

**BEFORE THE DISTRICT OF COLUMBIA
ZONING COMMISSION**

**Application of Trustees for Harvard University
Renewal of Approved Campus Plan
Center for Hellenic Studies
3100 Whitehaven Street, N.W.**

PRELIMINARY STATEMENT OF COMPLIANCE WITH BURDEN OF PROOF

I. Introduction

The Trustees for Harvard University (the "Trustees" or the "Applicant"), the owner of property located at 3100 Whitehaven Street, N.W. (Square 2155, Lot 802) (the "Site"), submits this statement in support of its application to the Zoning Commission, pursuant to 11 DCMR §§ 210, 3104, and 3035, for a renewal of the existing campus plan and a special exception to permit university use in the D/R-1-A District at the Site.

The Site has served as the campus for Harvard University's Center for Hellenic Studies (the "Center") since 1963. The Site was first approved for university use by the Board of Zoning Adjustment ("BZA") in 1961 (BZA Appeal No. 6430). The BZA has since approved a number of applications involving modifications and further processings to the approved campus plan in support of certain small-scale improvements and additions (*see* BZA Application Nos. 14659, 15780, 16213, and 16213). Most recently, the Zoning Commission approved an application for special exception approval of the campus plan for a period of ten years, or until March 16, 2015 (*see* Z.C. Order No. 04-32, dated February 10, 2005 and effective on March 16, 2005).

Through the present application, the Trustees request approval of the Center for Hellenic Studies Campus Plan 2015-2025 (the "Campus Plan"). The enclosed materials include updated site and planning documents, along with an overview of the Trustees' intentions for the campus over the course of the next decade.

II. Background

The Center serves as an educational center in the field of Hellenic Greek studies, emphasizing the humanistic tradition through its extensive library holdings, by hosting colloquia and research fellows in the field, and by pioneering digital teaching technologies. The Center consists of a relatively small six-acre campus tucked into the hillside to the north of Dumbarton Oaks Park in northwest Washington, DC. The campus is accessed from Whitehaven Street, N.W., which is a short dead-end street running northwest from Massachusetts Avenue, N.W. and terminating just below Observatory Circle. The Site abuts the Embassy and Chancery of the Kingdom of Denmark to the west and the Chancery of the Republic of Italy to the east.

In accordance with 11 DCMR § 3113.8, the Applicant will file its prehearing statement with the Commission no fewer than 14 days prior to the public hearing for the present application. In the statement and at the public hearing the Applicant will provide testimony and evidence to meet its burden of proof to obtain the Commission's approval of the requested special exception. Following herein, as required by the Commission's application process, is a summary statement indicating how the Applicant will meet the burden of proof.

II. Burden of Proof:

Pursuant to 11 DCMR § 210.1, use as a college or university that is an academic institution of higher learning shall be permitted in all residential zones if approved by the Zoning Commission under 11 DCMR § 3104, subject to the provisions of 11 DCMR § 210. The Site is located in the D/R-1-A District.

A. Section 3104.1. *The Commission is authorized to grant the campus plan special exception, where, in the judgment of the Commission, it will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with the Regulations and Maps.*

The Center has been located in its current location since 1963. The university use of the Site is permitted through special exception, and the BZA and Zoning Commission have found on a number of occasions that this use is in harmony with the purpose and intent of the Zoning Regulations, and that the location and program of the campus is not likely to become objectionable to adjoining or nearby property owners. The Applicant is not aware of any neighbor or community opposition to the continued university use of the Site.

B. Section 210.2. *The university use shall be located so as not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions.*

As the BZA and Zoning Commission have previously determined, the facilities included in the Campus Plan are located so that they are not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions. The Center is largely hidden from public view and is accessible to vehicles only from Whitehaven Street, N.W., which is a quiet residential dead-end street accessible only from Massachusetts Avenue, N.W. Moreover, the Center's only abutting neighbors are foreign missions, with Italy to the east and Denmark to the west. The Center enjoys good relations with its residential neighbors along Whitehaven Street, N.W. and has adequate parking located throughout the campus.

The campus use of the Site represents an exceptionally low density and low intensity of use. The existing building density on the six-acre site is approximately only 0.17 floor area ratio ("FAR"). Further, by virtue of the Center's unique mission, it generally attracts as students/fellows mid-career professors of classical studies who reside at the Center during the academic year to conduct research, travel in support of their research, and teach. Approximately 16 fellows are in residence during a typical academic year.

C. Section 210.3. *The maximum bulk requirements of individual buildings may be increased beyond what would otherwise be permissible, provided that the total bulk of all buildings and structures shall not exceed the gross floor area prescribed for the R-5-B District, namely 1.8 FAR.*

The total bulk of all the buildings and structures on the Site is 0.17 FAR.

