



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director for Development Review & Historic Preservation

DATE: November 1, 2010

SUBJECT: **BZA Case 18131-** Request for special exception relief at 2300-2310 Connecticut Avenue, N.W.

I. SUMMARY RECOMMENDATION

The Office of Planning recommends that the Board of Zoning Adjustment (BZA) **not disapprove** this request, thereby granting special exception pursuant to §§ 350.6 and 1001 for the proposed replacement chancery and embassy staff residential building for the Government of the People's Republic of China, including relief to:

- § 402.1 to increase the maximum floor area ratio from 3.5 to 3.8;
- § 404.1 to decrease the minimum rear yard from 32.76 feet to 30.0 feet;
- § 411.11 to permit roof structures of unequal heights and not set back a distance equal to their height;
- § 2201.1 to reduce the size of the loading berth from 55 feet to 30 feet; and
- § 2514.2 to extend the regulations of the R-5-D district into the R-1 district in its entirety.

II. SITE AND AREA DESCRIPTION

Address	2300- 2310 Connecticut Avenue, N.W.
Legal Description	Square 2526, Lot 197
Ward	2D
Lot Characteristics	The subject property is unusually shaped with frontage along Belmont Street, Connecticut Avenue and Kalorama Road and has no alley access.
Existing Development	The site is developed with two buildings, a seven-story contributing building originally constructed as the Saint Alban's Apartment House in 1923 at the corner of Connecticut and Belmont, and an eight-story building at the corner of Connecticut and Kalorama originally constructed as the Windsor Park Hotel in 1948. A surface parking lot is located to the rear of the two structures, accessible from Kalorama Road. The buildings functioned as a chancery with residences for the People's Republic of China from 1973 to 2009. Belmont Road, adjacent to the north side of the property, is currently in a state of disrepair.
Zoning	R-5-D – residential uses permitted allowed as a matter-of-right and chancery uses permitted if not disapproved by the BZA R-1-B – residential uses permitted as a matter-of-right

Historic District	Sheridan-Kalorama
Adjacent Properties:	North: Across Belmont Street, Rock Creek Park South: Across Kalorama Road, hotels, embassies and residential uses East: Across Connecticut Avenue, apartment buildings West: French and Portuguese embassies
Surrounding Neighborhood Character:	Moderate to medium density residential uses, including hotel and embassy uses

III. APPLICATION IN BRIEF

Applicant: The Government of the People’s Republic of China

Proposal: To demolish and rebuild the existing chancery and staff residences on the same site.

The former hotel and apartment buildings would be demolished, but the north, east and a small portion of the south wall of the apartment house would be retained. The new building would incorporate the retained facades of the apartment house into its design, aligning the floors of the new structure to windows of the facade. The demolition of the majority of the Saint Alban’s apartment house is due to the inability of the existing structure to provide the level of security recommended by the State Department. The applicant agreed to preserve the facades of the apartment building because they were found to be sufficient to provide the level of security required.

A wall and fence would surround the property along Belmont Road, Connecticut Avenue and Kalorama Road. This fence would be located in public space along Belmont Road with an average height of 9 feet, 6 inches, to a maximum height of 10 feet, 6 inches at the corner of Connecticut and Belmont, where the historic Saint Alban’s apartment building is built to the lot line. The wall and fence would continue to be within public space on Connecticut Avenue across the front of the Saint Alban, but shift to the lot line across the front of the new structure and lower to an average height of 9 feet to the corner of Connecticut and Kalorama, where the fence would again extend into public space as it rounds the corner of the building. Along Kalorama Road the fence would be an average of 8 feet, 6 inches in height and be located on private property, but within a 20-foot wide building restriction line. The purpose of the wall below the fence is in place of the use of bollards. The wall and fence would not continue along the western lot line, adjacent to the Portuguese Embassy.

The proposed building would have an FAR of 3.8, in excess of the maximum 3.5 permitted by the R-5-D district. The additional FAR is the result of space requirements of the applicant and the inability to provide an additional underground level for all chancery functions, parking, loading and recreational facilities because of the bedrock located beneath the site.

