


## MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment

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

**DATE:** February 12, 2025

**SUBJECT:** FBZA Case # 21252 Application of the Embassy of Cuba, to construct a retaining wall, fence, and screening to a detached chancery at 2630 16<sup>th</sup> St NW pursuant to 11 DCMR Subtitle X § 201.8

### I. RECOMMENDATION

The Office of Planning recommends that the FMBZA **not disapprove** the request to construct a retaining wall, fence and screening to the existing Embassy of Cuba at 2630 16<sup>th</sup> Street NW as discussed in the report herein.

### II. LOCATION AND SITE DESCRIPTION

Address	2630 16 <sup>th</sup> Street NW
Applicant:	Embassy of the Republic of Cuba
Legal Description	Square 2575, Lot 843
Ward / ANC	Ward1; ANC 1A and 1C
Zone	The property is split-zoned RA2/RA4.
Historic District or Resource	Meridian Hill Historic District
Lot Characteristics	The lot is an irregularly shaped through-lot fronting both 16 <sup>th</sup> Street to the east and Mozart Place on the west.
Existing Development	The property is developed with a three-story masonry building that is a contributing structure in the Historic District.
Adjacent Properties	The Embassy of the Government of Lithuania abuts a portion of the subject property to the north fronting 16 <sup>th</sup> Street, and an apartment building at the corner of Mozart Place and Fuller Street abuts a portion of the property line at the rear. The Embassy of the Republic of Poland abuts the property to the south for the entirety of its property line.
Surrounding Neighborhood Character	The surrounding neighborhood is a mix of diplomatic missions along 16 <sup>th</sup> Street and large apartment buildings in the RA-4 and RA-2 zones.

### III. APPLICATION-IN-BRIEF

The embassy proposes to install new fencing with a related grade change and landscaping of the property at the rear consistent with the adjacent apartment building to the north, as requested by the Historic Preservation Office (HPO). The site is split zoned RA-2/RA-4, and the proposed renovation is within the RA-2 zone.

### IV. REGULATORY REQUIREMENTS

#### **Zoning**

A review of general provisions of X § 200 is required, including chancery use criteria of X § 201.1 through X § 201.6 and/or expansion or replacement of existing chanceries, and X § 202 in accordance with the review standards of Subtitle X § 201.8. However, since the chancery location has existed since 1917, the general criteria of X §§ 202.1 through 202.6 would not apply in this instance. No other relief is required or requested with this application.

#### **Historic Preservation:**

Historic Preservation Staff provided the following comments:

*The trash receptacle and generator enclosure should be in line with the proposed new fence and it should be made accessible from the inside of the property and not along Mozart Place. The fence across the enclosure should match in height and style that of the proposed new fence to maintain consistency along Mozart Place but should also be made solid between the rails to obscure the contents of the enclosure from Mozart Place. The relationship between the streets and landscaped grounds is one of the most important characteristics of the Meridian Hill Historic District and should be retained and maintained as an essential element to the neighborhood.*

The Applicant has agreed to this requirement consistent with the HPO's determination. The plans show the gate consistent with the required and the solid gate for the trash and generator enclosure between the rails. [See Plan at Exhibit 6](#)

#### **Public Space**

Public Space review determined that the face of the retaining wall will be exposed and should comply as follows:

*"... then the exposed surface of the wall is brick (similar to buildings to the north), or a larger stone masonry that matches the wall that is on the west side of Mozart Place, these materials could be the kind that befit the character of the street."*

The Applicant agrees to apply a stone veneer to match the wall on the west side of Mozart Place per [Exhibit 17](#) and Public Space staff is in support of this option.

## V. OFFICE OF PLANNING REQUIREMENTS

Pursuant to Subtitle X § 202.1, expansions of existing chanceries in a low- to medium-density residential zones are subject only to the criteria of X § 208. High-density zones such as the RA-4 zone are not subject to any mixed-use area requirement, only the standards in X § 208. Accordingly, the proposal is subject to and meets the standards set forth by X § 208.

### **Compliance with § 201.8**

As part of its review, the FMBZA is required to evaluate the application within the six factors set forth in the Foreign Missions Act (FMA).

- (a) *The international obligation of the United States to facilitate the provision of adequate and secure facilities for foreign missions in the Nation's Capital;*

OP's recommendation to the FMBZA to not disapprove this application would be favorable towards fulfilling the international obligation of the United States and is supported by the Department of State noted in its report at [Exhibit 16](#).

- (b) *Historic preservation, as determined by the Board of Zoning Adjustment. In carrying out this section, and in order to ensure compatibility with historic landmarks and districts, substantial compliance with District of Columbia and federal regulations governing historic preservation shall be required with respect to new construction and to demolition of or alteration to historic landmark;*

OP's Historic Preservation Review staff commented on the Applicant's submission prior to submission to the Board. The HPO recommended that grading at the rear of the property be made consistent with the adjacent apartment building, which requires construction of a retaining wall and a solid opaque trash enclosure along with the initially proposed new fencing at the rear.

- (c) *The adequacy of off-street parking or other parking and the extent to which the area will be served by public transportation to reduce parking needs, subject to such special security requirements as may be determined by the Secretary of State, after consultation with federal agencies authorized to perform protective services;*

This is not applicable. The property's parking arrangement will not be impacted by the proposed retaining wall or fencing at the rear. An increase in staffing is not proposed.

- (d) *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 proposed fencing is intended to improve the security of the property. Federal agencies performing protective services have determined that the subject site and area are capable of being protected pursuant to federal regulations 22 U.S.C. § 4306(d) (4), as stated in [Exhibit 16](#)

- (e) *The municipal interest, as determined by the Mayor of the District of Columbia; and*

The municipal interest is expressed by OP's HPO's comments for the landscaping and by Public Space for the required stone veneer for the retaining wall. The Applicant has agreed to both suggestions.

(f) *The federal interest, as determined by the Secretary of State.*

The U.S. Department of State's memo stated that there is a federal interest in the project and "...cooperation was essential for successfully achieving the Federal Government's mission of providing safe, secure, and functional facilities for the conduct of U.S. diplomacy and the promotion of U.S. interests worldwide." [Exhibit 16](#)

## **VI. HISTORIC PRESERVATION**

The HP comments are provided prior, and the Applicant has agreed to the recommendations.

## **VII. ADVISORY NEIGHBORHOOD COMMISSION**

At the writing of this report, ANC 1A or 1C's comments were not included in the record. The Applicant will meet with the ANC in February, prior to the FMBZA hearing.

## **VIII. OTHER DISTRICT AGENCIES**

Other District agencies' comments were not included in the record to date.

## **IX. COMMUNITY COMMENTS TO DATE**

The Embassy of Poland included a letter in support at Exhibit 18. Comments from the community were not in the record to date.

Attachment: Location Map



LOCATION MAP

