

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

THURSDAY

FEBRUARY 18, 2021

+ + + + +

-----:
IN THE MATTER OF: :
 :
Trustees for Harvard University : Case No.
20-Year Campus Plan, 1703 32nd : 20-29
Street NW, Dumbarton Oaks :
Research Library and Collection :
Square 2155, Lot 812 :
-----:

The Regular Public Hearing of the District of
Columbia Board of Zoning Commission convened via
Videoconference, pursuant to notice at 4:00 p.m. EDT, Anthony
J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
ROBERT MILLER, Vice Chairperson
PETER SHAPIRO, Commissioner
PETER G. MAY, Commissioner
MICHAEL TURNBULL, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary
PAUL YOUNG, Zoning Data Specialist

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D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

ALEXANDRA CAIN, Esquire

The transcript constitutes the minutes from the
Regular Public Hearing held on February 18, 2021.

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P-R-O-C-E-E-D-I-N-G-S

(4:00 p.m.)

CHAIRPERSON HOOD: Good afternoon, ladies and gentlemen. We are convening and broadcasting this public hearing by video conferencing. Today's hearing is the subject of Zoning Commission Case No. 20-29, Trustees for Harvard University, 2020-Year Campus Plan, 1703 32nd Street Northwest, Square 2155, Lot 812.

Today's date is February 18th, 2021. My name is Anthony Hood and I'm joined by Vice Chair Miller, Commissioner Shapiro, Commissioner May, and Commissioner Turnbull. We're also joined by Office of Zoning staff, Ms. Sharon Schellin, and Mr. Paul Young, who will be handling all of our virtual operations. I will ask all to introduce themselves at the appropriate time.

The virtual public hearing notice is available on the Office of Zoning's website. This proceeding is being recorded by court reporters and the platforms used are Webcast Live, Webex and YouTube Live. The video will be available on the Office of Zoning's website after the hearing.

All persons planning to testify should have signed up in advance and will be called by their name at the appropriate time. At the time of the sign-up, all participants will complete the oath or affirmation required by Subtitle Z, 408.7. Accordingly, all those listening on Webex or by phone will be muted during the hearing and only those who have signed up to participate or testify will be unmuted at the appropriate time.

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1 When called, please state your name and home address
2 before providing testimony. When you are finished speaking,
3 please mute your audio. If you experience difficulty accessing
4 Webex or with your telephone call-in or have not signed up, then
5 please call our OZ hotline number at 202-727-5471.

6 If you wish to file written testimony or additional
7 supporting documents during the hearing, then please be prepared
8 to describe and discuss it at the time of your testimony.

9 The hearing will be conducted in accordance with
10 provisions of 11Z DCMR Chapter 4, as follows: preliminary matters,
11 applicant's case -- the applicant has up to 60 minutes but I don't
12 think the record desires or promotes us to have to go 60 minutes
13 but we would ask that you expeditiously move as soon as possible;
14 report of the Office of Planning and Department of Transportation,
15 report of other government agencies -- we did get an e-mail late
16 from DOEE; also, the report of the ANC, in this case is ANC 2E,
17 and that's Exhibit 16. Testimony of organizations five minutes
18 and individuals three minutes, and we will hear in the following
19 order from those in support, opposition and undeclared. Then,
20 we'll hear rebuttal and closing by the applicant.

21 Again, the OZ hotline number is 202-727-5471, for any
22 concerns during this proceeding.

23 At this time, the Commission will consider any
24 preliminary matters. Does the staff have any preliminary matters?

25 MS. SCHELLIN: Just one. They're proffering only one

1 expert witness and that's Shane Dettman who has previously been
2 accepted by the Commission. Just ask that the Commission accept
3 him in this case as an expert.

4 CHAIRPERSON HOOD: Okay. We have done that previously.
5 Unless I hear any objections, we will continue that status. Okay.
6 Anything else, Ms. Schellin?

7 MS. SCHELLIN: No, sir.

8 CHAIRPERSON HOOD: Okay. Let's bring the applicant's
9 team up and we can go ahead and get started.

10 MS. BATTIES: Okay. Good evening, Mr. Chairman, and
11 members of the Commission. I just want to let -- we have a couple
12 of people on our team. I don't know if Chip is on, Shane Dettman,
13 Tom Cummins and then there is one who -- the last name is Batsaki,
14 so they may all be -- they should all be online for Mr. Young to
15 pull up. Okay.

