

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

BZA Case No. 21509

**Application of The Roman Catholic Archbishop of Washington
and his successors in office, a corporation sole
Lot 23, Square 3894 (Buchanan Street, NE)**

PREHEARING STATEMENT

Hearing Date: September 16, 2026

On behalf of The Roman Catholic Archbishop of Washington and his successors in office, a corporation sole (the “**Applicant**”), owner of Lot 23 in Square 3894 (the “**Property**”), we hereby submit this Prehearing Statement in support of BZA Application No. 21509 (the “**Application**”). The Application requests: (i) a special exception pursuant to Subtitle U § 421.1 to permit a new residential development in the RA-1 zone; and (ii) a special exception pursuant to Subtitle C § 305.1 to permit a theoretical subdivision with multiple buildings on a single record lot (collectively, the “**Zoning Relief**”). Approval of the Zoning Relief will permit the construction of a new townhome development consisting of approximately 80 dwelling units distributed among 12 principal townhome rows on 12 theoretical lots (the “**Project**”).

The Property is located in the RA-1 Zone, which is intended, among other purposes, to permit flexibility by allowing a variety of residential building types and to promote areas predominantly developed with low- to moderate-density residential development, including row houses. *See* Subtitle F §§ 101.2(a), 101.4. As discussed below, and consistent with the special exception criteria set forth in Subtitle X § 901.2, the Application is in harmony with these objectives and will not tend to affect adversely the use of neighboring property.

This Prehearing Statement is timely submitted pursuant to Subtitle Y §§ 300.15 and 300.16. It updates and supplements the Applicant's Preliminary Statement ([Ex. 8](#)) by providing additional information regarding the Project and the requested Zoning Relief.

This submission also demonstrates compliance with the application requirements and review criteria established by the amendments to Subtitle U § 421 adopted in Z.C. Case No. [25-08](#), effective July 28, 2026. A consolidated updated set of plans in support of the Application is attached hereto as **Exhibit A** (the “**Updated Plans**”).

I. BACKGROUND

As discussed in the Applicant's Preliminary Statement, this Application seeks to reinstate the approval for the townhome community authorized by BZA Order No. 20751 (the “**Original Order**” or “**Original Approval**”), which became final on January 18, 2024.

A. Progress Toward Redevelopment of Property

The developer of the Property, 801 Buchanan Investment Partners, LLC (the “**Developer**”), was unable to file for a building permit before the Original Order expired because a builder had not yet been secured for the Project. However, since July 2025, the Developer has taken significant steps to advance redevelopment of the Property, including:

- **Private Road Construction.** Building Civil (B-CIV) Permit No. 2400035 was issued for the construction of a 24-foot-wide north-south roadway that facilitated the opening of the Conway Education Center and will serve the future townhouse community.
- **Infrastructure Improvements.** The Developer is currently pursuing the approvals necessary for issuance of B-CIV Permit No. 2500189, which encompasses mass grading and earthwork; utility installation, including water, sanitary sewer, storm sewer, electric, and telecommunications infrastructure; roadway and sidewalk construction; bioretention facilities; and landscape installation. The estimated value of this site work is approximately \$8.9 million. The proposed work is currently under review by DOEE (Tracking No. 7980), DC Water (Tracking No. 25-730897), and DDOT (Permit No. 430071).

B. Coordinated Development with Conway Education Center (Adjacent School Site)

The Conway Education Center provides important context for this Application. As discussed in the Preliminary Statement, the existing building on the Property was formerly occupied by the Lt. Joseph P. Kennedy Institute (the “**Kennedy Institute**”), a longstanding community resource that provided educational and developmental services to children and young adults with physical, emotional, and developmental disabilities. Those operations have since relocated to the new Conway Education Center campus located immediately east of the Property, which opened in January 2026 and is operated by Catholic Charities. The Conway Education Center is home to both a Child Development Center and a Special Education School, which continue the Kennedy Institute's mission of providing individualized and comprehensive services to children, young adults, and families throughout the District.

The Applicant seeks to redevelop and sell the former school site, which is the Property. Proceeds from the sale will allow the debt incurred to construct the new Conway Education Center campus. Accordingly, the redevelopment approved by the Original Order is directly tied to the Center's long-term financial viability.

