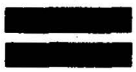
GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

★ ★ ★



RECEIVED
D.C. OFFICE OF ZONING
2003 JUN 10 PM 4:52

Office of the Director

MEMORANDUM

TO: Foreign Missions Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: June 6, 2003

SUBJECT: FMBZA Application 17020

APPLICATION
The RNC 2012 LLC submitted a request on behalf of the Embassy of Portugal to renovate the existing building on property located at 2012 Massachusetts Avenue, N.W., for a chancery use, with a small addition, pursuant to Section 206 (b)(2)(B) of the Foreign Missions Act (Title II, Public Law 97-241, 96 Stat. 286, August 24, 1982), and Chaper 10 under Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning.

SUMMARY RECOMMENDATION
The Office of Planning recommends approval based on a determination that the proposal meets the criteria under Sections 1001 and 1002 of the Zoning Regulations subject to the following conditions:

- That no Diplomatic Parking be requested along P Street, N.W.;
- That the two existing trees in public space along the same frontage be replaced in-kind if they are taken down by the Embassy; and
- That a specific member of the Embassy staff is designated as the contact person for any community concerns about utilization of the site.

Representatives of the Embassy have agreed to these conditions. Staff also determined that this proposal is consistent with the purposes of the Dupont Circle Overlay Zone.

SITE AND AREA DESCRIPTION
The subject 0.22-acre (9,691 square foot) through-lot at 2012 Massachusetts Avenue, N.W., also fronts P Street, N.W. The former Joseph Beale House was completed in 1897 and designated a District of Columbia Historic Property in 1964. The four-story masonry building has an approximate floor area of 13,000 square feet above-grade, a 700 square-foot finished basement, and a paved parking lot with 16 spaces in the rear yard including one for a handicapped-

BZA
Case No. 17020
Exhibit No. 34

Board of Zoning Adjustment
District of Columbia
CASE NO. 17020
EXHIBIT NO. 34

accessible van. Vehicular ingress/egress is provided by a driveway from P Street into the rear parking area, and a circular drive from Massachusetts Avenue, N.W. to the front steps.

Surrounding development consists of the five-story Indonesian Embassy on the adjacent property to the northwest; an eight-story Hilton Hotel and several four-story masonry and stone buildings occupied by commercial and residential uses to the northeast across Massachusetts Avenue; three and five story masonry buildings on adjacent properties to the southeast, and Dupont Circle Park beyond; and four-story masonry buildings occupied by commercial uses to the south across P Street. The subject property is zoned Special Purpose (SP-1) and Community Business Center (C-2-A) Districts. Properties to the north, east and northwest are zoned SP-1 and properties to the south are zoned C-2-A. These properties also fall within the Dupont Circle (DC) Overlay District, and the Massachusetts Avenue and Dupont Circle Historic Districts (refer to Exhibit 1).

This property has been the subject of previous zoning applications:

- On October 29, 1956, BZA Application No. 4601 was approved for a use variance from zoning provisions of the R-5-D District to allow the establishment of the Business and Professional Women's Foundation and Research Center, and National Federation of Business Women's Groups, Inc.; and
- On May 10, 1989, the BZA approved a special exception to allow construction of a covered entranceway to the east side of the building for same organization (renamed The Business and Professional Women's Foundation).

The Certificate of Occupancy issued on December 22, 1964 lists the Foundation use of the property as the "office of non-profit organization" (refer to Exhibit 2). The District Department of Revenue verified that this status has not changed.

APPLICANT'S PROPOSAL

RNC 2012 LLC is the current owner of this property, and the Portuguese Government is in the process of purchasing the site for its new chancery. Proposed construction would add 500 square feet above-grade and 351 square feet below-grade on the south side of the building in order to provide an enclosed stairway, entrance terrace, and below-grade mailroom. According to a government representative, diplomatic and consular functions currently housed on other government-owned properties located at 2310 Tracey Place and 2125 Kalorama Road, N.W., would be relocated to the site. These properties would then be used strictly for residential purposes. The additional covered entrance and stair would allow persons conducting either diplomatic or consular business to utilize separate entrances.

