

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

FOREIGN MISSIONS
BOARD OF ZONING ADJUSTMENT

+ + + + +

PUBLIC HEARING

+ + + + +

TUESDAY,

FEBRUARY 10, 2009

+ + + + +

The Public Hearing convened in
Room 220 South, 441 4th Street, N.W.,
Washington, D.C. 20001, pursuant to notice at
10:50 a.m., Ruthanne G. Miller, Chairperson,
presiding.

FM BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

RUTHANNE G. MILLER	Chairperson
MARC D. LOUD	Vice Chairman
MARY OATES WALKER	Board Member

ZONING COMMISSION MEMBERS PRESENT

MARCEL A. ACOSTA	Member (NCPC)
PETER MAY	Member (NPS)

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY	Secretary
BEVERLEY BAILEY	Sr. Zoning Spec.
JOHN NYARKU	Zoning Specialist

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OFFICE OF PLANNING STAFF PRESENT:

MAXINE BROWN-ROBERTS

This transcript constitutes the
minutes from the Public Hearing held on
February 10, 2009.

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

10:50 a.m.

CHAIRPERSON MILLER: This hearing will come to order. I'm going to go out of order though a little bit. My name is Ruthanne Miller. I'm the Chair of the BZA and the FMBZA. And let me just introduce my colleagues on the dias with me again.

To my right is the Vice Chair, Mr. Marc Loud, and next to him is Mr. Peter May representing the National Park Service. To my left is Mary Oates Walker, Board Member, and Marcel Acosta representing the National Capital Planning Commission for the Foreign Missions Board.

This morning we have scheduled a Foreign Missions case and then some BZA cases as well.

(Whereupon, at 10:52 a.m. a recess until 10:57 a.m.)

CHAIRPERSON MILLER: We're moving into the Public Hearing of the Board of Zoning

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1 Adjustment of the District of Columbia sitting
2 as the Foreign Missions Board of the Zoning
3 Adjustment. And today is February 10th.

4 Copies of today's hearing agenda
5 are available to you and are located to my
6 left in the wall bin near the entrance door.
7 Please, be advised that this proceeding is
8 being recorded by a Court Reporter and is also
9 webcast live. Accordingly, we must ask you to
10 refrain from any disruptive noises or actions
11 in the hearing room.

12 When presenting information to the
13 Board, please, turn on and speak into the
14 microphone, first, stating your name and home
15 address. When you are finished speaking,
16 please, turn your microphone off, so that your
17 microphone is no longer picking up sound or
18 background noise.

19 All persons planning to testify
20 either in support or opposition are to fill
21 out two witness cards. These cards are
22 located to my left on the table near the

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1 entrance door and on the witness tables. Upon
2 coming forward to speak to the Board, please,
3 give both cards to the reporter sitting to my
4 right.

5 The order of procedure for a
6 Foreign Mission Case is as follows: One,
7 statement and witnesses of the applicant.
8 Two, Government reports including the United
9 States Secretary of State and the District of
10 Columbia Office of Planning on behalf of the
11 Mayor. Three, reports or recommendations by
12 other public agencies. Four, report of the
13 Advisory Neighborhood Commission. Five,
14 persons in support. Six, persons in
15 opposition.

16 Please note that requests for party
17 status in an FMBZA application are not
18 applicable, because it is a rule making
19 proceeding.

20 The following time constraints will
21 be maintained: The applicant, including
22 witnesses, will be permitted 60 minutes to

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1 present its case. Persons testifying whether
2 in support or opposition will be permitted 3
3 minutes each, except an ANC.

4 These time constraints do not
5 include time used during questions from the
6 Board. The Board may place further reasonable
7 restrictions on or permit additional time for
8 testimony as it deems appropriate.

9 Because this is a rule making
10 proceeding, there are no parties and,
11 therefore, there is no cross examination.

12 The record will be closed at the
13 conclusion of each case, except it will remain
14 open for any material specifically requested
15 by the Board. The Board and the staff will
16 specify at the end of the hearing exactly what
17 is expected and the date when the material
18 must be submitted to the Office of Zoning.

19 After the record is closed, no
20 other information will be accepted by the
21 Board.

22 The Sunshine Act required that the

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1 Public Hearing on each case be held in the
2 open before the public. The Board may,
3 consistent with its Rules of Procedure and the
4 Sunshine Act, enter Executive Session during
5 or after the Public Hearing on a case for
6 purposes of reviewing the record or
7 deliberating on the case.

8 The decision of the Board in this
9 legislative proceeding must be based
10 exclusively on the public record. To avoid
11 any appearance to the contrary, the Board
12 requests that persons present not engage the
13 members of the Board in conversation.

14 Please, turn off all beepers and
15 cell phones at this time, so as not to disrupt
16 these proceedings.

17 At this time, the Board will
18 consider any preliminary matters. Preliminary
19 matters are those that relate to whether a
20 case will or should be heard today, such as
21 requests for postponement, continuance or
22 withdrawal or whether proper and adequate

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1 notice of the hearing has been given.

2 If you are not prepared to go
3 forward with the case today or if you believe
4 that the Board should not proceed, now is the
5 time to raise such a matter.

6 Does the staff have any preliminary
7 matters?

8 MS. BAILEY: No, Madam Chair, staff
9 does not have any preliminary matters, at this
10 time.

11 CHAIRPERSON MILLER: Okay. Then
12 let's proceed with the agenda.

13 MS. BAILEY: This is the
14 Application of Spain and the number is 17907.
15 It's pursuant to 11 DCMR sections 350.6, 1001
16 and section 4306 of the Foreign Missions Act,
17 for a chancery annex (Spanish Cultural
18 Center). The property is located in the R-5-D
19 District at premises 2801 16th Street, N.W.,
20 Square 2577, Lot 821.

21 Several items were passed out
22 today, Madam Chair, and they are before the

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1 Board Members, at this time. Three items to
2 be specific.

3 CHAIRPERSON MILLER: Okay. And I
4 guess the applicant will be explaining what
5 they are, okay, when we are ready. All right.
6 Thank you.

7 MR. COLLINS: Good morning, Madam
8 Chair and Members of the Board. My name is
9 Christopher Collins with the Law Firm of
10 Holland and Knight. Seated directly behind me
11 is Ms. Jill Cooper, who has previously
12 testified as an expert before you. She will
13 be assisting today.

14 To my right -- I'm sorry,
15 immediately to my left is Mr. Jorge Sobredo.
16 Mr. Sobredo is the cultural counselor of the
17 Embassy of Spain. To my right are Enrique
18 Bellini and Graham Simm from the architectural
19 firm of KCCT. And seated behind them are
20 Emily Eig and Anna Stilner-Cherboga, from the
21 Traceries, the historic preservation
22 consultants in this case.

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1 And then to my far left is Mr.
2 Kevin Fellin from Wells and Associates, the
3 traffic and transportation consultant. This
4 is an application to locate the Spanish
5 Cultural Center, which is a chancery annex, to
6 the former ambassador's residence at 2801 16th
7 Street, N.W.

8 This applicant -- I'm sorry, this
9 application has been discussed with the State
10 Department, with the Office of Planning,
11 including the Historic Preservation Office,
12 also with the ANC and the South Columbia
13 Heights Neighborhood Association and we are
14 unaware of any opposition to this application.

15 The record contains letters of
16 support from the State Department with respect
17 to the three federal criteria and a report
18 from Office of Planning with respect to the
19 three local criteria, plus a DDOT report and
20 an ANC-1B report.

21 There are four witnesses today:
22 Mr. Sobredo, Mr. Bellini, Ms. Eig and Mr.

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1 Fellin. The three items that were submitted
2 to you today, I'll go through in order.

3 The large documents are more
4 detailed versions of what the plans are that
5 are in the file. There is just some
6 additional details we thought would be
7 important to put this into the record to have
8 those and the architect will discuss those in
9 the presentation.

10 The second is a compilation of
11 catalog cuts and material samples showing
12 details of some of the fixtures and other
13 details in the application on the plans and
14 the architects will discuss those as well.

15 Then the third is a copy of the
16 PowerPoint presentation by the -- by Ms. Eig
17 in her presentation.

18 So unless there are any questions,
19 I would like to go to the first witness.

20 CHAIRPERSON MILLER: I just have
21 one question. I think you made a reference to
22 Ms. Cooper, Jill Cooper behind you as being

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1 qualified as an expert before, but she didn't
2 make reference to her going to testify.

3 MR. COLLINS: Ms. Cooper will not
4 be testifying. She is just here and just to
5 introduce her to you. She has testified here
6 before as an expert witness and hopefully will
7 be down here more --

8 CHAIRPERSON MILLER: In what area?

9 MR. COLLINS: -- as an expert
10 witness.

11 CHAIRPERSON MILLER: An expert in
12 what?

13 MR. COLLINS: Sorry?

14 CHAIRPERSON MILLER: What is she an
15 expert in?

16 MR. COLLINS: Urban planning.

17 CHAIRPERSON MILLER: Urban
18 planning. Okay. Okay. Thank you.

19 MR. COLLINS: So thank you. The
20 first witness would be Mr. Jorge Sobredo,
21 cultural counselor. Mr. Sobredo, would you
22 identify yourself for the record and then

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1 proceed with you testimony?

2 MR. SOBREDO: Yes. Good morning,
3 Jorge Sobredo. I'm Jorge Sobredo, Cultural
4 Counselor of the Embassy of Spain here in
5 Washington, D.C. I am a here today on behalf
6 of the Ambassador of Spain to the United
7 States to briefly describe for you our
8 intentions with regards to the creation of a
9 new cultural center in Washington.

10 CHAIRPERSON MILLER: Okay.

11 MR. SOBREDO: As to the existing
12 use of the site, the embassy has owned the
13 property for over 80 years. The building
14 belonged to the Spanish government since 1926.
15 It was previously occupied as the residence -
16 - as the ambassador's residence and chancery.

17 The chancery moved to our current
18 location in 1994 and a new ambassador's
19 residence was constructed in 2003. The
20 property is currently vacant and has been
21 vacant for six years, though the chancery
22 building has been vacant for 15 years.

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1 As to the proposed use of the site,
2 I will explain the background of my
3 government's decision to use this property as
4 a cultural center. The use of international
5 cultural promotion and exchange is one of
6 Spain's main instruments of foreign policy and
7 public diplomacy.

8 The United States has been defined
9 by our authorities as a priority of Spain's
10 foreign policy and international relations.
11 In that sense, a venue for cultural and public
12 diplomacy was necessary in this nation's
13 capital as our current facilities of the
14 chancery of the embassy do not allow enough
15 space for the type of activities and visions.

16 We have followed the example of
17 Mexico, which has also remodeled the former
18 residence of its property to serve as Cultural
19 Institute of Mexico in D.C., coincidentally,
20 next door to our former residence. Our idea
21 is to turn the building on 16th Street into a
22 Spanish Cultural Center which will be called

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1 Casa Espania or U.S. House or Spaniard's
2 House.

