

# Hampton East Owner LLC

**BZA Application No. 21377**

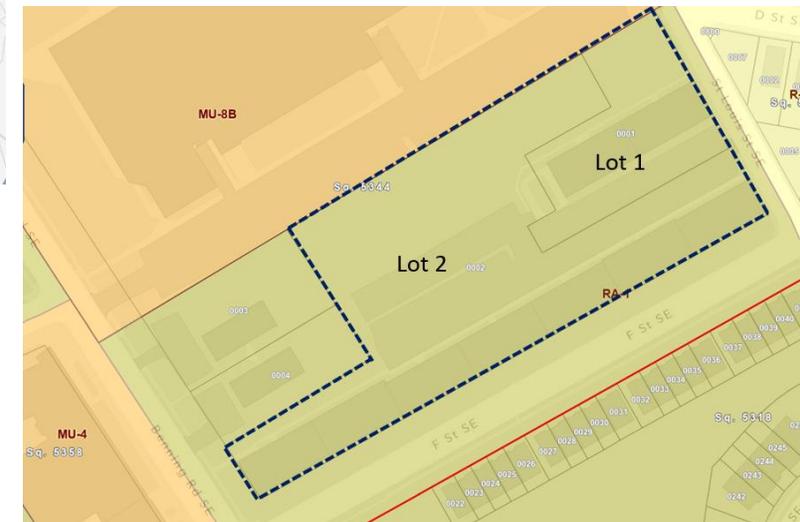
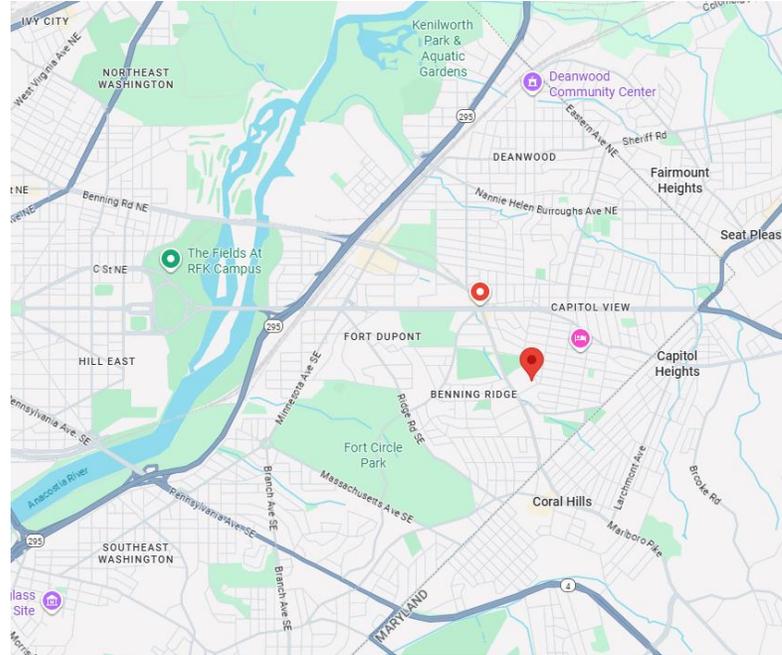
**4730 & 4750 Benning Road SE (Square 5344, Lots 1 and 2)**

*Applicant's Hearing Presentation  
February 11, 2026*

**Holland & Knight**

# Property Location – 4730 & 4750 Benning Road SE (Square 5244, Lots 1 and 2)

- Located in the Marshall Heights neighborhood.
- Bounded by Fletcher-Johnson Recreation Center to the north, F Street SE to the south, Benning Road SE to the west, and St. Louis Street SE to the east.
- Within the RA-1 zone.



# Overview of BZA Application and Zoning Relief Requested

- BZA Application **No. 21377** filed on August 19, 2025.
- Request for:
  1. **Special exception** approval pursuant to Subtitle U § 421 and Subtitle X § 901.2 to permit the construction of a new residential development in the RA-1 zone, and
  2. **Area variance** approval pursuant to Subtitle X § 1000.1 from the lot frontage requirement of Subtitle C § 303.4, which requires a minimum street frontage of 30 feet for new lots to be used and occupied by an apartment house.
- Proposed Residential Development:
  - Three-story apartment house consisting of 28 units with a mix of two-, three-, and four-bedroom units.
  - Inclusionary Zoning (IZ) units will contribute to affordable housing stock.
  - Amenities:
    - Green roof and solar panels
    - 11 long-term bicycle spaces (above minimum requirements)
    - Tot lot/play area