16 So, again, good evening. Leila Batties and Chip Glasgow
17 with the law firm of Holland and Knight representing the trustees
18 for Harvard University for the 20-year renewal of the campus
19 master plan for the Dumbarton Oaks Research Library and
20 Collection.

21 As I mentioned, Professor Thomas Cummins who is the
22 interim director of Dumbarton Oaks is on as well as Dr. Yota
23 Batsaki who's the executive director of Dumbarton Oaks. Professor
24 Cummins will give brief testimony in support of this application
25 after my opening remarks and then Mr. Dettman will testify.

1 In terms of just the brief procedural history and the
2 application overview, Dumbarton Oaks was originally approved at
3 its current Georgetown location pursuant to BZA Appeal No. 568 in
4 1941. There have been numerous applications in support of certain
5 improvements and additions to the campus since then, the most
6 movement being the ten-year campus plan approved by the Zoning
7 Commission pursuant to Zoning Commission Order No. 10-13.

8 The 2010 campus plan did not include the construction of
9 any new building, but it included the following relevant
10 condition: a maximum of 30 fellows, a maximum of 139 employees and
11 staff persons, and a range of 60 to 63 parking spaces. The 2010
12 campus plan expired on December 31st.

13 The proposed campus master plan is the same as what has
14 been in place for Dumbarton Oaks for the last decade except for
15 the following: the applicant is looking to increase enrollment
16 from 30 to 50 fellows, expand the existing greenhouse from 7,210
17 square feet to 10,296 square feet. They're proposing to construct
18 a new greenhouse that would (audio interference) 10,130 square
19 feet of floor area and they're looking to excavate an existing
20 4,000 square foot pithouse-coolhouse in order for it to be
21 operational and that structure is below grade and already (audio
22 interference).

23 In terms of community outreach, the notice of intent to
24 file this application was mailed on October 29th. We have not
25 heard any objections from any of the notified property owners or

1 residents and with the support of the Single Member District
2 Commissioner, Elizabeth Miller, the applicant presented the --
3 this campus master plan to ANC 2E on February 1st which voted
4 unanimously to support the application and their report is in the
5 record at Exhibit 16.

6 For this application, we got feedback from both District
7 and federal agencies. The applicant met with the National Park
8 Service at the site to discuss any potential visual or other
9 impacts to the Dumbarton Oaks Park to the north and Montrose Park
10 to the east resulting from the new greenhouse or the expansion of
11 the existing greenhouse.

12 As noted in this report at Exhibit 12 of the case
13 record, the National Park Service does not have any objection to
14 the application. OP and DDOT did not have any objection to the
15 proposed campus plan and admittedly, the last time I checked the
16 record, DOEE e-mail was not in the record so -- but I assume at
17 this point, they have no objection to the application.

18 The applicant has agreed to certain standard TDM
19 measures proposed by DDOT as documented in the memo filed at
20 Exhibit 15 of the record and in a letter at Exhibit 18, the
21 applicant also clarified that the campus will have a maximum of --
22 maximum of 63 parking spaces instead of a minimum of 63 spaces
23 which was requested by DDOT. That same letter also includes a
24 table with the gross floor area and height of all the existing and
25 proposed structures on the campus as requested by the Office of

1 the Attorney General.

2 This concludes my opening remarks and I'm going to turn
3 the presentation over to Professor Cummins.

4 PROFESSOR CUMMINS: Hello? Can everybody hear me?

5 CHAIRPERSON HOOD: We can hear you, but we can't see
6 you. Are you on the phone?

7 PROFESSOR CUMMINS: I am on my computer. Where do I
8 click to -- no, I don't want to leave the event.

9 CHAIRPERSON HOOD: You may -- I'm not sure, but you may
10 see something that says, "start video." If you hover down towards
11 the bottom in the middle; at least on mine, it's in the middle.

