

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
ZONING COMMISSION ORDER NO. 20-08E  
Z.C. Case No. 20-08E  
Howard University  
(Howard University Central Campus Plan Amendment & Further Processing)  
July 21, 2025

Pursuant to notice, at its July 21, 2025 public hearing, the Zoning Commission for the District of Columbia (“Commission”) considered the application (“Application”) of Howard University (“Applicant” or “University”) for an amendment and further processing to Howard University’s 2020-2030 Central Campus Plan (the “Campus Plan”), which was approved in Z.C. Order No. 20-08 (the “Original Order”), as modified by Z.C. Order Nos. 20-08A, 20-08B, and 20-08C,<sup>1</sup> pursuant to Subtitle X §§ 101.1 and 101.9, to permit the temporary installation and use of prefabricated, modular units for classroom, lab and administrative office space (“Application”) on the University’s Banneker parking lot located at 2345-2525 Sherman Avenue, N.W. (Square 2882, Lots 950-953 and 1037) (the “Property”), for a period of five years.

The Commission considered the Application pursuant to the Commission’s Rules of Practice and Procedures, which are codified in Subtitle Z of Title 11 of the District of Columbia Municipal Regulations (Zoning Regulations of 2016, the “Zoning Regulations,” to which all subsequent citations refer unless otherwise specified). For the reasons stated below, the Commission **APPROVES** the Application.

**\*\* SUMMARY ORDER \*\***

**BACKGROUND**

1. Pursuant to Z.C. Order No. 20-08, effective April 8, 2022, the Commission approved the Campus Plan.
2. Pursuant to Z.C. Order Nos. 20-08A and 20-08B, effective April 29, 2022 and June 9, 2023, respectively, the Commission approved separate requests for special exception relief to permit interim university uses of various properties near the University.
3. Pursuant to Z.C. Order No. 20-08C,<sup>2</sup> effective February 14, 2025, the Commission approved a modification to include the property at 2711 Georgia Avenue, N.W. within the boundaries of the Campus Plan.

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<sup>1</sup> Z.C. Case 20-08D, a further processing application for approval to construct a student housing building, was filed on November 27, 2024; however, the public hearing for the case has not yet occurred and is currently scheduled for February 9, 2026. Accordingly, there is not a final order for Z.C. Case 20-08D.

<sup>2</sup> *Id.*

## PARTIES

4. Advisory Neighborhood Commission (“ANC”) 1E,<sup>3</sup> in which the Property is located, is the “affected ANC” and automatically party to the Application.
5. The Commission received no additional requests for party status.

## NOTICE

6. On December 11, 2024, the Applicant mailed a Notice of Intent to file the Application to ANC 1E as well as the owners of all property within 200 feet of the perimeter of the Property site (Exhibit [“Ex.”] 8).
7. On March 28, 2025, the Applicant served the Application on ANC 1E and the Office of Planning (“OP”), as attested to by the certificate of service included in the Application (Ex. 2).
8. On May 9, 2025, the Office of Zoning (“OZ”) sent the notice of the July 21, 2025 virtual public hearing to:
  - The Applicant;
  - ANCs 1B and 1E;
  - ANC Single Member Districts (“SMD”) 1B03 and 1E06;
  - The Office of ANCs;
  - Councilmember Brianne Nadeau, the Ward 1 Councilmember, in whose Ward the Property is located;
  - The Chair and At-Large Members of the D.C. Council;
  - OP;
  - The Department of Buildings (“DOB”);
  - The Department of Energy and the Environment (“DOEE”);
  - The District Department of Transportation (“DDOT”);
  - The Office of Zoning Legal Division (“OZLD”); and
  - The property owners within 200 feet of the Property site. (Ex. 10, 10A).
9. OZ also published notice of the July 21, 2025, 2025 virtual public hearing in the May 16, 2025 issue of the *District of Columbia Register* (72 DCR 005928 *et seq.*) as well as on the calendar on OZ’s website (Ex. 9).
10. The Applicant provided evidence that it had posted and maintained notice of the public hearing on the Property in compliance with Subtitle Z § 402 (Ex. 14, 18).

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<sup>3</sup> ANC 1B was the sole affected ANC in Z.C. Case No. 20-08. As a result of the District’s redistricting effective January 1, 2023, the majority of the Campus (including the Property) is now located in ANC 1E, and portions of the Campus remain in ANC 1B. However, ANC 1B is not an affected ANC in this case, per Subtitle Z § 101.8, because it is not directly across the street from the Property.

