Foggy Bottom and West End
Advisory Neighborhood Commission (ANC-2A)

c/o St. Mary's Court 725 24th Street, NW Washington, DC 20037 (202) 736-1775

October 2, 2003

Mr. Geoffrey H. Griffis, Chair
Board of Zoning Adjustment
441 Fourth Street, NW, Suite 210
Washington, DC 20001

Re: ***BZA Application No. 17051, Application of Republic of Tajikistan to locate a chancery at 1005 New Hampshire Avenue, NW (ground and 2nd floors, Square 53, Lot 11)***

Dear Chairperson Griffis:

On September 5, 2003, ANC-2A requested a Waiver of Rules for late submission of its position on the above request, which was due to be filed on September 16, 2003. The BZA granted this request on September 9, 2003.

ANC-2A at its regular monthly public meeting on September 17, 2003, properly noticed and with all of its five seated members present, a quorum being three, (1) unanimously voted approval for this application and in a letter so dated September 18, reported to the BZA and (2) unanimously voted to have the Chair, Dorothy Miller, represent the Commission at the scheduled hearing on September 30, 2003.

As stated in the ANC letter, "concerns about the protection of the historic landmark of Schneider Triangle consisting of all of Square 53 were adequately addressed. The Applicant's plans for parking and transportation as well as limited social functions were acceptable. An additional plus from the ANC's perspective was the applicant's plan to use the top two floors of the chancery for residents."

I trust the above information conforms to 11DCMR Sec. 3115.1

Respectfully submitted,

Dorothy Miller

Dorothy Miller, Chair
Advisory Neighborhood Commission 2A

BZA
Case No. 17051
Exhibit No. 33

Board of Zoning Adjustment
District of Columbia
CASE NO. 17051
EXHIBIT NO. 33

except for the addition of a plaque and a flagpole. The Historic Preservation Office has reviewed the size and placement of the plaque and flagpole and approved their locations. (See Attached)

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.***

The Historic Preservation Office has found that the proposed addition of a flagpole and an identification plaque will be consistent with the character of the historic Schneider Triangle.

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.***

For a chancery, the Zoning Regulations require 1 parking space per 1,800 square feet of floor area. The area of the building to be dedicated to the chancery is less than 1,800 square feet and therefore one parking space is required. For apartments in the R-5-E District, the requirement is 1 space per 4 apartment units therefore, with 2 units only1 space is required. The overall site therefore required 2 parking spaces. The existing property cannot accommodate any parking and therefore the applicant is requesting a waiver pursuant to Section 2100.5 for historic buildings.

It is not envisioned that the chancery or apartments will adversely impact parking in this area. The occupants of the apartments will be two diplomats, the First Secretary and the Second Secretary, who will also work on the premises and therefore will not be commuters. However, Tajikistan has two automobiles and one will park in a parking space owned by Tajikistan at the building at 3 Washington Circle and the second will park at place yet to be determined.

As stated before, the employees at the Chancery will consist of the Ambassador and the 2 Undersecretaries. There are not many citizens of Tajikistan in the Washington area and visa and passport transactions are mainly conducted by fax, mail and delivery service, therefore visitors to the chancery are expected to be very limited and not generate a great demand for parking.

Because some of the building is dedicated to residences and the office space is limited after-hours functions will be limited. The applicant has stated that its social functions will primarily be at the embassy located at 2240 Virginia Avenue. For the few small functions to be held at the subject site, the patrons may be businesspersons or other diplomats who will use professional drivers or taxis. Additionally, many buildings have paid parking that can be utilized. The building is also located within 2-3 blocks of the Foggy Bottom metro station.

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 Director Morton notes that, after consultation with federal agencies authorized to perform protective services, it has been determined that there exist no special security requirements relating to this case, and that the property and area are capable of being adequately protected.

1001.7 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 requested use of the proposed building as a chancery will not be detrimental to the community and having continued residential use in a portion of the building will be consistent with the character of the area and is in the municipal interest.

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

Director Morton states that a favorable decision on this application would serve the federal interest as "the Government of Tajikistan has assisted in securing diplomatic facilities in Dushanbe." Further, the "United States and Tajikistan has entered in a Bilateral Property Agreement that grants effective reciprocity in the acquisition of diplomatic property." A favorable decision would assist the State Department in their agreement.

COMMUNITY COMMENTS

This proposal will be considered by Advisory Neighborhood Commission (ANC) 2A on September 17, 2003.

AGENCY COMMENTS

The proposed addition was referred to the Historic Preservation Office (HPO) for review. HPO staff found that the proposed flagpole and plaque is consistent with the character of the Sheridan Triangle.

RECOMMENDATION

The Office of Planning supports the application and recommends its approval.

Attachments:

1. Aerial Map with Zoning
2. Land Use Map
3. Memorandum from Historic Preservation Office

AA/mbr $_{AICP}$

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

Memorandum

TO: Foreign Missions Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: September 23, 2003

SUBJECT: Board of Zoning Adjustment #17051 (Republic of Tajikistan)
1005 New Hampshire Avenue, N.W.

