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September 9, 2026

VIA EMAIL: michael.jurkovic@dc.gov

Michael Jurkovic, AICP
Development Review Specialist
D.C. Office of Planning
899 North Capitol Street, N.E.
Suite 7100
Washington, D.C. 20002

Re: BZA Case No. 21509
Responses to Office of Planning Feedback and Preliminary Report
The Roman Catholic Archbishop of Washington and his successors in office, a corporation sole (the "Applicant")
Square 3894, Lot 23 (the "Property")

Dear Mr. Jurkovic:

On behalf of the Applicant, please find below the Applicant's responses to comments from the Office of Planning ("**OP**") provided by email on August 19, 2026, and discussed during our meeting on August 21, 2026. The information herein is also provided in response to OP's Preliminary Report dated September 4, 2026 (Ex. 28).

Enclosed with this response letter are updated site exhibits, architectural plans and elevations (collectively, the "**Updated Plans**"), which the Applicant will file into the case record.[1] The Applicant will continue coordinating with OP and will supplement the record as necessary.

1. Zoning Relief Requested

The Applicant requests special exception relief pursuant to Subtitle X § 901.2. Specifically, the Applicant seeks special exception approval under (i) Subtitle C § 305.1 for the proposed theoretical subdivision of the Property and (ii) Subtitle U § 421.1 to permit a new residential development in the RA-1 Zone. In accordance with Subtitle Y § 300.6(b), the relief requested with

[1] Also enclosed is a completed Form 150 (Motion Form) requesting that the Board of Zoning Adjustment accept this filing and the Updated Plans into the record, even though they are being submitted fewer than thirty (30) days before the public hearing scheduled for September 16, 2026. *See* Subtitle Y §§ 300.15-300.16.

Board of Zoning Adjustment
District of Columbia
CASE NO. 21509
EXHIBIT NO. 30A

this application is accurately reflected in the revised Zoning Self-Certification Form 135 filed in the record at Exhibit 20.

2. Theoretical Lot Configuration and Updated Zoning Tabulations

Sheet CIV0310 of the Updated Plans includes a revised lot exhibit depicting the proposed theoretical subdivision of the Property into 12 theoretical lots. Each theoretical lot contains a cluster, or "stick"/"strip," of townhome units that will be treated as a single building containing multiple dwelling units for zoning compliance purposes. The Updated Plans also include revised zoning tabulations that set forth the calculations and measurements demonstrating compliance with the RA-1 development standards for each theoretical lot, which supersede those previously filed at Exhibit 6.

3. Building Height and Penthouses

Sheet CIV0400 of the Updated Plans indicates the building height measuring points for each of the 12 buildings located on the 12 theoretical lots. As reflected in the updated Zoning Tabulations, all 12 buildings comply with the 40-foot matter-of-right height limit permitted in the RA-1 Zone. *See* Subtitle F § 203.1.

In addition, the proposed penthouse structures comply with the penthouse use requirements set forth in Subtitle C § 1501.1(a) and (b), as described below.

1501.1 A penthouse or rooftop structure may house mechanical equipment, or any use permitted within the zone, except that penthouse space shall be restricted as follows:

(a) Within residential zones in which the building is limited to a maximum of forty feet (40 ft.) or less, the penthouse use shall be limited to penthouse mechanical space and ancillary space associated with a rooftop deck, to a maximum area of twenty percent (20%) of the building roof area dedicated to rooftop unenclosed and uncovered deck, terrace, or recreation space;

Building height in the RA-1 Zone is limited to a maximum of 40 feet and three stories. *See* Subtitle F § 203.2. Consistent with Subtitle C § 1501.1(a), the penthouse structures will be used solely for stair access to the rooftop terraces serving the townhome units. The penthouse structures also occupy less than 20% of the overall building roof area dedicated to rooftop terrace space.

