
25 the overall project, and it took pressure off of public

1 resources by bringing many of the British School's athletic  
2 functions onto their campus and out of local facilities like  
3 the gymnasium at Gelfex center.

4           So with that important first phase in the rear  
5 view, the residential phase, which is being reviewed with  
6 this application, seeks to deliver a multitude of other  
7 public benefits to the broader community, which we can go  
8 over later.

9           Next slide, please.

10           So as an organization like Grosvenor that's been  
11 building in complex urban environments for over three  
12 centuries at this point, the applicant is absolutely aware  
13 of the need to prioritize health and safety during  
14 construction.

15           So to that end, we've been working with the school  
16 administration over the past few years on the health and  
17 safety protocols for this project, even going so far as to  
18 attach detailed statement of operating procedure and  
19 mitigation plans as exhibits to their very least, that's in  
20 place with the school.

21           But as a continuation of these meetings and the  
22 meetings that we've had with the school administration and  
23 the school parents over the past few months, we look forward  
24 to continued discussions on ways to mitigate the impacts on  
25 the school's operations and share in their interest in

1 making sure that the construction process for this next  
2 phase occurs in a safe and efficient manner.

3 Next slide, please.

4 Before handing things over to the design team to  
5 walk around the site, I want to take a minute to highlight  
6 some of those benefits that I was referring to earlier that  
7 this project is going to bring to the local community.

8 Suffice it to say that outside the four walls of  
9 our site, there are a number of locally minded organizations  
10 that stand to greatly benefit from the project moving  
11 forward, in addition to the various improvements for the  
12 British School that this next phase will bring.

13 So with that, I'll turn it over to Hickok Cole to  
14 walk you around the site.

15 Next slide, please.

16 MR. ALMEIDA: Good afternoon. Sorry, we're.  
17 There we go. Okay. Good afternoon. My name is Guilherme  
18 Almeida. I'm the lead designer on the 3300 Whitehaven  
19 Street project. I'll be presenting the architectural  
20 portion of the project.

21 Our site sits at the northern edge of the  
22 Georgetown Historic District where Whitehaven Street dead  
23 ends and connects Dumbarton Oaks Park and the site sits  
24 directly north of the Safeway supermarket on Wisconsin  
25 Avenue and abuts both the side of the supermarket structure

1 and their two-story parking garage that fronts Dumbarton  
2 Oaks Park.

3           Currently, there's a five-story plus penthouse  
4 office building located on the northernmost portion of the  
5 site, highlighted in orange on this slide here. And as we  
6 mentioned, on the opposite side of our site, across from an  
7 existing plaza, is the British International School of  
8 Washington.

9           We're proposing a change in use to residential  
10 which will reconfigure the footprint and massing to allow  
11 for the shallower depths required for residential use and  
12 the creation of residential units.

13           Next slide.

14           And we've created the set of diagrams in order to  
15 better explain how we've arrived at our proposed massing and  
16 how the massing responded to the feedback we received in our  
17 conversations with OGB.

18           On the upper left, we start by looking at the  
19 existing building. We can clearly see the five stories plus  
20 penthouse at Whitehaven and six stories along the park,  
21 including the B-1 level revealed by the sloping grade of the  
22 site.

23           The following image to the right shows the  
24 simplified overall existing massing for clarity, and in the  
25 next image we see how the existing building massing is

1 carved away to accommodate a new residential floor plate  
2 which requires much shallower depths than what is currently  
3 found on the existing office building.

4 This move has the added benefit of providing  
5 relief at the park facing side of the building and allows us  
6 to blur the lines between the park and our building by  
7 bringing the landscape into our site.

8 To make it for the area lost and to accommodate  
9 more residential square footage, we then extend the building  
10 mass east and west and north and south, and in response to  
11 the adjacent context of both the park and our neighboring  
12 Safeway building to the south, we stepped the building down  
13 four times to match the height of the adjacent parking  
14 garage.

15 At the west, we extend our massing in front of  
16 that big blank Safeway wall in order to create a new, more  
17 welcoming identity for this newly revamped public space.

18 And lastly, we propose raising the perceived base  
19 of the building in order to further reduce the visual height  
20 of the building at the park.

21 Next slide.

22 Next, we'll go through the existing and proposed  
23 plans of the project. The existing office building has  
24 three levels of below grade parking at the B-3 level on the  
25 left we see the existing condition with the lowest level of



1 the newly completed gymnasium for the British School shown  
2 in blue.

3 The plan on the right shows that this level is  
4 mostly unchanged from the existing condition in the  
5 proposed.

6 Next slide.

7 The B-2 level is where the proposed new  
8 residential building begins. On the proposed plan on the  
9 right we see the lowest level of the residential units  
10 facing the park and the new south courtyard, as well as the  
11 new covered loading dock which accommodates loading and  
12 trash for both the residential and school uses on site.

13 Next slide.

14 At the proposed B-1 level on the right we see the  
15 creation of a new amenity courtyard facing Dumbarton Oaks  
16 Park in order to accommodate the geometry of the new  
17 residential building as well as the upper level of the newly  
18 built gymnasium for the British School.

19 Next slide.

20 And at the ground level we see how the footprint  
21 of the existing office building on the left is reconfigured  
22 to accommodate the footprint for the new residential  
23 building.

24 In the proposed plan to the right we see how the  
25 new massing of the residential building is shaped to

1 accommodate new indoor and outdoor space for the British  
2 School that our landscape architect will elaborate on  
3 shortly.

4               Next slide.

5               The typical levels of the building have a similar  
6 footprint as the ground level, though beginning at level  
7 three, the building massing steps down to the southeast to  
8 meet the height of the massing of the adjacent Safeway  
9 parking garage.

10              Next slide.

11              And finally, in the proposed roof plan, we see the  
12 full roof layout again with the stepping of the massing  
13 accommodating an amenity terrace at the level five roof and  
14 smaller individual terraces at residential units on levels  
15 six and seven.

16              Next slide.

17              So in this arrow slide we see a comprehensive view  
18 of the project, which we've articulated as a composition of  
19 buildings to help break down the scale and maximize the  
20 compatibility with the scale of the buildings found within  
21 the Georgetown Historic District.

22              Mass A, which we refer to as the Whitehaven  
23 Building, is the most visible portion of the building  
24 fronting Whitehaven Street.

25              Mass B, which we refer to as the Plaza building,

1 is the highest mass, maintaining the approximate height of  
2 the existing office building and sitting in the middle of  
3 the site between the park and the plaza to the west.

4 Mass C, the park building, fronts the park and  
5 steps down the hillside to meet the massing of the Safeway  
6 parking garage and Mass D, which we refer to as the  
7 pavilion, wraps the blank wall of the Safeway supermarket  
8 and becomes a new focal endpoint to the plaza between the  
9 British School and 3300 Whitehaven.

10 Next slide.

11 One of our challenges in designing this project  
12 has been creating unique identities for each of these  
13 building masses that are cohesive, complementary, and united  
14 by a common architectural language.

15 This has driven much of our design development to  
16 date and we achieved this through shared proportions,  
17 materiality, and detailing. The choice of masonry in  
18 different colorways, a refined Ashley stone base that  
19 threads through much of the building, particularly as it  
20 hits the park, and the inclusion of unique cast stone and  
21 brick detailing helped to further tie the four distinct  
22 styles that we're proposing.

23 Next slide.

24 On Whitehaven, we're proposing an aesthetic that  
25 is evocative of and reinterprets many of the details found

1 on the red brick townhomes of Georgetown. This is an  
2 opportunity to respect the scale and proportion of the  
3 residential fabric of Georgetown while reinterpreting many  
4 of the beautiful masonry details of the various styles found  
5 throughout the residential court of the historic district.

6               Next slide.

7               The building at the plaza would nod to some of the  
8 larger buildings found within the historic district with a  
9 more streamlined inspired articulation. Reinforcing  
10 horizontal lines and vertical proportions as well as a  
11 lighter colored building palette would set this apart from  
12 other buildings and hearken back to the later years of a  
13 period of significance.

14              Next slide.

15              The building at the park would feature a heavy  
16 rusticated base in order to evoke the earlier industrial  
17 buildings of the era. Large punch window openings, steel  
18 accents, and discreet inboard balconies allowed the building  
19 to engage the park with a language familiar to the historic  
20 district.

21              Fine grade masonry detailing helped bridge the gap  
22 between the more ornate styles found north of M Street with  
23 the more utilitarian structures of the industrial  
24 waterfront.

25              Next slide.

1                   And lastly, for the pavilion building fronting the  
2 plaza, we were inspired by the open spaces of the Georgetown  
3 University campus. Since there's potential for the adjacent  
4 British School to occupy some of the space in this building,  
5 we wanted to explore more collegiate inspired language. And  
6 given that this portion of the building is set deep within  
7 sight and not visible from anywhere within the historic  
8 district, we imagine this taking on a more pavilion like  
9 quality while respecting the textural nature of the material  
10 palette of the historic district.

11                   Next slide.

12                   As we approach the building from the west on  
13 Whitehaven Street, we see the overall composition of  
14 buildings reveal itself. Visible are three distinct  
15 building masses surrounding a plaza.

16                   Again, a shorter building on Whitehaven Street, a  
17 slightly taller building in the middle of the site fronting  
18 the plaza, and a building at the far end of the plaza to  
19 serve as a visual backdrop for a new landscape public space.

20                   Next slide.

21                   Assay on Whitehaven Street, again, we're proposing  
22 an aesthetic that is evocative of and reinterprets many of  
23 the details found on the red brick townhomes of Georgetown.

24                   This is an opportunity to reflect the scale and  
25 proportion of the residential fabric of Georgetown while

1 reinterpreting many of the beautiful masonry details of the  
2 various styles found throughout the residential core of the  
3 historic district.

4           Next slide.

5           This new space at the heart of our site is a  
6 reimagining of the existing public plaza that is more  
7 welcoming and engaging for the community.

8           This new plaza configuration pushes the British  
9 School loading drive deeper to the site to allow for more  
10 queuing of cars on our site during pickup and drop off and  
11 moves the reconceived landscape plaza up against the  
12 sidewalk to act as a true neighborhood amenity.

13           Again, this portion of the building at the plaza  
14 nods to some of the larger structures found within the  
15 historic district with a more streamlined, inspired  
16 articulation.

17           In this view of Mass B from the driveway in front  
18 of the British School entrance, we see how we've utilized  
19 bays with engaged balconies to impart a more residential  
20 character and break down the scale of this otherwise long  
21 elevation.

22           Next slide.

23           And here we get a sense for how the proportions  
24 and scale of the adjacent bays at Mass B carry over to Mass  
25 D, albeit with a change of materiality and slightly

1 different application of details.

2           The concave geometries introduced at intermediate  
3 piers and along the ground level storefront are also used to  
4 scoop out a portion of the ground level program in order to  
5 enhance the physical and visual connection between the plaza  
6 and the playground behind.

7           Wood tone trellises at the ground level provide an  
8 opportunity for the plaza landscape to engage the building  
9 face, helping to connect the ground level program of the  
10 pavilion with the landscape beyond.

11           Next slide.

12           And as we turn the corner into the park along Mass  
13 A, we see the stone base become more prominent and step down  
14 the hillside. We also begin to see a composition of inboard  
15 and engaged balconies, as well as a subtle layering of  
16 geometric relief at brick, metal panel, and cast stone  
17 elements, which can be seen here in the parapet and  
18 spandrels of Mass C.

