ADVISORY NEIGHBORHOOD COMMISSION 3-C

GOVERNMENT OF THE DISTRICT OF COLUMBIA

CATHEDRAL HEIGHTS · CLEVELAND PARK · MASSACHUSETTS AVE. HEIGHTS · MCLEAN GARDENS · WOODLEY PARK

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BZA
Case No. 16620
Exhibit No. 46

TESTIMONY OF ROSALYN P. DOGGETT, ANC 3-C
BEFORE THE FOREIGN MISSIONS BOARD OF ZONING ADJUSTMENT

CASE 16620
APPLICATION OF THE REPUBLIC OF AZERBAIJAN TO EXTEND THE DIPLOMATIC OVERLAY ZONE TO ACCOMMODATE A CHANCERY AT 2741 34TH STREET, NW

OCTOBER 17, 2000

MADAME CHAIR, MEMBERS OF THE BOARD. MY NAME IS ROSALYN DOGGETT. I AM THE ANC COMMISSIONER FOR THE DISTRICT IN WHICH THE CHANCERY IS PROPOSED. I AM HERE TO CONVEY THE VIEWS OF ANC 3-C WHICH VOTED UNANIMOUSLY AT ITS REGULAR MEETING OF SEPTEMBER 25, 2000 TO OPPOSE THE APPLICANT IN THIS CASE.

THE PRINCIPAL REASON IS THAT THE EXTENSION OF THE DIPLOMATIC OVERLAY ZONE WOULD AMOUNT TO THE EXTENSION OF COMMERCIAL OFFICE USE INTO A SINGLE FAMILY AREA. NO RESORTING TO FORMULAS ABOUT 1/3-2/3 USE, EVEN IF CORRECT, AND WE CONTEND THAT THE APPLICANT'S ASSERTION OF 1/3 USE IS NOT, CAN CHANGE THIS RESULT.

1. THE AREA IN WHICH THE CHANCERY PROPOSES TO LOCATE IS AN R-1 SINGLE FAMILY, LOW DENSITY RESIDENTIAL DISTRICT. IT IS NOT A MIXED USE DISTRICT. ONLY LIMITED OFFICE USE IS PERMITTED IN AN R-1 DISTRICT, A HOME OFFICE OR, BY SPECIAL EXCEPTION, AN ACCESSORY OFFICE, WHICH WOULD EMPLOY NO MORE THAN 1 TO 3 PERSONS. THE EMBASSY OF AZERBAIJAN IS PROPOSING TO EMPLOY 15 PERSONS. IN THE APPLICATION, APPLICANT'S ATTORNEY STATES THAT AZERBAIJAN WAS ABLE TO FIND A BUILDING IT COULD AFFORD FOR OFFICE USE AT 2741 34TH STREET. THAT IS NOT SURPRISING SINCE IT PURCHASED A RESIDENTIAL BUILDING NOT INTENDED TO HOUSE 15 WORKERS. AT THE LONGSTANDING REQUEST OF LOCAL RESIDENTS, ANC 3C HAS WORKED THIS PAST SPRING AND SUMMER WITH THE DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC WORKS TO RESTRIPE 34TH STREET SO THAT IT NOW ACCOMMODATES ONLY ONE LANE OF TRAFFIC IN EACH DIRECTION, FURTHER UNDERSCORING THE RESIDENTIAL NATURE OF THE AREA. IF THE FMBZA APPROVES

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THIS CURRENT APPLICATION, IT IS NOT SUPPORTING CITY POLICY TO PROTECT THIS OR ANY LOW DENSITY RESIDENTIAL AREA. INSTEAD, IT IS SENDING A SIGNAL THAT R-1 ZONES ARE READILY ABLE TO BE CONVERTED TO OFFICE USE.

