

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



PUBLIC SPACE APPLICATION REVIEW

DATE: January 20, 2010
TO: Public Space Committee
FROM: Joshua Ghaffari, Office of Planning
SUBJECT: 2900 K Street, NW

APPLICATION-IN-BRIEF

Applicant: Christopher H. Collins, Esq., Representing the Embassy of Liechtenstein
Location: This site is located on K Street, in an area along the Potomac River water front and beneath the Whitehurst Freeway. The area is zoned W-2, a mixed-use zone that allows medium density residential, commercial and certain light industrial uses in waterfront areas. It is also located within the Georgetown Historic District, and in an area that requires review by the Commission of Fine Arts.
Proposal: The applicant is requesting to install a 40' high flagpole in public space in the 30th Street right-of-way and in an area adjacent to an office building.

BACKGROUND

The Office of Planning received the public space application for review on December 7th, 2009. The site is located within the Georgetown Historic District and was approved by the Historic Preservation Office and Commission of Fine Arts.

BASIS OF REPORT

The Office of Planning (OP) has reviewed the application, considered existing site conditions, and completed research on the site to prepare this report. OP also referred to several policies in the Comprehensive Plan as part of completing this report. OP could not find any regulations governing flags for foreign countries:

COMPREHENSIVE PLAN

HP-2.5 Historic Landscapes and Open Space

More than almost any other feature, the exceptional width and openness of Washington's parks and streets define the basic character of the city. These spaces include the major monumental greenswards of the Mall, riverfront and street valley parks, and the green space of estates, cemeteries, and campuses. Tree-lined streets and landscaped front yards unite many historic neighborhoods, and there are small green oases scattered throughout the city. Some are public owned, and others are private. Many provide the setting for historic buildings, creating a balance between the natural and built environment that is a unifying feature of the city. Such settings should

be protected and maintained as significant landscape in their own right or as contributing features of historic landmarks and districts.

Policy LU-2.2.1: Code Enforcement as a Tool for Neighborhood Conservation

Recognize the importance of consistent, effective, and comprehensive code enforcement to the protection of residential neighborhoods. Housing, building, and zoning regulations must be strictly applied and enforced in all neighborhood of the city to prevent deteriorated, unsafe, and unhealthy conditions; reduce illegal activities; maintain the general level of residential use, densities, and height, and ensure that health and safety hazards are promptly corrected.

TITLE 24. PUBLIC SPACE AND SAFETY

24-703. DISPLAY OF THE FLAG

703.1 Where metal staffs for the display of flags are authorized by the Mayor to be placed in the public space in the District of Columbia, those staffs shall be placed and flags displayed only on Washington's Birthday, Memorial Day, Flag Day, the Fourth of July, Labor Day, and other days that the Mayor may from time to time designate.

TITLE 12A. BUILDING CODE - CHAPTER 31A. SPECIAL CONSTRUCTION

3107.7.5 Banner signs and flags. No banner sign or flag used for advertising purposes shall be erected, hung, attached, or affixed to any pole, staff, or other appurtenance, unless a permit for it has been issued, nor shall such banner, sign, flag extend over public space more than 42 inches (1067 mm), or be hung or maintained less than 18 feet (5486 mm) above the parking or sidewalk or 25 feet (7620 mm) above the roadway.

KEY ISSUES

The application has been approved by the Historic Preservation Office and the Commission of Fine Arts. However, it is not in keeping with the intent of the District's public space regulations of building code.

Embassy buildings play an important role in defining the international identity of the District, in part by flying the flags of their countries. However the location of the proposed flag pole conflicts with the District regulations discouraging them in public space. Existing regulations support flag staffs attached to buildings with flags hanging into public space just beyond a property line. These regulations reinforce the overall principle that public space remains open and landscaped, and minimizing elements that imply the appropriation of public space as an extension of an adjacent private property.

SUMMARY AND RECOMMENDATION

The proposed flag pole introduces an element into public space that implies this area is an extension of the private property. Existing regulations allow for flags to be mounted to buildings in accordance, hung higher than 18 feet above the ground, and be no more than 42 inches over public space.

The Office of Planning recommends that this application be denied and as an alternative that the flag be mounted to the façade of the building.