II. PROPERTY AND SURROUNDING AREA

The Property consists of approximately 6.7 acres located on the south side of Buchanan Street, N.E., and is currently improved with a vacant building formerly occupied by the Kennedy Institute.¹ As discussed above, those operations have since relocated to the Conway Education Center, which is located immediately east of the Property and was approved by the Board pursuant

¹ The original Kennedy Institute facility was constructed on the Property in 1958 pursuant to BZA Order No. 5225.

to BZA Order No. [20749](#) as a companion application to the townhouse community approved under the Original Order. The Property is bounded to the west, south, and east by land owned and controlled by Providence Hospital. To the north, across Buchanan Street, are existing semi-detached dwellings in the R-2 Zone.

III. PROPOSED TOWNHOME DEVELOPMENT

As shown in the Updated Plans, the Developer proposes to redevelop the Property with a new residential community consisting of approximately 80 townhome units organized into 12 clusters. The Property will be reconfigured as 12 theoretical lots, each improved with a principal building comprised of a row of townhomes.

The individual townhome units will range from approximately 1,200 square feet to 2,125 square feet of gross floor area. Each unit will be three stories in height, with a maximum building height of 40 feet, and will provide either two or three bedrooms and two-and-one-half bathrooms. Each townhome will also include a garage. The townhomes will feature brick and fiber-cement (Hardie Plank) siding exteriors and contemporary architecture with flat roofs designed to accommodate private rooftop decks.

Access to the Project will be provided by two north-south private roadways extending from Buchanan Street. The easternmost roadway has already been constructed by the Developer and serves the Conway Education Center. The layout of the Project was closely coordinated with the approved site plan for the Conway Education Center and, as requested by DDOT, preserves a north-south pedestrian connection that will support the future redevelopment of the Providence Hospital campus to the south.

Furthermore, as agreed to with the community, the Project will provide approximately 40,500 square feet of publicly accessible green space, as shown on the proposed site plan.

IV. OVERVIEW OF ZONING RELIEF AND JUSTIFICATION

The requested Zoning Relief is needed for the Project for two reasons. First, each new principal building in an RA Zone must be located on a separate lot of record unless approved as part of a theoretical subdivision pursuant to Subtitle C § 305.1. *See* 11-C DCMR § 302.2(a). Second, a new residential development in the RA-1 Zone that does not satisfy the matter-of-right standards set forth in Subtitle U § 401.2 requires special exception approval from the Board.² The Board has authority to grant the requested Zoning Relief pursuant to Subtitle X § 901.2. As discussed below, the Application satisfies the applicable standards for approval.

A. Burden of Proof

Pursuant to D.C. Code § 6-641.07(g)(2) and Subtitle X § 901.2, the Board is authorized to grant a special exception if it finds that the requested relief is in harmony with the general purpose and intent of the Zoning Regulations and Map, and will not tend to adversely affect the use of

² Subtitle U § 401.2 permits a multiple dwelling in the RA-1 Zone as a matter of right only when limited to six dwelling units or fewer. Because each proposed townhome cluster will contain six or seven dwelling units, the Project is subject to the special exception requirements of Subtitle U § 421. *See* 11-U DCMR §§ 401.2(a), (c).

neighboring property, subject to any specific conditions set forth in the regulations. The stated purposes of the Zoning Regulations are set forth in D.C. Code § 6-641.02:

Zoning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the national capital, and zoning regulations shall be designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the undue concentration of population and the overcrowding of land, and to promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services. Such regulations shall be made with reasonable consideration, among other things, of the character of the respective districts and their suitability for the uses provided in the regulations, and with a view to encouraging stability of districts and of land values therein.

Relief granted through a special exception is presumed appropriate, reasonable, and compatible with other uses in the same zoning classification, provided the application satisfies the specific requirements for the relief requested. In reviewing an application for special exception relief, "[t]he Board's discretion . . . is limited to a determination of whether the exception sought meets the requirements of the regulation." *First Baptist Church of Washington v. District of Columbia Bd. of Zoning Adjustment*, 423 A.2d 695, 706 (D.C. 1981) (quoting *Stewart v. District of Columbia Bd. of Zoning Adjustment*, 305 A.2d 516, 518 (D.C. 1973)). If the applicant meets its burden, the Board must ordinarily grant the application. *Id.*

B. General Special Exception Criteria

The Project will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map and will not tend to adversely affect neighboring property. 11-X DCMR § 901.2(a)-(b).

