

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 24-17
Indiana University Foundation, Inc.
Campus Plan Application (1619 Massachusetts Ave. NW (Sq. 181, Lot 850))
March 6, 2025

Pursuant to notice, at its March 6, 2025 public hearing, the Zoning Commission for the District of Columbia (“Commission”) considered the application (“Application”) of Indiana University Foundation, Inc. (“Applicant”) for a special exception for a university use and associated Campus Plan (“Campus Plan”) pursuant to Subtitle X, Section 101 and Subtitle Z, Section 302 (the “Application”), under the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all subsequent citations refer unless otherwise specified). The property that is the subject of the Application is 1619 Massachusetts Ave. NW (Sq. 181, Lot 850) (the “Property”). The Commission reviewed the Application pursuant to the Commission’s Rules of Practice and Procedures, which are codified in Subtitle Z. For the reasons stated below, the Commission **APPROVES** the Application.

**** SUMMARY ORDER ****

Background and Prior Campus Plan

1. As of the filing and approval of the Application, the Applicant was the contract purchaser for the Property and the title owner of the Property was Johns Hopkins University. Johns Hopkins University authorized the Applicant to file and pursue a Campus Plan Application on the Property for the use of Indiana University. (Ex. 6).
2. The Property is zoned to the MU-2/DC zone. The Property is located within the Dupont Circle Historic District and is designated as High Density Residential on the Future Land Use Map of the District of Columbia Comprehensive Plan. University uses, including dormitory uses, are permitted in the MU-2/DC zone with a special exception subject to the conditions of Subtitle X of the D.C. Zoning Regulations. The Campus Plan provisions in Subtitle X, Chapter 1 apply to university uses when permitted as a special exception.
3. The Property was previously part of the Johns Hopkins University Campus Plan, which the Board of Zoning Adjustment initially approved pursuant to Board of Zoning Appeals (“BZA”) Order No. 14387, dated June 11, 1986. The Johns Hopkins University Campus Plan covered two sites: the Property at 1619 Massachusetts Ave NW and 1740 Massachusetts Ave NW.

4. Subsequent to the filing of the Application, Johns Hopkins University sold 1740 Massachusetts Avenue NW to a third party. Upon approval of the Application, the Johns Hopkins University Campus Plan for the Property will terminate and will be fully replaced by the Indiana University Campus Plan.

Parties

5. The Parties in this matter include the Applicant and Advisory Neighborhood Commission (“ANC”) 2B. No additional requests for party status were received.

Notice

6. On August 30, 2024, the Applicant mailed a Notice of Intent to file the Application to ANC 2B and to the owners of all property within 200 feet of the Property. (Ex. 20).¹

7. On November 25, 2025, the Applicant e-mailed a copy of the Application and all related documents to ANC 2B and the Office of Planning. (Ex. 8).

8. On January 14, 2025, the Office of Zoning published the Notice of Public Hearing (Ex. 10) for the March 6, 2025 public hearing to the D.C. Register (Ex. 9) and on January 16, 2025, the Office of Zoning sent the Notice of Public Hearing (Ex. 11A) to the following:

- The Applicant
- ANC 2B
- The ANC Single Member District Commissioner for ANC 2B04
- The Office of the ANCs
- The Ward 2 Councilmember Brooke Pinto
- The Chair and At-Large Councilmembers of the D.C. Council
- The Office of Planning
- The Department of Buildings (“DOB”)
- The Department of Energy and the Environment (“DOEE”)
- The D.C. Department of Transportation (“DDOT”)
- The owners of property located within 200 feet of the Property
- The lead attorney for the Zoning Commission

9. The Applicant submitted an affidavit of posting (Ex. 12) and affidavit of maintenance (Ex. 21) in compliance with Subtitle Z, Section 402.

The Application

10. On November 14, 2024, the Applicant filed the Application for a special exception for a university use and accompanying Campus Plan on the Property. (Exs. 1, 1A, 1B, 2, 3, 4, 5, 6, 7, 8).

¹ The Certificate of Notice at Exhibit 20A contains an incorrect date. The correct date of August 30, 2024 is the date stated on the Notice of Intent to File (Ex. 20).

The Applicant's Justification

11. The Applicant stated that the Application met the requirements for a special exception and associated Campus Plan pursuant to Subtitle X, Section 101 and Subtitle Z, Section 302 in its submissions and presentation including:

- Initial Statement of Support (Ex. 2)
- Supplemental Statement of Support (Ex. 17A)
- PowerPoint Presentation (Ex. 22)

Responses to the Application

12. The Office of Planning ("OP") submitted its report recommending approval of the Application on February 24, 2025. (Ex. 19). The OP report included Attachment 1: DOEE Development Review Comments, in which DOEE provided guidance and commended the applicant for reusing an existing building, which can reduce the carbon emissions associated with new construction projects. OP recommended approval of the Application subject to the following two conditions:

1. Student Enrollment. The Indiana University student headcount shall not exceed **200** students on a daily basis. Of these students, the number of students who have housing assignments at the Indiana University Washington, DC campus shall not exceed 40 students.
2. The Indiana University Campus Plan shall be valid for a period of 10 years.