19           These many elements serve as common threads that  
20 help to weave the park facing portions of the building  
21 together.

22           At the park, depending on the angle of approach,  
23 two or three building masses may be visible. The taller  
24 building in the middle of the site reveals itself when  
25 viewed directly to the northeast of the site, as is seen in

1 this image, and much of the existing vegetation has been  
2 removed from these images for clarity. But you can imagine  
3 how the mature landscape on the hillside would further  
4 soften the impact of these masses on the park.

5 Next slide.

6 And rounding out our overview of the architecture  
7 is a view from the south. Along the Whitehaven Trail at  
8 Dumbarton Oaks Park, where we see the massing of the  
9 proposed residential building begin at the height of the  
10 Safeway parking garage to the left and gradually step up to  
11 meet the height of the Glover House Apartments to the north.

12 And now I'll turn it over to Trini Rodriguez, our  
13 landscape architect, who will be presenting the landscape of  
14 public spaces on the project. Thank you.

15 MS. RODRIGUEZ: Good afternoon, everyone, Trini  
16 Rodriguez with the firm of Parker Rodriguez with the  
17 landscape architects. And we're pleased to be here to  
18 describe to you this incredible project.

19 To start, I think, if you can go to the next  
20 slide, please.

21 Yeah, can you all hear me?

22 CHAIRPERSON HOOD: Yes, we can.

23 MS. RODRIGUEZ: Thank you again.

24 So in front of you, you can see a comprehensive  
25 plan of the site. I just want to describe what we've done.



1 It's a very robust and comprehensive undertaking of the  
2 landscape, including a variety of spaces, both from the  
3 public, semi-private, and private.

4 In front of you, you can see the edge of the park,  
5 Dumbarton Oaks. The importance of the enhancements along  
6 Whitehaven Street, which is a major link, as Gui described,  
7 to the Archbold Global Park. And we're enhancing that edge  
8 as a vital link between the two parks.

9 Also, as described before, we have been working  
10 with Dumbarton Oaks Conservancy, as well as the National  
11 Park Service on a number of initiatives, and that is the  
12 work that is continuing.

13 Again, in front of you, and as Gui described, you  
14 have the main courtyard, which has been reimagined and  
15 reconceived to do a couple of things. One, to improve the  
16 operations of the school by internalizing the drop off,  
17 which you will see in more detail in a minute, to bring  
18 forward the public space to make it more interactive, more  
19 of a place for the community to interact and socialize.

20 And three, to improve the outdoor areas for the  
21 British School.

22 Next.

23 Okay, so this is a close up of the interior court  
24 or the courtyard, the new imagined courtyard or quad, which  
25 has three major elements.

1           One is the pocket park on the left-hand side of  
2 the plan, the drop off area, which is conceived as a plaza,  
3 seamless integration with the other elements of the site.

4           And then, on the right is the playground area, the  
5 new playground area for the school. In addition, you'll see  
6 also that the new circulation elements that link directly to  
7 the new delivery gem, which is underneath that number four,  
8 which is the artificial turf.

9           Next.

10           Now, I want to describe to you each one of the  
11 spaces. This is a pocket park, which we feel that is going  
12 to be a much more welcome space for the community. It's  
13 conceived as a combination of green and hardscaped spaces  
14 with a variety of places for people to sit, socialize, as  
15 well as interact.

16           There is a variety of seating, as you can see, in  
17 the forms of, you know, benches, other seating elements, and  
18 especially built-in furniture. There is a variety of  
19 planting, a layer planting that will provide seasonal  
20 interest as well as address some of the environmental  
21 concerns have been described before.

22           And also we're using that as a buffer to the newly  
23 reconfigured drop off plaza.

24           Next.

25           So these are present images of what this new

1 reconceived pocket park is. And as you can see, it's really  
2 intended to be a place where people will come together and  
3 people of all ages. These are the integration of both green  
4 hardscape elements as well as unique seating opportunities.

5           Next.

6           These are some views of this space. I think I  
7 mentioned before, the idea was to integrate it seamlessly  
8 with the streetscape, that enhanced streetscape along the  
9 front edge and make it inviting so the community can  
10 actually come and inhabit it.

11           Next.

12           That's a view again from the other side, from the  
13 plaza looking back as well of our buffering the drop off  
14 area.

15           Next.

16           So this is the new drop off. With internalizing  
17 this drop off area, which does a couple of things. One, it  
18 serves the school in much better location because it's right  
19 in front of the entrance to the main entrance to the  
20 building.

21           Two, increases the queuing, facilitating the way  
22 that the drop off is administered today. And next, it  
23 integrates with the rest of the plaza. It's a curbsless  
24 environment and the idea is that it can be closed off and  
25 used for other activities, if so desired by the school.

1           You can see adjacent to it is the newly proposed  
2 play area, which would be, you know, buffer from this with  
3 planting. As part of that plaza, you can also see there is  
4 a number of seating opportunities and the present images  
5 show some of the built-in furniture, as well as some of the  
6 treatments on the hardscape.

7           Next.

8           So the last element that I want to talk to you on  
9 this ground level is the new reconfigured open play areas  
10 for the school.

11           As you can see in here is now it's been delivered  
12 all at one level. It's continuous. And we see the  
13 opportunities to also, if the school so desires, to use some  
14 of these new spaces to support some of these play activities  
15 at that ground level.

16           Next.

17           Okay, so there's two components to this. One is  
18 the artificial turf area, which is intended to be an open  
19 play, very flexible in a way that is being designed so it  
20 can be programmed and used as the school desires.

21           It interacts with the building, as we mentioned  
22 before, and the possibility of using that interior/exterior  
23 relationship and having programs that will support this new  
24 space.

25           We also mentioned this is right on top of the

1 newly delivered gym. And the building on the right-hand  
2 side is the circulation core, which will come and interact  
3 with this space seamlessly.

4           Next.

5           This is another view. And you can see the  
6 connection to the playground part of the new outdoor space.

7           Next.

8           So the interior courtyard is where the playground  
9 will be located. This is right now a sample we've been  
10 working with playground consultant, but this will be  
11 obviously reworked with the school to satisfy their exact  
12 needs.

13           But you can see it's all a contiguous surface.  
14 It's a rubberized surface that would allow for a completely  
15 flexible space. It includes a number of play equipment, as  
16 well as have a basketball court and other games.

17           Next.

18           So a couple of views. This is right, the  
19 connecting space. You can see the school spaces in the back  
20 there and how the various play elements will interact with  
21 the space. This is all surrounded by planting as well, as  
22 you can see.

23           Next.

24           This is a view from the basketball court and  
25 looking towards the west. I'm sorry, the east. And you can

1 see the wall of the supermarket with some plantings and  
2 providing a backdrop to the playground.

3 Next.

4 And this is looking towards the west. And you can  
5 see the amount of potential playground equipment that would  
6 be incorporated as part of this space.

7 So now if you can move on, I want to just walk you  
8 through a number of the private spaces.

9 This is the main entrance to the building and part  
10 of that enhanced streetscape that I mentioned before, which  
11 would include, you know, the street, trees, plaza spaces and  
12 places for people to sit and pause.

13 Next.

14 There are a number of private amenity spaces.  
15 This is the lower-level courtyard, which Gui mentioned  
16 before has been integrated with the park. And the idea is  
17 to sort of let the park sort of come in and both spaces to  
18 communicate, you know.

19 And we're sort of one of the themes that we've  
20 been built in is this idea of biophilia. I know that  
21 Commissioner Imamura had asked about our sustainability  
22 strategy, which has been built in throughout the entire  
23 process.

24 There's a number of strategies, and you can see in  
25 here a lot of bioretention areas, green roof, which you'll

1 continue to see throughout the project.

2           This courtyard, as you can see, just has a pool  
3 that is set back, as well as some social spaces for  
4 residents. This is absolutely internal for only the  
5 residents.

6           Next.

7           As the building has been sculpted, as described by  
8 Gui, there is the opportunity to create some terraces for  
9 private units. Those have been set back, but it allows for  
10 that interaction and provides eyes also on the park. Thank  
11 you.

12           Next.

13           This is the fifth level terrace, which is our last  
14 terrace, as described by Jeff before. It's our social space  
15 with views into the park. It is designed to actually take  
16 advantage of, obviously, the wonderful views, but also  
17 provide outdoor spaces for the residents.

18           It's a series of spaces internally, creating  
19 smaller rooms for different groups. And then next, one of  
20 the things that we've been very careful is to conceive the  
21 lighting in a manner that would be thoughtful of how it's  
22 being seen from the outside.

23           So basically, we have soft lighting at the edges  
24 and task lighting adjacent to the building, which is the  
25 more active spaces.

1           I think with that, I'd like to take it back, to  
2 pass it back to Jeff. Thank you.

3           MR. UTZ: That's great. Thank you, Trini.

4           So that brings our presentation to a close,  
5 although we are now happy to answer any questions that you  
6 might have at this time. We tried to keep it close to half  
7 an hour and just hopefully just a little bit over.

8           CHAIRPERSON HOOD: That's fine. Thank you, Mr.  
9 Utz. That's just a target try to go for, especially with,  
10 excuse me, especially with all this support other than I  
11 will talk about the school.

12           Let me ask, was Mr. Solomon going to say anything?

13           MR. UTZ: So we were going to skip, uh, the Mr.  
14 Solomon's portion. I just summarized the response to the  
15 DDOT report. We agree with all their conditions in the CTRs  
16 and the record actually, a couple of times. So we're happy  
17 to rest on that. And he's available for any questions.

18           CHAIRPERSON HOOD: Okay.

19           All right, so you all are complete. I want to  
20 make sure, give you opportune time, say 30 minutes. We  
21 shoot for that sometime. It goes over an hour. All right.

22           Okay. So let's see if we have any questions. I  
23 will say this. I was glad to hear about the continuation of  
24 the, I think, you know, while we did not do what the parents  
25 asked us to do, because I think legally didn't have any



1 standing, I know you all submitted, but I think what they,  
2 what they're saying is very important, Mr. Utz, I would hope  
3 that you and the team will continue to work with the parents  
4 and also the school.

5           Whoever needs to work with the parents, just work  
6 with the parents. Because those are the little people.  
7 Those are little people, and they need to make sure that  
8 they're safe for those three or four years or however long  
9 the construction is going to be going on.

10           So I'm sure those conversations will happen. I  
11 have every bit of faith that that's going to take place, and  
12 I may want a submission just to see how things are going  
13 before we do final. Just, just to see how things are going  
14 on between the parents and how that's evolving.

15           So if you can mark your calendar, I do want that  
16 before we, if we go to final.

17           All right, so with that, let me go to Commissioner  
18 Imamura.

19           COMMISSIONER IMAMURA: Thank you, Mr. Utz and  
20 team. What an exciting project.

21           There's a lot to highlight here, so I'll ask for  
22 your indulgence and forbearance so I can touch on some  
23 things that I found kind of exciting, and I'll try to do it  
24 as organized -- in an organized fashion as I can.

25           Let me just say that I know you're also requesting

1 the rear yard setback exception as well as the penthouse. I  
2 certainly am not opposed to that, especially with Dumbarton  
3 Oaks to the north there, as well as flexibility for the  
4 number of portable units and a mix of IZ units.

5 And I'm certainly amenable to that so long as, and  
6 I just want to put this on the record, that we maintain or  
7 increase the number of two- and three-bedroom units.  
8 Certainly laudable, 15 percent IZ set aside at 60 percent  
9 MFI, 41 IZ units, 268 units total, LEED Gold, replacing a  
10 vacant office building with much needed housing.