3 As to the types of uses and
4 activities that will occur in the cultural
5 center, events will be held highlighting
6 expressions of visual arts cinema,
7 architecture, design, music, performing arts,
8 language, literature and intellectual
9 movements from Spain.

10 Cultural corporation projects will
11 be conducted between U.S. and Spanish
12 institutions here in Washington, D.C. and also
13 with institutions, American institutions in
14 other parts of the country.

15 To meet the specific goals, the
16 typical format for cultural activities will be
17 cultural and educational activities as
18 courses, seminars, workshops, etcetera,
19 cultural debates and discussion, exhibitions
20 for visual arts in all areas, concert
21 performances and other performing art events,
22 film projection, social events.

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1 By way of example, some of the key
2 issues that will guide activity programming in
3 the area of public diplomacy and international
4 relations would be image and perception of
5 Spain in the American public opinion, Europe
6 and Trans-Atlantic relations, relations
7 between the United States, Spain and Latin
8 America in the global context.

9 Also, the center will be open to
10 the public as a resource and there will be
11 outreach programs, for instance, for school
12 groups and others interested in learning more
13 about Spanish culture.

14 Complimentary to these diverse
15 activities, the cultural center will outreach
16 to the community with several programs and
17 offer the use of its facilities to provide the
18 public with the following services: For
19 example, a database with information and
20 resources on-line on Spanish culture and
21 current issues, a media center also on Spanish
22 culture and current issues, printed materials

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1 from Spain in a wide area of themes, etcetera.

2 We have instructed our architects
3 to take care in the renovation of this
4 beautiful old building. We have worked
5 through the D.C. Historic Preservation Office
6 to gain their advice and guidance on this
7 project. The general scheme is on the ground
8 floor. The most important spaces for public
9 activities, a whole reception area, one main
10 multi-purpose room with conference and meeting
11 facilities, three large spaces for exhibition,
12 concerts, film projects or also smaller
13 meetings and conferences, one covered interior
14 courtyard to be used for receptions that could
15 overflow into the garden, weather permitting,
16 kitchen and bathrooms for the public.

17 The second floor would be the
18 center's -- the cultural center's management
19 and enriched administrative offices for the
20 cultural and educational offices of the
21 Embassy of Spain in Washington, the media
22 center and two multi-purposes rooms for

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1 meetings and workshops.

2 The third floor would be multi-
3 purpose spaces for perhaps visiting arts and
4 others, rooms for meetings and classrooms.
5 The basement would be reserved for storage of
6 exhibitions and other items, technical
7 installations, dressing rooms for personnel,
8 etcetera.

9 We have met during this process
10 with two neighborhood community groups and we
11 have had their community support for this
12 proposal.

13 In conclusion, our goal is to
14 renovate the building in order to create a
15 lively and we hope inviting cultural center
16 for the enjoyment of all those who wish to
17 come and appreciate the essence of Spanish
18 culture here in D.C. and to foster closer
19 cultural and public diplomacy relations with
20 the United States and institutions in this
21 country.

22 Thank you very much and I will be

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1 very happy to answer any questions that you
2 might have.

3 CHAIRPERSON MILLER: Any questions,
4 at this time? Not at this time. Okay. Thank
5 you.

6 MR. COLLINS: Thank you. Next is
7 Mr. Bellini. Would you, please, identify
8 yourself for the record and proceed with your
9 testimony?

10 MR. BELLINI: Good morning. I'm
11 Enrique Bellini, principal of Karn Charuhas
12 Chapman and Twohey, an architectural firm in
13 the District of Columbia, located at 1120
14 Connecticut Avenue, N.W.

15 On behalf of our design team, we
16 are very pleased to make this presentation to
17 you today. Our presentation is in PowerPoint,
18 so at this time, we would request dimming of
19 the lights and my apologies, I'm going to have
20 to turn my back on you partly to be able to
21 focus on the screen.

22 All of the drawings -- can you hear

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1 me all right?

2 CHAIRPERSON MILLER: Yes, we can
3 hear you.

4 MR. BELLINI: Okay. All of the
5 drawings that we are going to show in the
6 PowerPoint presentation have been already
7 submitted to you in paper form. What we have
8 here is, first of all, a series of drawings
9 related to the existing conditions, some
10 pictures included, of the residence of the
11 site, followed by our proposed design
12 drawings.

13 This is our site right here. It's
14 16th Street, Fuller Avenue, 15th Street on the
15 east and on the north partially shown is the
16 property of the Mexican Cultural Institute
17 previously mentioned.

18 The red line indicates the property
19 line and, as you can see, a portion of the
20 original driveway and walkway are in the
21 public space. The site contains three
22 structures. The original residence is

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1 delineated here, approximately, 19,000 square
2 feet built in 1923.

3 It includes a one-story structure
4 that originally was a conservatory in glass,
5 but since have been roofed over and today the
6 roof is solid all the way except for a small
7 clear story over these higher portion of the
8 roof.

9 Secondly is the chancery building
10 built in 1926. And then in 1927, a garage,
11 one-story garage structure. The rest of this
12 gray area is the paved area. The garage
13 structure, we propose to remove to make room
14 for additional parking at the site.

15 As was mentioned previously, the
16 residence itself will be converted to a
17 cultural center. At the moment, we are in our
18 plans -- we include the chancery as a
19 mothballing a project. The Embassy of Spain
20 would like to incorporate the chancery into
21 the cultural center, but, at this time, there
22 is no specific plan, no specific program to

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1 develop that. So we will be preserving that
2 until that such time.

3 We are, however, also proposing to
4 remove this small one-story structure here,
5 and you will see drawings of that, that was
6 not original and was added at some point to
7 expand the kitchen. Okay.

8 This is the view of the main
9 entrance to the residence building from 16th
10 Street. The property of the Mexican Cultural
11 Institute to the left, Fuller Street. We, as
12 the principal, plan to remove this very
13 unsightly 7 foot high fence from the entire
14 front of the residence and replace it on the
15 side with a much more decorative, attractive
16 and friendly fence.

17 What vegetation you see here was
18 not original. It has just happened over the
19 course of a number of years of abandonment and
20 may of it is in very unhealthy condition. We
21 plan to, however, keep all of these area,
22 which is -- has the best trees and is still in

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1 a reasonable condition.

2 This is a view looking north. This
3 is Fuller Street. We see here the residence.

4 The material of the front of the residence is
5 limestone and it carries onto the side up to
6 this point. And then above and for the rest
7 of the site, including the chancery, it is a
8 stucco that has been made to look like
9 limestone.

10 And here you see a bit of the one-
11 story area that we call the patio room.
12 Again, this fence will be removed and replaced
13 on the side just for a bit of privacy and the
14 vegetation would also be replaced.

15 A view from Fuller and 15th Street
16 towards the chancery, former chancery
17 building.

18 This is the back of the property.
19 As we turn, we are on 15th Street now and the
20 chancery building, the one-story garage and a
21 portion of the residence in the back. Again,
22 in this case, the fence would be removed and

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1 replaced with a much more attractive fence.

2 The entrance for the loading, as I
3 will point out, will still remain where it is,
4 approximately, in this location.

5 Very briefly, we will go through
6 the plans of the existing conditions. This is
7 the basement. The residence is this portion
8 here. This area is a crawl space over the
9 large ballroom. The patio room has no
10 basement at all. And this is the basement of
11 the chancery, which is not directly connected
12 to the residence at this level.

13 This is the main floor. The porte
14 cochere of the residence, the driveway is
15 here. And we have then the public rooms of
16 the residence, the entrance hall, what used to
17 be the former living room, dining room, the
18 ballroom, library and the conservatory, which
19 we now call the patio room.

20 At this point, we have a connection
21 to the former chancery. In the back, we have
22 the original kitchen area, an elevator that

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1 is not original to the building and an
2 addition, one-story addition, which we plan to
3 remove that is not original and the one-story
4 garage.

5 The first floor was the main
6 bedroom space for the residence. Bedrooms all
7 in this area and in the back as well. As far
8 as the chancery, it was additional offices, no
9 connection to the residence, at this point.

10 The second floor was dedicated to
11 some guest rooms and servants quarters in this
12 area.

13 A drawing of the existing
14 conditions. This is the main elevation on 16th
15 Street. Okay. All of these is limestone. We
16 plan to clean it. It is in relatively in good
17 condition. We plan to restore all of the
18 windows and include insulating glass in most
19 of them, but strip them of a lead-based paint
20 and keep them as well.

21 This is the elevation along Fuller
22 Street. The limestone continues for the first

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1 two floors until this point. The stucco takes
2 from here on and all around the property. The
3 chancery is here. The patio room one-story
4 building is here.

5 Today, the roof is all -- the
6 original slate is gone. And so as for
7 shingles, which we plan to replace with the
8 original slate, as I will point out. And
9 there is also -- as for shingles in the roof
10 of the patio room.

11 We have here the east elevation,
12 the back of the residence. This is the one-
13 story kitchen addition that we plan to remove,
14 the entrance to the chancery building, the
15 chancery building right here, entrance to the
16 kitchen. This is the north elevation. The
17 ballroom, original ballroom with very handsome
18 large windows.

19 We plan to take all of the bars
20 from those windows, provide insulating glass
21 and restore these to its original grandeur.
22 This will serve the purpose of a multi-purpose

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1 room, previously mentioned by Mr. Sobredo.

2 We are now into the part of the
3 presentation for the proposal, the new design.

4 This is the site plan again. 16th Street,
5 Fuller Street, 15th Street and the Mexican
6 Cultural Institute. In our concept, why we
7 plan to restore the residence and remove the
8 small addition, we also plan to add and you
9 see indicated in red, a small portion of,
10 approximately, 6,000 square feet of space to
11 be able to accommodate fully the program.

12 That takes the shape of a U in this
13 location and it is incorporated by extending
14 the roof and matching the profile of the
15 existing residence.

16 Now, as we go through each of the
17 main elevations of the building, the main
18 sections, on the west the property line is
19 here. We plan to restore the existing main
20 driveway. That will be used as a ceremonial
21 driveway only in the event of a visit by the
22 Royal Family, the Prime Minister of Spain or a

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1 high Government official from the United
2 States that requires security.

3 Otherwise, we will maintain a
4 single decorative bollard at the entrance of
5 the driveway and at the exit, so that there is
6 no confusion, no deliveries, nothing of that
7 sort happening here for reasons of pedestrian
8 safety and so forth.

9 The material of the driveway is
10 concrete. We plan to replace it with
11 concrete. It is in extremely bad condition
12 and it's really not possible to repair it
13 otherwise. We plan to also replace the
14 concrete of the walkway. We will keep the
15 limestone steps at this point, which are in
16 very good condition, and replace the walkway
17 with a special paver.

18 It's a grade paver originally
19 designed by Gaudi, the Catalan architect. We
20 have a sample of that paper, very attractive,
21 as a way of bringing some sense of Spain at
22 the main entrance. That would carry through

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1 to the edge of the property.