# Existing Conditions



Photograph #1: Subject Property and Existing Conditions



Photograph #2: Subject Property and existing multifamily building on Lot 2 in Square 5344 (looking SW)



Photograph #3: Existing multifamily buildings on Lots 1 and 2 in Sq. 5344



Photograph #4: Existing curb cut on St. Louis Avenue, SE (looking NW)

# Existing Conditions



Photograph #5: Available street frontage on St. Louis Ave, SE (looking SE)





# Proposed Site Plan

## SAMPLE PLAY AREA CONTEXTUAL PHOTOGRAPHS

MULCH PLAY SURFACE COURSE



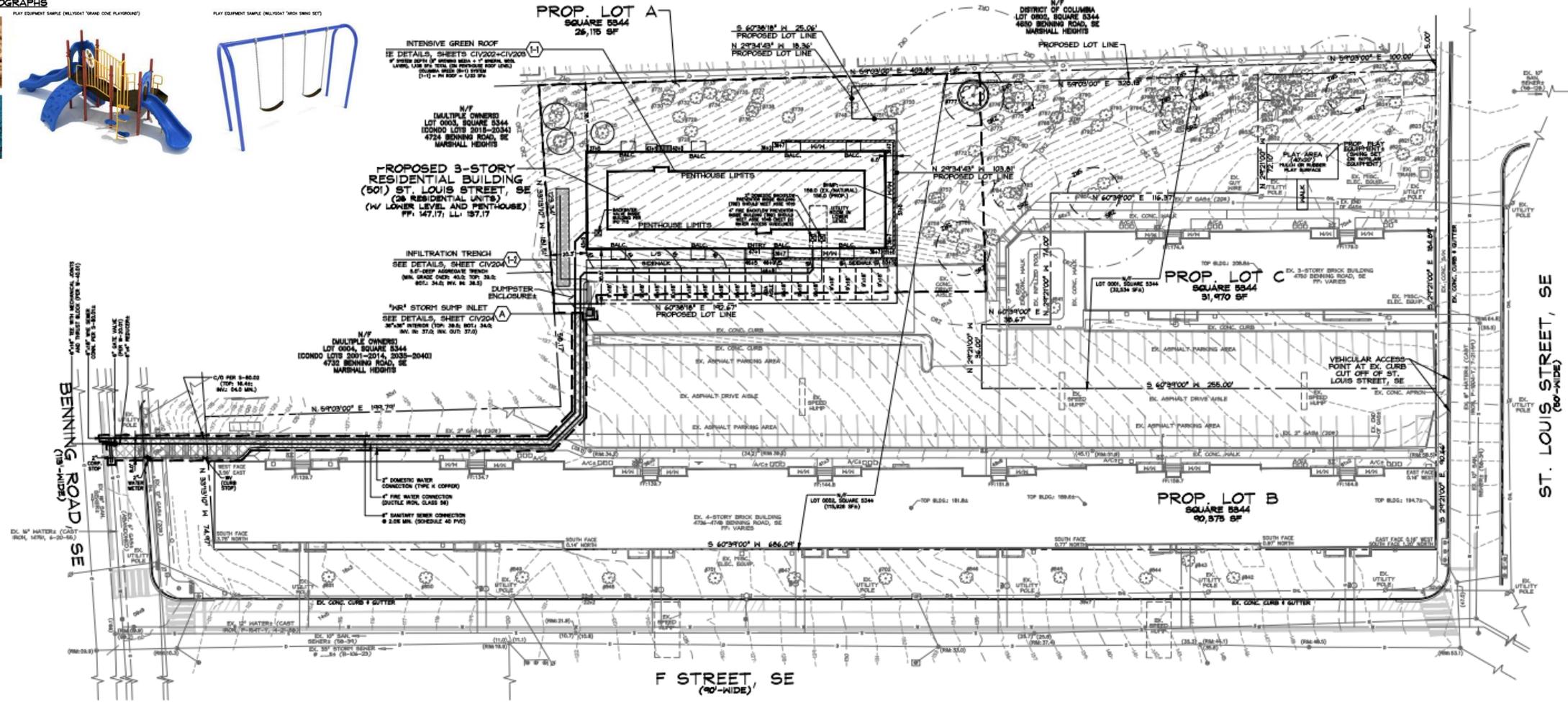
PUMPER PLAY SURFACE COURSE



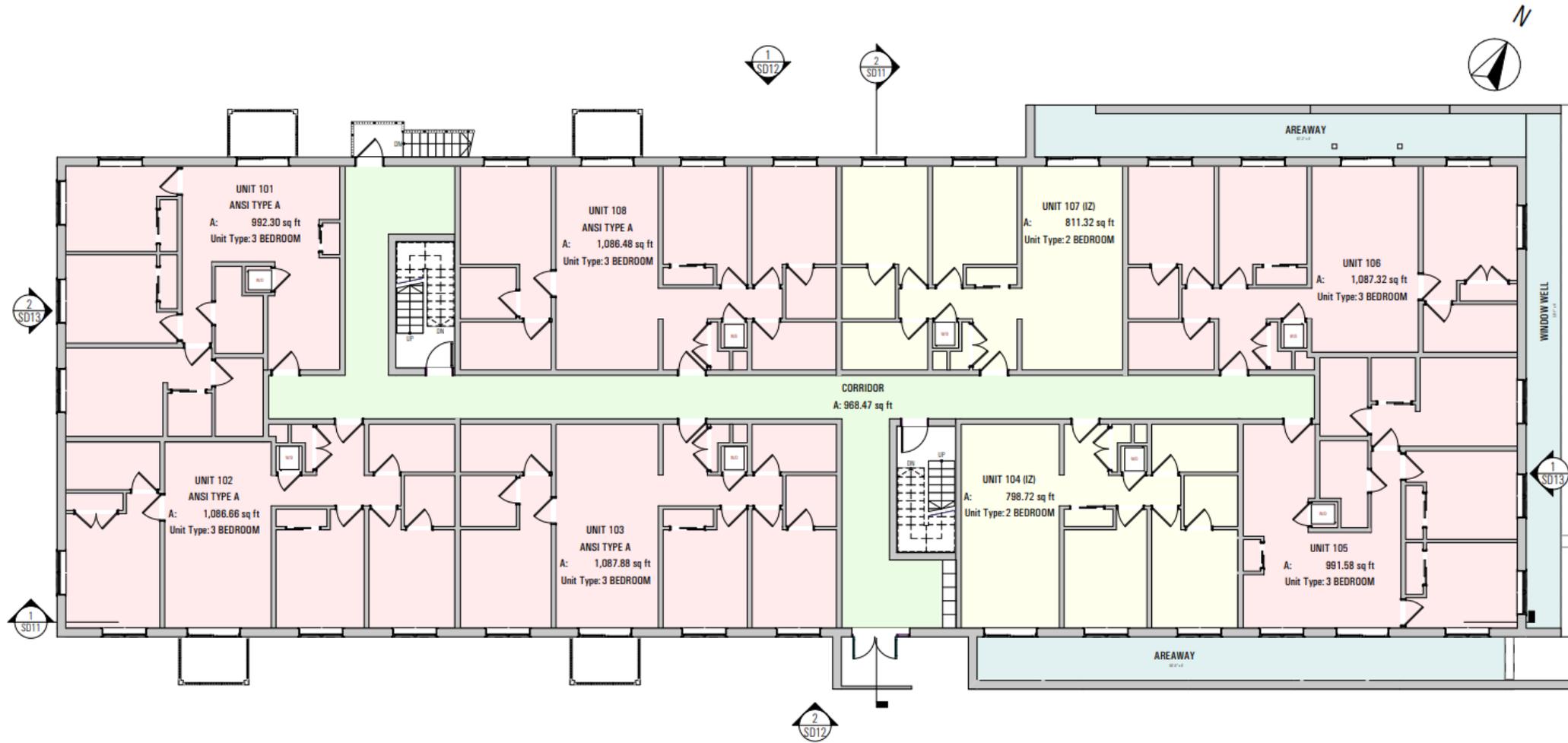
PLAY EQUIPMENT SAMPLE (MILLYGAT BRAND COLE PLAYGROUND)