11 Certainly excited about the mass timber  
12 construction using cross laminated timber. I think it's  
13 also exciting architecturally. Obviously, you've already  
14 gone through OGB and CFA, so there's not a lot that I can  
15 comment on in terms of the design, but I will anyway.

16 But in terms of its overall design, I think, you  
17 know, it seems pretty reasonable. I think I like the use of  
18 materiality, the elongated brick masonry details, certainly  
19 the decorative coursing and your penetration. The color  
20 palette seems pretty reasonable.

21 Obviously, CFA and OGB thought the same thing, and  
22 the inboarding of balconies, I think, was a great solution  
23 there. I will say from slide number, if I can find it,  
24 slide number 35 though, this gets to a little bit about the  
25 issue here about the No overlay and the height is that the

1 massing looks pretty heavy.

2           And that was my initial sort of reaction to this  
3 in terms of the height of it. So, you know, the  
4 architectural vocabulary, you know, it all works. So when  
5 you do put forward sort of that arithmetic there about the  
6 delta between what you would lose, I'm just curious.

7           Obviously, I know that there's more that goes into  
8 that. It's not just about reducing a building by, you know,  
9 one floor. There's more thought that is required because it  
10 does impact the program. But I would think that maybe you  
11 could select a floor that would be impacted the least and  
12 find out what that might look like.

13           So that was kind of my only concern  
14 architecturally, was just the height and the massing of it.  
15 Also wanted to comment a little bit about -- so I appreciate  
16 the walkthrough with that, Mr. Almeida, because while we're  
17 on the massing and the height, I'm curious -- I'm sure, Mr.  
18 Utz, as you all prepared for this hearing tonight, that this  
19 would be a topic of discussion.

20           What have you all done, in terms of design  
21 solutions, to mitigate those views from the Naval  
22 Observatory and minimize sort of that impact? Because we  
23 are possibly extending the height here.

24           So it brings in sort of views and security issues.  
25 So what have you done, in terms of your design solution, to

1 mitigate those issues?

2 MR. UTZ: Sure. So I can start on that and then  
3 if anyone wants to join in, feel free to do so.

4 But the relationship of this project to the park  
5 and to the Naval Observatory was kind of primary input.

6 The design work on this, the planning, started  
7 four years ago, three to four years ago. So it's really  
8 been a long time coming. The public reviews the whole  
9 started two years ago, so it's really been kind of in the  
10 pipeline for a while.

11 The interface with the park has been kind of the  
12 primary component of the design input. The design itself is  
13 intended to step down and integrate with the park as much as  
14 it can. There's actually a great -- one of the slides is  
15 particularly great in showing how the philosophy came to be  
16 early '18.

17 It really shows how the building started off as  
18 the office and then went through all those iterations to  
19 kind of interact with the park, step down into the park,  
20 soften the mass, as you look up into the site from the park,  
21 which is tricky because there's topo here, but then there's  
22 also topo further up the hill towards the Observatory.

23 We are actually kind of halfway down or more down  
24 the hill. So there is some significant buffering between  
25 the site and the Naval Observatory, particularly the more

1 arguably sensitive portions of the Observatory, the  
2 Observatory itself and then the Vice President's residence  
3 are about 2000 feet away from the very edge of the site, so  
4 they're a good distance, and there's a lot of vegetation,  
5 trees, and then topography.

6           So the materiality and the kind of configuration  
7 of the building itself, as it interfaces with the park, were  
8 principal considerations early on.

9           Then came kind of secondary considerations about  
10 limiting where some of the amenity spaces. And that's why  
11 the Office of Planning condition, about limiting the amenity  
12 space for the common spaces to the fifth floor below works,  
13 because that thought went into the way that the project came  
14 to be.

15           So that is, the fifth floor is where the principal  
16 level is. So that hopefully mitigates some of that  
17 relationship. And then also, as Trini mentioned, the  
18 lighting program itself has purposely been -- let's say  
19 sensitively deployed, so the more meaningful lighting is  
20 closer to the structure and farther away from the exterior  
21 of the building and farther away from the park, and then  
22 towards the edges of the terrace, that's where the lower  
23 level lighting is that will be blocked by the facade itself  
24 and the parapet in the railings and not shine over as much.

25           And I would just say this is something that we did

1 review a great deal with OGB and CFA. They were very  
2 focused on those elements, and we have been meeting with  
3 National Park Service representatives as well over the  
4 years.

5 I think that was actually our very first meeting  
6 was with NPS to begin to work out some of those issues. So  
7 if anyone else has anything else you'd like to mention,  
8 please do.

9 CHAIRPERSON HOOD: All right.

10 MR. MANSIUS: One thing. Sorry. Give me a second  
11 to. I would just -- sorry. The tech issues we're having in  
12 this conference room.

13 I was just going to state that the existing fifth  
14 floor is two feet five inches higher than the proposed fifth  
15 floor where the proposed amenity is.

16 So comparing the existing accessible roof of the  
17 office building with the proposed amenity, we're actually a  
18 little bit lower. So I just wanted to point those numbers  
19 out.

20 COMMISSIONER IMAMURA: All right. Great. Which I  
21 think the fifth level terrace amenities space and the  
22 lighting plan work really well.

23 Mr. Almeida, you can come back up because I've got  
24 a question. This is just for my own indulgence. The  
25 construction phasing. This is a pretty large project.

1 You've done a great job in terms of illustrating the  
2 massing, as Mr. Utz had pointed out, the massing diagram  
3 that breaks it down to A, B and C -- A, B, C and D.

4 And I'm just curious about your construction  
5 phasing for this?

6 MR. ALMEIDA: Sorry. Can you hear me?

7 COMMISSIONER IMAMURA: Yes.

8 MR. ALMEIDA: I mean, Mike. Okay.

9 The four masses that you were talking about would  
10 all be built at the same time. So that's all phase two of  
11 the projects. Everything that we looked at besides the  
12 auditorium that's already been built would be built at once.

13 COMMISSIONER IMAMURA: Okay. Wow. While you're  
14 here, I'd like to talk a little bit about -- like to have  
15 you talk a little bit about some of the sustainability  
16 features.

17 I noticed, somewhere in the record, we talked a  
18 little bit about, or you talked a little bit about embodied  
19 carbon. There was a mention about PV's, the inclusion of  
20 PV's. I'm curious a little to hear a little more about  
21 that.

22 From what I gathered is this an all-electric  
23 facility? And that's what it sounded like to me. And I'm  
24 pleased that it's LEED gold. It seems that your number of  
25 points that you're solid on that, but I'd like to hear a

1 little more about some of your sustainability goals here?

2 MR. ALMEIDA: Well, I would say that a huge part  
3 of the sustainability approach on this project has been the  
4 study of the mass timber structure where we have been able  
5 to achieve -- and actually one of the things that was  
6 requested in one of the agency reports, this lifecycle  
7 assessment we've already done.

8 So we're looking to continue to update that as the  
9 design develops. But we were really pleased with the amount  
10 of embodied carbon savings that we're able to achieve by  
11 studying more sustainable structural methods.

12 And then beyond that, there's things like you  
13 mentioned the fact that this will be an all-electric  
14 building and the various, you know, landscape elements that  
15 will contribute to the sustainability of the landscape.

16 Sorry, I'm drawing a little bit of a blank right  
17 now, so.

18 COMMISSIONER IMAMURA: Okay. Can you talk a  
19 little bit about photovoltaics and solar panels?

20 MR. ALMEIDA: Yes, we are. We have a -- we have  
21 planned areas for photovoltaics on the roof, as you saw in  
22 the roof plan that we showed up there. Because of the  
23 amount of stepping that we're providing in order to minimize  
24 the bulk of the mass of the building, it is a little bit  
25 challenging to sort of maximize the amount of PV. But we've



1 sort of outlined significant areas that are PV ready,  
2 essentially.

3 COMMISSIONER IMAMURA: Okay.

4 MR. ALMEIDA: For that purpose.

5 COMMISSIONER IMAMURA: And you have EV's charging  
6 stations too, is that right?

7 MR. ALMEIDA: Yes, there's actually quite a  
8 significant amount of them. Do we have that number? One  
9 per 50.

10 COMMISSIONER IMAMURA: All right, terrific. All  
11 right, thank you, Mr. Almeida.

12 Let's see if we could pull up. Ms. Rodriguez.

13 Hello, Ms. Rodriguez.

14 MS. RODRIGUEZ: How are you?

15 COMMISSIONER IMAMURA: I'm well. I think one of  
16 the great successes of this project here is the landscape  
17 design. I was very impressed by the level of work.

18 I only had one sort of little heartburn that was  
19 about the playground and how that was kind of shoehorned in  
20 there. Probably driven by programs more than anything. So  
21 it no longer have the nice, wonderful views of Dumbarton  
22 Oaks and the tree canopy there.

23 But what you have planned and working with your  
24 playground consultant, I'm certain, will provide a nice play  
25 setting. I do want to talk a little bit or ask you about

1 the pocket park.

2           Your precedent images look great. Just out of  
3 curiosity, I think I saw, I'm looking at my notes here, the  
4 transformer vaults that are there, but I didn't see in  
5 detail because the plans just weren't to that scale to  
6 provide that detail how you were concealing those  
7 transformers or that transformer specifically?

8           MS. RODRIGUEZ: Yeah, so they're existing  
9 transformers and they're actually spaced out. So we have  
10 them, I mean, we kind of carefully crafted the design of  
11 this to kind of leave them off to the side and pass through  
12 on both on all the edges, but they're kind of like  
13 background.

14           And our idea was instead of really trying to,  
15 like, shrub them up or hide them or whatever, you sort of  
16 leave them very neutral. And then we're integrating within  
17 that the new streetscape.

18           So we will do some, we'll address the tops, but  
19 we're kind of like letting them be as background and the  
20 space is beyond it. So these are actually in the  
21 streetscape. They're outside, right at the edge of the  
22 sidewalk, and the pocket park is beyond it, is internal.

23           COMMISSIONER IMAMURA: Okay. Thank you for that  
24 explanation. I think your strategy to internalize the drop  
25 off and curbless drop off, I think, is really terrific, sort

1 of to anticipate, you know, multiple uses for that space.

2 So I appreciate that.

3 I did take a note about your hardscape treatment  
4 and was curious if any of that includes permeable paving at  
5 all?

6 MS. RODRIGUEZ: Well, you know what's interesting,  
7 and maybe I didn't make that very clear, it's all over  
8 structure. So this entire hardscape and softscape is  
9 actually over the parking garage.

10 COMMISSIONER IMAMURA: Very good. All right.  
11 Well, can you tell me a little bit more about your  
12 involvement in your stormwater strategy, stormwater  
13 management strategy? Because certainly I hope that you  
14 played a role in that.

15 MS. RODRIGUEZ: Yeah.

16 COMMISSIONER IMAMURA: Very good.

17 MS. RODRIGUEZ: We have been, and I think on the  
18 slide 37, which I kind of failed to mention when you look at  
19 it, how green it is. We've been working with the architects  
20 to integrate both stormwater, other sustainability elements  
21 like the PV's and the tools that we're using for stormwater  
22 are both bioretention as well as green roofs.

23 So pretty much every square inch of these roofs  
24 are either green roof or some other PV element. So we're  
25 super green. And then the bioretention areas are mostly at

1 the courtyard. So we're taking advantage of the southern  
2 courtyard as well as the courtyard at the ground level to  
3 incorporate those and use them as actually buffers.

