

**BEFORE THE
FOREIGN MISSIONS BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Application of the
Embassy of the Republic of Poland

FMBZA Application
ANC 2B

STATEMENT OF THE APPLICANT

This application is made by the Embassy of the Republic of Poland (the “**Applicant**”), through undersigned counsel, for approval pursuant to Subtitle X § 203 and Subtitle Y § 301 of the Zoning Regulations to locate a chancery at 1740 Massachusetts Avenue, NW (Square 158, Lot 82) (the “**Property**”) located in the MU-1/DC Zone District. The Applicant proposes to use the Property as a chancery, which will allow the Applicant to consolidate its three embassies’ buildings currently located at 2640 16th Street, NW; 2224 Wyoming Avenue, NW; and 1503 21st Street, NW into one location.

I. JURISDICTION OF THE BOARD

The Foreign Missions Board of Zoning Adjustment (the “**Board**” or “**FMBZA**”) has jurisdiction to grant the chancery application pursuant to Subtitle Y § 100.6 of the Zoning Regulations and § 206 of the Foreign Missions Act (“**Act**”) (D.C. Code § 6-1306).

II. DESCRIPTION OF THE PROPERTY

Located at 1740 Massachusetts Avenue, NW, the Property consists of 21,852 square feet of land area according to the District’s tax records. The Property is improved with an eight-story commercial building that was constructed circa 1962 and contains approximately 58,613 square feet of gross floor area (the “**Building**”). The Building was constructed by Johns Hopkins University (“**JHU**”) and used for academic and administrative purposes pursuant to a series of prior orders by the Board of Zoning Adjustment (“**BZA**”), including BZA Order No. 6166 (1962), which approved roof structure and parking relief for the original Building; BZA Order No. 14387

(1986), which approved a campus plan for the Property and other JHU property (“**Campus Plan**

The Property is located in the MU-1/DC Zone District. The Property is also located in the Dupont Circle Historic District and the Massachusetts Avenue Historic District, though it is not considered to be a contributing building in either district.

The Property is bounded by Massachusetts Avenue to the north, a small commercial office and the Embassy of Chile to the east, a public alley and residential condominium building to the south, and the Embassy of Uzbekistan to the west. Other properties in Square 158 include a mix of office, chancery, residential, lodging, and institutional use. Chancery uses in Square 158 include not only Chile and Uzbekistan but also Colombia, Trinidad and Tobago, Peru, Mauritius, and Micronesia.

III. STATEMENT OF EXISTING AND INTENDED USES

The Property was used by JHU for academic and administrative uses tied to its School for Advanced International Studies (“**SAIS**”) until 2023 when SAIS moved to the Hopkins Bloomberg Center at 555 Pennsylvania Avenue, NW.

The Applicant recently acquired the Property from JHU and proposes to convert the Building to chancery use, from which the Applicant will conduct diplomatic and related functions. The Applicant’s existing foreign mission locations are currently located in three separate buildings located in Dupont Circle, Kalorama, and Adams Morgan, and so co-locating all operations in a single location will significantly benefit the Applicant’s operations.

This application is limited to a request to confirm that the Applicant may utilize the Property for chancery use, and no other physical changes to the Property are proposed at this time.

The Applicant may return to the FMBZA to request further improvements to the Property after it has further evaluated its program needs with its design team.

IV. NATURE OF RELIEF SOUGHT

Pursuant to Subtitle X § 201.2, a chancery may be located in the special purpose zones (which includes the MU-1 Zone), subject to the Board's review in accordance with the standards set forth in Subtitle X § 201.8. Accordingly, the Applicant requests that the Board "not disapprove" the proposed chancery use pursuant to § 206(b)(2) of the Act. D.C. Code § 6-1306(b)(2). As noted above, no other aspects of zoning relief, historic preservation consideration, or public space review is sought at this time.

V. CRITERIA UNDER THE FOREIGN MISSIONS ACT AND THE ZONING REGULATIONS

When reviewing a chancery application, the Board's determination whether to "not disapprove" or "disapprove" the application must be based solely upon the six criteria set forth in Subtitle X § 201.8 of the Zoning Regulations.¹ As discussed below, this application meets these criteria.

- 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. (Subtitle X § 201.8(a))*

It is the policy of the United States to facilitate the secure and efficient operation of foreign missions. See D.C. Code § 6-1301(b). A determination by the FMBZA to not disapprove this application would fulfill the international obligations of the United States to facilitate the Embassy of the Republic of Poland's provision of adequate and secure facilities for diplomatic mission in the District of Columbia.

¹ Unlike chancery use in low- and medium-density residential zones, locating a chancery in the MU-1 Zone does not require a determination pursuant to Subtitle X § 201.3 that the location is a mixed-use area.

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 landmarks. (Subtitle X § 201.8(b))

As noted above, the Property is located in the Dupont Circle Historic District and the Massachusetts Avenue Historic District, though it is not a contributing building in either district. Because no physical alterations are proposed to the Property in the Application, there is no demolition, alteration, or new construction that would otherwise trigger review under local or federal historic preservation law. Nevertheless, the Applicant has consulted with staff at the Historic Preservation Office regarding the Application and will continue to consult with staff on any potential future alterations.