12 PROFESSOR CUMMINS: That's a --

13 CHAIRPERSON HOOD: If not, don't stress out about it.
14 You can just go ahead and do your presentation.

15 PROFESSOR CUMMINS: Okay. I'm sorry.

16 CHAIRPERSON HOOD: Go ahead.

17 PROFESSOR CUMMINS: I don't know why I can't be seen
18 but, anyway, it's probably just as well. Good evening. I am a
19 virtual presence, virtually. My name is Tom Cummins, and I am the
20 interim director of Dumbarton Oaks and I am also the Dumbarton
21 Oaks Professor of Pre-Columbian and Colonial Latin American Art
22 History at Harvard, and I am here to just give a brief history of
23 why this is necessary, why it is conducive for the community and
24 for Dumbarton Oaks.

25 As you may know, this is the hundredth anniversary of

1 the establishment of the gardens by Beatrix Farrand who
2 collaborated with the Blisses to create one of America's great
3 gardens and at that time, was constructed the greenhouse by McKim,
4 Mead and White which is still standing, but over a hundred years,
5 the garden has expanded and the needs for a modern, up-to-date
6 greenhouse has clearly been felt by the head of the gardens, by
7 the garden community. And so to maintain the level and quality of
8 the garden as it exists now, we would like to build a new
9 greenhouse on our property such that we can maintain these gardens
10 for the next hundred years in benefit of study as well as for the
11 community here in Georgetown.

12 And so it's with this in mind that we are coming before
13 you to say that this is the major part of our 20-year plan. We
14 don't anticipate building anything any more substantial than what
15 we have presented to you and we have -- the number of fellows that
16 has increased but this is really not an increase of year fellows,
17 these are to acknowledge that we have fellows that come for a week
18 or two intermittently to do research at Dumbarton Oaks. So it
19 does not really substantially increase the density of the campus
20 in any sustained way. So that is part of what we are asking for
21 here.

22 And so this is to ensure both scholarship as well as the
23 maintenance of the gardens. And I'm happy to take any questions
24 that you might have about my testimony here before you, but I
25 thank you very much.

1 CHAIRPERSON HOOD: Thank you.

2 MS. BATTIES: Next, in terms of our presentation, is
3 Shane Dettman.

4 MR. DETTMAN: Good afternoon, Commissioners. Today,
5 I'll briefly summarize the proposed campus plan and how the
6 applicant has satisfied the standard of review that's applicable
7 to campus plan applications under the zoning regulations which
8 provide that an education use by an eligible university in a
9 residential zone is permitted by a special exception by the
10 Commission subject to conditions of Subtitle X, 101 as well as
11 Subtitle X, Chapter 9.

12 As set forth -- oh, can we have a slide brought up,
13 Paul? Thank you. And if we could move forward one slide? Okay.
14 And then -- right. Thanks, Paul.

15 So as set forth in our application, the Dumbarton Oaks
16 Research Library and Museum has been in existence for nearly 80
17 years at this site serving as a world-renowned institution of
18 higher learning and an invaluable cultural resource to the
19 District.

20 Throughout this time, Dumbarton Oaks has carried out its
21 mission and its programs in harmony with the surrounding low-
22 density historic residential neighborhood in Georgetown. As our
23 application demonstrates, the programmatic and the physical
24 changes requested in the proposed 20-year campus plan will not
25 disturb this relationship but, rather, the campus will remain in

1 harmony with the zoning regulations and will not adversely affect
2 the use of neighboring property in accordance with the zoning
3 regulations. Next slide?

4 The campus comprises approximately 16 acres and it's
5 located in an R-1-B zone at the northern end of the Georgetown
6 Historic District just east of the Wisconsin Avenue mixed-use
7 corridor. The campus in its entirety is a registered, historic
8 landmark and along the south, as you can see on this map, the
9 campus has frontage on R, S and 32nd Street which is primarily
10 containing residential uses. To the north and east are Dumbarton
11 Oaks Park and Montrose Park which are both federal parks under the
12 jurisdiction of the National Park Service. Next slide?

13 This slide shows some of the existing conditions on the
14 campus. The campus contains a number of different buildings, some
15 dating to the early 19th Century and, generally speaking, however,
16 the campus is sparsely developed with the large majority of the
17 site being devoted to formal and informal gardens, other open
18 spaces as well as a maintenance area that supports Dumbarton Oaks
19 educational mission and the campus is also available for public
20 tours. Next slide?

