

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 20-29A
Z.C. CASE NO. 20-29A**

**Trustees for Harvard University
(Amendment to and Further Processing of the
2020-2024 Campus Plan at Square 2155)**

November 6, 2023

Pursuant to notice, at its public hearing on November 6, 2023, the Zoning Commission for the District of Columbia (the “Commission”) considered an application by the Trustees for Harvard University (the “Applicant”) for an amendment to the 2020–2040 Campus Plan for the Dumbarton Oats Research Library and Collection (the “Campus Plan”) and for further processing of the amended Campus Plan, for the property identified as Square 2155, Lot 812, pursuant to Subtitle X § 101.9 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations (“DCMR”), Zoning Regulations of 2016, to which all references are made unless otherwise specified) (the “Application”).

HEARING DATE: November 6, 2023
DECISION DATE: November 6, 2023 (Bench Decision)

SUMMARY ORDER

The Commission provided proper and timely notice of the public hearing on the Application by publication in the *D.C. Register*, by mail to owners of property within 200 feet of the Property, and by electronic mail to the Applicant, Advisory Neighborhood Commission (“ANC”) 2E, the Office of ANC, the District of Columbia Office of Planning (“OP”), the District Department of Transportation (“DDOT”), the Department of Buildings, and Councilmembers Brooke Pinto, Phil Mendelson, Kenyan McDuffie, Christina Henderson, Anita Bonds, and Robert White, Jr. (Exhibit 8).

The Applicant was required to satisfy the burden of proof enumerated in 11-X DCMR § 101 in order to amend the 2020–2040 Campus Plan for the Dumbarton Oats Research Library and Collection and for further processing of the amended Campus Plan. The Applicant demonstrated that the Application satisfied the burden of proof enumerated in 11-X DCMR § 101 in its Statement in Support. (Exhibit 4).

The District of Columbia Office of Planning (“OP”), in a report dated October 13, 2023, concluded that the Application satisfied the burden of proof enumerated in 11-X DCMR § 101 and recommend approval of the Application. (Exhibit 14).

ANC 2E, in a report dated October 10, 2023, expressed its support of the Application and noted its full support of the Applicant’s request to amend its existing campus plan in order to allow for the construction of the Farrand House and the relocation and reconfiguration of cooling towers, mechanical equipment, and service court. (Exhibit 12).

No persons or parties appeared in opposition to the Application. Accordingly, a decision by the Commission to grant the Application would not be adverse to any party. Based upon the record before the Commission, and having considered and given great weight to the recommendation of OP and to the issues and concerns of ANC 2E, the Commission concludes that the Applicant has met the burden of proof under 11-X DCMR § 101, including the specific standards that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map, and that granting the requested relief will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11-Y DCMR § 604.3, the Commission has determined to waive the requirement that findings of fact and conclusions of law by submitted because there was no party in opposition. The waiver does not prejudice the rights of any party and is appropriate in this case.

It is, therefore, **ORDERED** that the application be **GRANTED**.

VOTE: 4-0-1 (Anthony J. Hood, Robert E. Miller, Joseph S. Imamura, and Tammy M. Stidham to **APPROVE**; 3rd Mayoral Appointee seat vacant).

In accordance with the provisions of 11-Z DCMR § 604.9, this Z.C. Order No. 20-29A shall become final and effective upon publication in the D.C. Register, that is on [DATE].

ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION

SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS THE D.C. HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (THE "ACT"). THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. IN ACCORDANCE WITH THE 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. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.