4 COMMISSIONER IMAMURA: Terrific.

5 My last question, I think, for you, Ms. Rodriguez,  
6 is just there is a tremendous amount of focus on the  
7 sustainability of this project, which I think is really  
8 tremendous, from embodied carbon to what I hope is and maybe  
9 there's not enough trees here to capture, but carbon  
10 sequestration.

11 I don't know, that was something that you all had  
12 calculated yet or there's enough there to actually put those  
13 numbers forward, because I think that would be pretty  
14 interesting to see.

15 MS. RODRIGUEZ: Yeah, we haven't calculated that.  
16 I mean, I know that we've been trying to balance this idea  
17 or the needs of, you know, creating usable space for, you  
18 know, obviously the school and the children.

19 You know, and one of the things that I actually  
20 wanted to mention that we found fascinating about the school  
21 itself is that they are heavy users of the park. That  
22 school is almost all the time in the park.

23 So we're trying to kind of give them what they  
24 don't have there at the park. So we're using almost every  
25 square inch that we can to make it, you know, a place that

1 they can actually enjoy and use for all these outdoor  
2 activities for the kids.

3 COMMISSIONER IMAMURA: All right, terrific. Thank  
4 you, Ms. Rodriguez, I appreciate your responses. And again,  
5 I think you put together a very nice design strategy along  
6 with an architectural solution that I think is equally as  
7 nice. So thank you very much.

8 MS. RODRIGUEZ: Thank you.

9 COMMISSIONER IMAMURA: And I just want to make  
10 note, Mr. Utz, on the 20 plus, this was sort of a Hanging  
11 Chad, if you will, on my notes, just the 20 plus public  
12 meetings that you all have held, in addition to the ad hoc  
13 ones that you haven't listed as well.

14 So I appreciate that effort there, as well as  
15 bringing Ms. Nale tonight, as well as an expert in civil  
16 engineering. It sounds that, Ms. Rodriguez, I would assume  
17 that Ms. Nale has also been part of the stormwater  
18 management strategy, and so I'm pleased to see that  
19 landscape architects and civil engineers working together on  
20 this.

21 So with that, Mr. Chairman, I don't have any other  
22 questions and I will yield back, and I'm interested to hear  
23 what my fellow commissioners have to ask as well.

24 CHAIRPERSON HOOD: Okay. Thank you very much.

25 Commissioner Stidham, if you have any questions or

1 comments?

2 COMMISSIONER STIDHAM: I think Commissioner  
3 Imamura, he always takes all the questions. I'm sorry.

4 COMMISSIONER IMAMURA: I learned that from your  
5 predecessor, Commissioner Stidham.

6 COMMISSIONER STIDHAM: Oh. Oh.

7 COMMISSIONER IMAMURA: Mr. May always took my  
8 questions.

9 COMMISSIONER STIDHAM: Ah, I see. I see. You  
10 know, it's, it's hard following him, that's for sure.

11 So I had one question about the parking, and I may  
12 have missed your explanation in the beginning of this  
13 hearing related to OP's suggestion.

14 That was the one suggestion that you are not  
15 willing to, to agree to. Can you help me understand? Did  
16 you say, if you said this already, I apologize.

17 MR. UTZ: No worries. Sure. I'm happy to just  
18 say a few words about that.

19 There is currently a proposal to include 248  
20 parking spaces with this project. So the requested  
21 flexibility is to swing up or swing down 10 percent from  
22 that number.

23 OP asked that we eliminate the ability to swing up  
24 from that number, and we're requesting to maintain it in  
25 case there is -- there are just, essentially unknowns that

1 cause configuration of spaces that end up exceeding 248  
2 spaces.

3 We have an existing parking garage now, and it has  
4 306 parking spaces in there. So we are fairly certain that  
5 it will end up at 248-ish, but we would like to have the  
6 flexibility to exceed that number in case the restriping and  
7 redesignation of those spots ends up with more, rather than  
8 simply having kind of fallow area in the garage that's  
9 simply not used for anything.

10 Overall, I think OP is mostly worried about over  
11 parking the site. So I think the result here will be a  
12 reduction to the amount of parking regardless. And I think  
13 if the project doesn't need the spaces, it won't have them.  
14 This won't be a driver to kind of create more spaces than  
15 are necessary, but we just wanted to have that flexibility  
16 to designate all the space that's already there, essentially  
17 as spaces --

18 COMMISSIONER STIDHAM: Okay.

19 MR. UTZ: -- that are needed.

20 COMMISSIONER STIDHAM: Great. Thank you. I  
21 appreciate that. And apologies if you had to repeat that  
22 from earlier.

23 Chairman, that's the only question I had.

24 CHAIRPERSON HOOD: Thank you very much.

25 Okay. Vice Chair Miller.

1           VICE CHAIR MILLER: Thank you, Mr. Chairman, and  
2 thank you to the applicant's team for your presentation  
3 today and your submissions and the community outreach that  
4 you did.

5           And thank you to my colleagues for your questions  
6 and comments.

7           I associate myself with all of Commissioner  
8 Imamura's comments, and so I won't go into repeat them.  
9 I'll try not to repeat any of them.

10           One of the areas of flexibility that you asked  
11 for, and I appreciate that you have agreed to all the  
12 conditions of DDOT and all but one on the parking that  
13 Commissioner Stidham just asked you about, the flexibility,  
14 and I think you said that you would, as long as it's still  
15 below whatever the minimum required is. What is the minimum  
16 required? Is it what's there now? Is that the -- is this  
17 306 number?

18           MR. UTZ: So the minimum required is going to be  
19 215 after the project is constructed, and the amount  
20 proposed for the project is 248, and then the amount that  
21 exists currently on the side is 306.

22           So we'll be -- we'll comply with parking  
23 regardless of the number (crosstalk) brings up.

24           VICE CHAIR MILLER: And it will be less than what  
25 is existing there in any event, is what you said, right?



1           MR. UTZ:   Yep.   Exactly.

2           VICE CHAIR MILLER:   Okay.

3           On the housing unit count, flexibility,  
4 Commissioner Imamura suggested that you maintain, if there  
5 is any reduction in the total count, that you maintain the  
6 number of currently proposed two bedrooms and three  
7 bedrooms.

8           I think there are 80, no, there are 52 two  
9 bedrooms proposed and ten three bedrooms proposed, in  
10 addition to the 126 one bedrooms and the 80 studios.

11           So it's commendable that there are two bedrooms  
12 and three bedrooms here.   And so, yes, to the extent that  
13 you are able to maintain those numbers, whether or not there  
14 is an adjustment in the total count would be appreciated.

15           I also -- but I also would suggest, I think we've  
16 done this in other cases, that the percentage -- you're  
17 currently proposing 15 percent of the total units as  
18 inclusionary zoning.   So the plus five percent is considered  
19 a public benefit above the minimum IZ requirement.

20           I think that public benefit is very important.   As  
21 I'm sure you do too.   And the Comprehensive Plan certainly  
22 does emphasize housing and affordable housing.   So I would  
23 want that the percentage of that flexibility to have a  
24 proviso that the percentage of the total affordable total  
25 units not drop below the 15 percent level currently

1 proffered, because I think that public benefit is important  
2 in the whole scheme of things.

3           So I don't know if you have a comment on that?

4           MR. UTZ: So that that is the intent of the  
5 approach. So I think we can draft that into the conditions.

6           VICE CHAIR MILLER: Okay, I appreciate that.

7 Thank you.

8           You know, in addition to the whole height issue,  
9 the whole issue of the Naval Observatory overlay and its  
10 applicability versus the PUD vested rights of applicability  
11 of height and massing, you're going to get into that in a  
12 post-hearing submission, which we appreciate.

13           I think that Commissioner Imamura commented on how  
14 wonderful the design was and I associate myself with those  
15 comments, that the design, the materials, the colors, the  
16 balconies, the sustainability features, the step downs are  
17 all very commendable.

18           I think the overall massing and height does seem a  
19 little bit large, given the Comprehensive Plan Land Use Map  
20 designation of moderate residential for what is going to be  
21 this site.

22           Mostly, the building is mostly on the moderate  
23 density residential designation on the Future Land Use Map.  
24 The low density commercial, I think, is where the British  
25 International School building is currently located on; is

1     that correct?

2                 MR. UTZ:   The British International school is on  
3     the low density portion and the 3300 Whitehaven project is  
4     on the moderate residential portion.

5                 VICE CHAIR MILLER:   Right.   And so the one -- and  
6     so I think the framework element says that 1.8 -- off to 1.8  
7     FAR is appropriate in moderate residential, except where  
8     there's a PUD and inclusionary zoning, and there's both  
9     here.

10                So I just think in your post-hearing submission,  
11     if you can emphasize how the public benefits may, out of the  
12     entirety of the project, including consistency with housing  
13     and other goals in the Comp Plan, how they may outweigh any  
14     potential inconsistency with that moderate residential  
15     designation for where this new building is going to be  
16     located with a 60 plus height and a 2.83 FAR.

17                So if that could just be touched on as well in the  
18     post-hearing submission, I would appreciate that.   But if  
19     you wanted to comment at this time, off the top of your head  
20     to that, to my comment, I give you an opportunity to do  
21     that.

22                MR. UTZ:   Sure.   Thank you, Commissioner.

23                We do think that the proposal is consistent with  
24     moderate density residential as well.   We think that both  
25     low density commercial and moderate density residential

1 designations are appropriate here and vice versa.

2           The project is consistent with those designations.  
3 There is the FAR specification that you mentioned in the  
4 framework element that then the door is open through the  
5 application of inclusionary zoning and a PUD. And in this  
6 case, we're essentially doing both.

7           So given the existing zoning, given the allowable  
8 kind of review and flexibility that can be applied by the  
9 Commission due to that definition, we think we do meet that  
10 here. The height of the building, the height of the 3300  
11 building is 61 feet.

12           So this is a measured height. This is, I should  
13 say, tailored height. Obviously, it's measured, but it is  
14 kind of purposely selected, it is not maxed out. And on the  
15 FAR side, as you noted, it's 2.83 FAR.

16           So again, that falls far short of what a maxed out  
17 C2-A/MU-4 PUD would be a 3.6. So it is purposely tailored  
18 to be significantly less than could be placed in a zone like  
19 this because we felt, after analysis of the Comp Plan and  
20 the site and the neighborhood and the adjacent seat of the  
21 park, that the height and the massing was appropriate here.

22           As you noted the kind of -- to the extent there  
23 are any gaps or shortcomings, this is a really strong  
24 benefits and amenities package. It really, I think, when  
25 taken as a totality, when taken as a whole, the full Comp

1 Plan balancing is more than met as a result of that.

2 I would argue that it's consistent anyway. But  
3 then when you add in the benefits and amenities, it really  
4 is a powerful moment and a powerful application of this PUD  
5 tool that's available for the District and for the Zoning  
6 Commission.

7 So we're happy to detail it more in the record in  
8 our post-hearing, but we do think this is really an  
9 opportunity for a particular amount of consistency to be  
10 highlighted with the Comp Plan.

11 VICE CHAIR MILLER: Well, thank you for that  
12 response, and I'll look forward to the written -- further  
13 written submission on that as well. And you are to be  
14 commended, working with ANC 2E and 3B on the contributions  
15 that they want to see that are community improvements in  
16 their neighborhood, in this neighborhood.

17 And I'm sorry that the one with the Park Service  
18 on the stormwater management didn't work out, but I'm glad  
19 that there are all the other ones that have worked out.

