

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



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
2020-2040 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 Oaks 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 of Columbia Municipal Regulations, the Zoning Regulations of 2016, to which all references are made unless otherwise specified) (the “Application”), for the following:

- New construction of an approximately 10,000 square foot mixed-use building, the Farrand House, in lieu of a previously approved greenhouse; and
- Relocation and reconfiguration of the cooling towers, mechanical equipment, and service court.

The public hearing was conducted in accordance with the provisions of Chapter 4, Subtitle Z. For the reasons stated below, the Commission **APPROVES** the Application.

SUMMARY ORDER

FINDINGS OF FACT

Parties and Notice

1. The Office of Zoning (“OZ”) provided proper and timely notice of the public hearing on the Application by publication in the *District of Columbia 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 ANCs, 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 [“Ex.”] 6, 7,

8.) The Applicant posted notice of the public hearing and maintained such notice in accordance with the requirements of the Zoning Regulations. (Ex. 11, 18.),

The Application

2. The Applicant was required to satisfy the burden of proof enumerated in Subtitle X § 101 in order to amend the 2020–2040 Campus Plan for the Dumbarton Oaks 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 Subtitle X § 101 in its Statement in Support. (Ex. 4.)

Responses to the Application

3. 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 Subtitle X § 101 and recommend approval of the Application. (Ex. 14.)
4. The District Department of Transportation (“DDOT”), in a report dated October 27, 2023, concluded that the Application is not expected to have an impact on the transportation network and noted no objection to approval of the Application. (Ex. 16.)
5. ANC 2E, in a report dated October 10, 2023, expressed its support of the Application by unanimous vote, 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. (Ex. 12.)
6. No persons or parties appeared in opposition to the Application. Accordingly, a decision by the Commission to grant the Application would not be averse to any party. Based upon the record before the Commission, and having considered and given great weight to the recommendation of OP, and having considered ANC 2E’s report in support of the Application, which did not cite any issues and concerns to afford great weight to, the Commission concludes that the Applicant has met the burden of proof under Subtitle X § 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.

CONCLUSIONS

1. Pursuant to Subtitle Z § 101.9, the Commission has determined to waive the requirement of Subtitle Z § 604.7 that this order be accompanied by findings of fact and conclusions of law because there is no opposition to the Application and therefore this decision is not averse to any party. The waiver does not prejudice the rights of any party and is appropriate in this case.

DECISION

It is, therefore, **ORDERED** that the Zoning Commission **APPROVES** the Application for an amendment to the 2020-2040 Campus Plan and further processing of the amended Campus Plan, for:

- New construction of an approximately 10,000 square foot mixed-use building, the Farrand House, in lieu of a previously approved greenhouse; and
- Relocation and reconfiguration of the cooling towers, mechanical equipment, and service court.

The conditions of Z.C. Order No. 20-29 shall remain in full force and effect, except the the Decision of Z.C. Order No. 20-29 is amended to read as follows (revisions appear in **bold underline** and **bold strikethrough**):

A. CAMPUS DEVELOPMENT


...

5. The Campus Plan shall include the following improvements, comprising approximately ~~15,254~~ **18,124** square feet of GFA as identified in Exhibit ~~3E~~ **4C of the record of Z.C. Case No. 20-29A:**
 - a. The expansion of the existing greenhouse, identified as Building 6;
 - b. The construction of a new ~~greenhouse, identified~~ **building known as Farrand House** as Building 7 **in accordance with the approved plans in the record of Z.C. Case No. 20-29A at Exhibits 4E1 and 4E2;** and
 - c. The excavation of the pit house/cool house, identified as Building 11.
6. The Campus may increase its overall density to approximately 0.16 FAR in accordance with Exhibit ~~3E~~ **4C**.


VOTE (November 6, 2023): 4-0-1

(Joseph S. Imamura, Tammy Stidham, Anthony J. Hood, and Robert E. Miller to **APPROVE**; 3rd Mayoral Appointee seat vacant).

In accordance with the provisions of Subtitle Z § 604.9, this Z.C. Order No. 20-29A shall become final and effective upon publication in the *District of Columbia Register*, that is on December 29, 2023.



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.