21 Here we see some photos along the southern edge of the
22 campus which is the part of the campus closest to the low-density
23 residential uses and, as you can see from the photos, the scale
24 and the character of the campus is compatible with its low-density
25 residential surroundings which will not change as a result of the

1 campus plan. Next slide?

2 Here is -- here's an image of the proposed 20-year
3 campus plan which really only proposes a few modest changes. As
4 our application describes, the applicant is requesting an increase
5 in enrollment from 30 fellows to 50 fellows. They propose to
6 maintain the previously proposed maximum of 139 employees and
7 staff as well as maintain the maximum of 63 on-campus vehicle
8 parking spaces.

9 You can see on the image with the three red circles
10 there where the applicant is proposing approximately, in total,
11 15,254 square feet of gross floor area. That will comprise of a
12 new greenhouse on the western end of the campus in addition to an
13 existing greenhouse in the central portion of the campus and then
14 the reconstruction of a pithouse/coolhouse on the eastern side of
15 the campus. Next slide?

16 To obtain approval of the campus plan, the applicant
17 must satisfy the general special exception criteria of Subtitle X,
18 Chapter 9, as well as some specific campus plan related criteria
19 in Subtitle X, Section 101. The proposed campus plan will not
20 give rise to any objectionable impacts on neighboring properties
21 in the areas of noise, traffic, parking, number of students or any
22 other conditions.

23 As I mentioned, the campus has existed on this site for
24 nearly 80 years without any known issues. On-campus activities
25 are primarily indoors and what outdoor activities do occur are

1 essentially passive in nature. The increase in the fellows will
2 not noticeably change existing noise and traffic levels. The
3 fellows reside in one of two university-owned buildings that are
4 located in close walking distance to the campus. The increase in
5 fellows will not increase traffic given that, typically, they
6 travel to and from campus on foot or by bike and it's also notable
7 that the traffic and noise -- from a traffic and noise
8 perspective, all the existing parking is located at the western
9 end of the campus just off Wisconsin Avenue so not a lot of
10 circulation through the neighboring properties.

11 The next two criteria in the regulations really had to
12 do with establishing commercial uses on the campus which is not
13 applicable here. Next slide?

14 The campus plan provisions set forth specific height and
15 density standards that the applicant must satisfy and, as the
16 slide shows here, the applicant is in compliance with that. The
17 existing building and the proposed greenhouses will be within the
18 maximum height limit for this specific zone of 50 feet and as for
19 density, the proposed construction will increase the overall
20 density of the campus from approximately .13 FAR to only about .16
21 FAR. So well within the maximum 1.8 FAR that's permitted under
22 regulations. Next slide?

23 The regulations require consideration of how the
24 proposed campus plan relates to the policies of the District
25 elements of the comp plan to the extent that they're relevant, and

1 the slide here before you lists some of the policies that the
2 proposed campus plan advances or is consistent with. These are
3 policies that reside within the land use, historic preservation,
4 education facilities as well as the near northwest planning area
5 elements.

6 A review of the proposed campus plan with the District
7 elements did not reveal any potential inconsistencies with the
8 District elements. Next slide?

9 Finally, the application satisfies the general special
10 exception criteria in that its approval will be in harmony with
11 the general purpose and intent of the regulations and will not
12 tend to adversely affect the use of neighboring properties. Among
13 other things, the zoning regulations exist to promote public
14 health and order and the general welfare so as to provide adequate
15 light and air, prevent overcrowding, promote the use of land that
16 create conditions that are favorable to transportation, the
17 protection of property, civic activity as well as recreational,
18 educational and cultural opportunities. And I believe that the
19 continuation of Dumbarton Oaks, their academic as well as their
20 cultural programs on this campus including the modest increases in
21 the number of fellows and the small amount of density that's
22 proposed are consistent with these stated purposes.

23 The limited increase in fellows and square footage will
24 not adversely affect the use of neighboring properties in
25 accordance with the regs, particularly given the additional

1 density will be located at the northern end of the campus and will
2 be devoted to passive uses that are unlikely to increase noise,
3 the number of trips to and from the campus. Next slide?