13. DDOT submitted a report on February 21, 2025 (Ex. 18) in which it stated that it had no objection to the approval of the Application, with the following condition:

- The Applicant shall implement a TDM Plan, for the life of the project. The proposed TDM Plan in the January 21, 2025 Transportation Statement (Exhibit 13) will be updated to include:
 - "The Applicant will commit to enrolling in the Capital Bikeshare University Membership Program and will distribute marketing materials to students to promote the discounted CaBi membership".

14. ANC 2B submitted its report on February 18, 2025 (Ex. 16), in which it stated that at its regular meeting on February 12, 2025, ANC 2B voted 8-0-0 to support the Application.

CONCLUSIONS OF LAW

1. Pursuant to the authority granted by the Zoning Act, approved June 20, 1938 (D.C. Official Code Section 6-641.01), the Commission may approve an application for university use by a college or university as a special exception, including approval of a campus plan consistent with the requirements set forth in Subtitle X, Section 101 and Subtitle Z, Section 302. The Commission

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concludes that the Applicant has met the burden of proof and the requested approvals and relief can be granted. The Application satisfies the special exception standards for the university use and associated Campus Plan as follows:

- The uses are located so that they are not likely to become objectionable to neighboring property because of noise, traffic, parking, number of students, or other objectionable conditions. (Subtitle X § 101.2)
- The Property is not located in an R, RF, or RA zone. (Subtitle X § 101.3)
- The campus plan will not serve as a process to create general commercial activities or developments unrelated to the educational mission of the applicant or that would be inconsistent with the Comprehensive Plan. (Subtitle X § 101.4)
- The Property is not located in an R, RF, or RA zone. (Subtitle X § 101.5)
- The Campus Plan will not cause unreasonable campus expansion into improved low-density zones. (Subtitle X § 101.6)
- The Applicant submitted all required exhibits showing the location, height, and bulk, where appropriate, of all present and proposed improvements. (Subtitle X § 101.8)
- The Application is not inconsistent with the District of Columbia Comprehensive Plan. (Subtitle X § 101.11)
- The Application was referred to OP, DDOT, and DOEE for review and comment. (Subtitle X § 101.13)
- The Application is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map and will not tend to adversely affect the use of neighboring properties, in accordance with the Zoning Regulations and Zoning Maps. (Subtitle X § 101.14)

“Great Weight” to the Recommendation of OP

2. The Commission must give “great weight” to the recommendation of OP stated in the OP Report pursuant to D.C. Code Section 6-623.04 and Subtitle Z Section 405.9.
3. The Commission finds persuasive OP’s recommendation that the Commission approve the Application and therefore concurs in that judgment.

“Great Weight” to the Resolution of ANC 2B

4. The Commission must give great weight to the issues and concerns raised by the affected ANC if stated in writing and approved by the full ANC at a properly noticed public meeting pursuant to D.C. Code Section 1-309.10(d) and Subtitle Z, Section 406.2.
5. The Commission finds ANC 2B’s support of the Application persuasive and concurs with its judgment.

Summary Order

6. Since no persons or parties appeared in opposition to the Application and the affected ANC supported the Application, a decision by the Commission to grant this Application would not be adverse to any party. Therefore, pursuant to Subtitle Z, Section 604.7, the Commission authorized

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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, the Commission concludes that the Applicant has satisfied its burden of proof and therefore **APPROVES** the Application subject to the following conditions:

1. Student Enrollment. The Indiana University student headcount shall not exceed **200** students on a daily basis. Of these students, the number of students who have housing assignments at the Indiana University Washington, DC campus shall not exceed 40 students.
2. The Indiana University Campus Plan shall be valid for a period of 10 years.
3. The Applicant shall implement a TDM Plan, for the life of the project. The proposed TDM Plan in the January 21, 2025 Transportation Statement (Exhibit 13) will be updated to include:
 - “The Applicant will commit to enrolling in the Capital Bikeshare University Membership Program and will distribute marketing materials to students to promote the discounted CaBi membership”.

VOTE (March 6, 2025): **5-0-0** _____ (Anthony J. Hood, Robert E. Miller, Gwen Wright, Joseph S. Imamura, Tammy Stidham to **APPROVE**)

In accordance with the provisions of Subtitle Z Section 604.9, this Order No. 24-17 shall become final and effective upon publication in the DC Register; that is, on _____, 2025.

BY ORDER OF THE D.C. ZONING COMMISSION

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

ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION

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.