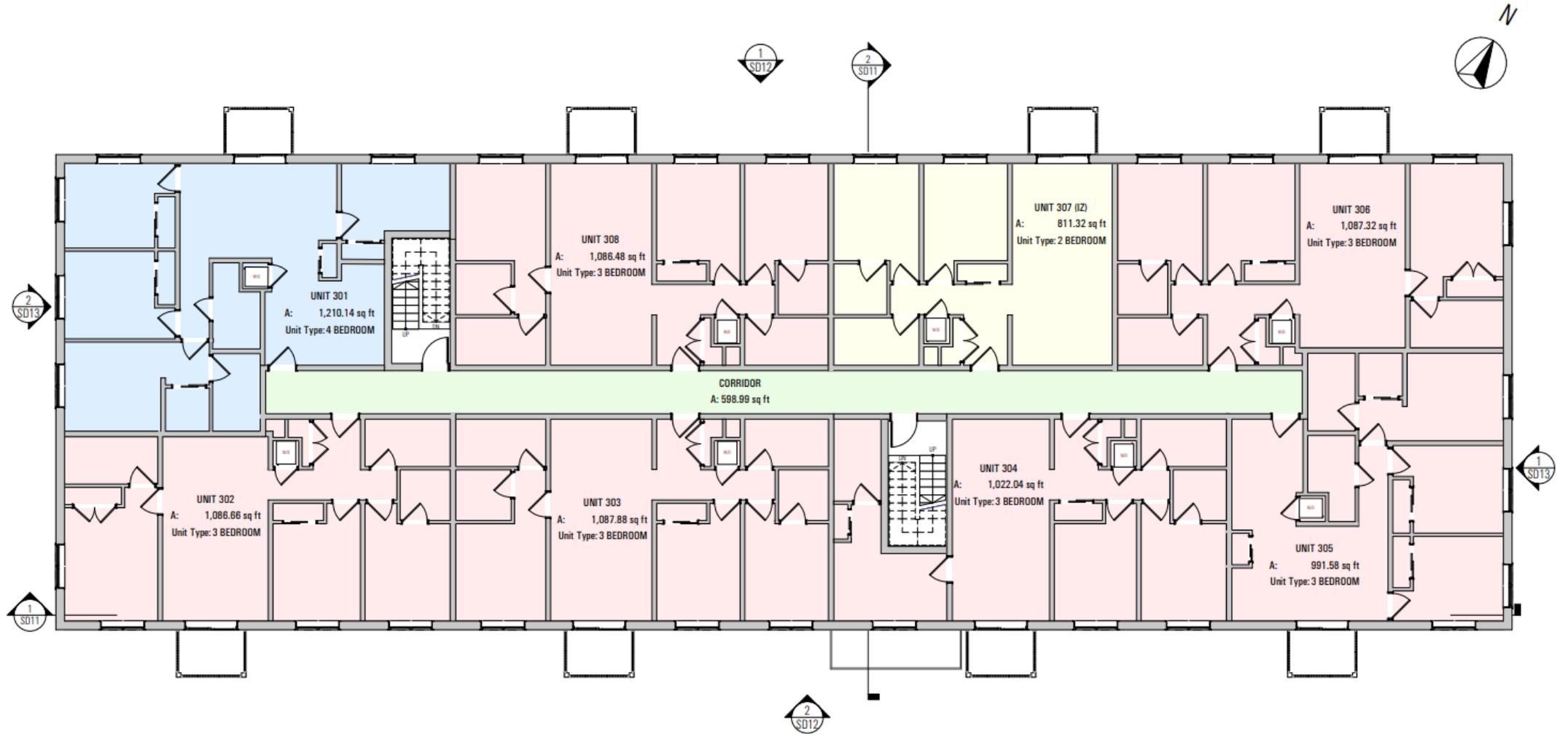
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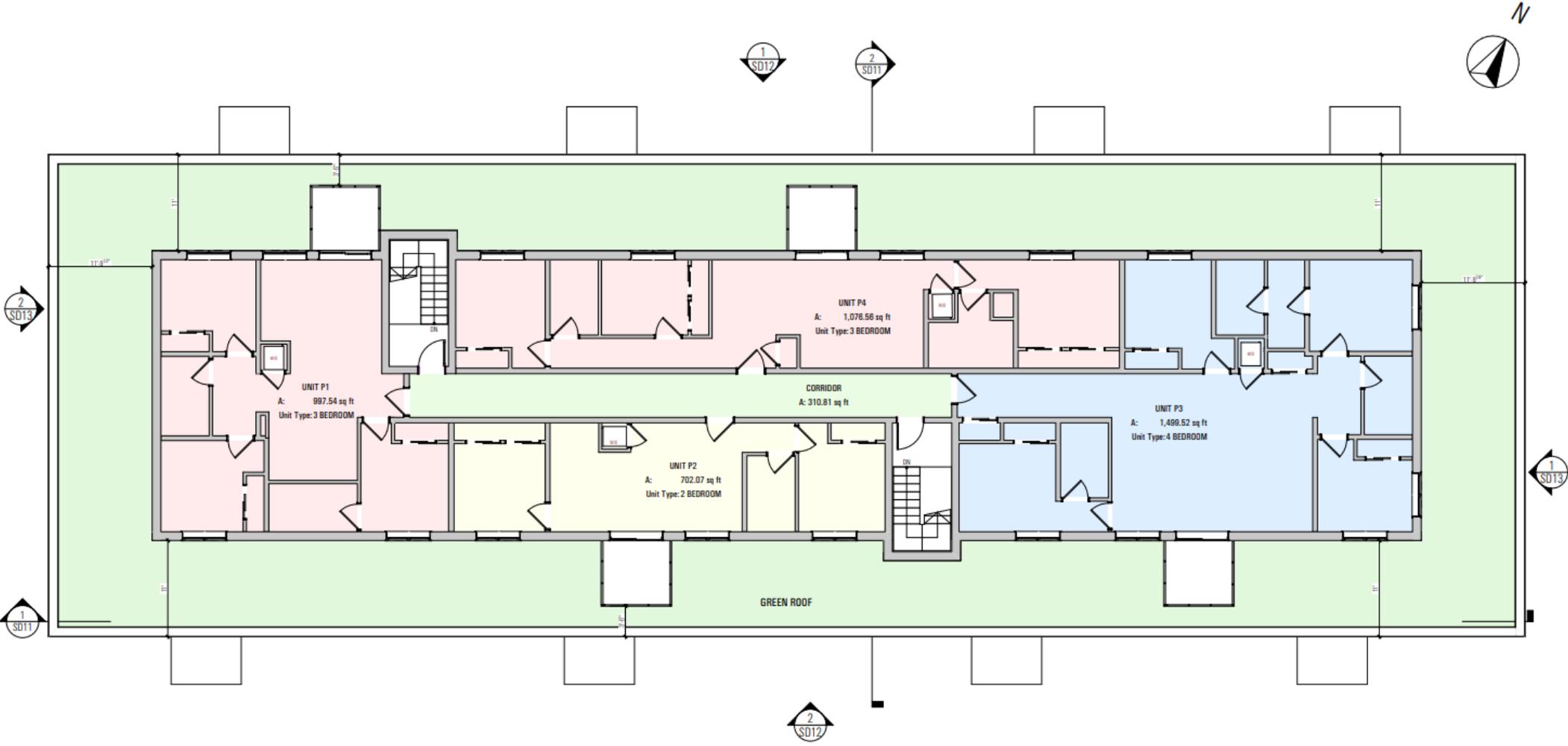
# Proposed Residential Development – First Floor Plan