The Property is located in the RA-1 Zone, which is intended to accommodate "low- to moderate-density development, including detached houses, row houses, and low-rise apartments." 11-F DCMR § 101.4. More broadly, the RA zones are intended to "permit flexibility by allowing all types of residential development," "promote stable residential areas while permitting a variety of types of urban residential neighborhoods," "promote a walkable living environment," and "encourage compatibility between the location of new buildings or construction and the existing neighborhood." 11-F DCMR § 101.2(a), (b), (c), and (e). The proposed townhouse community advances these purposes. The Project is part of the coordinated redevelopment of the former Kennedy Institute campus following the school's relocation to the Conway Education Center. By helping facilitate the continued operation of this important educational use while introducing a new townhome community, the Project promotes the neighborhood stability and compatibility intended by the RA-1 Zone. Additionally, the Project creates new housing options for the neighborhood on an infill parcel in furtherance of the broader objectives of the Residential Apartment (RA) zones and the District's housing goals, generally.

The same considerations demonstrate that the Project will not tend to adversely affect neighboring property. The Project is thoughtfully designed to coordinate with the Conway Education Center and is consistent with the character and scale of the surrounding neighborhood. The townhouse community is compatible with the residential development north of Buchanan Street and the Conway Education Center. Also, as requested by DDOT, the site plan includes two north-south roadways to support future connectivity with the Providence Hospital campus. Accordingly, the Project is designed to complement the surrounding neighboring properties.

C. Criteria for Theoretical Subdivision

Pursuant to Subtitle C § 305.1, the Board may grant special exception approval to permit multiple principal buildings on a single lot of record in the R, RF, and RA zones. The discussion below addresses the provisions of Subtitle C § 305 that are relevant to the Board's review of the proposed theoretical subdivision.

305.3 The following development standards shall apply to theoretical lots:

- (a) Side and rear yards of a theoretical lot shall be consistent with the requirements of the zone;*
- (b) Each means of vehicular ingress and egress to any principal building shall be at least twenty-four feet (24) ft. in width, exclusive of driveways;*
- (c) The height of a building governed by the provisions of this section shall be measured from the finished grade at the middle of the building façade facing the nearest street lot line; and*
- (d) The rule of height measurement in Subtitle C § 305.3(c) shall supersede any other rules of height measurement that apply to a zone, but shall not be followed if it conflicts with the Height Act.*

As shown in the Updated Plans, the proposed theoretical subdivision is consistent with these requirements:

- **Yard compliance:** The theoretical lots comply with the applicable yard requirements of the RA-1 Zone. A minimum rear yard of 20 feet is required, and no side yard is required for row buildings. *See* 11-F DCMR §§ 207.1, 208.5(b), and 208.5(c). Each townhouse cluster provides a rear yard of at least 20 feet, and all required yards comply with the Zoning Regulations.
- **Vehicular access:** The Project will be served by private alleys that are 24 feet wide, consistent with the minimum access width required by Subtitle C § 305.3(b).
- **Building height:** The proposed townhomes will range from approximately 37 to 40 feet in height and will be measured in accordance with the height measurement requirements of Subtitle C § 305.3(c).

305.4 For a theoretical subdivision application, the following information is required to be submitted to the Board of Zoning Adjustment, in addition to other filing requirements pursuant to Subtitle Y § 300:

- (a) Site plans including the following information:*

- (1) *A plat of the record lots proposed for subdivision;*
- (2) *The location of proposed streets and designated fire apparatus roads;*
- (3) *Location of proposed easements;*
- (4) *Lot lines of proposed theoretical lots, and the delineation of the lot lines shared by theoretical lots that will serve as private drives or easements;*
- (5) *Existing grading and proposed grading plans;*
- (6) *Existing landscaping and proposed landscaping plans, including the sizes and locations of all streets on or adjacent to the property on public or private lands;*
- (7) *Plans for the location of building footprints on theoretical lots; and*
- (8) *Required yards (rear, side and front) based on the regulations applicable to a zone or any modifications or regulations provided through this section;*
- (b) *Typical or individual floor plans and elevations for the proposed buildings and structures; and*
- (c) *A table of zoning information including required and proposed development standards*

The Updated Plans include the information required by Subtitle C § 305.4, including the proposed theoretical lot layout, site plans, floor plans, elevations, and zoning tabulations.

305.6 The proposed development shall comply with the substantive intent and purpose of this title and shall not be likely to have an adverse effect on the present character and future development of the neighborhood.