2 We also suggest that we pave with a
3 portion of the sidewalk the area directly in
4 front of the entrance for taxis to be able to
5 drop passengers and not destroy the bit of
6 grass there always.

7 Then the fence, as I mentioned, on
8 the front is totally removed. And then it's
9 removed also for, approximately, 15 or 20 feet
10 back from the corner along Fuller Street. We
11 plan to open the corner for entrance to the
12 physically handicapped into the property.
13 This is a new entrance that would parallel the
14 driveway.

15 The driveway rises from the
16 sidewalk to the main entrance almost 5 feet.
17 So as the physically handicapped walk in a
18 nearly level walkway, there will be a
19 retaining wall about 6 feet high from about 2
20 feet to 6 feet paralleling that. At this
21 point, we will cut a window that exists in the
22 basement and create a door for entrance for

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1 the physically handicapped, who will then take
2 a lift and enter the entrance lobby with the
3 rest of the visitors.

4 On the right side of the east side
5 of that walkway, we will simply have a low
6 curb and I will explain what we do here. We
7 are landscaping, so that they can look into
8 the landscape, open landscape to the right.

9 In addition, right at the corner we
10 have location for bicycle racks, which I'll
11 show you in a minute. The pavement surface
12 also will be the Gaudi paver for continuity in
13 all of this area. As far as the landscaping,
14 we plan to keep it very simple and try to
15 recall what we hope was close to the original
16 intent.

17 We will keep two Hollies that are
18 in very good condition here and here. The
19 rest of the landscape here would be red bush
20 roses along here and on the other side as well
21 as on the -- between the driveway and the
22 pedestrian walk for the physically handicapped

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1 and also on the opposite side of the entrance.

2 The color would be very close to the red of
3 the Spanish flag.

4 Then we will have some low
5 evergreens defining the walkway as we enter.
6 And two about 3 foot high lights here and
7 here. As far as announcing publicly what a
8 Spain U.S. House is, we plan a single banner
9 about 30 feet high at this location and we'll
10 show you an elevation of that.

11 It will incorporate a sign of the
12 Spain U.S. House vertical as well as a type of
13 banner that is changeable announcing the
14 programs for the embassy.

15 In addition, we have two light
16 poles, one located here and one located here,
17 that will illuminate the facade in a soft way,
18 kind of recalling moonlight, if you will, in
19 the evenings. In addition to that, there will
20 be a light at the top of the banner also
21 serving that purpose.

22 As we move to the south side along

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1 Fuller Street, we will have a fence, and we
2 will show you elevations of that, that begins
3 at the corner of Fuller and 16th Street with a
4 6 inch curb. The fence itself is 36 inches
5 high. But the topography gets lower as we go
6 this way, so that at the corner of the
7 beginning of the fence close to 16th and
8 Fuller, the fence will reach a height of 5
9 feet. 3 feet for the panel fence and then the
10 base is, approximately, 2 feet.

11 In the south side of the property,
12 we have an exit from the patio room. We have
13 a balcony and some steps that lead to a new
14 terrace that will be paved with the same Gaudi
15 paver. Across the street, we have an access
16 in the house, but across the street we have an
17 issue with a building not being very
18 attractive at that particular location.

19 So for reasons of privacy and to
20 screen that view, we propose to have
21 Evergreens at this location with a second
22 entrance to give access to the terrace to be

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1 used occasionally in special occasions at this
2 location looking at it, approximately, 45
3 degrees to the patio room.

4 And then from here, from this
5 terrace, to the handicapped walkway, this is,
6 approximately, 4 foot difference. We plan to
7 landscape this area and bring the contours
8 down, so that by the time that we get to the
9 walkway, the contours would be basically level
10 with the walkway.

11 New plantings at this corner and
12 then very similar new plantings at this
13 corner. We probably are looking to use in the
14 large specimen trees some Magnolias
15 accompanied by a smaller variety of Magnolias
16 as well.

17 The rest of the area to the east of
18 the terrace it will remain with grass. We are
19 suggesting here a trellis in the grass. Very
20 simple, composed of posts and open beams,
21 approximately, 10 feet high to be used for
22 special occasions. It can be draped over in

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1 special locations and a temporary floor put in
2 so that a sense of the Mediterranean would be
3 brought in here and we would not have to use a
4 big temporary tents to host some events, but
5 it would be there. Otherwise, the grass will
6 be all that we have for the surface.

7 We have incorporated a ramp from
8 the patio room as the physically handicapped
9 need to come down to the terrace, they will be
10 coming around and in a very shallow ramp with
11 1:20 slope that will have a handrail, but no
12 pickets. In between the first and the second
13 decks of the ramps we will have planters.
14 This also incorporates, if possible, future
15 exit from the chancery building to the patio
16 room with planters here and here as well.

17 The fence continues then on the
18 east side of the property, approximately, a 6
19 inch curb and 3 feet of fence until it gets to
20 the very end. We will have a new gate to
21 allow service into the property as well as
22 entrance to the parking.

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1 The parking is new. It has a -- we
2 have now a total of 9 parking spaces. Service
3 will come in this way and this is the new
4 service loading dock with a new ramp and stair
5 leading to the service area and then to the
6 rest of the residence. And here a small
7 canopy, glass canopy for a second entrance
8 from the parking lot into the residence.

9 At this point, we'll show you in
10 elevations later. The fence gives way to a
11 solid wall the same height as the fence that
12 will screen the trash area. Now, the Embassy
13 of Spain and the Mexican Cultural Institute
14 have discussed and have agreed to cooperate
15 and share parking for special events. They
16 are also coordinating their schedules.

17 For that reason, we propose to,
18 number one, remove the chain link fence
19 between the two properties, extend the
20 decorative fence between them with some
21 landscaping in between and a gate to allow
22 parking movement in case we use the -- embassy

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1 has plans to use the parking lot or vice
2 versa.

3 The pavement material, and we'll
4 show you some samples of that, in the parking
5 lot is an gray asphalt paver hexagonal,
6 recalling how many of the streets of the
7 District of Columbia used to be paved at one
8 time, with a small white color hexagonal
9 pavers delineating the spaces, each of the
10 nine spaces, so that it will not be painted.
11 It would be integral with the pavement.

12 One last point. We have here
13 indicated in this white circle a place holder
14 for a sculpture by Hispanic sculptor. It has
15 not been determined what the sculpture would
16 be, but we are proposing this location and we
17 hope the sculpture will not be any higher than
18 15 feet high.

19 15 feet high we have determined it
20 would be acceptable and not detract from the
21 residence, but rather be complimentary.

22 MR. COLLINS: Before leaving that

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1 slide, would you also point out the location
2 of the flag poles?

3 MR. BELLINI: Yes. We have two
4 flag poles. One here and one here flanking
5 the main entrance. One for the flag of Spain,
6 another one for the flag of the European
7 Union. These are requirements.

8 This is a photograph of the paver
9 that we intend to use at the entrance, the
10 Gaudi paver. We have one of those pavers
11 here, if you wish to see it. They are dark
12 gray and they are, approximately, 10 inches
13 across. This is the gray paver, asphalt paver
14 for the parking lot. You can see how it looks
15 here with white. A hexagonal paver in between
16 to delineate the parking spaces.

17 The various poles and other
18 elements of the site, flag pole is 25 feet
19 high. The location of the flag pole flanking
20 the porte cochere is about 5 feet higher than
21 the elevation of the sidewalk. Therefore,
22 when you see this pole at the site, it would

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1 be 30 feet high, the same height as the light
2 poles and the banner that we propose next to
3 the sidewalk. They would all eventually be at
4 the same elevation.

5 The name of Spain U.S. House, you
6 perhaps can see a bit of it here, would be on
7 the vertical portion of the banner. And then
8 this portion would be something that is
9 changed. It would be cloth or some other
10 material that would be changed every time a
11 new exhibition happens.

12 This is our proposed bicycle rack.
13 It can come in other colors, but we think
14 this would be relaxed and fun.

15 This is our proposal for the fence.
16 What we -- it's a metal fence, but it takes
17 the inspiration from a garden trellis and it
18 would be transparent and light, inviting we
19 hope, and it varies at the base from 6 inches
20 to a maximum of 2 feet. But the height from
21 the top to the -- the top of the fence to the
22 top of the wall is 3 feet.

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1 The openings of the -- in the
2 trellis are clear 5 feet. This is a plan of
3 the new work. Again, we are starting at the
4 basement. Basically, the basement would be a
5 space dedicated to support, a lot of it
6 dedicated to the storage of the various
7 collections and exhibits that the center will
8 plan.

9 This in gray represents the
10 addition that we are proposing. The main
11 floor, the ground floor where the entrance and
12 the major public spaces would be dedicated to
13 exhibition area, the patio room also serves
14 for purposes of receptions.

15 As part of the addition, we have a
16 cafe, a Spanish-style cafe, and we are
17 preserving the existing windows on the
18 exterior and turning two of those to doors, so
19 that we will have a clear view across,
20 preserve the view, and a large bay window at
21 the end and out to the back.

22 The new kitchen occupying a portion

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1 of the addition.

2 The first floor would be,
3 essentially, all converted to offices with a
4 very large media room as part of the addition.

5 The media room has very attractive also bay
6 windows to admit a lot of light, a multi-
7 purpose and training areas as part of this
8 addition as well. A new elevator and new
9 stairs.

10 And at the top floor, we have a
11 combination of more classroom and meeting
12 rooms, flexible spaces, but also a large area
13 dedicated to artists addressing -- that would
14 come and do an exhibition and this would be a
15 place where they can prepare their exhibitions
16 and try things in relation to the exhibition
17 or any particular conference or meetings that
18 they have.

19 As far as the patio room, what we
20 propose is to replace the solid roof with a
21 skylight.

22 In the north side, our addition is

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1 not three stories, it's only two. And the
2 roof of the second story will become a roof
3 terrace with a trellis over it. These are the
4 elevations. On the front it's pretty much
5 what it is today, although restored, the slate
6 roof, cleaning of the facade, restoration of
7 the windows, restoration of the metal roof
8 over the ballroom and the gardens that I
9 mentioned previously.

10 On the Fuller Street facade, the
11 restoration of the facade, the slate on the
12 roof, portion of the addition would have slate
13 to match the original. And in the patio room,
14 itself, we propose to take the asphalt
15 shingles and put a red tile. I think it would
16 be very attractive. There is red tile in
17 nearly all of the buildings in the
18 neighborhood. This will be a flat tile, not
19 the curved tile which we think for the size
20 and proportions to the addition may be a bit
21 overbearing. We have a sample of that tile
22 here and the skylight to admit light.

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1 We also propose to change the two
2 side windows to doors, so that from this patio
3 room out to the terrace, we would have
4 actually three doors coming out, because there
5 will be large receptions moving back and
6 forth.

7 Okay. And this is the back of the
8 residence. The chancery building that we are
9 mothballing. The addition, we plan to
10 maintain the roof line, maintain the stucco
11 facade. We are giving the back of the
12 residence a bit more contemporary look, but
13 very restrained, a large bay window on two of
14 the floors culminating in a balcony at the top
15 to open the residence to the outside, a new
16 canopy for the secondary entrance.