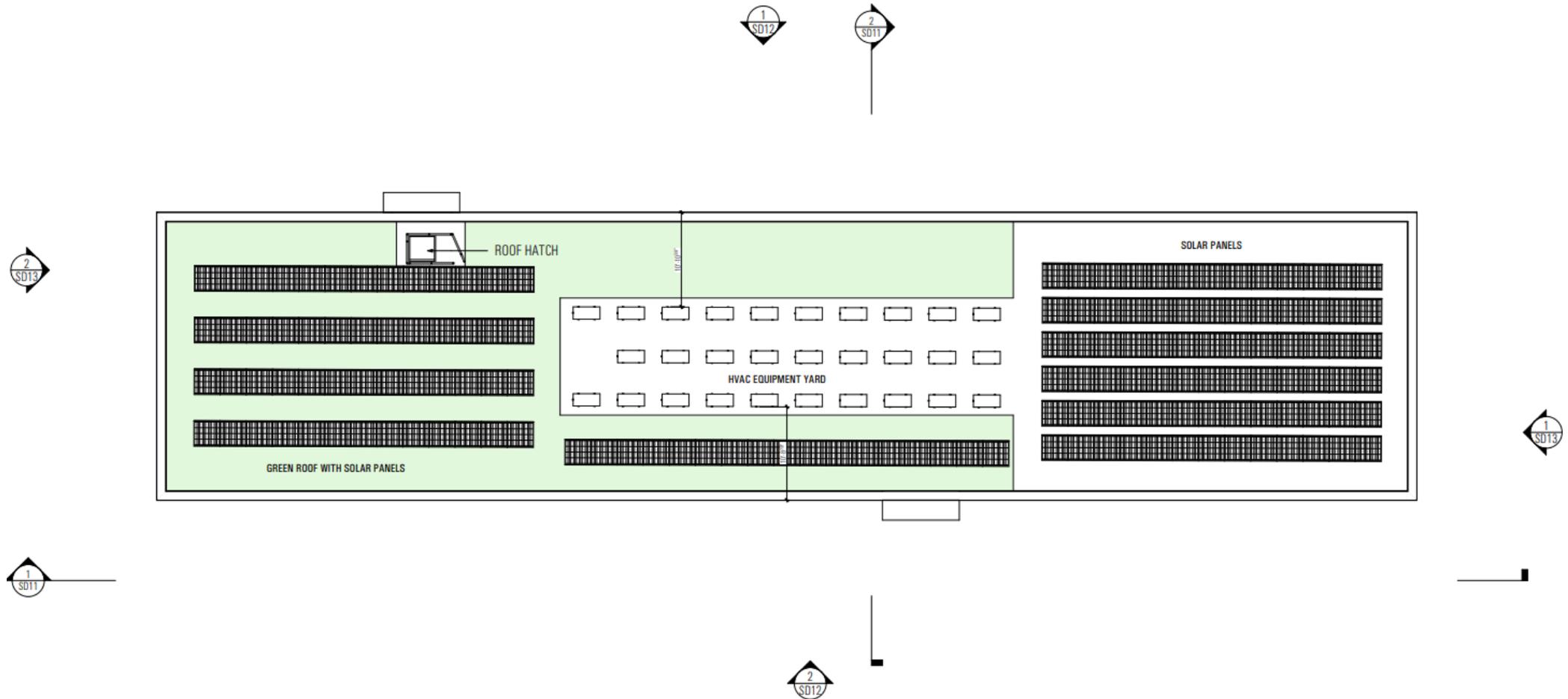
# Proposed Residential Development – Typical Floor Plan



