

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15049, of 1714 Mass. Associates Limited Partnership on behalf of the Government of the Republic of Turkey, pursuant to 11 DCMR 1002, for permission under Section 1001 to locate a chancery in an SP-1 District at premises 1714 Massachusetts Avenue, N.W., (Square 158, Lot 834).

HEARING DATE: April 26, 1989  
DECISION DATE: April 26, 1989 (Bench Decision)

INTRODUCTION:

The application was filed on behalf of the Government of the Republic of Turkey to occupy the premises at 1714 Massachusetts Avenue, N.W. as a chancery. The application was considered by the Board in accordance with the requirements of Sections 1001 and 1002 contained in Chapter 10 of the Zoning Regulations. Chapter 10 was adopted by the Zoning Commission to implement the Mixed Use Diplomatic District and Section 206 of the Foreign Missions Act (Title 11, Public Law 97-241, 96 Stat. 286, August 24, 1982). The public hearing was conducted as a rulemaking proceeding under Chapter 33 of the Supplemental Rules of Practice and Procedure before the Board of Zoning Adjustment.

APPLICATION:

The subject site is located in an SP-1 zone on the south side of Massachusetts Avenue, N.W. between 17th and 18th Streets, N.W. and consists of 13,735 square feet in land area. The site is improved with a three-story rowhouse building with a basement level partially above grade. The building was most recently occupied by a law firm consisting of a total staff of approximately forty persons. The Republic of Turkey intends to lease the property as a chancery, and plans to situate from thirty-four to forty persons in the facility.

The chancery facilities of the Republic of Turkey are presently located in four separate locations: 2523 Massachusetts Avenue, N.W.; 1606 23rd Street, N.W.; 2202 Massachusetts Avenue, N.W.; and 2010 Massachusetts Avenue, N.W. The Republic of Turkey intends to relocate its chancery operations from two of these locations, 1606 23rd Street, N.W. and 2010 Massachusetts Avenue, N.W., to the 1714 Massachusetts Avenue, N.W. location in order to place the

chancery in closer proximity to other foreign chanceries. This new location is also attractive to the Republic of Turkey because of its proximity to the Dupont Circle Metrorail Station, which is two blocks to the northwest of the subject site. The location of a chancery in the SP-1 District is a permitted use subject to disapproval by the Board of Zoning Adjustment after review based on the criteria set forth in Section 206(d) of the Foreign Missions Act and Section 1001 of the Zoning Regulations.

FOREIGN MISSION ACT CRITERIA:

In considering the subject application, the Board must apply the specific criteria set forth in Section 206(d) of the Foreign Missions Act and Section 1001 of the Zoning Regulations as follows:

1. Sub-section 1001.2 The international obligation of the United States to facilitate the provision of adequate and secure facilities for foreign missions in the Nation's Capital.
2. Sub-sections 1001.3 and 1001.4 Historic preservation as determined by the Board in carrying out this section; and in order 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.
3. Sub-section 1001.5 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.
4. Sub-section 1001.6 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.
5. Sub-section 1001.7 The municipal interest, as determined by the Mayor.
6. Sub-section 1001.8 The federal interest, as determined by the Secretary of State.

EVALUATION:

With respect to the six criteria identified in the Regulations, the Board states the following:

1. The international obligation of the United States: By letter dated March 23, 1989, the Acting Director of the Office of Foreign Missions of the U.S. Department of State, pursuant to delegation from the Secretary of State, determined that the international obligation of the United States to facilitate the provisions of adequate and secure facilities for foreign missions in the Nation's Capital will be met by the approval of this application. In addition, it was determined that there were no special security problems applicable to this site, that the site and area are capable of being adequately protected.
2. Historic Preservation: The structure is located in the Dupont Circle Historic District, but is not a historic landmark. This application does not involve new construction, demolition or alteration to a historic landmark. The Applicant testified that no exterior modifications or additions to the structure are contemplated. The Board finds that the proposed use of the property by the Republic of Turkey for a chancery is appropriate and consistent with the character of other properties in the historic district.
3. Parking and Transportation: Section 1001.5 requires the Board to consider the adequacy of off-street or other parking, and the extent to which the area will be served by public transportation, subject to special security requirements as determined by the Secretary of State.

The Applicant and its Traffic Engineering Consultant testified that:

a. A shuttle service will be provided by the Embassy of the Republic of Turkey to transport fourteen of its employees to and from the chancery each day.

b. The chancery will attract a small number of visitors, an average of less than three visitors per day.

c. There are nine off-street parking spaces on the subject site which will more than accommodate the projected need for seven

parking spaces to accommodate the employees and visitors to the chancery.

The Board finds that the Applicant satisfies its projected daily parking needs with the nine parking spaces provided on the subject site, and that the proposed chancery will not intensify the use of the site above its most recent use by a law firm.

4. Protection: The Office of Foreign Missions has determined that the area is capable of being adequately protected, and that no special security requirements exist beyond those applicable to all facilities of foreign missions in the District of Columbia.
5. Municipal Interests: The Director of the D.C. Office of Planning (OP), by memorandum dated April 17, 1989, reviewed the plans and application and stated its opinion that approval is not inconsistent with the criteria for approval as specified in Sections 1001 and 1002 of the Zoning Regulations. Further, OP stated that as proposed, the chancery would not be expected to create any objectionable impacts on the traffic and parking conditions in the area and will be a less intense use than the previous use of the property by a law firm.
6. The Federal Interest: The Office of Foreign Missions has determined that approval of the application would be consistent with Federal interests in the Foreign Missions and International Organizations Element of the Comprehensive Plan, and would fulfill the international obligation of the United States to provide adequate and secure facilities for foreign missions in the nation's Capital. The Republic of Turkey fully discharges this obligation by providing such facilities to the United States Embassy in the Republic of Turkey.

ADVISORY NEIGHBORHOOD COMMISSION:

Advisory Neighborhood Commission (ANC) 1D submitted a written report on April 18, 1989, that stated it had considered this application at its meeting on April 12, 1989 which was attended by a quorum of all seven Commissioners present and voting. The ANC voted 6-0 to oppose the application on the grounds that 1) another chancery added to the Dupont Circle area would exacerbate the shortage of parking, 2) residents are concerned about the likelihood of bomb threats and other issues of security affecting the use of the property by the Republic of Turkey, 3) residents are

concerned that the Republic of Turkey will change the historic character of the building in order to make it more secure, and 4) it is not in the interest of the city to have another private building converted into a chancery. The Board disagrees with the ANC. The property is located in the SP-1 zone district, and has been therefore deemed appropriate for chancery use by the Zoning Commission. Such use is subject to disapproval by this Board based only upon the criteria enumerated in the Foreign Missions Act.

DECISION:

On the basis of the record before it and the criteria of Sections 1001 of the Zoning Regulations, the Board determines that the standards of the Zoning Regulations have been met by this application. Accordingly, it is hereby ORDERED that this application is APPROVED.

VOTE: 4-0 (John G. Parsons, Paula L. Jewell, Reginald Griffith and Charles R. Norris to approve; Carrie L. Thornhill not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
EDWARD L. CURRY  
Executive Director

FINAL DATE OF ORDER: \_\_\_\_\_

JUN 23 1989

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

15049order/LJP49

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 15049

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated JUN 23 1989, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

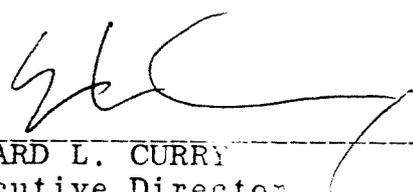
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EDWARD L. CURRY  
Executive Director

DATE: JUN 23 1989