17 This is the terrace over the second
18 floor with the trellis. And then a bay window
19 coming over the loading dock.

20 And on the north side, two bay
21 windows overlooking the Mexican property. A
22 major consideration here was eliminating the

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1 tower for the elevator. And what we have done
2 is incorporate the tower with some mechanical
3 equipment into the attic by providing this
4 extension with a dormer and louvers discretely
5 located on the north side.

6 In conjunction with these louvers
7 is the trellis delineating the extension of
8 the dormer.

9 We will take you with some of these
10 views around the property. This is our view
11 of the restored property without the fence,
12 with a small fence on the side. The new would
13 constitute a driveway. Our banner announcing
14 the program for the embassy. The two flag
15 poles and two light poles that would be
16 illuminating the residence.

17 On the side of Fuller Street, this
18 is the new fence. The new landscaping we have
19 avoided completely bringing the landscaping
20 all the way down, so that you can actually see
21 what is behind, the steps, the new roof and
22 openings on the patio room as well and the

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1 second entrance on the side.

2 On the back, the new fence with
3 landscaping, approximately, 36 inches high.
4 We like to cover the back of the cars, but
5 still maintain the stability for safety. The
6 new gate which will open to the right, so that
7 the gate will -- it's intended to be opened
8 from the beginning every morning, so we don't
9 have to call and get admittance to the parking
10 and to service.

11 And as the gate opens, it will hide
12 -- it will help to hide some of the trash cans
13 here. The wall that we are proposing the same
14 height as the fence will be stucco to match
15 the residence. We will have two light poles
16 here, one at this location and one on this
17 side, and two lights, cut-off lights in the
18 facade of the chancery to illuminate the
19 parking lot. This would be cut-off fixtures
20 with metal headlight for color rendering. The
21 best color rendering that we can find.

22 Well, at the entrance of the

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1 loading dock, we're using a glass door, just,
2 you know, trying to get away from the
3 utilitarian look of doors that are normally
4 used for that purpose.

5 Okay. And this is the last
6 rendering. If you -- an aerial view from,
7 approximately, 6 stories high. The parking
8 area with our landscaping, the entrance,
9 second entrance for the residence, the bay
10 window, the terrace with the trellis and then
11 the property of the Mexican Cultural
12 Institute.

13 And that concludes our
14 presentation, my part of the presentation.

15 CHAIRPERSON MILLER: Thank you. I
16 just have one question. If you could just
17 discuss a little bit again the front driveway
18 that goes onto the public space? Because I
19 know that that's a little bit of an issue in
20 this case. I think you said it is not going
21 to be used very often for vehicular traffic?

22 MR. BELLINI: The driveway is part

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1 of the original design. The driveway will
2 only be used in very rare and special
3 occasions, when we have, for example, a visit
4 by the Secretary of State of the United
5 States, the President of the United States,
6 the Royal Family of Spain or the Prime
7 Minister where security is of prime
8 consideration and you really want to be as
9 covered as possible.

10 Other than that, the driveway will
11 not be used. It will be there, but not be
12 used. And what we propose is to have a
13 decorative removable single bollard at the
14 center of the driveway at the entrance and
15 exits to discourage any possibility of
16 accidental delivery truck or something trying
17 to reach the residence.

18 CHAIRPERSON MILLER: And when there
19 are those special events with those very
20 important dignitaries, would there be special
21 security at the entrance of the driveway?

22 MR. BELLINI: Yes, special security

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1 will be not only at the driveway, but also
2 through the residence. There is no special
3 security otherwise, but in those occasions, we
4 probably at the lobby also have to put in
5 temporary metal detectors and things of that
6 sort. So those are special security items
7 that come with the U.S. Secret Service, for
8 example, or with the Spanish Civil Police, as
9 well, the escorts for the Prince or the Prime
10 Minister. And they all offer special
11 requirements. Yes, ma'am.

12 CHAIRPERSON MILLER: Okay. I may
13 be skipping ahead, but just since we're
14 talking about this, I'm not sure if you saw
15 the memorandum from the Department of
16 Transportation with respect to staff,
17 providing staff at the entrance of the
18 driveway for special events?

19 MR. BELLINI: Yes.

20 CHAIRPERSON MILLER: You saw that?

21 MR. BELLINI: I'm aware of that
22 memorandum, yes.

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1 CHAIRPERSON MILLER: Okay. How
2 does that jive with the security that would be
3 in place? Would there be a need for extra
4 staff in your view to be concerned about the
5 pedestrians and the vehicles or will there be
6 adequate personnel there in any event?

7 MR. BELLINI: Chris, would you like
8 to discuss that?

9 MR. COLLINS: Sure. The issue in
10 the DDOT report is whether they raised the
11 question of would we have personnel beginning
12 a half hour before an event and I think a half
13 hour after an event. And that was with the
14 understanding, at that time, that the driveway
15 was going to be used on a regular basis for
16 special events. That people would be dropped
17 off in a taxi or picked up.

18 Since that time and in order to
19 respond to DDOT, we thought we would go one
20 better and remove the human element by saying
21 we're going to have a bollard there and we
22 will only use the driveway for special visits

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1 by the Royal Family or otherwise when security
2 is required to load and off-load within the
3 porte cochere. Otherwise, the bollard would
4 be in place all the time and we will not be
5 using the driveway on a regular basis.

6 When we do have the bollard off and
7 the security people will be there, there
8 certainly will be someone there at the corner
9 to address the issues that the Department of
10 Transportation has raised.

11 COMMISSIONER MAY: Could I follow-
12 up on that just quickly? I mean, just to
13 clarify, I mean, you are, essentially,
14 agreeing to their condition?

15 MR. COLLINS: We think we are going
16 with one better by having the bollard and
17 removing the use of --

18 COMMISSIONER MAY: Okay. Bollard
19 aside, but you have agreed that whenever there
20 is an event that there will be somebody there
21 to make sure that --

22 MR. COLLINS: Oh, yes, yes. Again,

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1 and just understand, they were saying that
2 they -- we had told them, at that time, that
3 the driveway was going to be used on a regular
4 basis.

5 COMMISSIONER MAY: Okay.

6 MR. COLLINS: And that was the
7 basis upon which they gave the comment.

8 COMMISSIONER MAY: That's fine.

9 MR. COLLINS: But we are otherwise
10 agreeing.

11 COMMISSIONER MAY: Okay. Thank
12 you.

13 CHAIRPERSON MILLER: Okay. And we
14 may come back to this, but just because we're
15 trying to figure out what you are agreeing to,
16 even this 30 minutes requirement?

17 MR. COLLINS: We assume it's going
18 to be -- our assumption that we'll work this
19 out, will be handled with the valet company.
20 When there is a special event, there will be
21 valet parking. And the valets will be there
22 when people are coming, if there is someone

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1 there they can -- if the -- if it is a special
2 event with the Royal Family and other people
3 there as well, the people will be directing
4 them away from the driveway or maybe put the
5 bollard back down. But otherwise, the
6 agreement to put someone there, 30 to 40
7 minutes after, is when the bollard is not
8 there. And that's a very limited event --
9 time or a limited number of events.

10 CHAIRPERSON MILLER: Okay. Other
11 questions at this time? Okay. I think that's
12 all for right now. Do you have another
13 witness?

14 MR. COLLINS: Yes, the next witness
15 is Emily Eig.

16 MS. EIG: I'm Emily Eig with the
17 AGT Traceries. I would like to just give a
18 brief discussion of the building to -- maybe
19 we could put the lights down a little.

20 CHAIRPERSON MILLER: Ms. Eig, can I
21 just ask you a question before you start, so I
22 understand the context of your testimony?

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1 This isn't in an Historic District, correct?

2 MS. EIG: That is correct.

3 CHAIRPERSON MILLER: It is not --

4 MS. EIG: It is not.

5 CHAIRPERSON MILLER: -- historic
6 landmark?

7 MS. EIG: It's not a historic
8 landmark and it's not an Historic District.

9 CHAIRPERSON MILLER: Okay. So
10 what's the significance of this historic
11 preservation issue here?

12 MS. EIG: Okay.

13 CHAIRPERSON MILLER: Okay.

14 MS. EIG: This building is within
15 an area that the Preservation Office intends
16 to survey and they anticipate that it will be
17 an extension of the 16th Street Historic
18 District moving up to the north. And I'll
19 actually have a slide that helps explain that.

20 CHAIRPERSON MILLER: Thank you very
21 much.

22 MS. EIG: You're welcome. This is

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1 the location of the property. And you see the
2 Mount Pleasant Historic District is right to
3 the north. Right now, 16th Street Historic
4 District ends at Florida Avenue down here,
5 but, as I said, they intend to extend it. And
6 it has been well-recognized that this building
7 is a building that could be designated as a
8 historic landmark on its own. And so we have
9 treated it that way, so that there would be no
10 issue in that regard.

11 And let's see, this is our
12 location. There are other embassies around
13 it, the Mexican, the former Italian Embassy,
14 the Polish Embassy, the Cuban Embassy here and
15 here. The -- next, please. Another one.

16 Oh, I'm sorry. Okay. I'm sorry.
17 The building was built in 1923. It was
18 actually built for Mary Henderson, who
19 intended to give it to the United States
20 Government for use as a Vice President's
21 house. The Congress rejected her offer,
22 because they did not believe that they could

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1 afford to maintain the house and instead she
2 decided to approach the Spanish government.

3 The Mexican government had already
4 been interested in the site and had looked at
5 this site and the site next door and had
6 chosen the site next door. And in 1926, the
7 Spanish government did purchase the house,
8 which was already completed, at that time,
9 designed by George Oakely Totten, who was her
10 favorite architect, but a very well-regarded
11 and so renowned architect of the time.

12 This is a floor plan that we have
13 that is from Mr. Totten's work when he
14 actually was preparing it for the Embassy of
15 Spain to let them know what it would look
16 like, sort of a marketing piece, we might say.

17 And an early photograph. This is
18 prior to the purchase and we believe this one
19 is post the purchase, because there is a flag
20 pole here, which does not show up there. And
21 you'll notice that there is no elevator
22 extension, because that came in later. And

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1 the house had -- in 1926 and '27, the Spanish
2 government actually retained Julian DeSeaborg
3 to make some changes to the building to make
4 it more appropriate for their purpose as an
5 ambassador's residence.

6 And then they also, next slide,
7 changed what had been a conservatory. They
8 turned it into a patio and it's not very clear
9 if Mr. Totten actually included that prior to
10 their purchase to entice them or it was
11 brought in by the Spanish government, but here
12 is an early photograph of that and this is a
13 picture of it today.

14 The chancery building, however, was
15 built at that time by the Spanish government
16 and Mr. DeSeaborg designed that as well. It
17 is, as Mr. Bellini said, a stucco that is
18 coarser to look like the limestone of the main
19 building. It was used for the offices and
20 actually for the -- as a residence for the
21 officers of the chancery.