4 So, to conclude, I respectfully submit to the Commission
5 that the applicant satisfies the burden of proof necessary to earn
6 approval by the Commission with the conditions that are listed
7 before you here on this slide, Commissioners. And, with that, I
8 appreciate your time and I look forward to answering any questions
9 that you have.

10 MS. BATTIES: Thank you, Shane, and, Mr. Chair, that's
11 -- that concludes our presentation, our direct presentation to the
12 Commission.

13 CHAIRPERSON HOOD: Okay. Thank you for your
14 presentation. It is most appreciated. Let's see if we have any
15 questions. Commissioner May, you have any questions of claimants?

16 COMMISSIONER MAY: I have no questions. My only
17 comments are that I appreciate the fact that there has been
18 extensive outreach to the National Park Service resulting in the
19 letter that's in the record and I would note that before that
20 letter came in -- in fact, before the case was filed, the
21 applicant did reach out to my office and the park staff and we did
22 get a chance to look at this again before the case was filed and
23 -- to ensure that there was -- there would be no concerns from the
24 Park Service's perspective.

25 So I appreciate all the outreach and I have no

1 questions. Thank you.

2 CHAIRPERSON HOOD: Thank you. Commissioner Shapiro?

3 COMMISSIONER SHAPIRO: No questions, Mr. Chair.

4 CHAIRPERSON HOOD: Okay. Commissioner Turnbull?

5 COMMISSIONER TURNBULL: No real questions. The only
6 thing I had is that the accommodations, residential
7 accommodations, for the fellows, we -- I think you said it was
8 off-site and I seem to remember, I thought I knew where it was,
9 but I wonder if you could just refresh my memory?

10 MS. BATTIES: Sure. I can give you the addresses.
11 Addresses are about a block to the east of the campus and, I'm
12 sorry, I have to look up the addresses. So the first is the
13 Fellowship House located at 1700 Wisconsin Avenue and then the
14 second is La Quercia, at 1619 30th Street.

15 You are on mute, Commissioner Turnbull. Commissioner
16 Turnbull, you're on mute. You're muted.

17 COMMISSIONER TURNBULL: Oh, I'm sorry. Will that now
18 accommodate all the new fellows too?

19 MS. BATTIES: Yes. There was capacity in both, yes.

20 COMMISSIONER TURNBULL: Thank you.

21 CHAIRPERSON HOOD: Okay. Thank you. Vice Chair Miller?

22 VICE CHAIR MILLER: Thank you, Mr. Chairman, and thank
23 you to Ms. Batties and the applicant of Barton Oaks for being --
24 for the application and the presentation and for being a great
25 resource in the neighborhood and in the city for so many years and

1 I think the improvements, the addition -- the modest additions
2 will only enhance the resource that you are, that Dumbarton Oaks
3 is for the city and I appreciate the outreach to the ANC and the
4 neighborhood. Thanks.

5 MS. BATTIES: Thank you.

6 CHAIRPERSON HOOD: All right. Thank you. I don't have
7 any questions. I think it's pretty straightforward for me,
8 especially with all the support, and I think Mr. Dettman said 80
9 years of not having issues or 40 years or whatever it was, I just
10 know it's more than five years, so I appreciate all the work, as
11 the vice chair and others have said, that the applicant has done.

12 Let's go to the Office of Planning. We might as well
13 leave the applicant up just in case we have some additional
14 questions as we move forward. Ms. Thomas -- and I'm not sure
15 who's here from DDOT. I don't know if it's Mr. Zimmerman.
16 Anyway, do we have anyone from DDOT? Okay. Let's start with Ms.
17 Thomas. Ms. Thomas, you may begin.

18 MS. THOMAS: Yes. Hi. Good afternoon, Mr. Chairman,
19 members of the Commission. Karen Thomas with the Office of
20 Planning. OP will stand on the record in support the Dumbarton
21 Oaks Research facilities renewal of their campus plan for a 20-
22 year period. I'd just add that we appreciate the applicant
23 supplementing the record with the individual FAR information that
24 they provided at Exhibit 18 and I think it would be helpful for
25 future reviewers but, with that, I'll be happy to take any

1 questions. Thank you.