## **THE APPLICATION**

11. On March 28, 2025, the Applicant filed the Application requesting an amendment and further processing to the Campus Plan to permit the temporary installation and use of prefabricated, modular units on the Property for classroom, lab and office space, for a period of five years (Ex. 1-8).
12. The Application stated that the Property is an unstriped asphalt lot divided into north and south lots (“Banneker North” and “Banneker South”) that are separated by a small, low rise rectangular building that is used as sculpture studio by the University’s Fine Arts Department. Three modular units are currently located on the Banneker North. They were installed there with an approval of the Zoning Administrator (“ZA”) due to an emergency created by the massive failure of the University’s steam plant that damaged nearby academic buildings rendering them inhabitable. The units house classroom space and University offices (Ex. 3).
13. The Application requests further processing for the three existing modules on Banneker North and one new module to be installed on Banneker South. The new modular unit is needed to house instructional labs and research-related functions currently provided in the University’s Physics building, Thirfield Hall, during a substantial renovation of that building.(Ex. 3; 5A1-5A2).
14. The installation of the new modular unit on Banneker South will reduce the existing parking on the lot by approximately 50 spaces. Parking will be fenced off, and appropriate lighting will be installed. Some of the parking to be removed had been used by the nearby 9:30 Club in the evenings per an agreement with the University. These spaces will be provided elsewhere on the campus for the 9:30 Club’s continued use (Ex. 3).
15. A portion of the existing asphalt on Banneker South will be removed and landscaped to address green area ratio (“GAR”) requirements but full compliance, as assessed against the entire Property, cannot be met due to the fact that there is no space for any landscaping on Banneker North where the existing modules cover the majority of the lot.<sup>4</sup> (Ex. 3).
16. The Application stated that the proposed temporary installation of modular units on the Property does not negate the University’s intent to ultimately develop the Property with student housing, as indicated in the Campus Plan (Ex. 3).

## **APPLICANT’S JUSTIFICATION**

17. The Applicant asserted that the Application met the requirements for amendment and further processing to the Campus Plan pursuant to Subtitle X § 101 because (Ex. 3):
  - (a) The University is an educational institution, and the proposed modular units will house University classrooms, labs and administrative office space (*X § 101.1*);
  - (b) The use is not likely to become objectionable to surrounding residential property due to noise, traffic and parking, number of students, or other objectionable

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<sup>4</sup> Given the temporary nature of the modular unit use, special exception relief from GAR requirements is not required in these factual circumstances.

conditions because the number of spaces on the lots is substantially reduced with the modulars; they will be accessed by students and faculty by walking to the Property; and the classroom and other uses inside the modulars will not cause any noise on the Property or to adjacent properties (*X § 101.2*);

- (c) The Campus Plan remains in compliance with the maximum height and floor area ratio requirements as the modular units will have a minimal impact on the 1.8 FAR permitted for the R zoned portions of campus (*X § 101.5*);
- (d) The Application was preceded by approval of the Campus Plan as a plan for developing the campus as a whole (*X § 101.8*);
- (e) The Application is filed as a special exception for a further processing to the Campus Plan (*X § 101.9*);
- (f) The Application is not inconsistent with the relevant policies of the Citywide Elements of the Comprehensive Plan, including when viewed through a racial equity lens,<sup>5</sup> and given its temporary nature it should have neutral impacts. (*X § 101.11*); and
- (g) The Campus remains within the FAR limit for the campus as a whole as the modular units will consist of approximately 70,000 square feet of gross floor area. (*X § 101.12*)

#### **RESPONSES TO THE APPLICATION**

##### **OP**

17. OP filed a report dated July 11, 2025, that recommended approval of the Application for temporary installation of modular units on the Banneker parking lot for a period of five years. OP states that the proposed modular units would meet the requirements of Subtitle X § 101 because the uses are general university, educational uses that would not generate noise impacts on nearby residents and uses; the uses would not lead to an increase in parking, traffic, or number of students as the facilities would serve students, staff, and faculty already on campus and would remove 50 existing parking spaces from the Banneker South lot; and the uses would not result in other objectionable conditions. OP concluded that the Application would not be inconsistent with the Comprehensive Plan and would have a neutral impact on racial equity<sup>6</sup> (Ex. 17).

##### **DDOT**

18. DDOT filed a July 9, 2025 report citing no objection to the Application and noted that the modular units will reduce existing parking on the Property by approximately 50 spaces, and no vehicular access changes are proposed at the Property (Ex. 16).

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<sup>5</sup> The Applicant provided a Racial Equity Analysis, consistent with the requirements of the Commission's Racial Equity Tool and inclusive of a discussion of its Community Outreach and Engagement efforts regarding the Application (*See Ex. 3, pp. 4-7*).