22 At the time, they also built a

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1 small garage, which is proposed to be
2 demolished and which the Preservation Office
3 that we met with felt that it was of minimal
4 interest and we had no problem with the
5 proposed demolition.

6 I looked at the new design that you
7 have just seen and went through the 12 design
8 principles in order to establish
9 compatibility. In this case, we do not have a
10 Historic District, so I evaluated it against
11 the building itself, how the addition would be
12 compatible with the building as well as how it
13 would be affecting the neighboring buildings.

14 I have -- what I have done here is
15 I have taken the existing drawing that you saw
16 and the proposed drawing and juxtaposed them,
17 so that we might see where the changes are in
18 a little more detail. I will point out that
19 the coursing that is shown on the existing is
20 actually not going to be changed, it just
21 seems to be there. That layer of the drawing
22 didn't go down to show that.

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1 The arrows indicate where there are
2 changes as well as the highlight. As you can
3 see, this is the non-original override, which
4 is being removed, and we are looking at the
5 west elevation, which is the front of the
6 building. And then these windows which have
7 been lost, they are being replaced as they
8 were from the original photographs, as are
9 these windows which are now jalousie and very
10 inappropriate and being brought back to the
11 appropriate design.

12 Next. The -- a larger change is
13 because of the addition, the smaller roof that
14 you see and this small chimney element will be
15 removed with the addition that is being placed
16 in a larger roof.

17 MR. COLLINS: Excuse me. This is
18 the south?

19 MS. EIG: This is the south
20 elevation, yes. The roof is in the back, so
21 that's the rear of the property, because this
22 is the front and this is the rear of the

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1 property. And this roof is a very slight
2 difference in height, but not that would be
3 visible from someone on the street.

4 See, there is a doorway that is
5 being cut into here to provide for the
6 handicapped access. Windows are being
7 replaced back to what they would have -- to
8 what they were before. The patio which some
9 of the windows have been closed up are being
10 reopened and actually doors are being placed
11 at the end, the souther end, so that there
12 will be a central door and two doors to either
13 side.

14 And because of this new addition
15 gone in, this wall actually is remaining in
16 place. You won't see it anywhere, but it will
17 become an interior wall, but it is inside this
18 new construction. And as Mr. Bellini said,
19 the chancery is being mothballed, so there
20 will be no changes to that.

21 We're looking at the east
22 elevation, which is the side that faces the

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1 Mexican -- no, I'm sorry, the side that faces
2 the rear. I apologize for that. You can see
3 that here are the windows that will be visible
4 at the rear. And this is where the new
5 addition will be primarily visible.

6 This elevation doesn't show us how
7 deeply that is set on the lot, but if you
8 remember from the model shot, this is back the
9 entire depth of the chancery building. It is
10 a very contemporary design. It's a mixture of
11 solids and voids that are different than what
12 is on the original. The proportions that are
13 in the windows are reflected in the
14 configurations of the individual windows,
15 rather than having windows that are separate.

16 In a more traditional sense, this
17 is grouping them, as you can see here. And
18 the architect is intending to do something
19 that will compliment what has happened
20 originally, but clearly be, you know,
21 distinctly new and will be at the rear of the
22 building.

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1 As I stated, there is a trellis
2 that is being added here that is at the top of
3 this section where they have added -- here is
4 that first floor kitchen addition that is
5 being removed entirely and the new addition
6 will expand out that way and will have these
7 windows as well.

8 Next. When we look at the north
9 elevation, which faces the Mexican Cultural
10 Center, the chimney that is being removed is
11 here. Here is the larger roof that is being
12 placed, but you can see the form of it. There
13 is a new access ramp that is being placed
14 here, these large windows. And so that here,
15 this is set-back, this is the first story.

16 This is coming farther -- closer to
17 the embassy, but it is not going past the line
18 that is created by the plane of the original
19 large ballroom, so that it will not be
20 extending beyond that.

21 And I thought to remind everyone
22 how far back this is is a very good point,

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1 because this is really in the forefront. As
2 you are walking along here, this is in the
3 back and it's intended to read as a
4 contemporary addition.

5 The scale of this is in keeping
6 with the scale of the main building, as well
7 as the scale of the surrounding buildings,
8 which tend to be on the other side of the
9 street, which would not be -- none of this
10 would be visible along 16th Street. There are
11 large embassy properties very similar or large
12 apartment buildings and similarly across the
13 street we have a mixture of apartment
14 buildings and some other institutional type
15 buildings that are there. And this is all
16 very in keeping with that.

17 And I think that it will improve
18 the situation that is there now that where
19 there is a garage that is in very poor
20 condition, as is the -- well, the chancery
21 building is not going to be reused at this
22 time.

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1 We have hope that it will be reused
2 in the future and brought back to its original
3 appearance and that the entire composition
4 will be an improvement for the street along
5 15th Street as well as all the changes that
6 will -- are really just renovation, upgrading
7 of the materials to actually look as it had
8 originally on the 16th Street side.

9 And that concludes my presentation.

10 As you see it does, in fact, I believe, meet
11 the compatibility to the existing building and
12 to 16th and 15th Street.

13 CHAIRPERSON MILLER: Thank you. I
14 just want to ask you, so in this case, you
15 have been working with HPO and they don't have
16 any concerns with respect to this?

17 MS. EIG: That is correct. We have
18 presented this scheme to them and as well as
19 to the -- there are a number of people from
20 the Office of Planning at the time and they
21 were very comfortable with what was proposed.

22 They had no comments, other than what you

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1 received.

2 CHAIRPERSON MILLER: And in this
3 case though, there is a contemporary element
4 that is being added on to the older element.

5 MS. EIG: Correct.

6 CHAIRPERSON MILLER: And why is it
7 that, if you can characterize, they didn't
8 have a concern with that in this case? Did
9 they just not express it and you have you own
10 reason why it's compatible?

11 MS. EIG: I believe that Mr.
12 Maloney, the Historic Preservation Officer,
13 felt very strongly that the 1964 addition that
14 was on the South African Embassy building was
15 of -- and that it faced the street was of more
16 importance than this.

17 CHAIRPERSON MILLER: No, I didn't
18 really want to lead you into talking --

19 MS. EIG: Oh, okay.

20 CHAIRPERSON MILLER: -- about that
21 case.

22 MS. EIG: All right. I'm sorry.

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1 CHAIRPERSON MILLER: But I
2 understood from the other case, you know, that
3 that's something that HPO might be concerned
4 about, a very contemporary element next to the
5 older elements.

6 MS. EIG: They did not express any
7 concern. In fact, they thought that that was
8 the right solution here. I think that was the
9 extent of their conversation. They were, you
10 know, very supportive.

11 CHAIRPERSON MILLER: Okay. So it
12 may be compatible for some of the same reasons
13 that we -- we talked about the other case with
14 respect to perhaps the rhythm of the buildings
15 and what is across the street and --

16 MS. EIG: I mean, this is a rear
17 elevation. Perhaps there was less concern
18 because it is not facing 16th Street and it is
19 not a Historic District, at this time. But
20 they certainly looked at it with, you know --
21 I mean, they were interested in it and wanted
22 to make sure that what was being proposed was,

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1 in their mind, compatible with this building.

2 CHAIRPERSON MILLER: Okay. Thank
3 you. Other questions?

4 VICE CHAIR LOUD: Good morning.
5 I'm going to play bad lawyer for a few minutes
6 here. Would you agree that, in this case, the
7 embassy's project does not propose new
8 construction, demolition or alteration to an
9 historic landmark?

10 MS. EIG: That is correct.

11 VICE CHAIR LOUD: Okay.

12 MS. EIG: It does not.

13 VICE CHAIR LOUD: It does not. And
14 so in that case, it does not have to
15 substantially comply with federal or local
16 Historic Preservation Regulations?

17 MS. EIG: I believe that is
18 correct.

19 VICE CHAIR LOUD: Are you aware of
20 any federal or local Historic Preservation
21 Regulations?

22 MS. EIG: Am I aware of any?

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1 VICE CHAIR LOUD: Federal or local
2 Historic Preservation Regulations?
3 Regulations being different than say internal
4 agency guidance or --

5 MS. EIG: Yes.

6 VICE CHAIR LOUD: -- guidelines?

7 MS. EIG: I'm very familiar with
8 that.

9 VICE CHAIR LOUD: And just for my
10 purposes, where are those -- what's the
11 citation for those, for the regulations?

12 MS. EIG: Well, the National
13 Historic Preservation Act of 1966 --

14 VICE CHAIR LOUD: Um-hum.

15 MS. EIG: -- as amended many times.
16 And Mr. May, I'm sure, could give you great
17 detail of that and the regulations that go
18 along with section 800 of the Department of
19 Interior Regulations.

20 VICE CHAIR LOUD: What about on the
21 local side?

22 MS. EIG: DC Law 2-144 and the

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1 regulations that are codified in, I believe it
2 is, Chapter 10.

3 MR. COLLINS: It's Chapter 10(a).

4 MS. EIG: In 10(a) --

5 MR. COLLINS: Of DCMR.

6 MS. EIG: -- of the --

7 VICE CHAIR LOUD: Would that be
8 1002, et seq, those that follow?

9 MR. COLLINS: That's the Zoning
10 Regulation. That's 11 DCMR of the Zoning
11 Regulations, but Chapter 10(a) is the Historic
12 Preservation Regulations.

13 VICE CHAIR LOUD: Okay. Okay.
14 Now, so getting back to this historic
15 preservation prong of the test, in this case,
16 there is no historic landmark. There is no
17 Historic District, so there is no obligation
18 for substantial compliance with Historic
19 Preservation Regulations for those reasons.
20 But is there still, in your opinion as an
21 expert, an obligation on the part of the
22 FMBZA, in this case, to do an analysis of the

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1 historic preservation components of this
2 project?

3 MR. COLLINS: That may be more a
4 legal question.

5 VICE CHAIR LOUD: Okay. All right.
6 I qualify it by saying it was some bad law
7 for a few minutes.

8 MR. COLLINS: I do appreciate that.
9 And the answer is a two-part answer. First
10 of all, there is no obligation to do an
11 analysis of this, other than to find that it
12 is neither a historic landmark nor in an
13 Historic District.

14 But having said that, this
15 applicant, the Embassy of Spain, the Kingdom
16 of Spain, was very sensitive to this historic
17 building. It means a lot to them. It's 80
18 years old. They have owned it for almost its
19 entire life. And they want to see it treated
20 right.

21 And we determined that the most
22 appropriate thing to do was since the Historic

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1 Preservation Office is looking at this
2 location, looking at this area anyway, that we
3 would be proactive and go visit with them and
4 share our plans, tell them what we are doing,
5 keep them advised.

6 What we didn't want to do is have
7 them find out about this and then race in and
8 try and find out what's going on after the
9 fact or during the process. We wanted to go
10 to them first. So we did and we got -- my
11 impression, my view is we got a very good
12 reception.

13 I believe that I could even say
14 that they were enthusiastic at the end of the
15 meeting. We had at least two meetings with
16 them.