Other improvements on the front building façade include attaching new flagpoles and a plaque (national coat of arms), and replacing the wall screening mechanical equipment on a raised platform suspended from the east wall. Exterior windows over the entire building would be upgraded. One end of the loop driveway along Massachusetts Avenue would be reopened. In the rear yard, exterior lighting would be installed, and a decorative wall and fence ten feet in height would be erected. Existing landscaping on-site would not be changed under this proposal.

The applicant's undated Statement of the Applicant indicates that a chancery use is permitted as a matter of right to replace an office use in an SP zone that was approved by BZA or Zoning Commission. FMBZA review was requested because the proposal involves expansion of the existing building for the chancery use. It also notes that the provisions of the Dupont Circle Overlay Zone "have no impact on the proposed use of this site."

EXISTING ZONING AND RELIEF REQUESTED

The subject property is split-zoned with the northern half zoned DC/SP-1, and the southern half zoned DC/C-2-A. The existing building and proposed expansion will be located on the portion zoned SP-1. Replacement and expansion of chancery uses are allowed in the District in accordance with requirements of the Foreign Missions Act (Title II, Public Law 97-241, 96 Stat. 286, August 24, 1982) and corresponding sections of the DCMR Title 11, Zoning.

Under Section 503.1, a chancery is a permitted use subject to approval by the (Foreign Missions) BZA in accordance with the requirements under Chapter 10. Section 1000.6 states that:

> "1000.6 The criteria and procedures set forth in this chapter shall also apply to chancery uses in R-5-D, R-5-E, and SP Districts."

Section 1002 also includes the following provisions:

> "1002.1 To locate, replace, or expand a chancery in R-5-D, R-5-E, or SP District or D Overlay District, or to reconstruct an existing chancery that is destroyed in an R-1, R-2, R-3, R-5-A, R-5-B, or R-5-C district, application shall be made to the Board of Zoning Adjustment. ...
>
> 1002.4 Any determination by the Board shall be solely based on the criteria set forth under §1001."

However, Section 501.3 of the Zoning Regulations permits a chancery use to replace existing office uses for a non-profit organization in SP District that were approved by the BZA or Zoning Commission, or authorized by "a validly issued certificate of occupancy prior to January 29, 1999" (refer to Exhibit 4). Property located in the Dupont Circle Overlay District is also subject to provisions under Section 1501 of the Zoning Regulations.

ANALYSIS

The applicant's proposal is subject to the following provisions of the DCMR.

Compliance with Section 1501

OP staff determined that this proposal is consistent with the purposes of the Dupont Circle Zoning Overlay particularly with regard to maintaining the scale of area development, protecting the integrity of historic buildings, preserving existing landscaping and backyards, protecting air,

light and privacy, maintaining public spaces along street frontages, and encouraging greater use of public transportation.

Compliance with Section 1001
Chancery use criteria includes the following standards:

"1001.1 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 Jerrily Kress, Director of the Office of Zoning and dated May 28, 2003* (refer to Exhibit 3), *Joe D. Morton, Acting Assistant Secretary of State for Diplomatic Security states "that favorable FMBZA action would fulfill the international obligation of the United States to facilitate the acquisition of secure premises by the Government of Portugal for its diplomatic mission in Washington (D.C.)." The Office of Planning agrees that this criterion has been addressed.*

1001.2 The Board shall consider historic preservation, as determined by the Board in carrying out this section. *The State Office of Historic Preservation (SHPO) found the proposed exterior changes to be consistent with the character of the Massachusetts Avenue and Dupont Circle Historic Districts and approved it in concept.*

1001.3 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. *The SHPO found proposed exterior changes to be consistent with the character of the Massachusetts Avenue and Dupont Circle Historic Districts, and approved them in concept.*