<sup>6</sup> The OP Report provided a Racial Equity Analysis, as required by the Commission's Racial Equity Tool, inclusive of Disaggregated Race and Ethnicity data for the Mid-City Planning Area, in which the Property is located (*See Ex. 17, pp. 10-11, 13-16*).

ANC

19. ANC 1E submitted a July 3, 2025 report stating that at a regularly-scheduled and duly-noticed June 25, 2025 public meeting, with a quorum present, ANC 1E voted unanimously to support the Application, noting the following concerns:
- (a) The time allowed for this temporary use should be limited to five years with this application; and
  - (b) The lots used should be beautified with graphic elements on the fencing and area plantings. Howard University has agreed to limit this application to five years and to include language on beautification efforts.
- (Ex. 15).

CONCLUSIONS

1. Pursuant to the authority granted by the Zoning Act, approved June 20, 1938 (D.C. Official Code § 6-641.01), the Commission may approve an application for education use by a college or university as a special exception, including amendment to an existing campus plan and further processing of an approved campus plan, consistent with the requirements set forth in Subtitle X § 101, Subtitle X Chapter 9, and Subtitle Z § 302. The Commission concludes that the Applicant has met the burden of proof and the Application satisfies the special exception standards for the requested amendment to the Campus Plan and the further processing thereof for the reasons stated herein.

“GREAT WEIGHT” TO THE RECOMMENDATIONS OF OP

2. The Commission must give “great weight” to the recommendations of OP stated in the OP Report pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.)) and Subtitle Z § 405.9 (*Metropole Condo. Ass’n v. District of Columbia Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)).
3. The Commission finds persuasive OP’s recommendation that the Commission approve the Application for a period of five years and therefore concurs in that judgment.

“GREAT WEIGHT” TO THE WRITTEN REPORT OF THE ANC

4. The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting pursuant to §13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl.)) and Subtitle Z § 406.2. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances (*Spring Valley-Wesley Heights Citizens Ass’n v. District of Columbia Zoning Comm’n*, 856 A.2d 1174, 1180 (D.C. 2004)). The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. District of Columbia Bd. of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (D.C. 1978) (citation omitted)).

5. The Commission finds ANC 1E's recommendation to approve the Application persuasive and concurs in that judgment. The Commission also finds persuasive the ANC's concerns that the Banneker lots should be beautified with graphic design elements on the fencing and area plantings, and that the modular unit use should be limited to five years. Accordingly, this Order includes such conditions of approval.

#### **SUMMARY ORDER**

6. Since no persons or parties appeared in opposition to the Application and the affected ANC 1E, supported the Application, a decision by the Commission to grant this Application would not be adverse to any party. Therefore, pursuant to Subtitle Z § 604.7, the Commission authorized a summary order in this case and determined it may waive the requirement that findings of fact and conclusions of law accompany the Order because such waiver will not prejudice the rights of any party.

#### **DECISION**

In consideration of the record and the reasons stated herein, the Commission concludes that the Applicant has satisfied its burden of proof and therefore **APPROVES** the Application for an amendment and further processing to the Campus Plan to permit the temporary installation and use of prefabricated, modular units for classroom, lab and administrative office space on the University's Banneker parking lot as depicted in the Architectural Plans at Ex. 5A1-5A2 in the record of Z.C. Case No. 20-08E, for a period of five years; and subject to the following conditions.

Prior to the opening and occupancy of the new modular unit to be installed on the Banneker South lot, the University shall provide evidence to the Zoning Administrator to demonstrate that it:

- (a) Met with ANC 1E to solicit input on the University's proposed beautification and design concepts for the Banneker lots, inclusive of fencing and plantings and content reflective of Howard University and its educational activities; and
- (b) Has installed fencing to enclose the new modular unit on the Banneker South lot that matches the fencing surrounding the existing modular units on the Banneker North lot and that includes graphics and imagery on custom printed fence wraps on some portions of the fencing.

**VOTE (July 21, 2025): 4-0-1**

(Anthony J. Hood, Tammy Stidham, Gwen Wright, and Robert E. Miller to approve; Joseph Imamura, not present, not voting.)

In accordance with the provisions of Subtitle Z § 604.9, this Order No. 20-08E shall become final and effective upon publication in the *District of Columbia Register*; that is, on January 16, 2026.

**BY THE ORDER OF THE D.C. ZONING COMMISSION**

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



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**ANTHONY J. HOOD**  
**CHAIRMAN**  
**ZONING COMMISSION**



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**SARA A. BARDIN**  
**DIRECTOR**  
**OFFICE OF ZONING**

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.