17 MS. EIG: Yes.

18 MR. COLLINS: The one was last
19 summer and then one as we developed plans
20 further on, including even things like the
21 sculpture and the banner that they found would
22 be appropriate, because, without putting words

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1 in anybody's mouth, my recollection is that
2 they said that the banner and the sculpture
3 helps to celebrate the building and gives a
4 good impression of what is inside.

5 That it is an art kind of culture
6 type of use as opposed to just a sterile staid
7 kind of diplomatic use.

8 VICE CHAIR LOUD: Thank you. I did
9 not mean to suggest that your approach was not
10 the preferred way to sort of approach it, but
11 I just wanted the benefit of your thinking in
12 the event that there is a scenario where an
13 applicant comes before us. It's not an
14 historic landmark. It's not in an Historic
15 District and that applicant chooses to just
16 bypass this provision of the law altogether
17 and say that, in this case, it's not
18 applicable and move straight to the next prong
19 of the six point test.

20 MR. COLLINS: Well, there are
21 certainly chanceries that are neither historic
22 landmarks nor in Historic Districts that have

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1 gone to this Board and certainly the Board has
2 found that the criteria has been satisfied
3 because the property is neither a landmark or
4 in a Historic District.

5 VICE CHAIR LOUD: No further
6 questions, Madam Chair.

7 CHAIRPERSON MILLER: Okay. Anybody
8 else? Okay. Any other witnesses, Mr.
9 Collins?

10 MR. COLLINS: I'm sorry?

11 CHAIRPERSON MILLER: I don't think
12 there are any other questions for this
13 witness. And do you have any other witnesses?

14 MR. COLLINS: All right. We have
15 one more witness, Mr. Fellin from Wells and
16 Associates. His report is in the record.
17 DDOT has not raised any substantive traffic or
18 transportation issues. In fact, they are very
19 supportive. They raised one pedestrian issue,
20 which we believe that we have already
21 answered.

22 So at this point, if it's of your -

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1 - if you are interested, we could simply offer
2 Mr. Fellin for questions.

3 CHAIRPERSON MILLER: Okay. I think
4 that's a good way to proceed. Does anybody
5 have any questions for him? Okay. No, I
6 think that was a very full report. And we
7 don't have any questions.

8 MR. COLLINS: Well, thank you. In
9 conclusion, you have before you and you have
10 seen today plans and exhibits showing the
11 renovations to the building, to the site and
12 to the public space. You have heard testimony
13 on the renovation and the new construction.
14 You have heard testimony on how we respect the
15 historic status of the property, the historic
16 integrity of the property. And you have a
17 report, a full report, on traffic and
18 transportation issues.

19 You also have in the record and you
20 will hear shortly support from the Office of
21 Planning, support from the State Department
22 and there is a letter from the ANC in support

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1 as well. The DDOT condition we believe that
2 we have responded in a way that is favorable
3 to address their concerns, in terms of having
4 the bollards at that site. And we have -- we
5 are unaware of any opposition and there is no
6 opposition in the record in this case.

7 So that concludes our presentation.

8 Thank you.

9 CHAIRPERSON MILLER: Mr. Collins,
10 is it indicated anywhere in the record, other
11 than the testimony today, that you will --
12 that the applicant will have these bollards?

13 MR. COLLINS: No, we received the
14 DDOT report on Friday afternoon late and we
15 determined on Friday afternoon that that would
16 be our response.

17 CHAIRPERSON MILLER: Okay. And I'm
18 just asking to think ahead with respect to the
19 issue whether or not the Board would want to
20 impose the condition or whether a condition
21 might not be necessary.

22 MR. COLLINS: It's -- the bollard

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1 is on the revised plan that was submitted.

2 CHAIRPERSON MILLER: Oh, it is on
3 the plan?

4 MR. COLLINS: Yeah.

5 CHAIRPERSON MILLER: Okay.

6 MR. COLLINS: That's part of the
7 details. It's a removable bollard and because
8 it's on the plans and because the approval of
9 this Board includes approval of the plans
10 submitted, I don't believe you need it as a
11 condition, but you are certainly welcome to
12 place it as a condition if you like.

13 CHAIRPERSON MILLER: Okay. And is
14 it in the record anywhere with respect to
15 procedures for when you would be having these
16 special events involving important
17 dignitaries, when you would be removing the
18 bollards?

19 MR. COLLINS: Other than what we
20 testified to today, no, because we only found
21 out about this on Friday afternoon and made
22 the determination that the driveway would only

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1 be open for security reasons or when there is
2 a security need.

3 CHAIRPERSON MILLER: I have one
4 other question on this. You know, as far as--
5 I think I asked this somewhat before, but just
6 to pin it down a little bit, separate from the
7 DDOT report, I understand you to say that when
8 there would be these events, there would be
9 security. That's not a response to DDOT.
10 That would be a security consideration that
11 you would do in any event.

12 And I guess my question is beyond
13 that general statement, would there be
14 security of the curb in any event 30 minutes
15 ahead of time as a matter of procedure or is
16 this something that would be a response to
17 DDOT?

18 MR. COLLINS: I'm not sure of the
19 answer to your question. There will be --
20 DDOT has requested it and when the bollards
21 are not there, we can make sure that they have
22 them. Whether they would be there regardless

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1 of what DDOT requested, I'm not sure. That's
2 a security issue and that's above my pay
3 grade. And they don't share that with me.

4 CHAIRPERSON MILLER: Okay. Thank
5 you. Other questions before we move to
6 another party? Okay.

7 VICE CHAIR LOUD: Yes, just two
8 quick.

9 CHAIRPERSON MILLER: Mr. Loud?

10 VICE CHAIR LOUD: Two quick follow-
11 up questions. On the agreement with the
12 Mexican Cultural Center to the immediate
13 north, has that been finalized or is it still
14 in negotiation?

15 MR. COLLINS: No, it's finalized.
16 It's in writing.

17 VICE CHAIR LOUD: Okay. And then I
18 think the Office of Planning, and we'll
19 probably get to him in a minute, but they
20 reference some, I guess, work or some
21 agreements that you are pursuing with the
22 Scottish Rite and Washington Family

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1 Institutions valet arrangements. You don't
2 reference that in your prehearing statement.
3 But in the Traffic Impact Study you said that
4 the Mexican Embassy has relationships with
5 those organizations.

6 So I wanted to see where that
7 shakes out in your overall presentation of
8 that.

9 MR. COLLINS: Sure. What we intend
10 to do is use the same valet service that the
11 Mexican Cultural Institute uses and that valet
12 service has an agreement with those two
13 institutions to allow them, the valet service,
14 to use the parking areas. That's all.

15 There is no special valet at that
16 one place or valet at the other place. It's
17 the valet company, as many of them do, they
18 search out places where they can put cars.
19 And those are places where the valet company
20 for Mexican Cultural Institute puts cars. And
21 we intend to use the same company.

22 VICE CHAIR LOUD: Thank you.

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1 MR. COLLINS: Sure.

2 CHAIRPERSON MILLER: Okay. Anybody
3 else? Okay. Thank you, Mr. Collins.

4 MR. COLLINS: Thank you.

5 CHAIRPERSON MILLER: At this point
6 then, we would turn to the United States
7 Secretary of State representative.

8 MR. MASSEY: Members of the Board,
9 my name is Richard Massey. I'm the Office
10 Director in the Office of Foreign Missions
11 responsible for the foreign mission property
12 issues in the United States and I'm here on
13 behalf of the Secretary to present the
14 Department's position in favor of this
15 application.

16 You have our letter of December 1st
17 in support of the project. I won't go over
18 all the security issues. Again, there are no
19 special security requirements. However, I
20 would make one comment, based on the previous
21 discussion about the DDOT request for the 30
22 minute issue.

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1 I think if you are going to have--
2 I think it's important to remember if you are
3 going to have the Secretary of State or Royal
4 Families or heads of government, those
5 decisions will be made by the United States
6 Secret Service, Diplomatic Security and
7 Metropolitan Police and will not be a decision
8 under the control of the Spanish Embassy.

9 So you really -- I don't think
10 putting a DDOT restriction here -- really,
11 they won't be able to comply unless that's
12 something agreed to by Federal Protective
13 Services in those situations anyway.

14 So it really is not in their
15 complete control how that would be handled.
16 But I'm sure there will be adequate protection
17 and very -- and will meet the general drift of
18 what DDOT has in mind. But the actual -- I
19 don't know that, for instance, Secret Service
20 would have Spanish employees standing at the
21 gate. They would probably have their own
22 people if that were the situation that was

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1 coming up.

2 So I don't really think it's a
3 major issue to be concerned about as far as
4 the embassy is concerned.

5 I would also like to comment on the
6 federal interest here. The Spanish government
7 has been supportive of our property needs in
8 Spain. We recently completed a perimeter
9 security upgrade in Madrid and we have one
10 planned in Barcelona. And we will -- of
11 course, have had the support of the Spanish
12 government and will continue to expect to have
13 that in our other projects coming down the
14 road.

15 One other federal interest I have,
16 and there is -- and I think also municipal
17 interest, although I won't speak for that, is
18 the interest in having vacant or empty
19 diplomatic properties in the District used
20 again and used for diplomatic purpose.

21 We know this is an issue in the
22 city and it's properties that are vacant for

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1 various reasons and this one has been vacant
2 for some years. It's in a location on 16th
3 Street where the city wants chanceries and
4 encourages them to locate, so I think this is
5 a very positive addition to the city to have
6 this used again.

7 It also is going to be used for a
8 purpose that will, in this particular case,
9 benefit the local citizens who will have a
10 chance to actually use it and go in there,
11 which is not always the case with chanceries.

12 So I think it's very much in the federal and
13 municipal interest that this be approved. And
14 that concludes my presentation.

15 CHAIRPERSON MILLER: Thank you.
16 Not to beat a dead horse, but just to ask you
17 this anyway. With respect to -- I understand
18 what you are saying about the Secret Service,
19 they are the ones that are going to be, and
20 the Metropolitan Police, in charge of what is
21 happening with the cars during and leaving
22 when there is a special visit by dignitaries.

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1 So in your opinion then, would it
2 be safe to say that because of what they are
3 doing there, there is not going to be an issue
4 about pedestrian safety in general?

5 MR. MASSEY: You know, I think so,
6 particularly their current plan is to limit
7 the use of that driveway to those type of
8 events where there will be outside security
9 involved at that level of visits always.

10 CHAIRPERSON MILLER: Okay. Thank
11 you. Any other questions? Okay. Thank you
12 very much. Okay. Why don't we turn to the
13 Office of Planning now?

14 MS. BROWN-ROBERTS: Good afternoon,
15 Madam Chairman and Members of the FMBZA. I am
16 Maxine Brown-Roberts from the Office of
17 Planning. Our report is in the file and,
18 therefore, I will just quickly go over the
19 criteria of section 1001.2 that we were tasked
20 with evaluating.