20 Has there been any -- well, just on the height  
21 issue. Just out of curiosity, what is the height of the  
22 existing brick -- so this is going to be 60 plus feet, which  
23 is about nine plus feet more than what's there now in that  
24 vacant office building.

25 MR. UTZ: Yes.

1                   VICE CHAIR MILLER: What's the height of the  
2 British International School building and what's the height  
3 of the Glover House across Whitehaven? Just out of  
4 curiosity. I know that topography is going all different  
5 ways there. Going up Wisconsin, down into the park. But  
6 what's the height measurement, if you know it, on both of  
7 those buildings?

8                   MR. UTZ: So we'll try to get the height of the  
9 Clover House while we're talking about the other metrics.

10                  We do have the height of the existing British  
11 School building is 43.6 feet, so that doesn't change as a  
12 result of this. The height of the 3300 Whitehaven building  
13 is 51.6 feet right now, and we're increasing that a little  
14 under 61 feet now.

15                  So it's about nine and a half feet that's actually  
16 being added by today's application to that building. And I  
17 think we might have to figure out, with more specificity,  
18 the height of the Glover House.

19                  We know it's significantly more. It's  
20 significantly taller, particularly when you add in the  
21 topography, it slopes up Wisconsin Avenue as you proceed  
22 from our site to theirs, even though it's just across  
23 Whitehaven.

24                  So in its totality, it's significantly more than  
25 will be what's built out.

1           VICE CHAIR MILLER: Right. And again, does the  
2 naval -- do you know if the Naval Observatory district goes  
3 across Whitehaven through where the Glover House is?

4           MR. UTZ: Yeah, it does. It goes across into the  
5 north of our site. Yes.

6           VICE CHAIR MILLER: The only other comment I had,  
7 I think, is I would encourage you, as the Chairman has, to  
8 continue your conversations with the parents' alliance of  
9 the British International School.

10           And to the extent you're able, these are  
11 construction related issues that they're mostly concerned  
12 about, which is not our review, in terms of adding  
13 conditions into any zoning order, but I would encourage you  
14 to, if, to the extent you're able, to enter into some kind  
15 of agreement with our understanding with the parents groups  
16 on the construction, phasing and designating a liaison and  
17 all that.

18           They had specific requests, which seem typical of  
19 what's, in terms of the general categories, of what's in the  
20 construction management agreements that we have seen in  
21 other cases that we don't make as conditions of order, but  
22 we sometimes have noted them.

23           So I just would encourage you, just as part of the  
24 good neighbor policy to continue those conversations and  
25 reach some kind of understanding, or as much as you can with

1     that group.

2                 What is the British -- there's 5,600 square feet  
3     of space, in addition to the pocket park for the pocket  
4     parks for the school, right or the playground. There's a  
5     playground for the school, or a pocket park, or both?

6                 MR. UTZ: The playground is for the school. So  
7     there are actually kind of two areas that comprise the  
8     proposed playground. And then the pocket park is for the  
9     public and usable by the school also.

10                VICE CHAIR MILLER: And then there's 5,600 square  
11    feet of space in the building for British International  
12    School. And what's that for?

13                MR. UTZ: Correct.

14                It's for their program. I'm not sure that they've  
15    allocated a specific use to it within their overall academic  
16    program, but it is the first level of what we're calling  
17    Mass D, that pavilion building, and then a portion of what  
18    we're calling Mass C, the adjacent portion to both of the  
19    kind of lobes of the playground area that they'll have, the  
20    recreational area.

21                So they'll have two separate enclosed areas  
22    flanking that outdoor space.

23                VICE CHAIR MILLER: Great. Has there been any  
24    outreach to the Naval Observatory to date by the applicant?

25                MR. UTZ: So we haven't reached out to the Naval



1 Observatory specifically. You know, it has gone through  
2 this project, has gone through a significant amount of  
3 review, but there hasn't been any direct interaction with  
4 individuals from the Observatory yet.

5           Yeah, I would imagine they probably are aware of  
6 this, through the many reviews that it has gone through, the  
7 OGB CFA and discussions with NPS along with numerous  
8 meetings at the ANC.

9           VICE CHAIR MILLER: I didn't check the property  
10 owners who got notice. Did they get notice of -- they're  
11 within the 200 feet, right, of -- did they get official not  
12 ice of this do you know?

13           MR. UTZ: I believe so. I will confirm that, but  
14 I believe that is the case. Yes, it is indeed the case.

15           VICE CHAIR MILLER: Okay, great.

16           Well, thank you very much for your presentation  
17 and we look forward to your post-hearing submissions and  
18 your further dialogue with the parents. And it is a very  
19 well-designed project, has gone through two design  
20 committees, at least so far, and three if you include us. I  
21 don't know. I guess with Commissioner Imamura and  
22 Commissioner Stidham, we can include. We can say it went  
23 through a design process here as well.

24           And then the Chairman, I just won't include myself  
25 as a design expert. And, I mean, the office to residential

1 conversion is something that's being encouraged by the city,  
2 mostly downtown, where there's a lot of vacant office, but  
3 there's vacant office here. And this is an amenity rich  
4 neighborhood that needs housing and affordable housing, and  
5 there's space here for that.

6 And I appreciate you bringing this forward to us  
7 today. Thank you very much.

8 Mr. Chairman?

9 CHAIRPERSON HOOD: Thank you. I don't have a lot  
10 of questions. I don't see a lot of opposition. I think  
11 this place is very well done, very well put together. I do,  
12 trying to reflect on Dumbarton. Was this a BZA case at one  
13 time or has it always been a PUD in the eighties, under  
14 Chair Matthews?

15 MR. UTZ: I think it's always been a PUD. Yeah.  
16 I'm not aware of any BZA history to it, but there was Zoning  
17 Commission history for certain.

18 CHAIRPERSON HOOD: Okay. And maybe that's -- I  
19 think the Commission, we dealt with this once before,  
20 correct?

21 MR. UTZ: Correct. We came in with a modification  
22 of consequence to build the gym itself.

23 CHAIRPERSON HOOD: I'm just trying to remember  
24 because I remember Dunbar notes that took us. Maybe it's  
25 something else in the city named after this. And it was --

1 there was a lot of opposition, and I wanted to give this  
2 credit to this case, but obviously this is not the case  
3 because the record doesn't reflect that.

4 But it was an appeal on the BZA, I don't know.  
5 Maybe I'm -- maybe I shouldn't even bring that up. It may  
6 show back up.

7 All right. So I do have a question, and maybe I  
8 can ask the ANCs, but I'm sure that you all can kind of help  
9 me with this.

10 I've heard of No Child Left Behind, but I saw this  
11 -- I'm just curious. No child Left In. Is that dealing  
12 with the play area? I can kind of put some assumptions, but  
13 I don't want to do that.

14 One of the amenities is putting money towards No  
15 Child Left In.

16 MR. UTZ: Sure.

17 Eddie can speak to that in more detail. We're  
18 happy to talk about that.

19 CHAIRPERSON HOOD: I just want to know what that  
20 is, yes.

21 Are you all taking notes from another council in  
22 the city?

23 MR. MANSIUS: Sorry about that. Good afternoon,  
24 I'm happy to answer that question.

25 So, through our dialogues with the Dumbarton Oaks

1 Park Conservancy, which has a partnership agreement with the  
2 National Park Service to oversee the maintenance and  
3 rehabilitation of the historic park.

4           You know, one of their programs that they have is  
5 this No Child Left Inside Program that has some sort of sub  
6 areas to it. It's main intent is really to bring youth from  
7 all over the District of Columbia into the park to learn  
8 about careers in environmentalism and natural resource  
9 stewardship.

10           So it's a program where, you know, they bring in  
11 middle and high schoolers through the park and teach them  
12 about, you know, what their careers could look like if they  
13 want to stay with it. But at the very least, sort of get  
14 them outside and get them into a beautiful natural park.

15           And you know, it's a great afterschool program  
16 that they run.

17           CHAIRPERSON HOOD: Okay, and let's talk one more.  
18 I don't have a lot of questions. I know CFA has looked at  
19 it, Old Georgetown board. I know Commissioner Imamura,  
20 Commissioner Stidham and Vice Chair Miller. Everybody's  
21 looked at it.

22           So I'm fine with it. I do like the material  
23 makeup and how that's being done, how that's being handled.  
24 So I don't necessarily have a whole lot on any of that.

25           I'm more -- I really like this amenities package,

1 I think, and I'm sure it had a lot to do with balancing what  
2 you're asking for, what you're trying to do with the support  
3 you have.

4 I'm also curious, what is the 150,000 contribution  
5 to the Black Georgetown Foundation for the restoration and  
6 promotion of the Mount Zion Cemetery Female Union Band  
7 Society Cemetery?

8 Are they going back in and refurbishing? Are they  
9 updating it? What is that? What's the programmatic view  
10 behind that?

11 MR. MANSIUS: Absolutely. Sorry, I keep using my  
12 mic instead of Jeff's.

13 Yes, that is. That's exactly right. It's  
14 actually a contribution that, in talking with ANC 2E, was  
15 flagged as something of high importance for that community  
16 is to really restore the cultural and historical asset that  
17 is that cemetery.

18 It's an area of Georgetown and a history of  
19 Georgetown that to date hasn't gotten a lot of attention and  
20 sort of a lot of availability for folks to come learn about  
21 the history there.

22 So that that organization has, in its, you know,  
23 capital plan, intends to refurbish that site and hopefully  
24 get more folks in Georgetown and beyond to come and visit it  
25 and learn about the history.

1           CHAIRPERSON HOOD: Okay. I want to commend this  
2 applicant on first of all, not seeing any opposition, but I  
3 shouldn't say that because I never know what's going to  
4 happen in these hearings.

5           And also, at least right now, there's no evidence  
6 of any. I do notice some concerns. We've talked about that  
7 enough. I believe that you all take care that and all  
8 the -- I was concerned about Secret Service knowing about  
9 these guys, but I'm sure all that from what I'm -- the way  
10 I'm looking at this record, all that has been done.

11           I don't have any additional questions. I think,  
12 unless something else pops up that I'm not aware of, I think  
13 this is, as my colleagues already mentioned, a very good,  
14 very well put together case. And I'll leave it at that.

15           Any follow up questions or comments?

16           Okay. Not seeing any, thank you, Mr. Utz and  
17 team. Appreciate all the work that you all have put into  
18 this. And one of these days I figure out where that other  
19 Dumbarton is.

20           Hopefully, I notice it's not here, but it's  
21 somewhere in this city. But one of these days I'll figure  
22 that out. And that might even be the proper name. I may  
23 have that all messed up.

24           Okay, so let's see. ANC 2E.

25           Ms. Schellin, do we have anyone from ANC 2E?

1 MS. SCHELLIN: There's no one -- there's no one on  
2 for the, for any of the ANCs.

3 CHAIRPERSON HOOD: Okay, well, I'm still gonna  
4 call 3B, so, I mean 3B. No one --

5 MS. SCHELLIN: Right. No one on --

6 CHAIRPERSON HOOD: -- from 3B here? We do have  
7 their letters. And when it comes time for the ANC report,  
8 I'm going to ask Commissioner Stidham and Commissioner --  
9 Commissioner Stidham, if you could do 2E, just tell us what  
10 the -- what they mentioned and Commissioner Imamura, if you  
11 could do 3B when we get to the ANC report, just the bottom  
12 line, not the whole letter.

