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July 14, 2026

Board of Zoning Adjustment
For the District of Columbia
441 4th Street, NW, Suite 200-S
Washington, DC 20001

**RE: BZA Case No. 21509 – The Roman Catholic Archbishop of Washington as his
successors in office, a corporation sole (the “Applicant”)
Letter in Support of Fee Waiver Request**

This letter is in support of the Applicant’s request for a waiver of the application fee required under Subtitle Y § 1600.1(19) and (21), and to apply the filing fee applicable to a time-extension request under Subtitle Y § 1600.1(e). Should the Board grant the waiver, the fee for the Application would be \$13,130.00 instead of \$50,400.00.

Authority of the Board to Grant Waiver

The Board has the authority to grant the requested waiver for good cause and if no party would be prejudiced by the waiver and the waiver is not otherwise prohibited by law. (Sub. Y § 101.9) Sub. Y § 1605.1 further provides that the Director is responsible for administering, interpreting, and applying the fee schedule in Sub. Y §§ 1600 and 1601. We submit that, when read collectively, the Zoning Regulations contemplate administrative judgment and Board discretion where good cause exists.

Good Cause

Funding for Critical Educational and Social Services

There is good cause to grant the requested waiver. Although this is a new application, the relief sought by the Applicant is identical to that previously granted by the Board in BZA Order No. 20751, which was made final on January 18, 2024. Absent the fee waiver, the Applicant would be required to pay a filing fee of \$50,400.00—a difference of \$37,270.00 from the requested reduced fee. This substantial cost increase would directly and materially impact funding for the new Conway Education Center on the adjacent lot east of the subject property. Specifically, the entitlements for the subject property are essential to close on the sale of the property, and the

proceeds from that sale are the sole source of funding to retire the debt incurred for construction of the Conway Education Center.

The Conway Education Center, which opened in January 2026 and is operated by Catholic Charities, serves a critical need by providing educational and developmental services to children and young adults of varying ages and abilities. The Conway Education Center is home to two private, nonprofit programs: a Child Development Center (CDC) and a Special Education School. The Special Education School serves students ages six through twenty-two with physical, emotional, and developmental disabilities. Utilizing a highly individualized, team-based approach, classrooms maintain a ratio of no more than seven students supported by a minimum of three staff members. Students receive comprehensive services that extend beyond academics, including behavioral and social-emotional counseling, intensive instruction in core subjects such as mathematics, vocational internships that build essential employment skills, and physical education. This holistic model is designed to help students achieve greater independence and long-term success. The CDC is one of only three affordable, fully inclusive childcare programs of its kind in the District. Established in 1988, the CDC serves infants, toddlers, and preschool-aged children, including both children with and without developmental disabilities. Beginning as early as six weeks of age, children participate in programs that foster positive self-esteem, school readiness, social development, and self-care skills within a nurturing and supportive environment.

In addition to its educational mission, the CDC serves as an invaluable neighborhood resource by providing affordable, high-quality childcare to working families living nearby. Together, these programs deliver essential services that strengthen children, support families, and promote community well-being.

Applicant Has Proceeded with Development of Site

The developer of the townhouse site, 801 Buchanan Investment Partners, LLC (the “Developer”), was unable to file for a building permit prior to the expiration of the Order because there is no builder for the townhouse community. However, the Developer started advancing the redevelopment of the townhouse site in July of 2025. Building Civil (B-CIV) Permit No. 2400035 was issued for the construction of a 24-foot wide, north-south road that facilitated the opening of the Conway Education Center and will serve the future townhouse community. Additionally, the Developer is in the process of obtaining the approvals necessary for the issuance of B-CIV Permit No. 2500189. This B-CIV permit is being reviewed under the following permit applications: DOEE Tracking #7980, DC Water Tracking #25-730897 and DDOT Permit #430071 and is for the site work to be completed prior to construction of the townhomes. This site work includes:

- Mass grading and earthwork;
- Utility work/installation of water, sanitary sewer, storm sewers, and electric and telecom;
- Road construction and sidewalk construction;
- Bio-retention construction; and
- Landscape installation.

Including the completed road, the estimated value for the site work covered under the pending B-CIV permit is \$8.9 million.

Waiver Does Not Prejudice Rights of Any Party

The requested waiver will not prejudice the rights of any party. In the original case, the only parties were the Developer and ANC 5A, who have remained in regular communication regarding the progress of the townhouse community. Commissioner Emily Lucio, the Single Member District Representative for ANC 5A-03, and whose district includes the townhouse site, issued a letter dated July 9, 2026, urging the Board's reinstatement of the original approval. A copy of the letter is marked as Exhibit 18 of case record and attached for convenience.