21 No. 2 states that "the Board should
22 consider international obligations," and that

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1 has been addressed by the representative of
2 the Department of State.

3 No. 3, "the Board shall consider
4 the historic preservation" as stated by both
5 ms. Eig and Mr. Collins. The property and the
6 addition was reviewed by Historic Preservation
7 staff. And in conversations with them, even
8 up until last Wednesday, they had no concerns
9 about the addition to this and felt that, you
10 know, it -- they believe that the proposed
11 addition is in compliance with the Historic
12 Landmark and Historic District Protection Act.

13 Regarding off-street parking, the
14 applicant has -- is providing 9 surface spaces
15 to the rear of the site and has also made
16 arrangements for parking during the special
17 events that will take place at the property.
18 Both the Office of Planning and DDOT supports
19 the reduction in parking and the arrangements
20 that will be made off-site and does not think
21 that this will have an impact on the
22 surrounding residents.

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1 1001.6 is talking about the
2 protection. And again, the Department of
3 State has addressed that.

4 1001.7 concerns the municipal
5 interest. The Office of Planning supports the
6 use of the property as a Spanish Cultural
7 Center and finds that the use will be
8 compatible with the surrounding area and uses.

9 DDOT, again, had expressed some
10 concerns regarding the circular driveway. I
11 think in the whole conversation what I want to
12 add is that when DDOT -- both DDOT and the
13 Office of Planning met with the applicant. It
14 was our understanding that the driveway would
15 be used much more often.

16 And so I think that the proposal
17 that Mr. Collins has presented us today where
18 it will be only used -- where the use would be
19 restricted, we do think that this -- the idea
20 that -- or the suggestion that he has put
21 forward is something that we could agree to.

22 Regarding the -- there was also a

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1 discussion about having the person there and
2 the Department of State representative talked
3 about them having, you know, their own
4 security. Again, I think DDOT was just
5 concentrating on those other events, not when
6 it was a special event where you had, you
7 know, that sort of security there.

8 So I would think that they would be
9 comfortable with the new proposal that is on
10 the table today.

11 The Board shall consider the
12 federal interests. Again, the Department of
13 State has addressed that.

14 Therefore, the Office of Planning
15 recommends that the -- supports the Spanish
16 Cultural Center at this location and
17 recommends its approval. Thank you, Madam
18 Chairman.

19 CHAIRPERSON MILLER: Any questions?

20 COMMISSIONER MAY: I have just one
21 quick question, which is that under the
22 section about parking, you note that the site

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1 is 8,000 feet or 8 minutes to the Columbia
2 Heights Metro Station. And I imagine it is
3 one or the other. It's probably not both,
4 unless you are assuming people are driving or
5 that everybody can run a 5 minute mile. Do
6 you know which one it is?

7 MS. BROWN-ROBERTS: Where's that?

8 COMMISSIONER MAY: Where is it
9 noted?

10 MS. BROWN-ROBERTS: Yes.

11 COMMISSIONER MAY: It's, sorry, on
12 page 3 of your report. The last bullet under
13 parking.

14 MS. BROWN-ROBERTS: I think it's 8
15 minutes.

16 COMMISSIONER MAY: It's 8 minutes?

17 MS. BROWN-ROBERTS: Yeah.

18 COMMISSIONER MAY: Okay. That's
19 closer. Thanks.

20 MS. BROWN-ROBERTS: Okay.

21 CHAIRPERSON MILLER: I just want to
22 ask you another question, a follow-up about

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1 whether or not we impose any conditions with
2 respect to the driveway.

3 MS. BROWN-ROBERTS: Um-hum.

4 CHAIRPERSON MILLER: And I
5 understand your testimony that this proposal
6 from the applicant wasn't before you when you
7 and DDOT made recommendations. So now that
8 you have heard it and you think, from what I
9 understand, that it addresses the issue, do
10 you think that we need to consider a condition
11 with respect to the bollards as shown on the
12 plans remaining in place except for the
13 special events involving official dignitaries?

14 MS. BROWN-ROBERTS: Yes, yes,
15 definitely.

16 CHAIRPERSON MILLER: Okay.

17 MS. BROWN-ROBERTS: Yes.

18 CHAIRPERSON MILLER: Okay. Thank
19 you. Any other questions for Office of
20 Planning? Do we have any other public
21 agencies here? Any representatives of public
22 agencies? Okay. Not hearing from anyone, is

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1 the ANC here on this case?

2 Okay. Not hearing from anyone, I
3 believe though we do have a report from ANC-
4 1B, which is our Exhibit No. 33, indicating
5 that they voted in support of the application
6 by a vote of 9-1-1.

7 I do have a question about this.
8 Maybe I can ask you, Mr. Collins. It's a
9 little bit out of order, but, and maybe Office
10 of Planning, it says that "ANC-1B voted 9-1-1
11 to support this application for chancery
12 approval under section 350.6 and 1001 of the
13 Zoning Regulations, pending a subsequent
14 presentation of the South Columbia Heights
15 Neighborhood Association meeting."

16 Can you elaborate a little bit, if
17 you know anything further, about that? That's
18 kind of a funny pending --

19 MR. COLLINS: Yes.

20 CHAIRPERSON MILLER: -- leaving it
21 hanging a little bit.

22 MR. COLLINS: I would be happy to.

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1 The area that the chancery is located in is
2 South Columbia Heights. And there is a
3 neighborhood association there. And one of
4 the -- the head of that association is also a
5 newly elected ANC Commissioner. And he asked
6 for a presentation.

7 There was some dialogue back and
8 forth at the ANC about a motion to approve or
9 what and there was a motion to approve or to--
10 what's that called, a motion to disapprove
11 unless we met with the association. The
12 majority of the -- the Chair determined that
13 it would be best to have it in the positive
14 that it would be support conditioned on.

15 And the letter -- and we did go to
16 the South Columbia Heights Neighborhood
17 Association and made a full presentation and
18 they were very happy that we were there and
19 very happy to hear what is going on, because
20 they are concerned mostly with that
21 neighborhood.

22 There is some criminal activity in

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1 the neighborhood and they were concerned
2 about, you know, what is going on. They
3 didn't -- they wanted to have us come and make
4 a presentation, so people know what is going
5 on. And so we did that and they were very
6 happy with the presentation.

7 So the letter from the ANC was not
8 delivered to you until after that meeting was
9 held. And actually, one of the ANC
10 Commissioners, the Single Member District
11 Commissioner for the site was at that meeting
12 and monitored the meeting, so that he was able
13 to report back to the Full Commission that the
14 meeting was held and that we did appear as
15 requested.

16 CHAIRPERSON MILLER: And as the
17 South Columbia Neighborhood Association, they
18 didn't submit anything to this record?

19 MR. COLLINS: That's correct.

20 CHAIRPERSON MILLER: To the best of
21 your --

22 MR. COLLINS: We didn't ask them

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1 to. It was just a courtesy.

2 CHAIRPERSON MILLER: Thank you.
3 Anybody have any other questions for Mr.
4 Collins? Okay. I would like to highlight,
5 since the ANC is not here, just a couple of
6 things in their report then.

7 It says that "The Commission finds
8 this application consistent with our Land Use
9 suggestions embodied in the DC Comprehensive
10 Plan, compatible with the underlying zoning
11 and the uses along 16th Street and this area
12 and compatible with the historic streetscape
13 fabric."

14 They found that the Commission --
15 they found that the proposed renovations are
16 appropriate and consistent with the goals of
17 Historic Preservation, that there was an
18 abundance of parking in the area, including
19 the DC USA Parking Garage, which is a short
20 walk from the site. And that the applicant
21 proposes to use valet parking for special
22 events. And the Columbia Heights Metro

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1 Station is located a short walking distance
2 from the site and there are many buses along
3 16th Street.

4 And that they also found it
5 positive that a long vacant property is being
6 restored into an active publicly accessible
7 use that will be available to the residents in
8 the area, as well as to the general public.

9 And they noted that public space
10 improvements would enliven that block of 16th
11 Street and make it -- the building is an
12 appropriate compliment to the adjacent Mexican
13 Cultural Institute.

14 Okay. Is there anybody here who
15 wishes to testify in support of this
16 application? And any individual who wishes to
17 testify in opposition? Okay. I think that
18 concludes our hearing on this, that is the
19 order of presentation for a Foreign Mission's
20 case.

21 Mr. Collins, I don't know if you
22 have anything else to add. Usually in the

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1 other cases, we go back to the applicant, but
2 if you have something --

3 MR. COLLINS: Certainly. We just
4 request that your -- we thank you for
5 listening. We request your approval at the
6 earliest possible date.

7 CHAIRPERSON MILLER: Oh, wait a
8 second. All right. We are ready to
9 deliberate on this case now, as I think the
10 record is quite full, and so we wouldn't need
11 to set it aside to get further information as
12 we have in other cases.

13 So why don't we proceed?

14 VICE CHAIR LOUD: Madam Chair and
15 colleagues, let me take a stab at getting us
16 started and, of course, if I stumble, I know
17 that you will jump in and complete the record.

18 I'm going to be supporting the
19 application and set forth the reasons why I'll
20 be supporting it and then later, once we move
21 into whether or not we will make a motion,
22 then I'll make the motion.

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1 Let me describe the project a
2 little bit. This is a project to renovate and
3 expand from the existing about 19,682 square
4 feet up to 22,000 plus square feet of three
5 floors, plus a cellar of a vacant masonry
6 building which was formerly an embassy
7 residence into a chancery annex for a cultural
8 center for the Embassy of Spain.

9 The center will house diplomatic
10 functions as well as public usages, some arts
11 usages, research, education and some political
12 functions as well. It is going to be at the
13 northeast corner of 16th and Fuller Street,
14 N.W., housing a permanent staff of about 18.
15 And according to the pleadings, from 100 to
16 150 visitors spread throughout the day. There
17 will be, approximately, 2 to 3 special events
18 yearly which may have up to 500 in attendance.

19 In terms of the actual addition
20 itself, there is going to be a rear addition
21 to the third floor of, approximately, 3,500
22 square feet. That will be for kitchen, cafe,

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1 small office, I think there was some testimony
2 today that it could include space for artists
3 and artist exhibitions.

4 As to the exterior, there is going
5 to be a new retrofit -- there are going to be
6 new retrofit thermal windows and as needed to
7 replace the match -- matching the existing.
8 The bars will be removed from the existing
9 windows and they will be restored to their
10 original condition.

11 The roof materials that are going
12 to be used will match the existing roof
13 materials, except with respect to the patio
14 area, where I think there are going to be some
15 red tile roofing components, which pick up,
16 apparently, some of the neighboring projects
17 roofing. But the rest of it will be replaced
18 slate, which will go to the original condition
19 of the roof.

20 The new rear construction will
21 match the stucco finish of the existing
22 facade, except where the existing facade is

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1 limestone, which is essentially, I think, the
2 first two floors of the project. And even
3 where it is not limestone, the stucco tries to
4 imitate the limestone and as improved, that
5 will continue.

