

MEMORANDUM

TO: District of Columbia Zoning Commission
JLS for

FROM: Karen Thomas, Case Manager
Joel Lawson, Associate Director Development Review

DATE: November 3, 2015

SUBJECT: FMBZA 19130 –Application of the Government of the Russian Federation, pursuant to 11 DCMR § 1002 and §206 of the Foreign Missions Act

I. RECOMMENDATION

The Office of Planning acknowledges the security concerns of the Government of the Russian Federation but recommends that the BZA find the proposal incompatible with the historic landmark designation and Kalorama Triangle historic district, substantially not in compliance with District and federal regulations governing historic preservation and as such, **disapprove** the request of the proposed fencing. The property is both a contributing structure to the Historic District and an individual landmark building. The security standards of the subject property could be otherwise addressed.

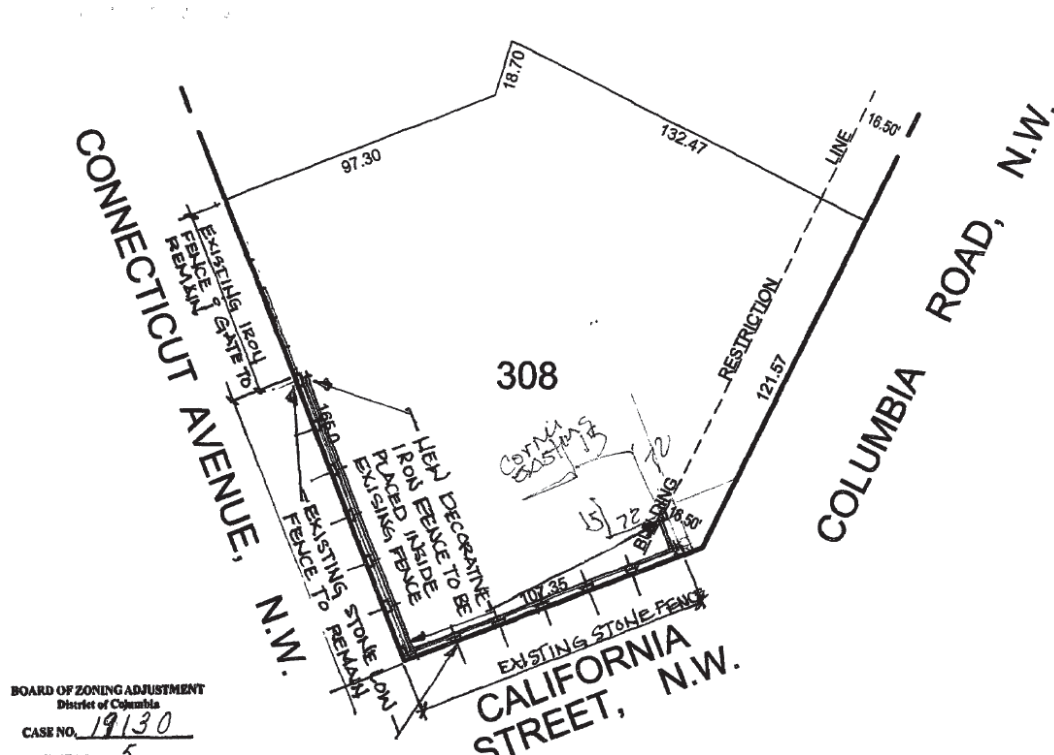
II. LOCATION AND SITE DESCRIPTION

Address	2001 Connecticut Avenue, N.W.
Legal Description	Square 2536, Lot 0808
Ward	1, ANC 1C
Lot Characteristics	The lot is an irregularly-shaped lot 29,524 square feet in area at the apex of Connecticut Avenue where it intersects Columbia Road and California Street; there is an 18.5' building restriction line along the Columbia Road frontage of the lot.
Zoning	The subject property is in the R-5-D District, where chanceries are permitted subject to BZA review and a determination not to disapprove.
Existing Development	2001 Connecticut Avenue, NW is a three-story, limestone faced mansion built in 1908. The building was listed as a contributing building in the Kalorama Triangle Historic District in 1987, and designated as an individual landmark in the DC Inventory and National Register in 1988.
Adjacent Properties	The property abuts the Chancery of Malta to the north, and residential apartment homes to the east along Columbia Road. Directly across Columbia Road is the Washington Hilton and immediately across Connecticut Avenue to the west is a multi-family residential building.