13 All right. Ms. Schellin, do we have any other  
14 offices, government offices that would like to testify  
15 besides the two that I know?

16 (Pause)

17 CHAIRPERSON HOOD: Ms. Schellin, are you having  
18 problems?

19 MS. SCHELLIN: I'm sorry, what was that?

20 CHAIRPERSON HOOD: Do we have any other government  
21 agencies that want to testify?

22 MS. SCHELLIN: No.

23 CHAIRPERSON HOOD: Okay.

24 MS. SCHELLIN: No, no government agencies to  
25 testify, but I believe there were some reports attached

1 maybe to the ANC report.

2 CHAIRPERSON HOOD: Okay.

3 MS. SCHELLIN: The Department of Housing and  
4 Community Development, Department of Parks and Recs, Fire  
5 and Emergency Medical Services, Department of Energy and  
6 Environment, they had no objections.

7 And then overall, DOEE applauds the applicant. So  
8 I think those must have been attached to the OP report  
9 because we don't have them in the record as exhibits by  
10 themselves.

11 CHAIRPERSON HOOD: Okay. Yeah, I did see that,  
12 but I was wondering if maybe like the Office of Attorney  
13 General, anybody was here?

14 MS. SCHELLIN: No, sir.

15 CHAIRPERSON HOOD: Okay. So I want to make sure I  
16 call for. Because what I don't -- and then I won't overlook  
17 anybody.

18 MS. SCHELLIN: Yes.

19 CHAIRPERSON HOOD: All right, what about DDOT? We  
20 have any representative from DDOT?

21 MS. SCHELLIN: We have Ms. Bridges here.

22 CHAIRPERSON HOOD: Yep. Ms. Bridges. Let's start  
23 with Ms. Bridges.

24 Ms. Bridges, you may begin when you -- when you're  
25 ready.



1                   CHAIRPERSON HOOD: Good evening, Chairman Hood and  
2 members of the Commission. For the record, I'm Kelsey  
3 Bridges with the district Department of Transportation.  
4 DDOT is supportive of the applicant's proposal.

5                   As you heard in the presentation, the applicant  
6 has coordinated with DDOT on the transportation impacts and  
7 has come to an agreement with the applicant on a  
8 transportation demand management plan to mitigate the  
9 project's impacts to the transportation system.

10                  The applicant has agreed to the additional TDM  
11 elements DDOT requested in their report, as noted in the  
12 presentation; the enhanced TDM public space improvements and  
13 conditions outlined in the March 13, 2024 CTR; along with  
14 agreed to additional TDM elements are sufficiently robust to  
15 encourage non-auto travel.

16                  With the agreed to TDM plan included in the final  
17 zoning order, and continued coordination with DDOT through  
18 the public space permitting, DDOT has no objection to the  
19 approval of this application. Thank you.

20                  CHAIRPERSON HOOD: Thank you, Ms. Bridges. We  
21 appreciate all the work that you all have put into this as  
22 well. Let's see if we have any questions or comments.

23                  Commissioner Imamura? None. Commissioner  
24 Stidham? None. Vice Chair Miller? None.

25                  Okay. And I don't have any either. Let's see,

1 Mr. Utz, does the applicant have any questions?

2 MR. UTZ: We do not. Thank you.

3 CHAIRPERSON HOOD: Okay. Thank you very much, Ms.  
4 Bridges. Again, we appreciate all your work.

5 All right, Ms. Schellin, let's go to Office of  
6 Planning.

7 MS. SCHELLIN: Ms. Meyers?

8 CHAIRPERSON HOOD: Ms. Crystal Meyers.

9 MS. MEYERS: Good evening, Commissioners.

10 CHAIRPERSON HOOD: Good evening.

11 MS. MEYERS: The Office of Planning reviewed the  
12 requested PUD modification at 3300 Whitehaven Street  
13 Northwest.

14 During our review, we noticed the proposed height  
15 conflicts with the MU-4 Naval Observatory zone, which is the  
16 base zone on the property. The original PUD was approved in  
17 1986 prior to the 1992 adoption of the Naval Observatory  
18 overlay, which was put in place to protect the Vice  
19 President and the functions of the Naval Observatory.

20 The PUD was not restricted by the base zone's 40-  
21 foot height limit, which applies to both matter of right  
22 projects and PUDs. If the Commission decides the proposed  
23 height is appropriate, then the Office of Planning  
24 recommends approval of this PUD modification with these  
25 conditions intended to mitigate potential impacts on the

1 Naval Observatory, which are, the first condition was no  
2 communal rooftop or outdoor amenity or recreational space be  
3 provided on the floor above the fifth level.

4 The second condition was the signage shall be  
5 limited to the first floor, as shown on Tab A, sheet 32 and  
6 the third condition was to provide a lighting plan for the  
7 various roof areas prior to the proposed action.

8 So since set down, small changes were made to the  
9 project. OP does not oppose these changes, but does  
10 recommend alternative language for some of the proposed  
11 design flexibility.

12 Of particular note is OP's recommendation for the  
13 parking layout flexibility to limit flexibility to only  
14 allow the number of parking spaces to be decreased and not  
15 increased.

16 The proposed number of parking spaces exceeds  
17 DDOT's preferred parking amount for property served by  
18 priority bus transit, so allowing more is contrary to the  
19 District guidance for this area.

20 Any existing extra spaces can be marked no parking  
21 in order to remove them as usable parking spaces.

22 Next slide, please.

23 On balance, this PUD would not be inconsistent  
24 with the Future Land Use Maps moderate density residential  
25 and low-density commercial designations. It would also not

1 be inconsistent with the general policy maps main street,  
2 mixed-use corridor and neighborhood conservation  
3 designations.

4           When evaluated through a racial equity lens, the  
5 proposal would not be inconsistent with the Comprehensive  
6 Plan. The site is in the near northwest planning area,  
7 which has a majority white population.

8           This population would provide approximately 41  
9 affordable units at a location that is well served by public  
10 transit and within walking distance of various neighborhood  
11 services and amenities.

12           It would also provide housing alternatives for  
13 households that are unable to afford a single dwelling in  
14 near northwest and who desire to move to this area. The  
15 proposed market rate units and affordable IZ units would  
16 make the planning area more accessible to a variety of  
17 income level households, which could help to diversify the  
18 planning area.

19           The new housing units, especially the affordable  
20 units, would allow for more minority residents to live near  
21 park and utilize the health and wellness benefits. The  
22 proposal's public benefits package includes financial  
23 contributions for causes related to equity and inclusion.

24           These include a \$150,000 contribution for the  
25 restoration of the Mount Zion Female Union Band Society

1 cemeteries, which are African American cemeteries in  
2 Georgetown, and a \$20,000 contribution would be given to  
3 Dumbarton Oaks Park Conservancy to support its programs for  
4 underserved and minority use.

5 And with that, I will conclude the OP testimony.  
6 Thank you.

7 CHAIRPERSON HOOD: Thank you as always, Ms.  
8 Meyers. Very well done report.

9 Let's see if we have any questions for you.  
10 Commissioner Imamura?

11 COMMISSIONER IMAMURA: No questions. Thank you,  
12 Ms. Meyers, and great work on catching the difference  
13 between what was originally approved in the Naval  
14 Observatory overlay zone. So thank you. Great work.

15 CHAIRPERSON HOOD: Okay. And Commissioner  
16 Stidham?

17 COMMISSIONER STIDHAM: I have no questions, but I  
18 do echo the great work and the good catch. So thank you  
19 very much.

20 CHAIRPERSON HOOD: And Vice Chair Miller?

21 VICE CHAIR MILLER: No questions. Thank you, Ms.  
22 Meyers, for your report and your presentation here today.

23 CHAIRPERSON HOOD: Ms. Meyers, with all those  
24 accolades coming from the Zoning Commission, do you like the  
25 BZA or the Zoning Commission better? I'm just curious.

1           No, listen, I'm just having fun. Don't answer  
2 that. Don't answer that. I'm just -- all right, let's go  
3 to Mr. Utz, do you have any questions of Office of Planning  
4 cross?

5           Okay, thank you as always, Ms. Meyers. We  
6 appreciate it. Thank you.

7           All right, Ms. Schellin, oh, ANC reports. I think  
8 I asked Commissioner Stidham, could you just give us a  
9 snapshot of ANC 2E, please?

10           COMMISSIONER STIDHAM: Yes. So they were in  
11 strong approval, strong support, to use their words, with a  
12 vote of eight to zero to zero in support. And they did have  
13 a quorum. Much of their letter just reiterates the public  
14 benefits that the applicant has already expressed.

15           CHAIRPERSON HOOD: Thank you very much.

16           Commissioner Imamura, can you give a snapshot of  
17 3B?

18           COMMISSIONER IMAMURA: Chairman, like ANC 3B, also  
19 voted in support with a quorum of five of six commissioners,  
20 four to one to one, and supported the application and also  
21 commented on the public benefits.

22           CHAIRPERSON HOOD: Thank you very much,  
23 Commissioner Imamura. And thank you both for giving us  
24 those snapshots of both ANCs.

25           And I want to thank all both ANCs for all the work

1 they put in as well. It's always good when we come to these  
2 type of outcomes. Mr. Utz -- I'm sorry, Ms. Schellin, do we  
3 have anyone who's here in support, opposition, or  
4 undeclared?

5 MS. SCHELLIN: There's one person who signed up as  
6 undeclared. Maria Antoshina.

7 CHAIRPERSON HOOD: Okay. Let's bring Ms.  
8 Antoshina up.

9 MS. ANTOSHINA: Hello, Commissioners.

10 CHAIRPERSON HOOD: Hello. Can you identify  
11 yourself? And you may begin.

12 MS. ANTOSHINA: My name is Maria Antoshina. I am  
13 both a neighbor of this -- of this development, as I live at  
14 the Observatory building, which shares -- which my building  
15 garage exits onto Whitehaven Street, as well as the  
16 Grosvenor House, and now Trader Joe's, which is -- and  
17 Whitehaven is a relatively small street.

18 I'm also here speaking today as a representative  
19 of the BISW Parents Alliance as my children attend the  
20 British International School of Washington.

21 And we're basically just a group of parents who  
22 are concerned about our children. We were not notified by  
23 our school until the ANCs basically heard about -- presented  
24 this to the public about this development.

25 And so we're kind of late in having our views

1 noted. And mainly, while we're also -- while we're  
2 basically, we're going from a playground that was surrounded  
3 by trees and rather private, to one that's surrounded by  
4 walls and strangers' windows.

5           So that's a concern, but our main concern are  
6 really safeguarding our kids from -- during construction.  
7 During gym construction, various incidents occurred which  
8 we've already, in written form, submitted to the Zoning  
9 Commission and to the ANCs, and we're worried about a repeat  
10 of that situation.

11           Grosvenor has met with us and is basically  
12 negotiating with us for what -- I was glad to see the  
13 barriers, rather than the fencing that we had during gym  
14 construction, that we're going to have more secure barriers.

15           But basically what we're looking for is someone --  
16 we don't feel our school, as a lessee can really can really  
17 enforce any type of, basically enforce anything, any kind of  
18 agreements with Grosvenor in this case, and we're looking  
19 for someone who can make sure and (audio cutout) various  
20 safety mechanisms are implemented and carried out on (audio  
21 cutout).

22           We are also concerned about the traffic. I may be  
23 wrong on this, but as far as I saw, the traffic studies  
24 conducted by DDOT missed the school pickup window, which is  
25 mainly from 3:15 to 3:45. And as a parent who regularly



1 uses the Whitehaven Wisconsin intersection during that  
2 period, I don't feel that it's safe.