(b) Notwithstanding the requirements of paragraph (a), penthouse space shall only be permitted on the roof of a single household dwelling or flat in any zone, or on the roof of an apartment house converted pursuant to Subtitle U § 320.2, if it:

(1) It is located entirely within the matter of right permitted height for the building, or the special exception permitted height for the building when authorized by the Board of Zoning Adjustment;
(2) Is a maximum of nine feet (9 ft.) in height and one (1) story; and

(3) Contains only stair or elevator access to the roof plus a maximum of thirty square feet (30 sq. ft.) of space ancillary to a rooftop deck or terrace;

Each townhome is intended to serve as a "single household dwelling" in accordance with the Zoning Regulations. Accordingly, the penthouse space atop each unit will comply with Subtitle C § 1501.1(b) because: (i) it is located entirely within the 40-foot matter-of-right height permitted in the RA-1 Zone; (ii) it will not exceed nine feet (9 ft.) in height or one story; and (iii) it contains only stair access to the rooftop terrace and no more than 30 square feet of ancillary space. Such compliance is shown on the architectural sheets included with the Updated Plans (*see* **Sheets A1.0 through A3.0**).

4. Townhome Unit Numbering

Townhome unit numbering remains subject to change. Accordingly, the specific unit labels have been removed from the relevant plan sheets. The Applicant confirms, however, that it is proposing a new residential development containing up to 80 townhome units.

5. Floor Plans and Elevations – Illustrative

Sheets A1.0 through A1.2 of the Updated Plans depict typical floor plans for 16-foot-wide and 20-foot-wide townhome units, while **Sheets A2.0 through A2.2** depict typical front, side, and rear elevations for the proposed townhome building sticks. These drawings are illustrative and intended to convey the general design and layout of the proposed townhomes.

6. Side Yard Compliance

The side yards of a theoretical lot must be consistent with the requirements of the underlying zone, which in this case is the RA-1 Zone. 11-C DCMR § 305.3(a). Pursuant to Subtitle F § 208.6, the westernmost and easternmost townhome clusters, each of which contains seven (7) townhome units and constitutes a single multiple dwelling building for zoning compliance purposes, must provide two side yards with a minimum width of eight (8) feet. The interior townhome clusters, each of which contains six (6) townhome units, are subject to the requirements set forth in Subtitle F § 208.5. The end units must provide a minimum side yard of five (5) feet, and no side yard is required for the interior row dwelling units. *See* Subtitle F §§ 208.5(b)-(c), 208.6. As shown in the Zoning Tabulations provided with the Updated Plans, all proposed theoretical lots comply with the applicable side yard requirements.

7. Inclusionary Zoning

The District's Inclusionary Zoning ("**IZ**") program applies to the proposed townhome development because it will create new residential gross floor area ("**GFA**") and contain more than ten (10) dwelling units. *See* Subtitle C § 1001.2(a)(1). For this project, the required set-aside is based on ten percent (10%) of the project's residential floor area. *See* Subtitle C § 1003.1(a). The penthouse structures do not trigger additional IZ requirements because they will be located on individual townhome units serving single-household dwellings and are therefore exempt. *See* Subtitle C § 1507.2(b).

Based on the applicable IZ set-aside requirement and approximately 171,876 square feet of proposed residential GFA, the Applicant will reserve approximately 17,187 square feet of residential GFA for affordable housing. While the IZ Unit Exhibit (*see* **Sheet CIV0350**) remains subject to refinement, the Project will at all times provide no less than the amount of affordable housing required by the Zoning Regulations.

8. Completed Portion of Private Road

The completed portion of the private road that will serve the proposed townhome development, and which currently provides access to the Conway Education Center on the adjacent site (Lot 24), is shown on the Existing Conditions Plan (see **Sheet CIV0100**). As shown, the private road is shifted slightly to the west of the original proposed alignment shown on the site plan in order to preserve an existing Heritage Tree in good condition.

9. Location of Maple Heritage Tree

As shown on the Heritage Tree Exhibit included with the Updated Plans (*see* **Sheet CIV0110**), the maple Heritage Tree generally located at the southern end of the private road will be relocated to the adjacent school site.

Conclusion

We trust that the foregoing information and enclosed Updated Plans are responsive to OP's comments and provide additional clarity regarding the application. Should OP have any additional questions or require any further information in advance of the public hearing scheduled for September 16, 2026, please do not hesitate to contact us.

Very truly yours,

HOLLAND & KNIGHT LLP

By: Leila Batties
Leila Batties

By:
Christopher S. Cohen

Enclosures

cc:
Maxine Brown-Roberts, Office of Planning (via email)
Karen Thomas, Office of Planning (via email)
Emily Singer Lucio, SMD 5A-03 (via email)
D.C. Board of Zoning Adjustment (via IZIS)