1001.4 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. *The site is served by multiple Washington Metropolitan Transit Authority (WMATA) bus routes along the adjacent Massachusetts Avenue and P Street, N.W., and is approximately 400 feet from the entrance to the underground Dupont Circle Rail Station on the WMATA Red Line route. Section 2101.1 of the Zoning Regulation requires approximately seven parking spaces for the proposed chancery use and building expansion based on 1 space for every 1,800 square feet of floor area in excess of 2,000 square feet. This proposal would retain fourteen existing vehicle spaces currently on-site. The Office of Planning concludes that this criterion has been addressed.*

1001.5 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 Acting Assistant Secretary Morton– states "there exist no special security requirements relating to parking ..." and "that the subject site and area are capable of being adequately protected." The Office of Planning agrees that this criterion has been addressed.*

1001.6 The Board shall consider the municipal interest, as determined by the Mayor. *The Director of Planning, on behalf of the Mayor, finds that approving the relocation of consulate and diplomatic functions, the building addition and other improvements to the subject property would be consistent with the Comprehensive Plan and the DC Zoning Overlay, and in the municipal interest subject to conditions proposed by the ANC and agreed to by the applicant* (refer to Agency Comments below).

OP is also very pleased that the Portuguese Embassy is taking action: (1) to relocate its office functions from a predominantly residential community to an area where such institutional uses are encouraged; and (2) to return the Tracey Place and Kalorama Road properties to residential uses that are more consistent with the character of the surrounding neighborhood. The Office of Planning concludes that this proposal is consistent with the interests of the District.

1001.7 The Board shall consider the federal interest, as determined by the Secretary of State. *The Department of State letter supports this project as being in the Federal Interest.*

Based on this review, this application meets the referenced criteria.

COMPREHENSIVE PLAN
The Comprehensive Plan Generalized Land Use Map designates the surrounding area for Medium-Density Commercial land uses, a shopping and service area that generally offers the largest concentration and variety of goods and services outside the Central Employment Area.

Chapter 1, Major Themes of the Comprehensive Plan, also includes the following:

"... (d) Preserving and promoting cultural and natural amenities;

(e) Respecting and improving the physical character of the District; ...

(g) Preserving the historic character of the District;

(h) Reaffirming and strengthen the District's role as the economic hub of the National Capital Region; ...

(j) Providing for diversity and overall social responsibilities."

The Economic Development Element of the plan includes this major policy in Chapter 2:

"200.8 The District places a high priority on expanding its role as a leading center for national and international tourism and international business."

Based in this information, the proposal is not inconsistent with the Comprehensive Plan.

COMMUNITY COMMENTS
This proposal was considered by Advisory Neighborhood Commission (ANC) 2B on May 14, 2003. The ANC unanimously recommended FMBZA approval subject to the following conditions:

- That no Diplomatic Parking be requested along P Street, N.W.;
- That the two existing trees in public space along the same frontage be replaced in-kind if they are taken down by the Embassy; and
- That a specific member of the Embassy staff is designated as the contact person for any community concerns about utilization of the site.

Representatives of the Embassy have agreed to these conditions (refer to Exhibit 4).

AGENCY COMMENTS
The proposed addition was referred to the Metropolitan Police and Fire Departments, District Department of Transportation, and SHPO. SHPO staff determined the concept plans are consistent with the character of the Massachusetts Avenue and Dupont Circle Historic Districts.

The Police and Fire Departments did not express any concerns (refer to Exhibits 5 & 6). No other agency comments have been received.

RECOMMENDATION
The Office of Planning recommends approval based on a determination that this application meets the criteria of Sections 1001 and 1002 of the Zoning Regulations, subject to the referenced conditions adopted by ANC 2B.

This proposal is also consistent with the purposes of the Dupont Circle Overlay Zone.