Surrounding Neighborhood Character	The surrounding neighborhood is a mix of apartment homes, foreign missions and hotels. The property is located on Connecticut Avenue, one of the premier avenues of the city. Its character north of the subject property is defined by stately apartments and embassies lining a generously landscaped and tree-lined boulevard. South of Columbia Road the neighborhood is defined by a mix of neighborhood-serving business and small galleries within the Dupont Circle neighborhood.
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III. APPLICATION-IN-BRIEF

The Russian Federation proposes the installation of 9-foot tall wrought iron security fencing¹ behind the existing bollards and masonry wall along Connecticut Avenue and California Avenue (Exhibit 9). The majority of the fencing would be on private property, except for a small area where the fencing would intrude into the building restriction area at the intersection of California Street and Columbia Road, shown in Exhibit 5, reproduced below.



IV. REGULATORY REQUIREMENTS

Zoning

The property falls within R-5-D District. Section § 201.1 (m) of the current Zoning Regulations allows chancery uses in existence on September 22, 1978. Sections 350.1 and 1001.1 allow chancery use subject to Board of Zoning Adjustment disapproval. No expansion of the chancery building is proposed but the addition of the fence requires BZA review.

¹ Fencing character details in submitted plans

Public Space

The BZA has authority to approve the use of public space when it is hearing a related chancery application. While the existing fence is on private property, its location along a small portion of California Street is within a building restriction area. The proposed fencing which would run parallel with the masonry wall would also intrude into a small portion of the building restriction area. The building restriction area is subject to DCMR Title 24: Public Space and Safety which typically limits for height of fences in public space to 42 inches (24-103. Public Parking: Wall, Wickets, and Fences).

As part of its review, the Board is required to evaluate the application within the six factors set forth in the Foreign Missions Act (FMA) and 11 DCMR, § 1001.

V. OFFICE OF PLANNING ANALYSIS

Compliance with § 1001

The proposal is subject to the following criteria:

1001.2 The Board shall consider the international obligation of the United States to facilitate the provision of adequate and secure facilities for foreign missions in the nation's capital.

In a letter to the Director of the Office of Zoning dated September 29, 2015, (Exhibit 31) the U.S Department of State's Foreign Mission Office states "...that favorable BZA action would ... fulfill the international obligation of the United States to facilitate the provision of adequate and secure premises for the Government of the Russian Federation in Washington."

This criterion has been addressed.

1001.3 The Board shall consider historic preservation, as determined by the Board in carrying out this section.

The property is within the Kalorama Historic District and the structure is a significant contributing structure to the historic district. The Historic Preservation Office has raised concerns regarding the proposed installation of the security fencing in its report (attached). The report concludes with a recommendation that the proposal be found "incompatible with the character of this historic landmark and the Kalorama Triangle Historic District, and inconsistent with the purposes of the DC Historic Landmark and Historic District Protection Act."

1001.4 To ensure compatibility with historic landmarks and historic districts, substantial compliance with District and federal regulations governing historic preservation shall be required with respect to new construction and to demolition of or alteration to historic landmarks.

New construction and demolition to the existing structure are not proposed. The proposed security fencing would be an extension of the existing fencing along the Connecticut Avenue frontage.

According to the attached Historic Preservation's Office report: "...At this location and at this height, the fence would adversely alter the character and public perception of this highly visible landmark, particularly as proposed along the southern (California Street) frontage. The careful relationship of how the house was designed to sit on an architectural plinth with open views from the south would be severely compromised by the installation of such a tall, heavy iron fence. The proposal is not consistent with the primary stated purposes of the historic preservation act, which is to ensure that landmarks are not only retained, but enhanced and restored."

The proposed installation does not ensure substantial compliance with District and federal regulations governing historic preservation.

- 1001.5 *The Board shall consider the adequacy of off-street or other parking, and the extent to which the area will be served by public transportation to reduce parking requirements, subject to any special security requirements that may be determined by the Secretary of State, after consultation with federal agencies authorized to perform protective services.*

No alteration would be made to affect the existing on-site parking. The Department of State's Office of Foreign Mission also stated that "there exist no special security requirements relating to parking in this case."

- 1001.6 *The Board shall consider the extent to which the area is capable of being adequately protected, as determined by the Secretary of State, after consultation with federal agencies authorized to perform protective services.*

The referenced letter from the Deputy Assistant Secretary states "...the subject site and area will be capable of being adequately protected with the addition of the requested fence."

This criterion has been addressed.