The first floor would include the lobby to the building, 6,058 square feet of consular office space and one of the three bike rooms. It would also provide access to a courtyard, with a combination of paved and planted areas for use by the building’s occupants.

The residential component of the building would contain 160 apartments for use by chancery staff only. These units would be furnished and include:

- 96 three-bedroom, two-bath units;
- 12 three-bedroom, 1.5-bath units;
- 2 two-bedroom, one-bath units; and
- 30 bachelor units.

The bachelor units would occupy the northern portion of the first and second floors of the building, with the two and three-bedroom units located on the remainder of the second floor and on the third through ninth floors. A common kitchen and dining area would be provided adjacent to the bachelor units on the second floor, with direct access to a rooftop terrace over the garage entrance.

A second roof terrace would be accessible from the eighth floor. The roof of the new wings would include a larger and more expansive roof deck. Three structures would be provided on the roof of the building.

Three below-grade levels would be provided. The first would include the athletic facilities, including a fitness center, recreation room, indoor swimming pool and a second and third bike room. Access to the garage for loading, refuse removal and parking would be from Belmont Road. A secondary means of ingress and egress to the garage for automobiles only would be provided from Kalorama Road. The second below-grade level would contain the bulk of the consular office space (15,010 square feet) on the south side of the building, with parking on the north. The third below-grade level would be parking only. A total of 154 parking spaces would be provided, in excess of the 58 required. The applicant notes that this excessive number of spaces is necessary to meet their requirements and to minimize the need to utilize on-street parking. The Office of Planning would not be opposed to converting some of the parking to office space to potentially reduce the amount of relief requested for FAR.

Relief and Zoning: The site is split-zoned, with the majority of the property located within the R-5-D. The northwestern corner of the site is zoned R-1-B and consists of 13.6 percent of the total site, or 7,559.93 square feet. The application includes a request to extend the regulations of the R-5-D district into the entire portion of the site zoned R-1-B and place the entire property under one set of regulations. Section 1001.1 of the Zoning Regulations allows chancery uses in the R-5-D district subject to BZA disapproval. The property and proposed use are subject to the following provisions of the Zoning Regulations:

Standard	R-5-D Required/Permitted	Proposed	Relief Required?
Lot Area (§ 401.3)	None prescribed	55,607 SF	No
Lot Width (§ 401.3)	None prescribed	187.1 feet	No
Floor Area Ratio (§ 402.4)	3.5	3.8	Yes
Height (§ 400.1)	90 feet	90 feet	No
Lot Occupancy (§ 403.2)	75 %	60.39%	No
Side Yard (§ 405)	None	None	No
Rear Yard (§ 404.1)	32.75 feet	30 feet	Yes
Parking (§ 2101.1)	Residential: 1/3 residential units= 53 Chancery: 1/1,200 SF= 5 TOTAL= 58 spaces	145 9 TOTAL= 154	No
Loading (§ 2201)	One 55-foot loading berth One 200-SF loading platform One 20-foot deep loading space	30-foot 200-SF 20-foot	Yes No No
Roof Structures (§ 411.11)	Roof structures of equal height Roof structures setback distance equal to height	11 ft and 18.5 ft Minimum 7 ft., 2.25 inches	Yes Yes

Section 4306 (c) of the Foreign Missions Act (Title II, Public Law 97-241, 96 Stat. 286, August 24, 1982) states that, “*If a foreign mission wishes ... to appeal an administrative decision related to a chancery based in whole or in part on any zoning map or regulations, it shall file an application with the Board of Zoning Adjustment ...*”

Section § 4306 (d) also requires that any decision by the BZA concerning an appeal of an administrative decision with respect to a chancery, based in whole or in part upon any zoning regulation or map, shall be based solely on the criteria listed under that section and reflected in corresponding sections of the DCMR Title 11, Zoning.

