

**PRELIMINARY STATEMENT OF COMPLIANCE**  
**WITH THE BURDEN OF PROOF**

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**1. Introduction**

The Royal Embassy of Saudi Arabia (the "Embassy") proposes to construct a new security screening facility and perimeter fence at its existing chancery at 601 New Hampshire Avenue, N.W., Washington, D.C., in the SP-2 zone. As described below, this application complies with the requirements of the Foreign Missions Act, 22 USCA § 4306 *et seq.* (2014), and Chapter 10 of the Zoning Regulations. Accordingly, the Embassy respectfully requests that the Foreign Missions Board of Zoning Adjustment ("FMBZA") not disapprove the proposed expansion of the existing chancery.

**2. Description of Property**

The property at 601 New Hampshire Avenue, N.W., is known as Lot 823 in Square 19 (the "Property"). It is bounded by public streets on all four sides: New Hampshire Avenue to the west, 25<sup>th</sup> Street on the east, F Street on the South and G Street on the north. The Property contains approximately 55,941 square feet of land area and is located in the SP-2 Zone District. It also falls within the boundaries of the Shipstead-Luce Act and is thus subject to exterior design review by the U.S. Commission of Fine Arts. The Embassy purchased the Property in 1983 and has used the existing building on the site as its chancery since that time.

**3. Description of Proposed Use**

The Embassy proposes to replace its existing guard house located at the 25<sup>th</sup> Street driveway entrance with a new security screening facility at the same location. Presently, the full screening facilities are inside the chancery building just inside the main entrance along 25<sup>th</sup> Street. Visitors arriving to the site are first greeted by security personnel stationed at the guard

house and then are directed to the main entrance for full screening. Delaying the security screening until visitors are already inside the building creates safety risks for chancery personnel and visitors alike. The proposal to construct a new screening facility just inside the main driveway entrance will allow the Embassy to detect security risks *before* they are inside the building. The new perimeter fence is also designed to stop intruders prior to reaching the Property.

As shown on the attached drawings, the proposed one-story security screening facility will be 29.33 feet wide by 43.5 feet deep. It will include a security reception area, a check-point and waiting area, and exit point through a one-way revolving door. The exterior will be clad in a white masonry material of either marble or limestone. Option 1 includes a hipped roof while Option 2 proposes a flat roof.

The proposal also includes new entrance/exit gate on 25<sup>th</sup> Street and a new perimeter fence, portions of which will be located in public space, as shown on the drawings. The fence will consist of attractive wrought-iron panels, approximately ten feet wide, supported on an anti-ram RC base clad in marble. The wrought-iron fence panels will be separated by marble-cladded piers. The overall height of the fence, including the base, will be ten feet.

The new security screening facility and perimeter fence are vital to the protection of the Embassy, its diplomats and personnel, and visitors to the site. The Embassy has been the subject of several threats recently, including an attack on one of the diplomats on the chancery grounds. Presently, there is no perimeter fence. The existing screening facilities, located inside the building, do not reflect the latest advances. The security facilities must be updated to address modern-day concerns and address any potential threats at the property line before they reach the interior of the chancery building.

4. **The proposed chancery annex location is consistent with the Foreign Missions Act and the Zoning Regulations.**

The Foreign Missions Act, 22 USCA § 4301 *et seq.* (the "Act"), and Chapter 10 of the D.C. Zoning Regulations (the "Regulations") govern the location, replacement and expansion of chanceries. The proposed security enhancements and screening facility in this application are consistent with both the Act and the Regulations. Because the proposal meets the six criteria for approval, as set forth below, the proposal should not be disapproved.

A. **The International Obligation of the United States.**

The United States has an international obligation to facilitate the provision of adequate and secure facilities for foreign missions in the Nation's Capital. *See* 22 USCA § 4306(d)(1); D.C. Official Code § 6-1306(d)(1); 11 DCMR § 1001.2. The U.S. Department of State supports the filing of this application. Favorable action by the FMBZA on this application would fulfill the international obligation of the United States.

B. **Historic Preservation, as Determined by the FMBZA.**

In order to ensure compatibility with historic landmarks and districts, the Act requires substantial compliance with District of Columbia and federal regulations governing historic preservation, with respect to new construction and to demolition of or alteration to historic landmarks. The Property is not an historic landmark or located in an historic district listed in the D.C. Inventory of Historic Sites or on the National Register of Historic Places. Consequently, this evaluation criteria does not apply.