6 There is an existing rear two-car
7 garage, which will be demoed. That is going
8 to be replaced with 9 surface spaces and then
9 there is a shared parking agreement in place
10 that has already been negotiated between the
11 applicant and the immediate north neighbor,
12 which is the Mexican Cultural Institute, which
13 will add 16 parking spaces.

14 The number of public space
15 improvements that are in the pleadings as well
16 as talked about through the testimony today
17 and they include new replacement of the
18 existing concrete driveway, the new accessible
19 walkway, rebuild entry stairs, new landscaping
20 and so on and so forth, removal of unhealthy
21 trees and shrubs as well.

22 We did receive a report from DDOT

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1 that they have concluded that their 9 off-
2 street parking spaces are sufficient for
3 applicant's proposed land use. This is in
4 their February 6 report. Particularly since
5 there are alternative options that are being
6 incorporated into the parking requirements for
7 the applicant.

8 Those would include its proximity
9 to the DC USA Deck, the valet relationship
10 that is being pursued with the Washington
11 Family Center and the Scottish Rite Center. I
12 alluded to the agreement with the north
13 neighbor, the Mexican Embassy.

14 DDOT had a concern, and I'm going
15 to wrap up the summary in a few seconds,
16 initially about there being some pedestrian
17 safety issues right around that corner of 16th
18 and Fuller, but we have heard testimony today
19 in a plan advanced by Mr. Collins, that OP
20 agrees with, and I believe DDOT as well, that
21 would reduce the number of events that allow
22 access through those two entrance ways on 16th

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1 Street to only those events involving the
2 President, Secretary of State, Prime Minister
3 or the Royal Family, and that there would be
4 bollards posted at both entrances all the
5 time, unless one of those four -- unless
6 events involving one of those four personages
7 are in place.

8 Let me just take a look to see if I
9 left out any material facts. The property is
10 not an historic property nor is it in an
11 Historic District. Although, there is some
12 testimony that there is a proposed Historic
13 District under consideration by HPO that is
14 not in play yet.

15 I think that summarizes the factual
16 background of the case, but let me pause and
17 just see if there are any additions to that.

18 CHAIRPERSON MILLER: I think you
19 did an excellent summary and I think what we
20 ought to do next, and you may be contemplating
21 that anyway, is go through the criteria for
22 determination under 4306(d) that we have to

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1 meet. And as we do that, we may think of
2 other facts that we want to highlight.

3 VICE CHAIR LOUD: Okay.

4 CHAIRPERSON MILLER: Okay. The
5 first is the international obligation of the
6 United States to facilitate the provision of
7 adequate and secure facilities for foreign
8 missions in the nation's capital. And this is
9 one that the U.S. Department of State has
10 indicated that a favorable BZA action on the
11 present application would fulfill the
12 international obligations of the United States
13 to facilitate the acquisition of adequate and
14 secure premises by the government of Spain for
15 diplomatic mission in Washington, D.C.

16 I don't think there is any issue
17 with this one. Okay. So I guess that's the
18 conclusion and consensus of this Board.

19 Second is historic preservation
20 again. It says "Historic preservation as
21 determined by the Board of Zoning Adjustment
22 in carrying out this section; and in order to

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1 ensure compatibility with historic landmarks
2 and districts, substantial compliance with
3 District of Columbia and Federal Regulations
4 governing historic preservation shall be
5 required with respect to new construction and
6 to demolition of or alteration to historic
7 landmarks."

8 And as Mr. Loud said, I believe,
9 it's not in an Historic District. It's not an
10 historic landmark. It's interesting though
11 when I look at these words again. I mean, the
12 first phrase says "Historic preservation as
13 determined by the Board of Zoning Adjustment
14 in carrying out this section."

15 So perhaps it doesn't have to be in
16 that category. But in either event, the
17 applicant, in this case, went the extra mile.

18 They know that they have a historically
19 significant compound, buildings, and that area
20 is under consideration to be an Historic
21 District.

22 In any event, I think, Ms. Eig

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1 again did a thorough evaluation of
2 compatibility using the guidelines, those 12
3 guidelines that HPO put out. And I think it
4 meets that. And it also is compatible with
5 the other buildings around it.

6 Other comments on historic
7 preservation? Okay. Then I gather that the
8 consensus is that it meets that criteria.

9 "The adequacy of off-street or
10 other parking in the extent to which the area
11 will be served by public transportation to
12 reduce parking requirements, subject to such
13 special security requirements as may be
14 determined by the Secretary after consultation
15 with federal agencies authorized to perform
16 protective services."

17 Okay. And I think Mr. Loud kind of
18 addressed that pretty fully, too, about they
19 have got the parking and the nearby parking
20 lots. The ANC addressed this. The Office of
21 Planning didn't have any concern about the
22 parking. They are near mass transportation.

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1 Does anybody have any concern about
2 this aspect? Also, the Secretary of State
3 found that there weren't any special security
4 requirements for this.

5 Next, "The extent to which the area
6 is capable of being adequately protected is
7 determined by the Secretary after consultation
8 with federal agencies authorized to perform
9 protective services."

10 The U.S. Department of State has
11 indicated that after consultation with federal
12 agencies authorized to perform protective
13 services, that the subject site and area are
14 capable of being adequately protected. Okay.

15 I think it's a consensus of this Board that
16 it meets that criteria.

17 And then the next one is "The
18 municipal interest is determined by the Mayor
19 of the District of Columbia." And here we
20 look to the Office of Planning. And the
21 Office of Planning is in support of the
22 application. They find that the use is

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1 compatible with the surrounding uses and area.

2 I think we also heard testimony,
3 even from the Department of State, how it is
4 good to renovate vacant property and put that
5 back into use that is accessible to the public
6 as well.

7 And here is where I think the issue
8 of the circular driveway and any condition
9 might come up. So I would like to propose a
10 condition based on the testimony that we
11 heard. We heard that DDOT was concerned about
12 pedestrian safety with respect to vehicular
13 traffic, because of the traffic coming over
14 the curb cuts at both the entrance and the
15 exit of the circular driveway.

16 And when they made that
17 recommendation, they weren't aware that the
18 driveway was only going to be used for
19 vehicular traffic on very special occasions,
20 at which time there would be security in
21 place.

22 And since that time, the applicant

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1 has revised their plans to show removable
2 bollards to prevent vehicular traffic, except
3 for those rare occasions when they were going
4 to have these special events.

5 So anyway, I have phrased a
6 condition and I'm certainly open to any
7 comment that I think addresses this. I did
8 ask, you know, Office of Planning whether we
9 need one at all, but we might, because the
10 bollards are on the plans, but it doesn't
11 really go any further in the record as to well
12 what about them.

13 So this is what I propose.
14 "Bollards as shown on the revised plans to
15 remain in place to prevent vehicular traffic
16 in the front circular driveway, except for
17 special events involving official dignitaries
18 when vehicular traffic will be allowed under
19 the supervision of security personnel."

20 Do you have any comments on that?

21 COMMISSIONER MAY: I don't
22 particularly think it's necessary. I mean,

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1 they put it on the plans that the bollards
2 will be there. They have said that is how
3 they are going to operate. It's in their best
4 interest to operate that way for the sake of
5 safety. I mean, certainly they don't want to
6 have problems with pedestrians being injured
7 when there are events.

8 I mean, I guess, I don't have a
9 problem with it being there, but I just -- I
10 don't really know that it is necessary in the
11 order, since the bollards are shown on the
12 plan and they have told us how they plan to
13 operate.

14 MEMBER WALKER: Madam Chair, I
15 agree. We heard testimony from Mr. Sobredo
16 that that is going to be a ceremonial
17 entrance. They have an interest in not having
18 people come in through -- to the front door
19 and the bollards will, I think, to prevent --
20 will prevent people from -- or will inform
21 people that it is not a main entrance. And so
22 for that reason, I don't think the condition

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1 is necessary either.

2 CHAIRPERSON MILLER: Okay. I mean,
3 I certainly don't feel strongly about this.
4 It's always a question for me, you know, in
5 these kind of cases. Are they going to do it
6 anyway? Is it necessary or not? So I can go
7 either way. That's two. Do we have some
8 other comments?

9 MEMBER ACOSTA: I would also concur
10 that the order -- the condition is not
11 necessary. I think that both the applicant
12 and the Office of Planning have explained that
13 the additional bollard would suffice in terms
14 of buffer -- circulation issues. And I also
15 think that just by management alone, they will
16 be able to manage this situation.

17 VICE CHAIR LOUD: I agree with all
18 of the above.

19 CHAIRPERSON MILLER: Okay. That's
20 terrific then. Okay. Then we will scratch
21 the condition, finding that based on the
22 record and the revision on the plans, that the

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1 issue that DDOT was concerned about is taken
2 care of, so that the criteria of the municipal
3 interest is determined by the Mayor of the
4 District of Columbia is met without a
5 condition.

6 And finally, the last criteria is
7 "The federal interest is determined by the
8 Secretary of State." And the U.S. Department
9 of State has determined that there is a
10 federal interest in this project indicating
11 both the government of Spain and the City of
12 Madrid have assisted with the zoning and land
13 use needs of the U.S. Embassy in Madrid and
14 its consular post in Barcelona.

15 So the Secretary has found the
16 federal interest criteria has been met.
17 Anybody find otherwise? Okay.

18 Okay. Mr. Loud, I think that that
19 covers what I wanted to make sure that we
20 covered. Were you going to present a motion?

21 VICE CHAIR LOUD: Time for the
22 motion? I would like to move approval of, and

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1 should I call it, FMBZA?

2 CHAIRPERSON MILLER: Right. We
3 vote not to disapprove.

4 VICE CHAIR LOUD: Okay. I would
5 like -- sorry, this is my first time actually
6 moving in --

7 CHAIRPERSON MILLER: I know.

8 VICE CHAIR LOUD: -- an FMBZA case.

9 So I would like to vote that we not
10 disapprove FMBZA Application No. 17907,
11 Chancery Annex of the Embassy/Kingdom of
12 Spain.

13 COMMISSIONER MAY: Second that
14 motion.

15 CHAIRPERSON MILLER: Any other
16 deliberation on this? Okay.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON MILLER: All those
20 opposed? All those abstaining? And would you
21 call the vote, please?

22 MS. BAILEY: The vote is recorded

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1 as 5-0-0 not to disapprove the application of
2 the Embassy of Spain. The motion was made by
3 Mr. Loud, seconded by Mr. Acosta, Mrs. Miller,
4 Mr. May and Mrs. Walker support the motion.

5 COMMISSIONER MAY: I seconded that.

6 MS. BAILEY: I'm sorry.

7 COMMISSIONER MAY: Did Mr. Acosta
8 also second it?

9 MS. BAILEY: I thought I heard Mr.
10 Acosta. No, you did. Okay, sorry.

11 CHAIRPERSON MILLER: Okay. Thank
12 you very much. That concludes our Foreign
13 Mission's BZA Hearing for this morning.

14 (Whereupon, the Foreign Missions
15 Public Hearing was concluded at 12:49 p.m.)

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