

**COMMUNITY MEETING RE 3100 R STREET, NW – BZA CASE NO. 21143**  
**RESPONSES TO COMMUNITY QUESTIONS**

**July 29, 2024**

**Harvard University in Georgetown**

- *How many acres and buildings does HU own in Georgetown? How many of these buildings are zoned residential?*
- *How many of HU’s Georgetown buildings are currently under construction?*
- *How many visitors come to HU’s Dumbarton Gardens each year?*
- *How does HU collaborate with the very local Georgetown community?*
- *How does HU’s staff update the Georgetown neighbors surrounding your properties about upcoming HU events, construction, parking permits, safety issues, etc. that may impact the very local community?*
- *Why do you think the ANC was unaware of HU’s BZA request until the ANC received the request from the BZA?*

The Dumbarton Oaks Campus Plan encompasses the 16-acres generally bounded by Dumbarton Oaks Parks on the north, Montrose Park to the east, R and S Streets to the south, and Jelleff Field and single family residences to the west. In addition to the campus, Dumbarton Oaks controls the following buildings:

1. The Director’s Residence at 3240 S Street, NW – zoned R-1B/GT
2. Fellowship House at 1700 Wisconsin Avenue, NW – zoned MU-4
3. The Oaks Townhouse at 3104 R Street, NW – zoned R-1B/GT
4. Robles House at 3100 R Street, NW – zoned R-1B/GT
5. La Quercia Apartments at 1619 30th Street, NW – R-3/GT

The current Dumbarton Oaks campus plan was approved by the Zoning Commission on February 28, 2021, pursuant to ZC Order No. 20-29. There are four projects within the campus plan that are underway:

1. The Greenhouse – completion projected by Labor Day;
2. The Library Terrace – completion projected by Labor Day;
3. The relocation of the Cooling Tower – completion projected by the end of 2024; and
4. The Farrand House, completion projected by the end of 2025.

The number of visitors to the Dumbarton Oaks gardens fluctuates from year to year. Before the Pandemic, in 2019, approximately 39,000 persons visited the gardens. Last year, there were approximately 65,000 visitors; but that number was twice as high as the year prior, when there was approximately 36,000 visitors.

Permits for events, construction, and the use of public space are handled through the District agencies, primarily Department of Buildings and DDOT, which should provide notice to the ANC.

Tom Cummins was named Dumbarton Oaks Director in 2021. Since then, he has hosted events for Georgetown stakeholders at the Directors Residence. Mr. Cummins lives in the neighborhood and is willing to meet with the immediate Georgetown community as necessary.

The Applicant served the ANC with a copy of the zoning application the same day it was filed with the BZA. Dumbarton Oaks learned of the need to file the BZA application in March, after OTR classified the property as Commercial for tax purposes. Dumbarton Oaks filed the application as soon as possible with the hope of having it reviewed by the BZA in July. Typically, for an application of this nature, three months is sufficient time for an applicant to meet with the ANC and community stakeholders and address issues that would be relevant to the BZA's review.

### **Key Rationale and Timeframe**

- *HU has owned this home for three years - since 2021 when HU purchased it for residential use – why is HU filing for a BZA special exception and variance years now? As written, it can mean a total of seven years of no residential use of this home?*
- *Many residential renovations occurred in Georgetown during COVID and since COVID, why has this HU project been more impacted by supply chain issues than the other home renovations in Georgetown?*
- *How certain is HU that your work on 3100 R Street NW will begin January of 2025 at latest?*
- *Why is HU not able to temporarily locate the four (4) office staff you want to place in this residential home in any of the properties HU currently owns, thereby avoiding the need for this BZA application process? Or, has HU considered renting temporary empty office space on Wisconsin Ave, which is less than a block away from other parts of your campus, thereby avoiding the need for this BZA application process?*

The property was purchased for Dumbarton Oaks in March of 2021. Immediately afterwards, Dumbarton Oaks engaged Cunningham Quill architects to study the renovation of the property and file an application with OGB/CFA. OGB/CFA approval was obtained in February of 2022. Also, in 2021, the Dumbarton Oaks campus plan was approved. The plan was amended in 2023, to permit the construction of the Farrand House. The amendment also provided for the relocation and reconfiguration of the cooling towers, mechanical equipment and service court at the northwest edge of the campus. These projects are underway.