Attachments:	Exhibit 1	Aerial Map with Zoning
	Exhibit 2	Certificates of Occupancy – 2012 Massachusetts Avenue, N.W.
	Exhibit 3	Letter dated May 28, 2003 from Joe D. Morton, Acting Deputy Assistant of Secretary, to Jerrily Kress, Director of the Office of Zoning

Exhibit 4	Letter stamped May 27, 2003 from Vince Micone, Chairperson, Advisory Neighborhood Commission (ANC) 2B to Geoffrey H. Griffis, Chairperson, Board of Zoning Adjustment
Exhibit 5	Memorandum dated June 4, 2003 from Kenneth B. Ellerbe, Fire Marshall, to Andrew Altman, Planning Director
Exhibit 6	Memorandum dated May 24, 2003 from Lieutenant Frank Hill to Commander, Metropolitan Police Department
Exhibit 7	Pertinent Zoning Regulations

AA/afj

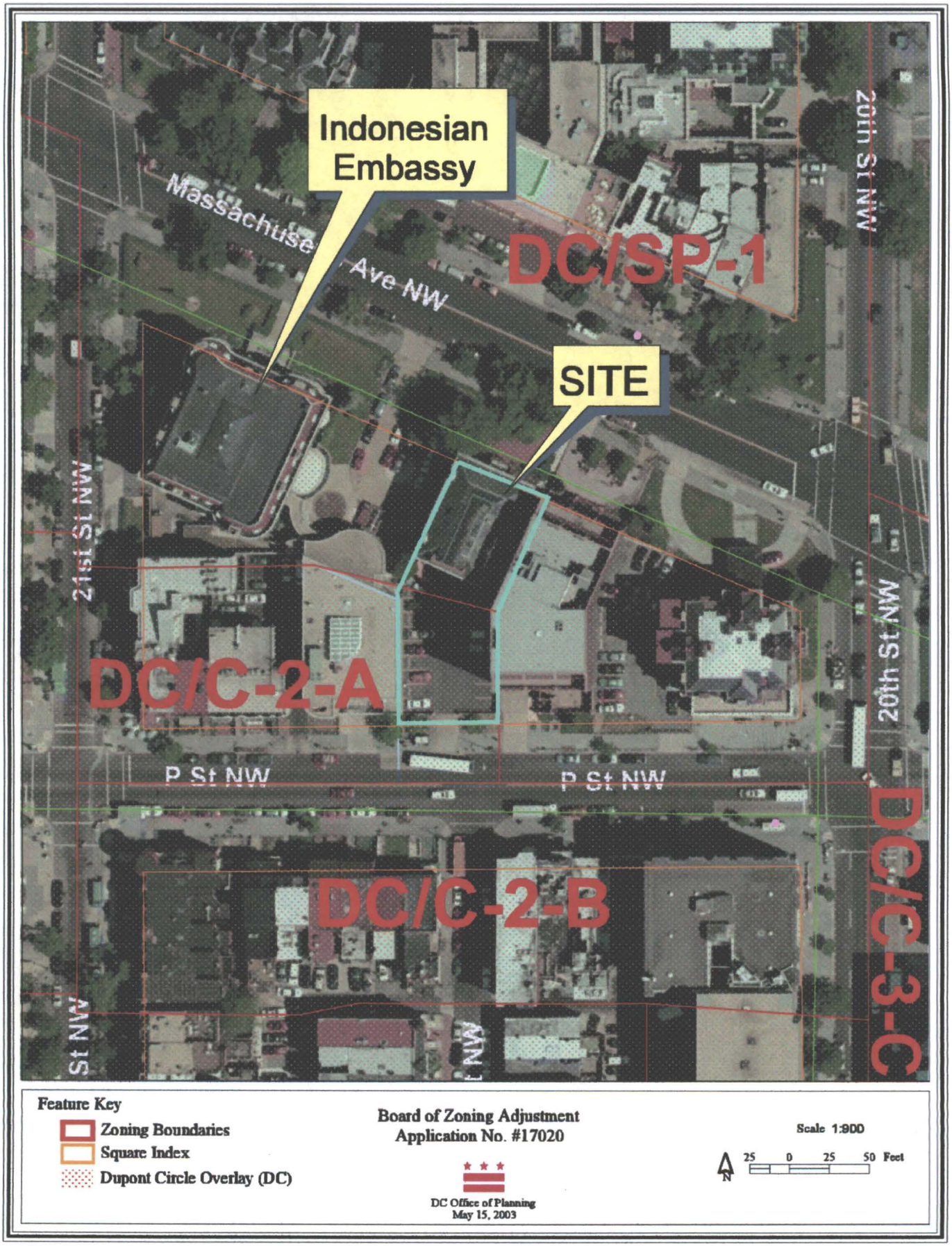

Indonesian Embassy
Massachuse Ave NW
DC/SP-1
SITE
21st St NW
20th St NW
DC/C-2-A
P St NW
P St NW
DC/C-3-C
DC/C-2-B
St NW
Feature Key
Zoning Boundaries
Square Index
Dupont Circle Overlay (DC)
Board of Zoning Adjustment
Application No. #17020
DC Office of Planning
May 15, 2003
Scale 1:900
25 0 25 50 Feet

Exhibit 2

SCANNED 6.18.96

No. B 157207

BLRA-17 (Rev. 6/85)

District of Columbia Government
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration Zoning Division
P.O. BOX 37200 — Washington, D.C. 20013-7200

CERTIFICATE OF OCCUPANCY

July 10, 1989 (date)

Permission is hereby granted to BUSINESS AND PROFESSIONAL WOMEN'S FOUNDATION
to use suite(s) _____ on the BASEMENT, MEZZANINE, & 1st - 4th floor(s)
of the building located on lot(s) 3 square 95
known as premises 2012 Massachusettes Avenue, N.W. for the following
purpose(s) Leadership/Advocacy/Educational Services Office
Not sexually oriented [su]

BZA #: _____ EXPIRATION DATE: _____

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY for the premises, or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

ZONE SP-1 FEE $ 83.00

Donald R. Murray, Director
By Debra Mack
Designee

88—P 3601 wd112

OFFICE COPY

Form BLRA-6B1 CERTIFICATE OF OCCUPANCY No. B 49686