2 MS. SCHELLIN: It might be Kelsey Bridges from --

3 CHAIRPERSON HOOD: Okay.

4 MS. SCHELLIN: -- DDOT. I'm not positive.

5 CHAIRPERSON HOOD: Okay. Ms. Bridges, are you -- I
6 think I may have saw the initials in here.

7 MS. SCHELLIN: Yes. She is with DDOT.

8 MS. BRIDGES: I am. Sorry, that's why I raised my hand.
9 So whenever you're ready.

10 MS. SCHELLIN: Yes.

11 MS. BRIDGES: I just was like oh no, I can't figure out
12 how to unmute this.

13 MS. SCHELLIN: So --

14 MS. BRIDGES: My apologies.

15 CHAIRPERSON HOOD: No problem, you may begin.

16 MS. BRIDGES: Okay. Thank you. Good evening, Chairman
17 Hood, and members of the Commission. For the record, I'm Kelsey
18 Bridges with the District Department of Transportation.

19 DDOT is supportive of the applicant's proposal for the
20 Dumbarton Oaks campus plan. As you heard in the presentation, we
21 have come to an agreement with the applicant on the transportation
22 demand management plan to mitigate the project's impacts to the
23 transportation system.

24 This TDM plan is documented in the February 8, 2021
25 transportation statement which is Exhibit 15 on the record. The

1 applicant has agreed to DDOT's request to revise Condition 4 to
2 state that there will be a maximum of 63 parking spaces on campus
3 which is noted in Exhibit 18.

4 With the agreed to TDM plan included in the final zoning
5 order, DDOT has no objection to the approval of the 20-year campus
6 plan application. Thank you.

7 CHAIRPERSON HOOD: Thank you, Ms. Bridges. Ms. Bridges,
8 is this your first time to the Zoning Commission in the District
9 of Columbia?

10 MS. BRIDGES: I have been to the BZA, but I think it's
11 my first time to the Zoning Commission.

12 CHAIRPERSON HOOD: Okay. Well, let me welcome you. It
13 seems like you had a pretty straightforward case, but I always
14 tell first timers, don't really get used to it, but we appreciate
15 your report. Let's see if we have any questions from anyone.
16 Let's see if we have any questions from the Office of Planning or
17 -- I see the heads shaking, so no questions, no questions.

18 Okay. Ms. Thomas, thank you and, Ms. Bridges, welcome
19 again. So thank you for your report. Let's see if the applicant
20 has any cross.

21 MS. BATTIES: There is nothing from the applicant.

22 CHAIRPERSON HOOD: Okay. All right. And thank you all
23 for -- and moving to the -- pull that up -- to the e-mail from
24 DOEE and also the supplemental information which Ms. Flagg, that
25 the applicant provided. So that's now in the record, that has

1 already been stated.

2 Okay. Let's go to the ANC. Let me pull up their
3 report. ANC 2E which is Exhibit 16 and it's already been stated.
4 ANC was in favor, part of it -- and this comes from Chairperson
5 Rick Murphy and it says ANC 2E supports the proposed 20-year plan
6 and thanks the leadership of Dumbarton Oaks for hiring world-class
7 architects and planners. I will tell you the way the letter kind
8 of read for me, Ms. Batties, and maybe you can respond. I don't
9 know, I mean, it was favorable, they support it, but you had to
10 really read the letter to see the support. Were there some
11 concerns, Ms. Batties?

12 MS. BATTIES: There were no concerns, no.

13 CHAIRPERSON HOOD: Okay. Maybe that was just me
14 reading. Let's see if we have any questions of -- is the ANC
15 here? I should have asked were they here first. Is anybody from
16 the ANC here? You want to give your report? Okay. Not hearing
17 anything, we can move right on.

18 Reports of other government agencies regarding -- we've
19 heard from DDOT and OP and we appreciate your reports. Other
20 agencies were mentioned in DDOE. Am I missing any other reports?
21 Okay. With that, I already mentioned the ANC, ANC 2E. Do we have
22 anyone in the queue waiting to testify either in support,
23 opposition or undeclared?

24 MS. SCHELLIN: There is no one signed up.

25 CHAIRPERSON HOOD: Okay. Ms. Batties, do you have any

1 rebuttal or any closing?

2 MS. BATTIES: No, nothing further from the applicant.
3 Just, in closing, given the record of the case, we'd appreciate
4 Commissioners approval of the application.