This request is made pursuant to § 4306 (c) and (d) of the Foreign Missions Act (Title II, Public Law 97-241, 96 Stat. 286, August 24, 1982), and Chapter 10 under Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning.

IV. OFFICE OF PLANNING ANALYSIS

Compliance with § 1001

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.

A statement from the Department of State (DOS) that addresses this criterion has yet to be added to the case file.

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

The subject property is located in the Sheridan-Kalorama Historic District. The Saint Alban’s apartment house is a contributing structure to the historic district, but the former hotel building is not. The State Historic Preservation Office (SHPO) was notified of the proposed exterior changes and does not object to the proposed demolition, provided the street frontage facades of the Saint Alban’s apartment house are preserved. As such, this criterion has been addressed.

1001.4 To ensure compatibility with historic landmarks and historic 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.

No concern about this proposal was expressed by SHPO.

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 United States Secretary of State, after consultation with federal agencies authorized to perform protective services.

The application proposes 154 off-street parking spaces to be located within a garage beneath the building, in excess of the minimum requirements. A total of 58 spaces are required, 53 for the residential component and 5 for the chancery. Few visitors to the site are expected as it would include residences for embassy personnel only and the non-public portion of the Consular Section of the Embassy. One hundred forty-four (144) spaces would be made available for the residential units, 6 for the chancery and 3 for visitors. Therefore, adequate off-street parking would be provided.

The Zoning Regulations do not require bicycle parking for this application, but 61 spaces would be provided within three bike rooms. At the request of the District Department of Transportation an additional seven bike spaces would be provided at the front of the

building within public space near the main entrance for visitors to the site. The design of this bike rack would be subject to comments from SHPO and DDOT.

Several curb cuts would be required for the proposed building and DDOT has indicated that it has no concerns. One curb cut would be required for access into the garage from Belmont Road, and another would be required to be maintained from Kalorama Road for the secondary access to the garage. The two existing curb cuts for the circular driveway would be retained.

The applicant worked with DDOT concerning the reconstruction of Belmont Road and proposes to it to alley standards. This is acceptable to DDOT provided the applicant signs a maintenance agreement with DDOT, obtains occupancy permits for the use of non-standard materials, accepts all liability for the street, maintains public pedestrian and bicycle access and restores Belmont Road to full standards if and ever DDOT chooses to suspend the permit. Public pedestrian access would include access for dog walkers.

The site is located on Connecticut Avenue, approximately 0.4 miles south of the Woodley Park Metrorail station and 0.6 miles north of the Dupont Circle Metrorail station, on the Red Line. The L1 and L4 (Connecticut Avenue Line) bus routes operate on Connecticut Avenue to the front of the property every weekday. Therefore, adequate access to public transportation would be available to the occupants of the building.

The Office of Planning agrees that this criterion has been addressed.

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.

No DOS statement has been added to the case file that addresses this criterion.

1001.7 The Board shall consider the municipal interest, as determined by the Mayor.

The proposed security fence, which would range between 8.5 and 10.5 feet in height, would be partially located within public space. District regulations limit fence heights to a maximum of 42 inches in public space. The intent of this regulation for fences is to provide a consistent treatment along city streets. Fence regulations provide for continuous lengths of fences that may be different in design, but collectively have a uniform height. The effect of this consistent height on urban design is continuous views along city streets, increased pedestrian safety, and the maintenance of the park-like character of the District's residential neighborhoods.

In other cases taller fences have been approved when DOS has verified that additional security was needed. Consistent with previous District reviews of similar cases, a final decision should be contingent on receipt of a threat/security assessment demonstrating that a fence taller than the allowable 42 inches is needed.

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

A DOS statement has yet to be added to file that addresses this criterion.

V. COMMUNITY COMMENTS

No comments were received from ANC 2D.

The Woodward Condominium, located at 2311 Connecticut Avenue, N.W., submitted a letter in support of the application.

Attachment: Exhibit 1 Aerial Map with Zoning

JS/sjm^{AICP} Case Manager: Stephen J. Mordfin, AICP