Washington, D.C., DEC. 22ND, 1964

Permission is hereby granted to WOMEN'S FOUNDATION & RESEARCH CENTER AND THE NATIONAL FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS, INC.
to use the BASEMENT & FOUR floor(s) of the building located on Lot 5 Square 95
known as premises 2012 MASS. AVE., N.W. for the following
purpose(s): OFFICES OF NON-PROFIT ORGANIZATION - BZA-4601

DUPLICATE

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY for the premises, or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

COPY. CO LICENSES & INSPECTIONS, GOV'T. OF DIST. OF COL.

ZONE R-5-D FEE $ 2.00

Chief, Permit Branch
By Mary Delaney
Asst. Chief

OFFICE COPY

United States Department of State

Assistant Secretary of State
for Diplomatic Security

Washington, D.C. 20520

May 28, 2003

Ms. Jerrily R. Kress
Director
Office of Zoning
One Judiciary Square
441 4th Street, N.W., 2nd Floor
Washington, D.C. 20001

RE: BZA Application No. 17020
Embassy of Portugal
2012 Massachusetts Avenue, N.W.

Dear Ms. Kress:

The Department of State hereby provides its comments concerning the application submitted to the Foreign Missions Board of Zoning Adjustment ("FMBZA") by RNC 2012 LLC, on behalf of the Embassy of Portugal on April 7, regarding the Embassy's desire to add a modest expansion to its new chancery located at 2012 Massachusetts Avenue, N.W. The application was submitted pursuant to Section 206 of the Foreign Missions Act (22 U.S.C. §4306.) and D.C. Code 5-1206 and the case is scheduled to be heard June 17, 2003.

On behalf of the Secretary of State, and pursuant to the Foreign Missions Act, 22 U.S.C. §4301, *et seq.*, particularly sections 4303 and 4306, I hereby convey to the FMBZA the following comments and determinations concerning the subject application. These comments and determinations relate to the statutory criteria governing FMBZA determinations that lie within the purview of the Federal Government, namely 22 U.S.C. §4306(d)(1), (4), and (6), as well as the pertinent portion of (d)(3).