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. (Subtitle X § 201.8(c))

The Property has adequate on-site parking. Behind the Building, accessible through a public alley, is a surface parking lot with approximately 25 parking spots that is located behind a security fence and gates. Under the Zoning Regulations, the parking requirement for the proposed chancery use is 15 spaces, after utilizing the 50% reduction because the Property is within a half-mile of a Metrorail station.

Additionally, the Property will be adequately served by public transportation. The Property is within a half-mile of the Dupont Circle Metro Station. Metrobus routes 42, 43, L2, N2, N4, N6, G2, S2, and S9 also have multiple bus stops within a half-mile of the Property. Further, the Property is one-half block from the 17th Street and Massachusetts Avenue NW Capital Bikeshare

station and within a half-mile of several other stations. Pursuant to Subtitle C § 802.3, the Applicant will also provide for 12 long-term and two short-term bicycle parking spaces for employees and visitors to the chancery and the general public.

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. (Subtitle X § 201.8(d))

The United States Department of State will review this application as part of a requested review for additional consideration of site protection issues. The Department of State, after consultation with other federal agencies, is expected to file a report verifying that the site is capable of being adequately protected.

E. The municipal interest, as determined by the Mayor of the District of Columbia. (Subtitle X § 201.8(e))

Approval of this application will further the municipal interest, including several policies outlined in the District of Columbia Comprehensive Plan (“**Comp Plan**”). The Applicant has maintained a successful relationship with the District, having held multiple foreign mission locations throughout the District since 1919. By consolidating its three embassy locations into one location at the Property, which is situated along a section of Massachusetts Avenue commonly referred to as Embassy Row, the Applicant will help strengthen the District’s unique image as the nation’s capital while also highlighting the international and cultural assets that the District has to offer. See Policy LU-1.1.8 International Assets, Policy UD-1.1.1 National Image. Consolidation of the Applicant’s three embassy locations at the Property will also allow the District to reclaim control of curbside space that the Application would otherwise require for off-street parking spaces designated and reserved for diplomatic parking at those locations.

Additionally, chancery use at the Property will promote the adaptive reuse of the Building, which has been underutilized since 2023 when the SAIS moved to the Hopkins Bloomberg Center. The Applicant's proposed chancery use is compatible with the Property's existing office use and the nearby properties, which, as mentioned above, includes a mix of office, chancery, residential, lodging, and institutional use. By adaptively reusing the Property, the Applicant furthers Comp Plan policies that call for the protection of the integrity of residential areas and minimizing encroachment upon them. See Policy-LU 3.4.1 Chancery Encroachment in Low-Density Areas, Policy-LU 3.4.3 Compatibility of New Chanceries.

F. The federal interest, as determined by the Secretary of State. (Subtitle X § 201.8(f))

Approval of this application will further the federal interest. The Department of State, Office of Foreign Missions (“**OFM**”) has authorized the submission of this application (see Exhibit A). The Applicant will continue to coordinate with OFM throughout the Board’s review process to address any questions that OFM may have. The Applicant anticipates OFM will submit additional correspondence in support of this application in advance of the public hearing or at the public hearing itself.

The Applicant’s proposal is also compatible with the National Capital Planning Commission’s Comprehensive Plan for the National Capital. The Applicant proposes to consolidate its three embassies’ buildings throughout the District into one location at the Property, which will help the Applicant to conduct its diplomatic relations more efficiently. See Foreign Missions FM.A.3. Additionally, consolidation of the Applicant’s staff and diplomats at one location at the Property will promote the revitalization and economic development of the Dupont Circle neighborhood. See Foreign Missions FM.B.3. The Property is located in a mixed-use area that includes office, chancery, residential, lodging, and institutional use, and the Applicant’s

proposed chancery use would be compatible with its surrounds. See Foreign Missions FM.B.4. Additionally, the Property is situated along a section of Massachusetts Avenue that is well-served by multiple modes of transportation, such as Metrorail, Metrobus, bicycle, and walking. See Foreign Missions FM.C.16.

VI. AGENCY AND COMMUNITY OUTREACH

The Applicant met with representatives of the Office of Planning, Historic Preservation Office, and District Department of Transportation regarding the proposed use on November 20, 2024, and the Applicant will continue to engage with agency representatives regarding this Application as well as any further potential alterations to the Property.

The Applicant expects to reach out to representatives of Advisory Neighborhood Commission 2B (“ANC 2B”) regarding the proposed use contemporaneously with the filing of this Application. The Applicant will also reach out to its immediate institutional neighbors as well as a representative of the residential condominium association regarding the proposed use.

VII. CONCLUSION

For the reasons set forth above, the Applicant respectfully requests that the Board not disapprove this application.

Respectfully submitted,

____/s/_____
David Avitabile

____/s/_____
Cindy Vong*
(*admitted in Massachusetts only)