# Proposed Residential Development – Penthouse Floor Plan



# Proposed Development – Penthouse Roof Plan



# Proposed Development – Renderings



# Special Exception Criteria

Subtitle U § 421.1-421.4 – New Residential Developments (RA-1)

421.1 – In any of the **RA-1 zones**, **all new residential developments**, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment **as special exceptions** pursuant to Subtitle X, Chapter 9, in accordance with the standards and requirements in that section.

421.2 – The Board of Zoning Adjustment shall **refer the application to the relevant District of Columbia agencies** for comment and recommendation as to the adequacy of the following:

- a) Existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project; and
- b) Public streets, recreation, and other services to accommodate the residents that can be expected to reside in the project.

421.3 – The Board of Zoning Adjustment shall **refer the application to the Office of Planning** for comment and recommendation on the site plan, arrangement of buildings and structures, and provisions of light, air, parking, recreation, landscaping, and grading as they relate to the surrounding neighborhood, and the relationship of the proposed project to public plans and projects.

421.4 – In addition to other filing requirements, the **developer shall submit** to the Board of Zoning Adjustment with the application a site plan and set of typical floor plans and elevations, grading plan (existing and final), landscaping plan, and plans for all new rights-of-way and easements.

# Special Exception Justification

Subtitle U § 421.1-421.4 – New Residential Developments (RA-1)

## 421.1 – Special exception requirement for new development in RA-1 Zone

- Applicant has requested special exception relief under Subtitle X § 901.2.

## 421.2 – District agency review of adequacy of schools, public streets, and other services to accommodate new residents

- Proposed number of mix of unit sizes is intended to accommodate family-sized households.
- The estimated SY27-28 utilization rates for schools in which the Property is zoned indicate that the expected student population could be accommodated.
- Subject BZA application will be reviewed by relevant District agencies as needed to ensure expected population can be supported.
- Office of Planning
  - “It is **not anticipated** that the addition of students generated by the development would result in significant overcrowding.” (OP Report, Ex. 38, pg. 5)
  - “At OP’s recommendation, the Applicant is providing an **800 square feet area for a tot-lot (play area)**...and the play areas would also be **accessible to residents** of the new building as well as the existing buildings.” (OP Report, Ex. 38, pg. 6)
  - “The larger Benning Terrace Recreation Center is a nine minute (0.4 mile) walk from the site, and the Woody Ward Community Center is a 14-minute walk (0.6 mile) from the site and have a **variety of recreational facilities** for all ages which residents of the building can utilize.” (OP Report, Ex. 38, pg. 6).

# Special Exception Justification

Subtitle U § 421.1-421.4 – New Residential Developments (RA-1)

## 421.3 – OP review of development compatibility

- Office of Planning recommended approval in its report at Exhibit 38.
  - “The building would be located so that it would **not be visible from Benning Road**, F Street or St. Louis Street... It would also be **buffered by vegetation** from the apartments to the west and the future development of the Fletcher Johnson property to the north...The **massing** of the building would be **similar to the adjacent apartment buildings**. The building would be **similar in architecture** to the existing buildings and utilize the existing topography... It is **not envisioned that there would be negative impacts** in terms of access to light or air flow for the new residents or to the residents of adjacent buildings. The **degree of privacy** for adjacent properties should also **not change**.” (OP Report, Ex. 38, pg. 6)

## 421.4 – Additional submission requirements

- Applicant has submitted the requirements of this provision.