2. THE APPLICANT HAS FAILED TO MAKE ITS OWN CASE. AS DOCUMENTED BY THE OFFICE OF PLANNING, THE AREA IS NOT REMOTELY ONE-THIRD OFFICE. THERE IS ONLY ONE CHANCERY IN SQUARE 2122 REFERRED TO BY THE APPLICANT: THE FINNISH CHANCERY- WHOSE FMBZA APPLICATION ANC 3-C SUPPORTED BECAUSE IT IS APPROPRIATELY SITED IN A DIPLOMATIC OVERLAY ZONE, ON MASS AVENUE, AT THE FAR EDGE OF A RESIDENTIAL NEIGHBORHOOD, NOT WITHIN IT. THE PAPAL NUNCIATURE IS PRIMARILY RESIDENTIAL. ITS ANCILLARY BUILDING IS A RESIDENCE. ACROSS THE STREET, IN ANOTHER BLOCK, THE NORWEGIAN EMBASSY IS A RESIDENCE WITH OFFICE ATTACHED TO IT. THE "CHURCH," A SO-CALLED INSTITUTION, REFERRED TO BY THE APPLICANT IS NOW A RESIDENCE. EVERYTHING ELSE IS RESIDENTIAL BUT FOR THE GRANDFATHERED BELGIAN EMBASSY. THE APPLICANT HAS SIMPLY NOT PROVIDED DOCUMENTARY EVIDENCE THAT SQUARE 2122 OR EVEN THE IMMEDIATE AREA FURTHER AFIELD IS ONE-THIRD OFFICE AND INSTITUTIONAL

3. THE NEIGHBORS OF 2741 34TH STREET HAVE PROVIDED AMPLE SUPPORT FOR THE ANC'S POSITION IN THEIR STATEMENT DATED OCTOBER 16, 2000 PROVIDED TO THE FMBZA (EXHIBIT 43) WHICH I WOULD LIKE INCORPORATE BY REFERENCE INTO MY TESTIMONY. BUT THE FMBZA NEED GO NO FURTHER THAN TO FIND THAT THE DIPLOMATIC OVERLAY ZONE SHOULD NOT BE EXTENDED INTO A SINGLE FAMILY RESIDENTIAL AREA AND THAT THERE IS NO BASIS IN THIS INSTANCE FOR DOING SO.

4. THIS ANC WOULD SUPPORT CHANCERY USE IN COMMERICAL AREAS IN ITS JURISDICTION. IT CANNOT SUPPORT OFFICE USE IN A SINGLE FAMILY RESIDENTIAL AREA AND BELIEVES THAT SUCH USE IS CONTRARY TO THE INTENT, AND IMPLEMENTATION THROUGH ZONING, OF THE PLANNING FOR THIS AREA.

5. WE RECOGNIZE THAT, THOUGH THERE HAVE BEEN BUILDINGS FOR SALE IN THE DIPLOMATIC OVERLAY ZONE, THERE ARE SPACE AND SOMETIMES BUDGETARY CONSTRAINTS FOR SMALLER COUNTRIES. WE UNDERSTAND THAT THE NATIONAL CAPITAL PLANNING COMMISSION IS NOW LOOKING INTO WAYS OF ADDRESSING THIS ISSUE. AS MEMBERS OF THE FMBZA KNOW, CONSIDERABLE PLANNING EFFORT IS GOING INTO REVIVING THE ANACOSTIA WATERFRONT. LOCATIONS THAT MIGHT HAVE BEEN CONSIDERED LAUGHABLE A FEW YEARS AGO MIGHT NOW BE APPROPRIATE FOR SMALL EMBASSY ENCLAVES... AT THE SOUTHEAST FEDERAL CENTER OR POPLAR POINT, FOR EXAMPLE. CREATIVE THINKING CAN BE BROUGHT TO THIS ISSUE. IT IS NOT CREATIVE TO CHIP AWAY AT RESIDENTIAL AREAS, PARTICULARLY, WHEN RESIDENTS HAVE NO CONTROL THROUGH THE DISTRICT OF COLUMBIA GOVERNMENT OVER THE USE-- OR ABUSE IN THE CASE OF THE DERELICT LIBERIAN EMBASSY AT 3507 FULTON STREEET, NW JUST A BLOCK AND A HALF FROM THE SUBJECT SITE-- OF FOREIGN GOVERNMENT PROPERTY.

THANK YOU FOR YOUR ATTENTION TO OUR VIEWS.