As discussed above, the proposed townhouse community complies with the substantive intent and purpose of the RA-1 Zone and the Zoning Regulations. The Project also will not adversely affect the present character or future development of the neighborhood. To the contrary, it represents a thoughtfully planned residential community that is compatible with surrounding uses, coordinated with the Conway Education Center, and designed to support the anticipated redevelopment of the broader Providence Hospital campus.

305.7 The Board of Zoning Adjustment may impose conditions with respect to the size and location of driveways; floor area ratio; height, design, screening, and location of structures; and any other matter that the Board determines to be required to protect the overall purpose and intent of the Zoning Regulations.

The Applicant acknowledges the Board's authority under Subtitle C § 305.7 to impose conditions, if necessary. However, for the reasons discussed above, the Applicant does not believe any conditions are required to protect the overall purpose and intent of the Zoning Regulations.

D. Criteria for New Residential Development in RA-1 Zone

Pursuant to Subtitle U § 421.1(a), the proposed townhome development requires special exception approval from the Board because it does not satisfy the matter-of-right standards of Subtitle U § 401.2. The discussion below demonstrates the Application's compliance with the provisions of Subtitle U § 421 relevant to the Board's review.

421.2 When seeking relief pursuant to Subtitle U § 421.1, in addition to filing requirements of Subtitle Y § 300, the applicant shall submit the following at the time of initial filing:

As noted above, Subtitle U § 421.2 was amended entirely pursuant to Notice of Final Rulemaking 25-08, which became effective on July 28, 2026, after the Application was filed. Accordingly, the Applicant provides the following information and responses addressing each filing requirement and review criterion below:

(a) Existing and proposed site plans of the entire property, showing:

(1) Existing and proposed buildings and structures;

The former Kennedy Institute facility is shown in the existing photographs included at [Ex. 5](#) of the case record and on Sheet CIV0100 of the Updated Plans. The proposed townhome units are shown throughout the Updated Plans, including the site plan (Sheet CIV0210) and renderings (Sheets A2.0, A2.1, and A2.2).

(2) Building Restriction Lines and easements;

The 15-foot Building Restriction Line along Buchanan Street, NE is shown on the Building Plat on Sheet CIV1300 of the Updated Plans. Also, the Project is subject to that certain Easement Agreement for Public Access by and between the Applicant and the Developer, dated July 2, 2024, and recorded in the land records for the District of Columbia as Document No. 2024068421 (the “**Easement Agreement**”). A copy of the Easement Agreement is attached hereto as **Exhibit B**.

(3) All heritage trees and all trees to be retained or removed;

The Heritage Tree Exhibit is provided on Sheet CIV0110 of the Updated Plans.

(4) All impervious surface materials;

The impervious surfaces include all the proposed roofs, concrete sidewalk and lead walks to the townhome units, asphalt roads and driveways, and concrete curb and gutter. The total amount of impervious area within the Project is approximately 121,399 square feet.

(5) Location and screening of trash enclosures;

Each townhouse unit will have its own trash and recycling containers, which will be stored within the garage except on collection days. Trash and recycling will be collected twice weekly from the rear alley by a private company.

(6) Location and screening of any surface parking spaces;

Not applicable. The Project does not include any surface parking spaces. All resident parking will be provided within the garage for each townhome unit. Vehicles can also park in the driveway for each unit.

(7) Screening or fencing along common lot lines; and

There will be no screening or fencing between the townhouse units. However, a retaining wall will be installed along the western and southern property lines. See the Updated Plans, Sheet CIV1400, for retaining wall details and representative images.

(8) Exterior lighting

There will be exterior lighting at the front and rear of each townhouse unit to illuminate building entrances, garages, and pedestrian access areas, consistent with typical townhouse developments throughout the District.

(b) Architectural Plans, including but not limited to:

(1) Floor plans of each level and roof;

Floor plans for each level of the proposed townhome units, as well as the roof terrace, are included in the Updated Plans on Sheets A.1.0, A.1.1, and A.1.2.

(2) Elevations, including door and window locations and exterior building materials;

Elevations, including door and window locations and exterior building materials, are included with the Updated Plans.

(3) Sectional drawings through the entire building; and

Sectional drawings through the proposed townhome units are provided in Sheet CIV0397 and Sheet CIV0398 included with the Updated Plans.

(4) Any other renderings relevant to this or other relief associated with the application;

Updated renderings are included with the Updated Plans at Sheets A2.0, A2.1, and A2.2.

(c) Streetscape and alley-scape photos;

Other than the existing streetscape photographs submitted with the original Application (see Ex. 5), the Applicant does not have any additional streetscape or alley-scape photographs.