APPLICATION

The Republic of Tajikistan submitted a request to establish a chancery at 1005 New Hampshire Avenue, N.W., 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 11 DCMR, Chapter 10.

SUMMARY RECOMMENDATION

The Office of Planning supports the application and recommends **APPROVAL.**

SITE AND AREA DESCRIPTION

The subject property at 1005 New Hampshire Avenue, N.W., Square 53, Lot 11, is developed with a 2,897 square feet, three-story plus English basement row house that was formerly used as a residence. The subject property is a contributing building to the Schneider Triangle, a historic landmark. The Schneider Triangle is bound by 22nd Street on the east, New Hampshire Avenue on the west, and K Street and Washington Circle to the south.

Square 53, in which the subject property is located, has predominantly residential uses with some buildings having small offices. The wider community is developed with a mixture of high-density residential and high-density commercial (mostly office) uses. (See Attachments 1& 2)

PROPOSAL

The Republic of Tajikistan proposes to place its chancery in the first and second floors of the building and retain the third floor and the English basement apartment for employees (First and Second

Secretaries) of the chancery. The applicant proposes only minor internal alterations to accommodate the offices, while no external alterations are proposed except for the placement of a plaque and flagpole to identify the chancery.

ANALYSIS

Chancery uses are allowed in the District in accordance with the requirements of the Foreign Missions Act and corresponding sections of the 11 DCMR, specifically Chapters 3 and 10. Section 350.6 of the Zoning Regulations states that a chancery use is allowed subject to disapproval in accordance with the requirements of Chapter 10. The subject property is in the R-5-E District and is governed by the provision of Chapter 10 (Mixed Use Diplomatic Overlay District and Chancery Uses) which states in Section 1000.6 states that: "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 D Districts, 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." and***

*"1002.4 **Any determination by the Board shall be solely based on the criteria set forth under §1001."***

Compliance with Section 1001

The proposal is subject to the following provisions:

*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 Jerrily Kress, Director of the Office of Zoning, dated September 11, 2003, Joe D. Morton, Director, Office of Foreign Missions, states that "a favorable FMBZA action ... would fulfill the international obligation of the United States to facilitate the acquisition of adequate and secure premises by the Government of Tajikistan for its diplomatic mission in Washington, DC."

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

The subject property is a contributing building to Schneider Triangle, a historic landmark. Schneider Triangle consists of townhouses within all of Square 53 that were developed by Thomas Franklin Schneider in the 1880's. This area received its District of Columbia historic designation in 1978 and was listed on the National Register of Historic Places in 1982.

The applicant submits that alterations to the building will be limited to internal areas only to accommodate the proposed offices. No external alterations to the exterior of the building are proposed

except for the addition of a plaque and a flagpole. The Historic Preservation Office has reviewed the size and placement of the plaque and flagpole and approved their locations. (See Attached)

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.***

The Historic Preservation Office has found that the proposed addition of a flagpole and an identification plaque will be consistent with the character of the historic Schneider Triangle.

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It is not envisioned that the chancery or apartments will adversely impact parking in this area. The occupants of the apartments will be two diplomats, the First Secretary and the Second Secretary, who will also work on the premises and therefore will not be commuters. However, Tajikistan has two automobiles and one will park in a parking space owned by Tajikistan at the building at 3 Washington Circle and the second will park at place yet to be determined.

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COMMUNITY COMMENTS

This proposal will be considered by Advisory Neighborhood Commission (ANC) 2A on September 17, 2003.

AGENCY COMMENTS

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RECOMMENDATION

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Attachments:

1. Aerial Map with Zoning
2. Land Use Map
3. Memorandum from Historic Preservation Office

AA/mbr AICP



Feature Key

Zoning Boundaries
Square Index

Ortho-Photography was taken in 1999.