First, with respect to the criterion set forth in 22 U.S.C. §4306(d)(1), I have determined that favorable FMBZA action on the present application would fulfill the international obligation of the United States to facilitate the acquisition of adequate and secure premises by the

Government of Portugal for its diplomatic mission in Washington.

Second, after consultation with Federal agencies authorized to perform protective services, I have determined, pursuant to 22 U.S.C. §4306(d)(6), that there exist no special security requirements relating to parking requirements in this case. I have also, after similar consultation, and pursuant to 22 U.S.C. §4306(d)(4), determined that the subject site and area are capable of being adequately protected.

Third, pursuant to 22 U.S.C. §4306(d)(6), I have determined that a favorable decision on this application would serve the federal interest. The Government of Portugal has consistently been supportive of the United States Embassy in Lisbon in its diplomatic property needs.

For the above reasons, the Department of State supports the application of on behalf the Embassy of Portugal and respectfully urges the FMBZA to act favorably on it.

Sincerely,

Joe D. Morton, Acting

Exhibit 4

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Dupont Circle Advisory Neighborhood Commission 2B

MAY 27 2003

Mr. Geoffrey Griffis
Chairperson, Foreign Missions
Board of Zoning Adjustment
441 4th Street, NW, Suite 210
Washington, DC 20001

RE: **FMBZA Application #17020 by the Embassy of Portugal for an Expansion of the Chancery at 2012 Massachusetts Ave., NW; Proposed Expansion Area Faces P Street, NW**

Dear Chairman Griffis:

At its meeting on May 14, 2003, the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) considered Foreign Missions Board of Zoning Adjustment (FMBZA) Application #17020, an application by the Embassy of Portugal to expand the building at 2012 Massachusetts Ave., NW, for use as a chancery with the proposed expansion area facing P Street, NW. This application is made subject to 1002.1 of the District of Columbia Zoning Regulations. With eight of nine commissioners in attendance, a quorum at a duly called public meeting, the following motion was unanimously approved:

> ANC 2B supports FMBZA Application #17020, an application by the Embassy of Portugal to expand the building at 2012 Massachusetts Ave., NW, for use as a chancery with an entrance on P Street, NW, subject to the negotiation of a voluntary agreement which includes the following provisions: (1) a prohibition on the conversion of parking on P Street, NW, to diplomatic parking; (2) the retention of replacement of the trees on the property; and (3) the identification of a point-of-contact to address any future issues of concern.

The Commission and the Embassy have successfully executed such an agreement. The Commission's support of this application is contingent upon the inclusion of this agreement as a stipulation to the FMBZA's final order on this matter. As this premises is in my Single Member District, I will serve as the Commission's contact on this matter. Please feel free to contact me on (202) 607-8429 or by e-mail at Vince.Micone@DupontCircleANC.net for additional information or assistance. Thank you for your attention to this matter.

ON BEHALF OF THE COMMISSION:

Very truly yours,

Vince Micone
Chairperson

VOLUNTARY AGREEMENT CONCERNING THE EXPANSION OF THE EMBASSY OF PORTUGAL

This Agreement is entered into this 27th day of May, 2003, by and between the Embassy of Portugal (the "Embassy") and Advisory Neighborhood Commission 2B ("ANC 2B").

Whereas, the Embassy has filed an application (No. 17020) with the Foreign Missions Board of Zoning Adjustment for a 500 square foot expansion of and associated exterior improvements to its chancery building located at 2012 Massachusetts Avenue, N.W. pursuant to Section 1002.1 of the District of Columbia Zoning Regulations; and

Whereas, ANC 2B voted to support Application No. 17020 at its May 14, 2003, public meeting, subject to three conditions; and

Whereas, the Embassy has agreed to comply with the three requested conditions.