- 1001.7 *The Board shall consider the municipal interest, as determined by the Mayor.*

As noted in 1001.3 and 1001.4 above, the Office of Planning is concerned about compliance with District regulations governing historic preservation.

- 1001.8 *The Board shall consider the federal interest, as determined by the Secretary of State.*

The Department of State's letter indicates that a favorable decision on this application would serve the federal interest as the Government of the Russian Federation recently granted design approval for the U.S. Government's construction project in Moscow, in the interest of providing a safe, secure and functional facility (Exhibit 31).

VI. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation (DDOT) would submit its report under separate cover.

VII. COMMUNITY COMMENTS

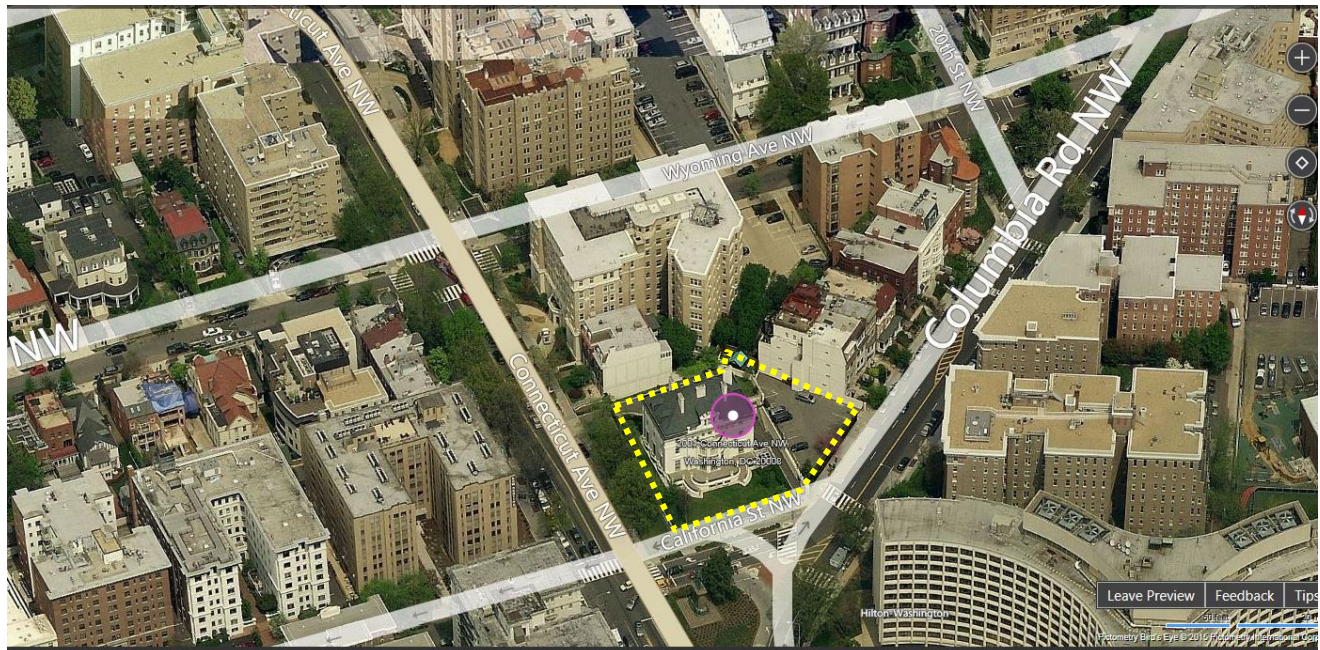
As of the writing of this report, ANC's comments have not been submitted to the record.

Attachment:

1. Location and Zoning Map
2. Report of the Historic Preservation Office



LOCATION and ZONING MAP



**HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION**

Property Address:	2001 Connecticut Avenue, NW	X	Agenda
Landmark/District:	Lothrop Mansion		Consent Calendar
	Kalorama Triangle Historic District		Concept Review
H.P.A. Number:	14-637	X	Alteration
Staff Reviewer:	Steve Callcott		New Construction
			Demolition
			Subdivision

Contractor Andrey Veretenov and agent Franklin Moody, representing the Government of the Russian Federation, seek permit review to erect a nine-foot iron fence around the perimeter of the Russian Trade Mission at 2001 Connecticut Avenue.

Property History and Description

2001 Connecticut Avenue, NW is a three-story, limestone faced mansion built in 1908 for Alvin Lothrop (1849-1912), partner in the Woodward and Lothrop Company. The 40 room house was designed by the prominent Washington firm of Hornblower and Marshall. The building was listed as a contributing building in the Kalorama Triangle Historic District in 1987, and designated as an individual landmark in the DC Inventory and National Register in 1988.