The supply chain issues resulting from the Pandemic affected the cost of labor and materials for construction projects. Dumbarton Oaks had to reevaluate the timing and funding for all of its projects. The projects within the campus plan were prioritized and are expected to be completed by the end of 2025. Once those projects are completed, Dumbarton Oaks will proceed with the renovation of 3100 R Street. The renovations are expected to commence no earlier than January 2027. The primary factors affecting the timing are unforeseen delays with the construction of the Farrand House, the timing for OGB/CFA approval, and the permitting process.

In January of 2022, the Department of Buildings deemed the property vacant. In February of 2022, four

Dumbarton Oaks employees occupied the building so that it would not be deemed vacant and subject to be a vacant property tax. When the property was reclassified to Commercial, Dumbarton Oaks was advised to file the BZA application seeking special exception approval for the nonprofit use of the property.

### **Hardship and Taxes**

- *What hardship will HU avoid if the community and ANC supports your application?*
- *Will HU taxes for 3100 R Street NW change if HU's BZA application is supported? By how much and why?*
- *How much will HU invest in 3100 R St, taking into account both professional fees and construction costs, to try to use this residential property as an office for a temporary period?*
- *If financial challenges play into HU seeking both a BZA variance and special exception, what is prohibiting HU from accessing more funds or adjusting operations in Georgetown, e.g. slightly raising Garden entrance fees?*

If the BZA approves the application, Dumbarton Oaks will be able to file an application for a real property tax exemption for the property. If granted, the tax classification for the property will be changed from Commercial to Nonprofit.

The Department of Buildings has confirmed that there are no required renovations or upgrades to the mechanical equipment for the proposed interim use of the property.

Dumbarton Oaks has initiated work toward the renovation of the home for housing scholars, including interior demolition to investigate behind walls and underground; replacing the main sewer line serving the property; and investigating the exterior for poulitice brick cleaning, which is necessary to remove five layers of paint so new paint can be applied to the original brick.

Please note that the BZA's standard of review for the application is not hardship; it is practical difficulty.

### **Comparable Projects and Residential Community**

- *Is HU aware that a family offered to buy the property in 2021 for cash and offered over the asking price?*
- *Does HU think the transition of a residential property to an office – like Coolidge house you put in record to BZA – is comparable to your proposal? Why or why not?*
- *Does HU understand why some neighbors are concerned that a Georgetown home would be serving as an office, including concerns such as less people walking around on weekends, no evening foot traffic, no purchasing items at nearby store, etc.?*

Dumbarton Oaks employees will perform office and administrative tasks out of the property so that it is not vacant 24 hours a day, making it subject to a vacant property tax. There are no physical changes being made to the building to transition it for interim office use.

The proposed nonprofit use at 3100 R Street is significantly different than the approved use for Coolidge House. In addition to scholars in residence, Coolidge House is open to the public for the Coolidge Exhibit,

academic programming and fundraising. Other than the short-term use of the property for office/administrative tasks by no more than four people, 3100 R Street will be limited to housing Dumbarton Oaks scholars. There will not be any events open to the public or events for a large number of people.

Dumbarton Oaks understands why some neighbors desire to have people living in the property at 3100 R Street. Dumbarton Oaks desires the same in order to enhance its academic programming.

### **Construction Plans: OGB and City Building Permits**

- *Have you removed the large box structure on property's roof that was not approved by OGB or by city permits?*
- *HU purchased this house in March of 2021 and had a concept plan approved by the OGB in 2022. That OGB plan has expired and there is no active OGB application. Will HU be using the same OGB plan at some point?*

The box structure on the property's roof has been removed. Notably, it was installed at the request of CFA. Dumbarton Oaks plans to submit the previously approved plans to OGB/CFA for the renovation of the property.