Approval of Waiver Does Not Create Adverse Precedent

The Board's approval of the requested fee waiver will not establish any adverse precedent because the circumstances of this case are uniquely compelling and unlikely to recur:

- The townhouse parcel is an integral component of a 6.7± -acre, phased development that required the construction and opening of the new Conway Education Center and the relocation of students from the the original Kennedy Institute school building that is on the townhouse site. Additionally, the existing Kennedy Institute building, constructed in the late 1950's, still needs to be demolished. The extensive scope of work sets this project apart from typical applications before the Board.
- The fee savings directly go toward the cost to construct the Conway Education Center, which provides critical educational and social services that serve the District's vulnerable populations.
- The Developer has demonstrated substantial good faith investment in the redevelopment of the subject property, having already constructed a 24-foot wide, 455-foot long north-south private road serving both the future townhouse community and the Conway Education Center and is in the process of obtaining approvals for other site improvements. The site improvements are estimated at \$8.9 million.
- The standard filing fee of \$50,400 is grossly disproportionate to the nature of the Applicant's request, which seeks only to reinstate the identical special exception approval previously granted by the Board in BZA Order No. 20751. Given the nature of the relief sought and the fact that the plans submitted with the current application are materially unchanged from those approved in the original case, imposing the full fee effectively penalizes the Applicant without any corresponding benefit to the administrative process.

Conclusion

For the foregoing reasons, the Applicant respectfully requests that the Board exercise its discretion under Subtitle Y § 101.9 to grant the requested fee waiver and apply the filing fee applicable to a time-extension request. Good cause exists for the waiver because the relief sought is identical to that previously approved in BZA Order No. 20751; the fee savings will directly support the Conway Education Center, a vital community resource serving vulnerable children and families; and the Developer has demonstrated substantial good faith investment in the construction of the approved townhouse community. No party will be prejudiced by the waiver. Finally, the unique circumstances of this case ensures that granting the waiver will not establish any adverse precedent.

We appreciate the Board's consideration of this request and remain available to provide any additional information that may be helpful.

Sincerely,

A handwritten signature in black ink that reads "Leila Batties". The signature is written in a cursive, flowing style.

Leila M. Jackson Batties

Attachment

cc: Ms. Sara Bardin, Director
Office of Zoning

**COMMISSIONER EMILY LUCIO
SINGLE MEMBER DISTRICT REPRESENTATIVE
ADVISORY NEIGHBORHOOD COMMISSION 5A-03**

July 9, 2026

Board of Zoning Adjustment
For the District of Columbia
441 4th Street, N.W.
Suite 210S
Washington, D.C. 20001

**Re: Letter in Support of BZA Case No. 21059
Application of The Roman Catholic Archbishop of Washington and his
successors in office, a corporation sole
Buchanan Street Townhomes (Lot 23, Square 3894)**

Dear Members of the Board:

As the Single Member District Representative for Advisory Neighborhood Commission 5A-03, I write in strong support of the above-referenced application, which seeks to reinstate the approval of the townhouse development granted in BZA Order No. 20749. For the reasons set forth below, I respectfully urge the Board to approve this application.

The developer engaged in extensive and meaningful community outreach in connection with the original BZA approval. Those efforts were responsive to neighborhood concerns and resulted in green space and roads for future connectivity that will enhance the immediate neighborhood. Also, neighborhood stakeholders proposed numerous conditions in connection with the approval, which the developer accepted. As a result of the developer's commitments, ANC 5A issued a report, dated October 12, 2022, in unanimous support of the townhouse development. A copy of that report is attached hereto for the Board's reference.

Redevelopment of the subject property has been underway over the past year, demonstrating the developer's commitment to this project. The developer has maintained regular and transparent communication with me and other neighborhood stakeholders throughout the process. Our most recent discussions relate to design refinements and unit types for a portion of the townhomes, and the developer has continued to be receptive to community input.

While ANC 5A will not meet prior to the public hearing on BZA Case No. 21059, the Commission's prior support for this project remains on record. As the Single Member District Representative whose district includes the subject property, and in light of the developer's demonstrated track record of community engagement and progress toward the redevelopment of the subject property, I respectfully and strongly urge the Board to grant timely approval of BZA Case No. 21059. This project will deliver much-needed housing and neighborhood benefits.

Sincerely,

Emily Lucio

Emily Lucio
Single Member District Representative
ANC 5A-03