# Special Exception Criteria

Subtitle X § 901.2 – Special Exception Review Standards

The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

- a) Will be **in harmony with the general purpose and intent** of the Zoning Regulations and Zoning Maps;
- b) Will **not tend to affect adversely**, the **use of neighboring property** in accordance with the Zoning Regulations and Zoning Maps; and
- c) Will meet such **special conditions** as may be specified in this title.

# Special Exception Justification

Subtitle X § 901.2 – Special Exception Review Standards

- a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;**
  - Project is consistent with the purposes of the RA-1 zone, which is intended to “provide for areas predominantly developed with low- to moderate-density development.” (Subtitle F § 101.4)
  - Office of Planning
    - “The RA-1 zone **permits moderate density development** including low-rise apartments through **Special Exception**...the proposed apartment building would be consistent with the intent of the RA-1 zone requirements.” (OP Report, Ex. 38, pg. 7)

# Special Exception Justification

Subtitle X § 901.2 – Special Exception Review Standards

**b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and**

- Project is designed to integrate with the surrounding multifamily buildings.
  - Surrounding services and infrastructure are capable of accommodating new residents.
  - Project will not result in adverse impacts on parking availability as existing multifamily buildings have sufficient parking.
  - Project will contribute to affordable housing stock without introducing any substantial negative impacts.
  - Office of Planning
    - “The requested special exception review should **not result in an undue impact** on the use of the existing apartment buildings on Lots 1 and 2 or those to the west of the property... Much of the **existing vegetation would be preserved** and **would serve as a buffer** between the apartments to the west and the future development envisioned on the former Fletcher-Johnson property to the north.” (OP Report, Ex. 38, pg. 4)
- c) Will meet such special conditions as may be specified in this title.**
- Project complies with criteria of Subtitle U § 421 as previously outlined.

# Area Variance Criteria

Subtitle X § 1000.1 – Area Variance Review Standards

The Board of Zoning Adjustment is authorized under D.C. Code § 6-641.07(g)(3) and Subtitle X § 1000.1, to grant a variance from “the strict application of any regulation adopted under D.C. Official Code §§ 6-641.01 to 6-651.02” when the following conditions are met:

1. The property is affected by exceptional size, shape, or topography or other extraordinary or **exceptional condition or situation**;
2. The owner would encounter **peculiar and exceptional practical difficulties or undue hardship** if the zoning regulations were strictly applied; and
3. The variance would **not cause substantial detriment** to the public good and would not substantially impair the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

# Area Variance Justification

Subtitle X § 1000.1 – Area Variance Review Standards

1. **The property is affected by exceptional size, shape, or topography or other extraordinary or exceptional condition or situation;**
  - Physical configuration – The Property comprises Lots 1 and 2, which have an irregular, interlocking configuration that effectively traps the Property between Lots 1 and 2 and lacks independent street frontage.
  - Surrounding uses – The Property cannot obtain street frontage from the north, west, or south as the Property is bounded by Fletcher-Johnson Recreation Center, residential buildings, and a multifamily building, respectively. Therefore, the only available frontage is on St. Louis Street SE with the lot configuration provided the Applicant's proposed subdivision.
  - Zoning requirements – Subtitle C § 302.2 requires any new primary building to be located on a separate lot of record. As such, the Property's unique configuration along with the mandatory subdivision requirement gives rise to the practical difficulty outlined on the next slide.
  - Office of Planning
    - “Taken together, the **irregular configuration** of the lots, the **location of the vacant portion of Lot 2, lack of public street frontage**, and the **need maintain conforming record lots** for the existing apartments, the Applicant is faced with an **extraordinary situation** resulting in **practical difficulty** in providing the required 30-foot-wide lot frontage for the subject lot.” (OP Report, Ex. 38, pg. 7)

# Area Variance Justification

Subtitle X § 1000.1 – Area Variance Review Standards

2. **The owner would encounter peculiar and exceptional practical difficulties or undue hardship if the zoning regulations were strictly applied; and**
  - Due to the existing multifamily building on Lot 1, the Property can only obtain five feet (5 ft.) of street frontage along St. Louis Street SE.
  - There is no alternative means to comply with the street frontage requirement without demolition of existing improvements, acquisition of adjoining property, or other infeasible measures.
  - Office of Planning
    - “Not providing a 30-foot-wide frontage would **not be a detriment** to the public good. In fact, it seems to be a **better solution** to access the property...The proposed 5-foot-wide frontage would only be on “paper” but would **not be used as an entrance** to access the new apartment and would remain undeveloped and wooded. Therefore, the requested variance should **not result in substantial detriment** to the public good.” (OP Report, Ex. 38, pg. 4)