Set just north of Florida Avenue (formerly Boundary Street, the old city limit), this area was quickly gaining status as an exclusive residential area at the time of the mansion's construction in 1908. The lot is at the apex of Connecticut Avenue where it intersects Columbia Road and California Street, and is physically prominent in location and elevation. In choosing the firm of Hornblower and Marshall, Lothrop selected one of Washington's most respected firms, and one which had recently won two major commissions, the Museum of Natural History in Washington and the U.S. Customs House in Baltimore. The firm was becoming recognized for its skill in the Beaux Arts style, which had come to dominate Washington architecture since the late 1890s.

The majestic quality of the design is heightened by the superb placement of the building. In respect for the building's site, the landscape was treated with as careful a hand as that of the building itself. Capitalizing on the site's natural topography, the architects reconfigured the natural grade to provide a pedestal for the house, elevating it to its prominent location. This gave the house the solid foundation so important to the 20th century interpretation of classical architecture, and ensured the prominence of the house from the street. To further emphasize the visual dominance of the house, it was surrounded by a high retaining wall capped by a classical balustrade. Where the balustrade drops in height due to the rising grade on Connecticut Avenue, an ornamental fence is used to secure the drive and parking area on the north side.

Seeking not to hide, but rather to isolate the structure from the streetscape, the top of the balustrade is set at the horizontal plane of the principal floor. This renders the house almost impossible to view



from the adjacent sidewalk, but ensures the view both from the interior and from afar, particularly from the city to the south. Ranging in height from approximately seven feet at the southeast corner to eight and a half feet high at the southwest corner, the wall is constructed in a smooth ashlar stone coordinated with the residence. The paneled base of the wall is solid and absorbs the changing grade of the land. Large stone piers punctuate the run of balusters, articulating the vertical organization of the building's facade. A public space side yard extends northwest of the property along Connecticut Avenue, enclosed by a 36" high iron fence.

Proposal

The project calls for constructing an iron fence immediately behind the existing balustrade. The fence would be approximately 9'6" high, with railing caps and finials extending the height another 18 inches, for a total height of 11 feet. As the existing balustrade is approximately 36" high, the exposed portion of the fence would be approximately 8 feet. The fence is sought for providing security.

Enclosed with the applicant's submission is diplomatic note from the U.S. Department of State that states, "In response to positive developments associated with the construction of a new chancery annex at the U.S. Embassy in Moscow, the Department, on the basis of reciprocity, approves the Embassy's request with the understanding that it will comply with local building codes and regulations and obtain all necessary permits from the Government of the District of Columbia."

Evaluation

Already set atop a formidable 7'-8-1/2 foot wall, the proposal would result in a barrier exceeding 16-1/2 feet above sidewalk grade at its highest point; as shown in the photo above, the fence would appear as extending to the underside of the second floor balconies. At this location and at this

height, the fence would adversely alter the character and public perception of this highly visible landmark, particularly as proposed along the southern (California Street) frontage. The careful relationship of how the house was designed to sit on an architectural plinth with open views from the south would be severely compromised by the installation of such a tall, heavy iron fence. The proposal is not consistent with the primary stated purposes of the historic preservation act, which is to ensure that landmarks are not only retained, but enhanced and restored.¹

While the site already appears quite well secured by the existing fences and perimeter wall, the applicants have expressed concerns that a determined intruder could scale the wall. Two of the specific concerns cited were that the shelf on which the balustrade sits could be used as an intermediate surface on which an intruder could hoist themselves up, and that the individual balusters could be grabbed for leverage to surmount the wall. However, alternative solutions that could address these perceived shortcomings and provide a greater level of security in a manner that doesn't have such a detrimental visual impact on the public perception of the property have not been explored. If additional security is desired for the property, alternative means should be evaluated that would not so adversely impact views of the property as seen from the south.

Recommendation

The HPO recommends that the Historic Preservation Review Board find the proposal to be incompatible with the character of this historic landmark and the Kalorama Triangle Historic District, and inconsistent with the purposes of the DC Historic Landmark and Historic District Protection Act.

¹ The purposes of the preservation act with respect to historic landmarks are: (A) To retain and enhance historic landmarks in the District of Columbia and to encourage their adaptation for current use; and (B) To encourage the restoration of historic landmarks. (D.C. Official Code § 6-1101)