

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION ORDER NO. 15-06

Z.C. Case No. 15-06

The Trustees for Harvard University
(2015-2025 Campus Plan @ Square 2155)

June 18, 2015

Application of The Trustees for Harvard University (“Applicant”), pursuant to 11 DCMR §§ 210, 3104, and 3035, for special exception review and approval of a new campus plan for Harvard University’s Center for Hellenic Studies, to permit the continuation of a university use in the D/R-1-A Zone District at 3100 Whitehaven Street, N.W. (Square 2155, Lot 802) (the “Subject Property”).

HEARING DATE: June 18, 2015

DECISION DATE: June 18, 2015

SUMMARY ORDER

The zoning relief in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit [“Ex.”] 5.)

The Zoning Commission for the District of Columbia (“Commission”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to the Applicant, Advisory Neighborhood Commission (“ANC”) 2E, and to owners of property within 200 feet of the Subject Property. The application was also referred to the Office of Planning (“OP”), the District Department of Transportation (“DDOT”), and the District Department of the Environment (“DDOE”) for review and report. (Ex. 13.)

The Subject Property is located within the jurisdiction of ANC 2E. By letter dated May 7, 2015, ANC 2E stated that at its regularly scheduled, duly noticed public meeting on May 4, 2015, at which a quorum was present, ANC 2E voted unanimously to support the application. (Ex. 15.)

As directed by 11 DCMR § 3119.2, the Commission required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a special exception under 11 DCMR § 210. The Applicant submitted a brief addressing all aspects of the special exception. No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in this proceeding. The only parties to the application were the

affected ANC and the Applicant. Accordingly, a decision by the Commission to grant this application would not be adverse to any party.

OP submitted a timely report on June 8, 2015, recommending approval of the application. (Ex. 18.) DDOT submitted a timely report on June 9, 2015, stating that it has no objection to the requested action, with the condition that the Applicant install a minimum of two bicycle racks within the campus with one fixture placed near the administration building and the other fixture placed adjacent to the multi-unit residential building. (Ex. 19.) At the public hearing, the Applicant agreed to provide the two additional bicycle racks.

Based upon the record before it, the Commission concludes that the Applicant has met the burden of proof under 11 DCMR §§ 210 and 3104.1, and that the requested relief will be in harmony with the general purpose and intent of the Zoning Regulations and Map, and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore **ORDERED** that the application is **GRANTED** for a period of **10 years** from the final date of this Order subject to the following conditions:

1. No later than three months after the final date of this Order, the Applicant shall install two bicycle racks within the campus with one fixture placed near the administration building and the other fixture placed adjacent to the multi-unit residential building.
2. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §§ 2-1401.01 et seq. (Act), the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination which is prohibited by the Act. In addition, harassment based on any of the above protected categories is prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

Pursuant to 11 DCMR § 3100.5, the Commission has determined to waive the requirement of 11 DCMR § 3125.3 that the Order be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

VOTE: **5-0-0** (Marcie I. Cohen, Robert E. Miller, Anthony J. Hood, Peter G. May, and Michael G. Turnbull to approve).

Z.C. ORDER No. 15-06
Z.C. CASE No. 15-06
PAGE 3

BY THE ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

ATTESTED BY:



SARA A. BARDIN
Director, Office of Zoning

FINAL DATE OF ORDER: August 17, 2015