### **Maintenance of 3100 R Street**

- *Does HU think the exterior landscaping has been well maintained since HU purchased the home in 2021?*
- *Do the same landscaping staff that work on HU's other Georgetown properties work on 3100 R Street NW?*
- *Does HU think the exterior of the building has been well maintained since HU purchased the home in 2021?*

The same landscaping staff assigned to the Dumbarton Oaks campus is responsible for maintaining 3100 R Street. The staff has been directed to better maintain the landscaping on a regular basis. Dumbarton Oaks has maintained and made improvements to both the interior and exterior of the building.

### **HU/Dumbarton Oaks Campus Plan**

- *Which of the properties that HU owns in Georgetown are part of the Campus Plan?*
- *When will 3100 R Street NW become part of the Campus Plan?*
- *Are all aspects of the Campus Plan being followed?*
- *Has HU considered moving as many office workers off the main DO/HU campus and into the homes you own on R and S Street while the residents/scholars can be located on the greener parts of DO/HU campus?*

The Dumbarton Oaks campus plan encompasses the 16-acres generally bounded by Dumbarton Oaks Parks on the north, Montrose Park to the east, R and S Streets to the south and Jelleff Field and single family residences to the west. There are no plans to expand the campus plan to include 3100 R Street or any other property.

In February of 2021, the Zoning Commission approved the Dumbarton Oaks Campus Plan. The Campus Plan does not include any housing accommodations for Dumbarton Oaks fellows or scholars; and there are no plans to move office workers into residential buildings so that residents/scholars can stay on the campus. Dumbarton Oaks is in compliance with the campus master plan, as approved.

### **Community Updates**

- *Should a temporary period be supported, will the Applicant submit an update to the immediate neighbors and the ANC every six months during this period regarding the status of both the plans for 3100 R as a residence and the construction of the permanent offices that will house the temporary staff you propose to put in 3100 R Street NW?*
- *Is there a specific HU/DO contact neighbors contact for properties adjacent to non-HU land/homes? Who is this? How are requests / issued reported by neighbors tracked by HU?*

There will not be any changes to the property to support the interim office use.

Dumbarton Oaks is agreeable to providing an update to the immediate neighbors/ANC every six months regarding the status of 3100 R Street until the renovation of the property is completed.

For any questions/issues related to any Dumbarton Oaks properties, neighbors should contact the following:

1. Dumbarton Oaks 24-hour security, which will respond to emergencies for any Dumbarton Oaks property – 202-339-6490.
2. David Conine, Director of Facilities of Dumbarton Oaks
3. Yota Batsaki, Executive Director of Dumbarton Oaks
4. Tom Cummins, Director of Dumbarton Oaks, and also resides at 3240 S Street, NW

### **Proposed Conditions and Enforcement**

- *Is HU aware that any conditions go with the property and not the owner of the property?*
- *Can HU legally sell the property after you gained community support for an area variance and special exception?*
- *Are the terms of HU Dumbarton Oak's Executive Director and Director time limited?*
- *Is HU interested in creating a set of mutually agreed upon conditions? Would the HU Board of Trustees Chair sign a letter publicly committing to such a set of conditions if they were mutually agreed upon? How would you address the sale of the property in the conditions?*
- *Our community has no enforcement arm, and the city services are stretched. What would HU propose as an effective way to report to neighbors should unforeseeable circumstances mean HU was unable to meet a set of yet-to-be-determined, mutually agreed upon conditions?*

Dumbarton Oaks is agreeable to a set of mutually agreed upon conditions intended to mitigate the impacts of the proposed nonprofit use of the property. A preliminary list of conditions that was forwarded to the

ANC and the BZA is attached.

Any conditions related to the use of the property should be included as part of the zoning order approved by the BZA so that they are in the public record. That way, violations of the conditions can be reported by any community stakeholder and enforced by the Department of Buildings. A separate letter is not more binding than the conditions in the zoning order.

In the future, should Dumbarton Oaks be unable to meet a condition that is included in the zoning order, Dumbarton Oaks would be required to go back to the ANC and the BZA to modify the approval.

The Applicant is aware that a BZA approval, including the related conditions, run with the land. As such, if the property is sold, any restrictions on the property would apply to a subsequent owner. While the Applicant can legally sell the property, it does not have a history of selling property related to Dumbarton Oaks.