3 And I am worried about both additional traffic and  
4 especially construction traffic. And we want to make sure  
5 that there's not construction trucks added to the regular  
6 traffic situation on that intersection during times when  
7 school is in session.

8 I'm also curious, as both a -- as both a neighbor  
9 and as a parent whose children will be on this property, as  
10 to why this property isn't required to have the access, the  
11 fire access roads?

12 There's currently a fire access road that leads to  
13 our playground, which is going to become Building C, and  
14 that will disappear in this development.

15 And again, I guess that's what we were -- what we  
16 were hoping to hear from the Commission was who we can turn  
17 to basically to provide oversight for the safety for our  
18 students. And as we said in our letter, noise, dust, the  
19 crane location, all of those things.

20 CHAIRPERSON HOOD: Okay. Thank you, Ms. -- how do  
21 you pronounce your name?

22 MS. ANTOSHINA: Antoshina.

23 CHAIRPERSON HOOD: Antoshina. Ms. Antoshina.  
24 Thank you very much for taking the time. I think, if you've  
25 heard the whole hearing, you've heard a number of us mention

1 about asking the applicant to continue to work with you all.

2 But even more than that, what bothered me is I  
3 think the people that you all entrust your kids with them  
4 should be working with you because you entrust your kids  
5 with those -- that school. And for them not to keep the  
6 parents up to date is a problem.

7 So I can't get into that part of it because that's  
8 not what's in front of us, but what we've done -- we've done  
9 to ask, and I believe this applicant, for the way this  
10 record looks, this applicant has done what they do, and I  
11 think they will continue to do.

12 And I think my colleagues and I have asked them to  
13 continue to work with the parents as well. But let's go  
14 back to the school. I'm curious. Why the school? Unless  
15 there's something I'm missing?

16 Most schools work with the PTA or the PTA SA or  
17 the parents. I mean, that's a major issue there. So I'm  
18 not sure what's going on, but I would advise you, as  
19 parents, and your kids are going to that school, go back to  
20 the school and work.

21 The school needs to be working on your behalf much  
22 more than the Zoning Commission. But what we have asked is  
23 that the applicant does continue to work with the school.  
24 And so I -- you know, I don't want to get all into that, but  
25 I think that's -- that's another issue that's not necessary

1 within our purview. But we -- you've heard us and I  
2 actually do want an update.

3 As I mentioned to Mr. Utz earlier, on how that's  
4 even working. Okay? Because you're right. I understand  
5 the concerns of your kids. I mean, who would not be  
6 concerned? That's normal. You're supposed to be, and we  
7 appreciate you all letting us know that.

8 But go back to the school and find out what --  
9 what the problem is. Let's see if my colleagues have any  
10 additional comments or questions on that.

11 Commissioner Imamura?

12 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.

13 No, Ms. Antoshina, thank you very much for voicing  
14 your concerns. I think they're legitimate. I'm certain  
15 that the applicant will continue to work with the school as  
16 Chairman Hood way that communication can be improved there,  
17 but certainly appreciate your time tonight to come forward  
18 to share your concerns with us.

19 Thank you very much for participating in the  
20 public process.

21 MS. ANTOSHINA: Thank you.

22 CHAIRPERSON HOOD: Commissioner Stidham, any  
23 questions, comments?

24 COMMISSIONER STIDHAM: No, nothing for me, but  
25 thank you for bringing that to our attention.

1 CHAIRPERSON HOOD: And Vice Chair Miller?

2 VICE CHAIR MILLER: I don't have anything to add,  
3 Mr. Chairman.

4 Thank you, Ms. Antoshina, for your submission of  
5 the concerns, which I think should be addressed, in one form  
6 or another, and for being here today and participating.

7 Thank you.

8 CHAIRPERSON HOOD: And again, Ms. Antoshina, I  
9 really believe that Mr. Utz and that team are going to make  
10 sure those kids are safe. I mean, that's -- I mean, that  
11 would be unheard of if that was not the case. So I'll leave  
12 it at that.

13 All right. Oh, Mr. Utz, do you have any  
14 questions?

15 Okay, thank you, Ms. Antoshina, thank you very  
16 much.

17 MS. ANTOSHINA: Thank you.

18 CHAIRPERSON HOOD: All right. Ms. Schellin,  
19 anybody else?

20 MS. SCHELLIN: No, sir. She was the only one who  
21 signed up in any category.

22 CHAIRPERSON HOOD: Okay.

23 All right, Mr. Utz, do you have any -- you don't  
24 have any rebuttal, I don't think, but you have any closing?

25 MR. UTZ: I do have a close. If the Commission is

1 ready for it, I'd love to run through it if now is the time?

2 CHAIRPERSON HOOD: Go right ahead. Yes.

3 MR. UTZ: Great.

4 Well, thank you. I just wanted to say a few more  
5 words about the concept of the applicability of the zoning  
6 element here, the Naval Observatory.

7 So please allow me to say a few more words, and  
8 then we are happy to submit something into the record, but  
9 we feel really strongly about the position here and frankly,  
10 the impacts on the project would be significant and is a  
11 really important and daunting issue that we need to clarify  
12 and resolve.

13 So we want to be clear that the C2-A now MU-4  
14 zoning controls, due to the prior PUD and map amendment  
15 application, the site is legally vested under C2-A, which  
16 under ZR-58, after ZR-16 became MU-4.

17 That happened under the 1986 PUD Order Number 495,  
18 which was recorded through a PUD covenant that runs with the  
19 land, and then the development of the project that that  
20 represented actually occurred.

21 So accordingly, the property maintains that vested  
22 development right, notwithstanding the later adopted  
23 provisions of the Naval Observatory overlay, which didn't  
24 become effective until 1992.

25 It wasn't even proposed until 1998 after the '86

1 approval of the PUD and that amendment. So as a result, the  
2 Naval Observatory overlay provisions such as additional  
3 height restrictions do not become effective against the PUD  
4 site unless and until the PUD is extinguished or an  
5 application is approved by the Commission to modify the PUD  
6 related zoning and map amendment currently vested with the  
7 property such that the zoning is reset to a now underlying  
8 MU-4 NO zone.

9           The same rule would apply where a site is upzoned  
10 after a PUD is approved to increase the allowable density or  
11 permitted uses or height. An owner would not be able to  
12 take advantage of any of those changes of a new zone unless  
13 they obtain the Zoning Commission's approval to either  
14 extinguish a PUD to revert to the underlying zoning, or to  
15 modify the PUD approved zoning to the greater height or  
16 density.

17           This is in line with the purpose and conceptual  
18 framework underpinning PUDs as a whole. PUDs are a land use  
19 control mechanism that provide flexibility from the rigidity  
20 of the underlying ordinance, and PUDs essentially become  
21 self-contained sets of zoning rules governing the site until  
22 they expire or are extinguished.

23           This is wholly consistent with the provisions of  
24 the regulations themselves, including Section A 102  
25 governing vested rights under ZR-58. The concept that

1 zoning is vested by an approved PUD is also consistent with  
2 the rules governing the commission's review of  
3 modifications, specifically Z 704.4, which clarifies that  
4 the scope of a modification hearing is limited to the impact  
5 of the proposed modification and does not provide an  
6 opportunity to revisit the original approval.

7           This is in line with how the Commission has  
8 previously applied the regulations where an existing PUD is  
9 being modified. One example is Zoning Commission Case 74-10  
10 and 74-10A, the PUD that includes 1333 New Hampshire Avenue  
11 Northwest.

12           We also note that there is only one procedural  
13 vote remaining in a case like this final action, since it's  
14 a modification of significance in a contested case. We  
15 don't believe that an NCPC referral is required or warranted  
16 here.

17           The map amendment and the prior PUD were already  
18 approved, so the modification would not require the referral  
19 of this application to NCPC or another agency.

20           While the Zoning Commission obviously has the  
21 ability to conduct its review and assessment as you see fit,  
22 after the extent and duration of the reviews that the  
23 project has gone through already, the applicant team vastly  
24 prefers that such process of an NCPC referral is not  
25 required here.

1           In summary, we believe that the application meets  
2 the standards for the approval of a modification of  
3 significance to the approved PUD and believe it is ready to  
4 move forward following our post-hearing submission on the  
5 items the Commission mentioned here today.

6           We're happy to address those. Specifically, the  
7 robust PUD public benefits package set forth in our  
8 application and discussed today. We believe the application  
9 achieves the appropriate balance of benefits and development  
10 flexibility under the relevant standards.

11           As mentioned, we have support of ANCs 2E and 3B  
12 and from OP, DDOT, and other agencies that have reviewed  
13 this. We've addressed the comments and conditions of the OP  
14 and DDOT reports, which we overwhelmingly agree with, save  
15 OP's proposal restricting the flexibility to increase the  
16 proposed spaces by 10 percent.

17           We've worked closely with the ANCs and years-long  
18 outreach efforts that the applicant has undertaken and we  
19 look forward to continuing that work as the project moves  
20 forward.

21           As we discussed, and as noted by the Commission,  
22 we will continue the dialogue with the British International  
23 School parents' group and the school itself. As we've  
24 discussed today, we're committed to an open, regular  
25 communication through all the stages of the construction



1 process.

2 The British International School is a tenant of  
3 the Grosvenor applicant so that there is more than an  
4 aligned set of interests there. This needs to proceed  
5 successfully for both parties and that is the commitment.

6 We thank the Commission and the agency staff for  
7 everyone's time and we really appreciate your comments. And  
8 with that we conclude our remarks and our presentation.

9 CHAIRPERSON HOOD: Thank you, Mr. Utz.

10 And let me just ask, this is off on the side. You  
11 weren't always presenting. Who was the person that you  
12 worked up under? Who was the person that kind of took you  
13 under their wing? I can't remember.

14 MR. UTZ: It's been a group of folks, Phil Fiola  
15 and Alison Prince and --

16 CHAIRPERSON HOOD: Yeah.

17 MR. UTZ: -- (crosstalk).

18 CHAIRPERSON HOOD: Yeah. I remember those days  
19 when you used to come in and hand them stuff. So I watched  
20 and I've been around a while. So I want to tell you, you  
21 have really grown to this job. You're doing well.

22 And I want your applicants to know that. I've  
23 watched you over the 20, well, I don't know if you've been  
24 here as long as I have, but I've watched you really season  
25 and I actually mentioned that to Ms. Schellin a while back.

1     Didn't I, Ms. Schellin?

2                   And I'm gonna say it publicly. I said it  
3     privately, now I can say it publicly and not just you, but I  
4     watched a lot of people, younger people, grow into their  
5     jobs. So keep up the good work now.

6                   MR. UTZ: Thank you.

7                   CHAIRPERSON HOOD: Now, let me lower the boom.  
8     We're going to go -- I'm going to go -- we're going to go  
9     along with what our Council says about going NCPC, unless I  
10    hear something other from my colleagues, we're going to  
11    follow that direction.

12                   But let me see if my colleagues agree with our  
13    Council, who's saying the way that we need to proceed.

14                   COMMISSIONER STIDHAM: Chair Hill. Sorry, not  
15    Chair Hill.

16                   CHAIRPERSON HOOD: That's all right.

17                   COMMISSIONER STIDHAM: I don't know. You know, I  
18    think it's a complex situation and there are two avenues  
19    here.

20                   What I'm not hearing, Mr. Utz, is how these  
21    modifications do not impact the security or the view shed of  
22    the Naval Observatory. And that's key here.