Foreign Missions Board of Zoning Adjustment
Application No. # 17051

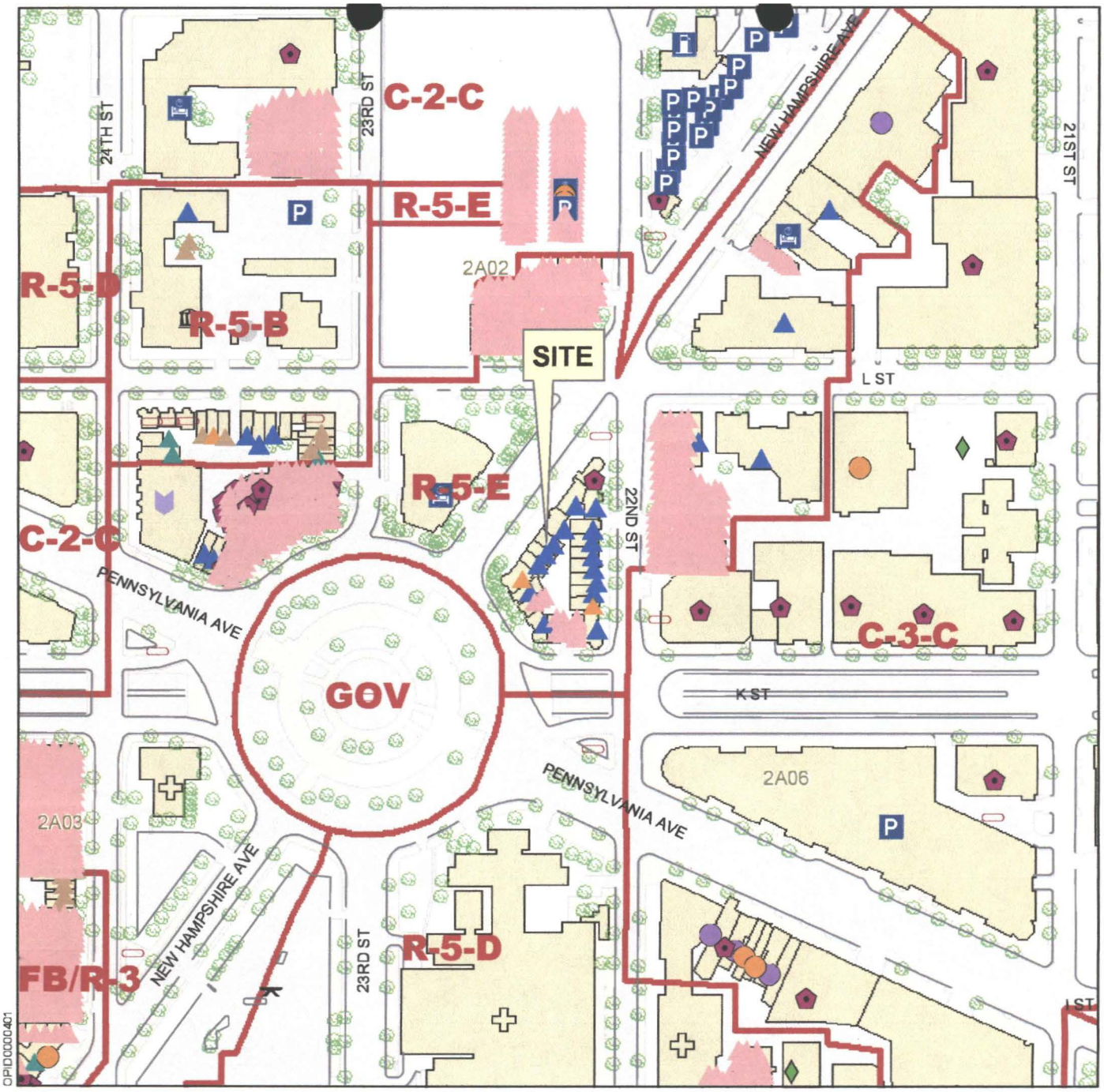
DC Office of Planning
September 2, 2003

Scale 1:2193

25 0 25 50 75 100 Feet

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Attachment 1



N

Feet

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★ ★ ★ Government of the District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ August 28, 2003

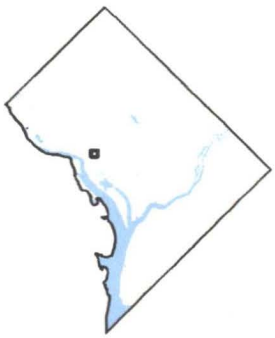
This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

Note: Land Use Info based on OTR records.

Land Use Legend

- Single-family Detached
- Recreational
- Gas Station
- Hotel
- Warehouse
- Museum, Library, Gallery
- Store
- Foriegn Mission
- Public Service
- Healthcare; Medical
- Office
- Single-family Semi-detached
- Row house
- Singlefamily Mixed Use
- Condo
- Multi-family Dwelling
- Flat
- Restraunt
- Parking Garage/Lot
- Religious
- Educational
- Special Purpose
- Vacant

Zoning and Land Use
BZA Application #17051



Attachment 1

GOVERNMENT OF THE DISTRICT OF COLUMBIA
HISTORIC PRESERVATION OFFICE



September 21, 2003

Foreign Missions Board of Zoning Adjustment
c/o Maxine Brown-Roberts
District of Columbia Office of Planning

Dear Board Members:

Aware that you are reviewing the potential location of the Embassy of Tajikistan chancery at 1005 New Hampshire Avenue, NW, we wish to apprise you of the fact that on September 15, I approved, on behalf of this office and the Historic Preservation Review Board, an application for alterations to the property—pending an approval of the move, of course.

The proposal was for the attachment of a small brass plaque sign (to be inscribed "Embassy of Tajikistan") to the brick wall at the left side of the entrance and for a flag pole to be affixed to the parapet of the two-story projecting bay. The pole is to be four feet long, about what is necessary to project an approximately three-foot by six- or seven-foot flag sufficiently from the face of the building and over a narrow cornice. From a preservation point of view, I considered this scheme to be a reasonable accommodation of a residential building to the proposed use.

Sincerely,

Tim Dennee
Architectural Historian