

## **Supplemental Report**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Crystal Myers, Case Manager  
Joel Lawson, Associate Director Development Review  
**DATE:** March 6, 2025

**SUBJECT:** FMBZA 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

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### **I. BACKGROUND**

During February 26, 2025 Public Hearing, the FMBZA requested that the applicant provide a description of how the area around the Chancery is determined to be a mixed-use zone (X § 201.3 criteria) (Exhibit 32), as well as additional design related details (Exhibit 33). The FMBZA also requested that the Office of Planning provide a supplemental report addressing the mixed-use criteria.

### **II. OP ANALYSIS**

#### **Mixed Use Determination X § 201.3- 201.7**

*201.3 For applications requesting to locate, replace, or expand a chancery in a low- to medium-density residence zone, before applying the criteria of Subtitle X § 201.8, the Board of Zoning Adjustment after a hearing on the application shall determine whether the proposed location is in a mixed-use area determined on the basis of existing uses, which includes office and institutional uses.*

*201.4 For the purposes of Subtitle X § 201.3 determination, the “area” shall be the area that the Board of Zoning Adjustment determines most accurately depicts the existing mix of uses adjacent to the proposed location of the chancery.*

*201.5 An area shall be considered to be a mixed-use area if as of the date of the application more than fifty percent (50%) of the zoned land within the area is devoted to uses other than residential uses as defined in Subtitle B, Chapter 2. Notwithstanding the foregoing, the Board of Zoning Adjustment may find that an area with less than or equal to fifty percent (50%) of non-residential uses is a mixed-use area upon a showing of non-residential uses as may be submitted by the applicant, Secretary of State, or the Mayor of the District of Columbia.*

The proposed chancery expansion is permitted by special exception if it is located within a low-density residential zone under U§ 401.2 pursuant to X § 202.1 and X § 201.3. The subject property has been used as a chancery since 1917, in the RA2/RA4 zones, prior to the existing zoning regulations.

The applicant has sufficiently documented that the defined area for purposes of X §201.4 and X § 201.5 is Square 2527, (Exhibit 32A), which is made up of nine lots. The required area utilized for

non-residential purposes is 72%, which exceeds the minimum 50% land area considered as mixed-use within the square. OP concurs that the requirement for a chancery site to be located within a mixed-use area anticipated under X § 201.5 is satisfied and the merits of the application for its expansion are satisfied, pursuant to X§ 201.8 and consistent with Y § 301.6.