D. Section 210.4. *The applicant must submit to the Commission a campus planning document, showing the location, height, and bulk, where appropriate, of all existing and proposed improvements, including: (a) buildings and parking and loading facilities; (b) screening, signs, streets and public utility facilities; (c) athletic and recreational facilities; and (d) a description of activities conducted on the campus and capacity of all present and proposed campus development.*

The Trustees have provided the above-listed materials in the Center for Hellenic Studies Campus Plan, included with the present Application.

E. Section 210.5. *Within a reasonable distance of the college or university campus, and subject to compliance with the provisions of § 210.2, the Commission may also permit the interim use of land or improved property with any use that the Commission may determine is a proper college or university function.*

No interim use of land or improved property outside of the campus area is proposed.

F. Section 210.6. *When a major new building that has been proposed in a campus plan is instead moved off-campus, the previously designated site shall not be designated for or devoted to a different major new building until and unless the Zoning Commission has approved an amendment to the campus plan applicable to the site; provided, that for this purpose a major new building is defined as one specifically identified in the campus plan.*

The Trustees do not propose to move any major new or previously-approved buildings off-campus.

G. Section 210.7. *In reviewing and deciding a campus plan application or new building construction pursuant to a campus plan, the Commission shall consider, to the extent they are relevant, the policies of the District Elements of the Comprehensive Plan.*

The Campus Plan is consistent with the District's policies set forth in the Comprehensive Plan. The Comprehensive Plan Future Land Use Map shows the Site located in the Low Density Residential land use category, and the Comprehensive Plan Generalized Policy Map shows the Site located in the Neighborhood Conservation Area category. The Campus Plan is consistent with these designations.

The Campus Plan is also consistent with several of the Comprehensive Plan's Citywide elements, including *Policy LU-2.3.5: Institutional Uses*, which recognizes the importance of institutional uses to the economy, character, history, and future of the District of Columbia.

Consistent with this policy, the Campus Plan is designed to operate in a manner that is sensitive to neighborhood uses and maintains quality of life. The Center also works proactively to address issues such as traffic and parking, hours of operation, outside use of facilities, and facility expansion. 10A DCMR § 311.7.

The Campus Plan is consistent with the District's more specific policies in support of institutional uses, which make an important contribution to the District's economy and are an integral part of Washington's landscape and history. 10A DCMR § 315.1-3. These policies encourage a continued investment in high quality architecture and design on local campuses, low impact development, and the adaptive reuse and preservation of historic buildings. 10A DCMR § 315.5. The Campus Plan is consistent with *Policy LU-3.2.3: Non-Profits, Private Schools, and Service Organizations*, which encourages institutional uses that occupy large sites within residential areas to be planned, designed, and managed in a way that minimizes objectionable impacts on adjacent communities. 10A DCMR § 315.8. It is also consistent with *Policy EDU-3.3.1: Satellite Campuses*, which promotes the development of satellite campuses to accommodate university growth, relieve growth pressure on neighborhoods, spur economic development and revitalization in neighborhoods, and create additional lifelong learning opportunities for District residents (10A DCMR § 1214.5) and with *Policy EDU-3.3.3: Campus Plan Requirements*, which requires campus plans to be prepared by institutions, subject to District review and approval, that address issues raised by the surrounding communities. 10A DCMR § 1214.7.

Finally, the Campus Plan is consistent with the Near Northwest Area Element of the Comprehensive Plan, the area of the District in which the Site is located. The Near Northwest Area is located directly north and west of Central Washington and is known for its historic architecture, well-established neighborhoods, and nationally recognized institutions. 10A DCMR § 2100.1-2. The Campus Plan is consistent with this area's planning and development priority of maintaining the existing quality and scale of development. 10A DCMR § 2107.2(c). It is also consistent with *Policy NNW-1.1.1: Residential Neighborhoods*, which encourages the maintenance and enhancement of the historic, architecturally distinctive mixed-density character of Near Northwest neighborhoods. In this case, the Applicant is not proposing to make any significant changes to the existing development on the Site, and therefore the Campus will continue to integrate well with the surrounding uses and character.

H. Section 210.8. *As an integral part of the application requesting approval of new building construction pursuant to a campus plan, the university shall certify and document that the proposed building or amendment is within the floor area ratio limit for the campus as a whole, based upon the computation included in the most recently approved campus plan and the FARs of any other buildings constructed or demolished since the campus plan was adopted.*

The Applicant is not requesting approval of any new construction as part of this application. As indicated in the Campus Plan documents, the Applicant intends to make some minor design changes to some of the existing buildings and landscape elements on the Site. The Applicant certifies that all potential upgrades will be within the FAR limit for the campus as a whole.

I. Section 210.9. *Before taking final action on applications for use as a college or university, the Commission shall submit the application to the D.C. Office of Planning and the D.C. Department of Transportation for review and written reports.*

It is the Applicant's understanding that the Office of Zoning will refer this application to the Office of Planning and the District Department of Transportation ("DDOT"). The Applicant will meet with representatives of the Office of Planning and DDOT prior to the public hearing in this matter.

For all these reasons, the Center satisfies the requirements for special exception approval for its continued use of the Site as a university that is an academic institution of higher learning.