- (d) *Shadow study, or supplemental representation, comparing existing, by-right, and proposed development at the equinox, longest, and shortest days of the year; and*

Shadow studies depicting the impacts of the proposed development during the spring and fall equinoxes, as well as the summer and winter solstices, are attached hereto as **Exhibit C**.

- (e) *Other plans or illustrations demonstrating the proposed development in relation to adjacent properties including, but not limited to the alignment of windows, doors, trash enclosures, parking, and screening in relation to adjacent residential buildings.*

The Updated Plans provide sufficient information regarding the proposed townhome development and its relationship to adjacent properties, including building orientation, access, parking, and site improvements.

421.3 *In addition to the filing requirements of Subtitle U § 421.2, when seeking relief from [Subtitle] F § 202.3, or for a proposal with more than one principal building, or for a property exceeding twenty thousand square feet (20,000 sq. ft.), the applicant shall submit the following at the time of initial filing:*

Like Subtitle U § 421.2, Subtitle U § 421.3 was amended pursuant to Notice of Final Rulemaking 25-08, which became effective on July 28, 2026, after the Application was filed. The provision is applicable because the Project proposes approximately 80 townhome units and the Property exceeds 20,000 square feet of land area. Accordingly, the Applicant addresses each filing requirement and review criterion set forth below.

- (a) *An existing and proposed Grading Plan with the limit of disturbance shown;*

The Updated Plans show all this information on the Grading Plan (Sheet CIV0402).

- (b) *Plans for all new public or private rights-of-way and easements;*

Plans for the new private rights-of-way are shown on the Overall Site Plan (Sheet CIV0210) and Site Plan (Sheet CIV0310). The plans depict an interconnected circulation network consisting of a 24-foot-wide private alley running east-west through the townhouse community and two 24-foot-wide private streets running north-south between Buchanan Street, N.E. and the southern portion of the Property. As noted above, the Developer has already constructed the easternmost private street in coordination with the development of the adjacent Conway Education Center. In addition, the Property is the Easement Agreement, which establishes public access easements over the two north-south private streets.

- (c) *A statement of justification which examines the proposed development in relation to adjacent properties and the surrounding neighborhood context regarding the proposed:*

- (1) *Arrangement of buildings and structures;*
- (2) *Landscaping, grading, and storm-water management;*

- (3) Vehicle parking; and*
- (4) Recreation and outdoor space*

The proposed arrangement of buildings, landscaping, grading, stormwater management, parking, and open space is appropriate in the context of the surrounding neighborhood and compatible with adjacent properties. As discussed throughout this Prehearing Statement and reflected in the Updated Plans, the arrangement of the townhouse clusters has been carefully designed to coordinate with the Conway Education Center and surrounding development. The layout of the Project is shown on the site plan (Sheet CIV0210), which depict a cohesive residential community organized around new private streets, alleys, and publicly accessible open space.

The landscape plan is shown on Sheet CIV0650, the grading plan is provided on Sheet CIV0402, and the stormwater management plan is provided on Sheet CIV1100. Resident parking will be accommodated within garages and on private driveways serving each unit. The Project will also provide approximately 40,500 square feet of publicly accessible green space, per its comment to the community. Overall, the Project is a context-sensitive and thoughtfully designed townhome community that will integrate well with the surrounding neighborhood.

V. COMMUNITY ENGAGEMENT

The Property is located within the boundaries of Advisory Neighborhood Commission ("ANC") 5A. As discussed in the Applicant's Statement in Support, *see* Ex. 8 at 6-7, the Developer engaged extensively with ANC commissioners, civic associations, and community stakeholders during the review of BZA Case No. 20751, which led to the Original Approval for the townhouse community. Between May and October 2022, the Developer participated in multiple public meetings with ANC 5A, Single-Member District ("SMD") 5A-03, the North Michigan Park Civic Association, and the Michigan Park Civic Association to present the Project, solicit feedback, and address community concerns.

A. Developer's Commitments to the Community with Original Approval

In response to the community's feedback and concerns about the proposed townhouse community, the Developer committed to the following in connection with the Original Approval:

1. Applicant will include in HOA documents that residents will not be eligible for RPP.
2. Applicant will contribute \$25,000.00 to Housing Counseling Services ("HCS") to be expended by HCS for the administration of the Tax Relief Fund ("TRF"), which will assist residents on restricted incomes in offsetting possible increase in property taxes. To the extent possible, the Applicant will request that the contribution be earmarked for residents in proximity to the Property.
3. Applicant will install seismic monitoring equipment on site during construction.