C. **Adequacy of Off-Street Parking and Public Transportation.**

The Embassy anticipates that the will have no measurable impact on the off-street parking needs of the chancery. Presently, the surface parking lot provide 44 parking spaces. Four will be eliminated to accommodate the larger screening facility. The building also has 22

underground parking spaces, which will be unaffected by the proposed improvements. The site is well served by public transportation. The Property is a seven minute walk from is a seven minute walk from the Blue Metrorail Blue Line, the Orange Metrorail Orange Line and the Silver Metrorail Silver Line at the Foggy Bottom Metrorail Station. There is ample Metrobus service in the area, with the 80 Metrobus line adjacent to the site, and traversing along 16<sup>th</sup> Street in front of the subject Property, and at least seven additional Metrobus lines within 0.2 miles of the site. Carshare and Bikeshare stations are located within close proximity. The Property has a walkscore of 92 (a "walkers paradise"), a transit score of 85, and a bike score of 93 (*see* [www.walkscore.com](http://www.walkscore.com)). There is also a public parking garage located in the Watergate office building located directly across the street from the site. Thus, the loss of four surface parking spaces will not have any perceptible effect on the off-street parking needs of the chancery.

**D. The Extent to Which the Area is Capable of Being Adequately Protected, as Determined by the Secretary of State**

The U.S. Department of State, in consultation with the federal agencies responsible for protective services, has an obligation to ensure that the proposed chancery can be adequately protected. The proposed security enhancements will directly support this obligation. This site will also be protected by the Uniformed Division of the Secret Service, which provides federal protection to the embassy and chancery properties in the surrounding area.

**E. The Municipal Interest, As Determined By The Mayor**

The FMBZA must consider the municipal interest, as determined by the Mayor, in deciding whether to approve an application related to a chancery use. In this case, the proposed security enhancements are consistent with the municipal interest for the following reasons.

1. Zoning Regulations

The existing facility's conformity with the Zoning Regulations is consistent with the municipal interest. The Property is located in the SP-2 zone. The SP zones are designed to act as a buffer between adjoining commercial and residential areas, and to ensure that new development is compatible in use, scale, and design with the transitional function of the zone district. 11 DCMR § 500.2. The SP zones preserve and protect areas adjacent to Commercial districts that contain a mix of row houses, apartments, offices, and institutions at medium to high density, including buildings of historic and architectural merit. 11 DCMR § 500.3. The SP District permits chancery use, subject to disapproval by the FMBZA. 11 DCMR § 501.3. Chancery applications are not subject to the variance and special exception requirements set forth in Sections 3103 and 3104 of the Zoning Regulations. 11 DCMR §§ 3134.1-3134.6. Instead, FMBZA's determination on a chancery application "shall be based solely on the criteria of Section 1001" of the Regulations. *See* 11 DCMR § 1002.4.

Here, the continued use of the Property as a chancery with enhanced security facilities is appropriate and is consistent with the municipal interest and the Regulations.

2. Comprehensive Plan

The proposed use of the Property as a chancery annex cultural center is consistent with the Comprehensive Plan. The Future Land Use Map designates the Property as Low Density Commercial/High Density Residential. The Low Density Commercial designation is used to define shopping and service areas that are generally low in scale and character, comprised primarily of one- to three-story commercial buildings. Retail, office, and service businesses are the predominant uses. The continued use of the Property as a chancery with enhanced security

features is consistent with the City's vision for the future of the neighborhood as low density commercial.

3. Neighborhood Uses

The existing chancery use of the Property with enhanced security features is also consistent with the mix of uses in the immediate area. The neighborhood includes a wide variety of uses, including office, residential, hotel, cultural and institutional uses. The Watergate office, hotel and residential complex is located directly across the street to the west and the Kennedy Center is located to the south. Several other residential and office buildings are located in the West End/Foggy Bottom neighborhood, as well as nearby George Washington University. The continued use of the Property as a chancery continues to be compatible with this variety of uses.

6. The Federal Interest, as Determined by the Secretary.

Approval of this application is in the federal interest. The Department of State supports this application.