Now therefore, in consideration of the mutual agreements and undertakings memorialized herein, the Parties hereby agree as follows:

1. The Embassy of Portugal agrees not to request diplomatic parking spaces along the street frontage of the property that abuts P Street, N.W. ANC 2B will not oppose a request for diplomatic parking along the street frontage of the property that abuts Massachusetts Avenue, N.W.

2. The Embassy of Portugal agrees that in the event that the two trees in the public space abutting the property on P Street, N.W., must be removed, replacement trees will be planted of equal or greater size, as measured in caliper inches of the trunk of the tree to be removed, measured at a height of no greater than four feet from the ground.

3. The Embassy of Portugal agrees to appoint a person to serve as a contact for the neighborhood in the event that issues arise regarding the Embassy's use of the property. The Embassy will provide the name and telephone number of the contact person to the representative of the ANC single member district in which the property sits.

The Embassy of Portugal

His Excellency Pedro Catarino
Ambassador of Portugal to the
United States of America

ANC 2B

Vince Micone, Chairperson
Advisory Neighborhood Commission 2B

Exhibit 5

GOVERNMENT OF THE DISTRICT OF COLUMBIA
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT
WASHINGTON, D.C. 20001



MEMORANDUM

TO: Andrew Altman
Director
Office of Planning

FROM: Kenneth B. Ellerbe
Fire Marshal

DATE: June 4, 2003

SUBJECT: BZA Application No. 17020

The D.C. Fire and EMS Department has reviewed the above application.

The building is currently used as a chancery belonging to the Embassy of Portugal. The applicant proposes to build a 500 square foot addition on the rear of the existing building. Since the current building has adequate access to both the front and rear, the new addition should not create any additional problems for the Fire Department. Therefore, we have no objection to this request.

If you have any questions concerning this review, please contact my office at 727-3659.

Exhibit 6

METROPOLITAN POLICE DEPARTMENT
Third District

May 24, 2003

MEMORANDUM

TO: Commander
Third District

THRU: Captain
Third District

SUBJECT: BZA Application Number 17020, Regarding an Addition to the Portuguese Chancery located at 2012 Massachusetts Avenue, NW

In reference to this request for a zoning variance to build a small addition onto the Portuguese Chancery, I have visited the location and have reviewed the plans for the new construction.

It is my opinion that there are no issues connected to this proposed building addition that would present a problem to the Third District or in any way adversely affect our ability to operate in that area.

Frank Hill
Lieutenant

Pertinent Zoning Provisions

501 USES AS A MATTER OF RIGHT (SP) ...

501.3 General office use, including chancery, shall be permitted in an SP District as a replacement for office use for international organization, non-profit organization, labor union, architect, dentist, doctor, engineer, lawyer or similar professional person existing and approved by the Board of Zoning Adjustment or the Zoning Commission or authorized by a validly issued certificate of occupancy prior to November 27, 1999. ...

1000 GENERAL PROVISIONS

1000.1 The Mixed Use Diplomatic (D) district is established to implement the Foreign Missions Act (Title 2, Public Law 97-241, 96 Stat. 283, August 24, 1982).

1000.2 The Mixed Use Diplomatic (D) district shall be mapped at suitable locations in implementation of the Foreign Missions Act and the Foreign Missions and International Agencies element of the Comprehensive Plan for the national capital.

1000.3 The D district is an overlay district and shall be mapped in combination with another district and not instead of the underlying district.

1000.4 All uses, buildings, and structures permitted in accordance with this chapter, and the appropriate regulations of the underlying district with which the mapped D district is combined, shall be permitted in the combined districts.

1000.5 All restrictions and prohibitions provided with respect to either of the districts combined in accordance with this chapter shall also apply, except as specifically modified by this chapter.

1000.6 The criteria and procedures set forth in this chapter shall also apply to chancery uses in R-5-D, R-5-E, and SP districts.

1001 CHANCERY USE CRITERIA

1001.1 A chancery shall be a permitted use in a Mixed Use Diplomatic (D) district, subject to disapproval by the Board of Zoning Adjustment (the "Board"), based on the criteria set forth in this section.

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.

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

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.

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.

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.

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

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