4. The townhouse development will include approximately 40,500 square feet of publicly accessible green space as depicted on the plans. At such time as the zoning application for the redevelopment of the Providence Hospital site to the south is processed, the Applicant agrees to collaborate with the developer for that site on the construction of a combined publicly accessible green space for which the Applicant agrees to fund the installation of a tot lot and the construction of a dog walking area.
5. Applicant will contribute \$25,000.00 to the District of Columbia Housing Production Trust Fund. To the extent possible, the Applicant will request that the contribution be used to produce or preserve affordable housing in proximity to the Property.
6. Applicant will donate \$10,000.00 to the North Michigan Park Civic Association Scholarship Fund.

These commitments are reflected in the letter marked as [Ex. 43](#) in the record for BZA Case No. 20751, which is attached hereto as **Exhibit D** for ease of reference. **Although these commitments were not incorporated into the Original Order, the Developer remains committed to fulfilling them in connection with the proposed townhouse development.**

B. Continued Stakeholder Engagement

The Developer has remained in regular communication with ANC 5A and other neighborhood stakeholders since the Original Approval, including a presentation on the status of the project at the ANC's regular meeting on June 24, 2026. The ANC remains supportive of the Project, as reflected in a letter from Commissioner Emily Lucio, the SMD representative, supporting the Application. See [Ex. 18](#).³

VI. PROPOSED CONDITIONS OF APPROVAL

The Applicant respectfully requests that the Board approve the Application subject to the same condition imposed in the Original Approval, namely that the Applicant implement a transportation demand management ("TDM") plan consistent with the provisions set forth in Ex. 52 of the record in BZA Case No. 20751 and described in Finding of Fact No. 18 of the Original Order. A copy of the approved TDM plan was previously filed with the original Application and is marked as [Ex. 12](#) in the record for this case. The specific requirements of the TDM plan are reproduced below for ease of reference:

The Applicant shall implement the following Transportation Demand Management (TDM) Plan, for the life of the project, unless otherwise noted:

³ Commissioner Emily Lucio confirmed that ANC 5A is not scheduled to meet prior to the public hearing in this matter. However, as Commissioner Lucio noted in her July 9, 2026 letter, "the Commission's prior support for this project remains on record" and she "respectfully and strongly urge[d] the Board to grant timely approval of BZA Case No. 21509."

- a) *Install 16 short-term bicycle parking spaces along the site frontage on Buchanan Street and along the internal roadways of the development to encourage bicycling by new and existing residents in the area;*
- b) *Fund the installation and one-year of maintenance costs for a new 23-dock Capital Bikeshare station with at least 12 bikes;*
- c) *Fund and construct a sidewalk along the south side of Buchanan Street from the west side of 8th Street to 10th Street, subject to DDOT approval; and*
- d) *Fund and install a crosswalk on the west leg of Buchanan Street/8th Street intersection and construct curb ramps on the northwest and southwest corners of the intersection.*

VII. WITNESS UPDATE

With this Prehearing Submission, the Applicant supplements the witness outline previously filed as Ex. 13 in the case record. The Applicant hereby proffers Brian Ruhl of VIKA Capitol, the Project's landscape architect, as an expert in landscape architecture. An outline of Mr. Ruhl's direct testimony for the public hearing and a copy of his resume are attached hereto as **Exhibit E**.

VIII. CONCLUSION

For the reasons discussed herein and supported by the record, the Applicant respectfully requests that the Board grant the requested Zoning Relief. The Application satisfies the applicable standards of Subtitle C § 305, Subtitle U § 421, and Subtitle X § 901.2. The Board's approval will effectively revive the relief granted in BZA Order No. 20751 and facilitate the coordinated redevelopment of the former Kennedy Institute campus, supporting both the Conway Education Center's new campus and the delivery of new housing and affordable housing at the Property.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 
Leila M. Jackson Batties

By: 
Christopher S. Cohen

Exhibit List:

- Exhibit A – Updated Plans
- Exhibit B – Easement Agreement for Public Access (Recorded as Doc. #2024068421)
- Exhibit C – Shadow Studies
- Exhibit D – Community Commitments Letter (BZA Case No. 20751, Ex. 43)
- Exhibit E – Outline of Testimony for Brian Ruhl and Copy of Resume