# Area Variance Justification

Subtitle X § 1000.1 – Area Variance Review Standards

- 3. The variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.**
- Project would deliver 28 new residential units, including family-sized and IZ units, in a transit-accessible location.
  - Requested relief advances the purpose and preserves the integrity of the frontage requirement.
  - Requested relief also supports the purpose of RA zones, which are intended to promote flexibility by allowing a variety of resident development types.
  - Office of Planning
    - “The **requested variance is necessary** for the Applicant to create a new record lot to accommodate the new apartment building...the creation of the **new lot would meet the requirements of Subtitle U § 421** and therefore would **not substantially impair the intent, purpose, and integrity** of the Zoning Regulations.” (OP Report, Ex. 38, pg. 5)

# Community Outreach

- September 2025 – present:
  - Presented to ANC 7E Executive Committee twice
    - September 2, 2025
    - October 7, 2025
  - Presented at full ANC 7E Monthly Meeting three times
    - September 9, 2025
    - October 14, 2025
    - February 3, 2026
  - Door knocking and meeting with nearby residents
- Filings in support:
  - Petition in support (Ex. 17)
  - 12 letters in support (Ex. 18-29)
- No letters in opposition from residents have been filed in the record.
- ANC 7E voted in opposition (Ex. 41)

# Agency Review – OP Report (Exhibit 38)

- Recommends approval.
- Area Variance – Key Factors
  - Extraordinary situation resulting in practical difficulty in providing the required 30-foot-wide lot frontage due to irregular configuration of existing lots and location of existing buildings.
  - Not providing a 30-foot-wide frontage would not be a detriment to the public good and seems to be a better solution to access the property as proposed 5-foot-wide frontage would be “paper”.
- Special Exception – Key Factors
  - Proposal is consistent with RA-1 zone regulations, except for requested area variance.
  - The proposed building would be in character with the bulk and height of adjacent buildings.
  - Much of the existing vegetation would be preserved and would serve as a buffer.

# Agency Review – DDOT Report (Exhibit 37)

- No objection to approval subject to adoption of TDM measures.
- “Zoning **requires eight (8)** off-street parking spaces. The Applicant **proposes up to 18 spaces** (16 standard and two accessible), accessed via the existing curb cut on St. Louis Street SE. **No new curb cuts** are proposed.” (DDOT Report, Ex. 37, pg. 3)
- “[T]he site proposes to provide **off-street parking**, and the nearby streets of St Louis Street and D Street SE are generally unrestricted on both sides.” (DDOT Report, Ex. 37, pg. 3)
- “Zoning **requires nine (9) long-term** and **one (1) short-term** bicycle parking space. The Applicant **proposes 11 long-term** spaces and **two short-term** spaces (one inverted U-rack).” (DDOT Report, Ex. 37, pg. 3)
- “[B]uildings with fewer than 50 units are **not required to provide a loading berth**. As such, future residents should use the parking lot for move-ins and move-outs or obtain “emergency no parking” signs from DDOT to reserve an on-street parking space.” (DDOT Report, Ex. 37, pg. 3)

# Agency Review – DDOT Report (Exhibit 37)

- The Applicant has agreed to the following TDMs for the life of the project:
  - Unbundle the cost of vehicle parking from the lease or purchase agreement for each residential unit and charge a minimum rate based on the average market rate within a quarter mile;
  - Identify a Transportation Coordinator for the operation of the development. The Transportation Coordinators will act as the point of contact with DDOT, goDCgo, and Zoning Enforcement and will provide their contact information to goDCgo;
  - Transportation Coordinator will distribute information regarding various transportation alternatives and options to the residents, including promoting transportation events (i.e., Bike to Work Day, National Walking Day, Car Free Day) on property websites and in any internal building newsletters or communications;
  - Transportation Coordinator will subscribe to goDCgo's residential newsletter and receive TDM training from goDCgo to learn about the transportation conditions for this project and available options for implementing the TDM Plan;
  - Provide welcome packets to all new residents that should, at a minimum, include the Metrorail pocket guide, information regarding local bus lines, carpool and vanpool information, and the most recent DC Bike Map. Brochures can be ordered from DDOT's goDCgo program by emailing [info@godcgo.com](mailto:info@godcgo.com);
  - Provide at least 11 long- and two (2) short-term bicycle parking spaces (one inverted U-rack); and
  - Long-term bicycle storage room will be designed in accordance with the Zoning Regulations.

# Questions?

## Hampton East Owner LLC

**BZA Application No. 21377**

**4730 & 4750 Benning Road SE (Lots 1 & 2 in Square 5344)**

*Applicant's Hearing Presentation*

*February 11, 2026*