23                   The original project was very different. I think  
24    we can all agree that it was very different from what we're  
25    looking at now. And yes, there have been zoning changes

1 that have also occurred, but the NO overlay is there for a  
2 reason. And I think that it can't be ignored just because  
3 you had a project that was approved when it didn't exist.

4 I mean, it's significant and it does exist now,  
5 and it is before us to how to apply this, but I think, when  
6 you come back to us, when you send in the information that  
7 you used in your closing, it's going to be critical that you  
8 make your case and also refer to, you know, the effects, not  
9 only on the development from what Chair Hood said at the  
10 beginning of his hearing, but as well on the security and  
11 the visibility of the Naval Observatory.

12 So those are my thoughts, Chair Hood.

13 CHAIRPERSON HOOD: Thank you.

14 And you know, the good thing about what I just  
15 heard you say, you're consistent with John Parsons, what he  
16 said to me years ago. So I just want you to know that I  
17 don't know if you knew John Parsons?

18 COMMISSIONER STIDHAM: I worked for John Parsons  
19 for several years.

20 CHAIRPERSON HOOD: Okay, well, you're consistent  
21 exactly what John Parsons said years ago about another issue  
22 when he was educating me.

23 So, Commissioner Imamura?

24 COMMISSIONER IMAMURA: Thank you, Mr. Chairman. I  
25 align myself with the comments of Commissioner Stidham and

1 am in agreement, and frankly feel that the Zoning Commission  
2 has the authority to make this decision without seeking  
3 NCPC's input.

4 So I certainly don't feel that we should defer our  
5 authority to another agency when we have the authority  
6 ourselves to make this determination.

7 So I'm in agreement with Commissioner Stidham and  
8 I'm interested to hear the views of Vice Chair Miller.

9 CHAIRPERSON HOOD: Vice Chair Miller?

10 VICE CHAIR MILLER: Chairman, I agree with  
11 generally with the comments that Commissioners Stidham and  
12 Imamura have made. You know, I think it's -- I think Mr.  
13 Utz, you presented a strong argument as to why the height  
14 restrictions of the Naval Observatory would not apply in  
15 this type of situation.

16 However, I think we can't ignore the reality of  
17 that being in place for the last 30some years for a reason,  
18 the security and visibility issues that have been mentioned  
19 by my colleagues.

20 So I think that needs to be addressed and  
21 responded to in one form or another. And the NCPC referral  
22 might be one way that we choose to do that. I also would  
23 say, and I know that this -- as I said at the outset, I  
24 think you could reasonably interpret our zoning regulations  
25 different ways in terms of applicability.

1           I know that I have argued, in PUD modifications of  
2 significance that have come in to us, that inclusionary  
3 zoning regulations that were not in place when the PUD  
4 originally was approved should apply.

5           And I think, in most cases, whether or not the  
6 applicant agreed with that position as a matter of law, I  
7 think that they have met the inclusionary zoning  
8 requirements that did not exist at the time of the original  
9 PUD, and with the PUD modification of significance,  
10 incorporated those affordable housing requirements into the  
11 project.

12           And the other factor here is that it's not just --  
13 it's not just -- I don't know, it is a modification of  
14 significance, but it's a significant modification of  
15 significance.

16           It's a new building. It's not just, you know,  
17 adding something here or there. All the buildings going  
18 down and a new building's going up. And if a new building  
19 was going up, but for this previously approved PUD, which is  
20 not going to have the previous building attached to it  
21 anymore, it wouldn't -- well, I think you get my point.

22           So I think, you know, we may agree to disagree on  
23 the law, and the law may be murky, and we may need to  
24 clarify that going forward, but as a practical matter, I  
25 think we need to at least address and have the order address

1 the underlying reasons for the Naval Observatory and how  
2 this project is complying, is satisfying the goals of that  
3 district by what's being proposed here, or how it's being  
4 mitigated where there might be potential problems.

5           So I guess that's my rambling answer, Mr.  
6 Chairman. I've really only thought about this recently,  
7 except in the inclusionary zoning cases that I mentioned  
8 previously with other PUD modifications of significance.

9           So we'll see where we go from here. Thank you.

10           CHAIRPERSON HOOD: Okay. I'm trying to make sure  
11 I understand exactly. And, Vice Chair, don't throw another  
12 modification for us. I heard you say I forgot what it was,  
13 but it was a whole other term, so I'm trying to figure  
14 out -- I heard what Commissioner Imamura said. I'm gonna  
15 make sure I got it all.

16           I thought what Commission Stidham was saying was  
17 that we need to make sure we do all of our investigatory  
18 processes. Maybe -- I thought that's what I heard.

19           Then I thought -- then I heard Commissioner  
20 Imamura say that we don't need to -- I forgot -- to just  
21 minimize our authority. And then I heard you, Vice Chair.

22           But here's the thing. What I've learned from John  
23 Parsons and Herb Franklin, first of all, let me go to you,  
24 and for some reason, those names keep coming up to me and  
25 the late Herb Franklin, who represented our (inaudible) of

1 the Capitol, he mentioned that's why we got to all -- it's  
2 having these PUDs keep going on and on and on.

3 In the nineties, the PUDs was already 30 years old  
4 when I got here. And I'm not saying this is the case. So  
5 that's why we started -- we put in there you can only ask  
6 for an exception with one or two times, whatever that case  
7 is.

8 But our counsel, I believe, and he can pop his  
9 light on if I'm not, would still like for us -- now, we,  
10 like John Parker said, we don't need to snub NCPC, because  
11 we do have members that sit here, that on there, and we had  
12 a full former vice chair sitting here, so I'm not snubbing  
13 them.

14 That's one of the things John probably said, and  
15 he was on there, he said, we're not snubbing NCPC. I would  
16 never do that. I haven't done it in my whole tenure. But  
17 now we don't always have to take what's being to us either,  
18 but I think, in this case, unless I'm missing something, our  
19 counsel us this is the way to go and I think this is the way  
20 we should go.

21 We're going to make the decision, but NCPC, we  
22 give them the respect to look at this, as well. So, I mean,  
23 is that where we all are, or are we not on the same page?

24 Commissioner Stidham?

25 COMMISSIONER STIDHAM: I do think it needs

1 referral to NCPC, but I also need -- I believe the  
2 applicant, who is suggesting that we do not need to do that,  
3 needs to make their case for how this change is not  
4 affecting the Naval Observatory's viewshed and security.

5 I mean, like I said, there are reasons this  
6 overlay exists. Whether it was there at the original PUD or  
7 not, it's there now, and it is a concern. So, you know, if  
8 that's the case, they need to plead it. The rest of the  
9 decision is ours to be made.

10 But they should make their case about how they  
11 feel that their development is not impacting the Naval  
12 Observatory.

13 CHAIRPERSON HOOD: I got it now. I think Vice  
14 Chair Miller made the case why it needs to go to NCPC, but  
15 we -- let me go to Commissioner Imamura.

16 COMMISSIONER IMAMURA: Thank you, Mr. Chairman.

17 I guess just to underscore Vice Chair or  
18 Commissioner Stidham's comment.

19 I know, Mr. Utz, you and your team have talked  
20 about the step back and the massing diagram that you showed.  
21 I just don't think that that's -- obviously, I think it's  
22 clear that that's not compelling enough for us tonight.

23 And so there needs to be more and certainly, Mr.  
24 Chairman, I'm amenable, obviously, to make the referral to  
25 NCPC on this, but this is our authority, and our authority



1 alone to make the determination here in terms of whether the  
2 NO overlay zone applies in this case.

3 And so again, there are a tremendous amount of  
4 terrific amenities here in public benefits, but we do need  
5 to take a look at -- I think this is the driving issue here,  
6 is the height and the mass. And Vice Chair Miller had  
7 eloquently stated that, you know, this is a new building,  
8 it's not an addition to anything. So it is different. So  
9 that's where I stand, Mr. Chairman.

10 CHAIRPERSON HOOD: All right. And thank you.  
11 Maybe I'm getting into a second round.

12 Vice Chair Miller, you want to add anything or?

13 VICE CHAIR MILLER: I don't necessarily want this  
14 to be a precedent. I think each of our cases are kind of  
15 unique. I think this is a very unique case.

16 I'm not conceding that we have to refer to NCPC.  
17 I don't think we do. I think we want to. So I want --  
18 that's what I'd like to do as well in this case.

19 And we don't have to accept their comments. We  
20 have our authority. We're not giving up any of our  
21 authority by doing that. And it's just a matter of  
22 practicality to address a 30-year-old, over 30-year-old  
23 policy about the Naval Observatory district, even though it  
24 postdates the original bill on this site. So I hope that's  
25 clear, my rambling statement.

1                   CHAIRPERSON HOOD: Yeah, second round. I think  
2 we're all on the same page.

3                   Mr. Utz, you've heard, I think all of -- all my  
4 colleagues have presented their positions, but I think  
5 you've heard Commissioner Stidham and I would agree with  
6 her. I agree with all of them. But I think she framed it  
7 so you all can understand it.

8                   Do you get it, Mr. Utz?

9                   MR. UTZ: We do.

10                  CHAIRPERSON HOOD: Okay. All right, so you gave  
11 us your closing.

12                  Any of my colleagues have anything else to add or  
13 say?

14                  All right, Ms. Schellin, do we have any dates or  
15 how are we doing all this? And I didn't see, Mr. Riddick  
16 might have turned his camera on so, we must be doing all  
17 right. Okay.

18                  MS. SCHELLIN: Mr. Utz, how much time do you think  
19 you need for this? I mean, if they want a referral to NCPC,  
20 then that's a 30-day comment period. Is that going to be  
21 enough time for you guys?

22                  MR. UTZ: Yeah, that would be enough time for us  
23 for our post-hearing submission. It would indeed be enough  
24 time.

25                  CHAIRPERSON HOOD: Okay. All right.

1           So then I'm thinking that we would get that letter  
2 out by Monday, which is the 8th. Then you have until May  
3 8th, 3:00 p.m., and then the parties, which in this case is  
4 just the ANCs, would have until 3:00 p.m. on May 13th to  
5 respond draft, findings, facts, conclusions of law due by  
6 May 20th, 3:00 p.m. and then we can put this on for the last  
7 meeting in May, which is May 30th at 4:00 p.m..

8           CHAIRPERSON HOOD: Okay. And May 30th. Okay,  
9 that's not Memorial Day weekend.

10          All right.

11          MS. SCHELLIN: No, it's the Thursday after.

12          CHAIRPERSON HOOD: Okay.

13          All right, so we all on the same page, Mr. Utz?  
14 Colleagues?

15          Okay. All right. Before I close out this  
16 hearing, the Zoning Commission will meet again this coming  
17 Monday. Zoning Commission case number 23-28, Ms. Schellin,  
18 I believe we have a request for a postponement. Or is that  
19 old?

20          MS. SCHELLIN: I think that's old. This is the  
21 continued date.

22          CHAIRPERSON HOOD: Okay. Okay.

23          MS. SCHELLIN: Yeah.

24          CHAIRPERSON HOOD: Sure.

25          All right. So, with that, we will have Hill East

1 Parcel B LLC., on these same platforms at 4:00 p.m.

2 With that, I want to thank everyone for  
3 participating, the applicant, the community body, and my  
4 colleagues. And with that, this hearing is adjourned. Good  
5 night, everyone.

6 MR. UTZ: Thank you.

7 (Whereupon, the meeting was adjourned at 6:26  
8 p.m.)

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