5 CHAIRPERSON HOOD: Okay. Commissioners, our rules --
6 thank you, Ms. Batties, and to the presenters. We appreciate your
7 testimony and appreciate all the work, as has already been stated
8 by us, that you've done to get us to this point.

9 I will say this, Commissioners, we -- this is one of
10 those cases that we probably could take a vote, but I think our
11 regulations say that we have to wait 24 hours, so whatever, how
12 many ever hours it is, whatever the statute says. So this is
13 flavor for us to -- I would say for my approval but, you know, we
14 can always waive our rules, we can do that, but I know there's
15 some necessary precautions that our legal counsel would like for
16 us to take and I don't necessarily have any problems with us
17 moving forward but let me hear from others.

18 VICE CHAIR MILLER: I support going ahead.

19 CHAIRPERSON HOOD: All right. Commissioner May?

20 COMMISSIONER MAY: Does Ms. -- Ms. Cain, you've turned
21 your camera on. Did you have something to say about whether or
22 not we can vote?

23 MS. CAIN: Yes, I believe you can move forward with
24 voting tonight. The final appeal could be issued immediately but
25 I believe it removes prohibition on voting on an issue the same

1 | night it's heard, so you can move forward with action tonight.

2 | CHAIRPERSON HOOD: Okay. So we did remove that on-
3 | campus plans as well? Okay. So I take that -- I pull that back.
4 | So we -- thank you, Ms. Cain. So we can vote on this if we all
5 | see fit and I think this is ready for us (audio interference).

6 | Also, with that, I've done a lot of talking so if
7 | somebody could make a motion and second it, then we can go from
8 | there.

9 | VICE CHAIR MILLER: Mr. Chairman --

10 | CHAIRPERSON HOOD: Yes.

11 | VICE CHAIR MILLER: -- I would move that the Zoning
12 | Commission approve Case No. 20-29, application by Harvard
13 | University for a 20-year campus plan for the Dumbarton Oaks
14 | Research Library and Collection at 1703 32nd Street Northwest with
15 | the conditions that the applicant, DDOT and OP have all cited here
16 | today and ask for a second.

17 | VICE CHAIR MILLER: Second.

18 | CHAIRPERSON HOOD: Okay. It's been moved and properly
19 | seconded. Any further discussion? I'm not seeing any. Ms.
20 | Schellin, would you do a roll call vote, please?

21 | MS. SCHELLIN: Commissioner Miller?

22 | VICE CHAIR MILLER: Yes.

23 | MS. SCHELLIN: Commissioner May?

24 | COMMISSIONER MAY: Yes.

25 | MS. SCHELLIN: Commissioner Hood?

1 CHAIRPERSON HOOD: Yes.

2 MS. SCHELLIN: Commissioner Turnbull?

3 COMMISSIONER TURNBULL: Yes.

4 MS. SCHELLIN: Commissioner Shapiro?

5 COMMISSIONER SHAPIRO: Yes.

6 MS. SCHELLIN: The vote is 5 to 0 to 0 to approve final
7 action on Zoning Commission Case No. 20-29.

8 MS. BATTIES: Thank you so much.

9 MS. SCHELLIN: If we could have a draft order sent over,
10 Ms. Batties?

11 MS. BATTIES: Uh-huh. Yes, I'll get that to you.

12 CHAIRPERSON HOOD: Okay. Thank you all very much for
13 your presentations in our hearing this evening. Unless there's
14 anything else or any other comments, the Zoning Commission will
15 meet again on February 22nd. And that case is going to be -- it's
16 going to be Zoning Commission Case No. 19-27B. It looks like it's
17 Office of Planning's text amendment. But either way, it's going to
18 be February 22nd. Is there anything else in front of us, Ms.
19 Schellin?

20 MS. SCHELLIN: No, sir.

21 CHAIRPERSON HOOD: And so, with that, I want to thank
22 everyone for their participation tonight and this hearing is
23 adjourned. Good night.

24 (Whereupon, the above-entitled matter went off the
25 record at 4:34 p.m.)

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DCZC

Date: 02-18-21

Place: Teleconference

was duly recorded and accurately transcribed under my
direction; further, that said transcript is a true and
accurate record of the proceedings.

GARY EUELL