Z.C. Case No. 22-08B

Modification with Hearing to Approved Design Review

Applicant: NRP Properties LLC

4401-4435 Benning Road NE (Lots 843 and 844, Square 5085)

Public Hearing – November 5, 2026

ZONING COMMISSION
District of Columbia
CASE NO. 22-08B
EXHIBIT NO. 12

Applicant’s Team

- Karl Alt, Vice President of Development, The NRP Group
- Daniel Solomon, AICP, Principal, Gorove Slade
- Meridith Moldenhauer, Cozen O’Connor

The Approved Project – Z.C. Order No. 22-08

- Voluntary design review approved June 9, 2022; Order effective August 26, 2022
  - Z.C. Order No. 22-08A (effective October 3, 2025) extended the deadline to commence construction to August 26, 2027
- Nine-story plus penthouse, all-affordable residential building with 109 dwelling units
  - 22 units at 30% MFI, 65 units at 50% MFI, and 22 units at 80% MFI
  - 27 two-bedroom and 22 three-bedroom family-sized units
- Flexibility for building height, rear yard, and side yards
  - Special exception relief for vehicular parking (Subtitle C § 703.2) and two parking spaces in the front setback (Subtitle C § 710.3)
- Ground-level garage with approx. 13 parking spaces, one loading berth and platform, and one service/delivery space



Requested Modification

- Subtitle C § 905.2 requires each loading berth to be 12 ft. wide and 30 ft. deep, with 14 ft. of vertical clearance
- During pre-construction design development, the Applicant determined the loading berth cannot achieve 14 ft. of clearance
  - Building height cannot increase: 93'6" is the maximum available through design review (Subtitle X § 603.3; PUD height of 90 ft. plus 5% under Subtitle X § 303.10)
  - Only alternative is removing residential floor area above the berth, which would eliminate affordable units
- Applicant requests special exception relief to provide 10 ft. of vertical clearance
  - Maintains required 12 ft. width, 30 ft. depth, loading platform, and service/delivery space
- No change to height, density, unit count, lot occupancy, massing, façade, landscaped front setback, or curb cut

Ground Level – Area Needed for Truck Maneuvering



Loading Requirements

Requirement	Required / Approved	Proposed	Request
Loading Berth Size (Subtitle C § 905.2)	12 ft. wide 30 ft. deep 14 ft. vertical clearance	12 ft. wide 30 ft. deep 10 ft. vertical clearance	Special Exception (Subtitle C § 909.2)
Number of Loading Facilities (Subtitle C § 901.1)	1 loading berth 1 service/delivery space	No change	Complies

Relief from the size and layout requirements of Subtitle C § 905 is available as a special exception under Subtitle C § 909.2, heard with the design review modification (Subtitle X § 603.4)

Basis for Design Review Approval Is Unchanged

- Order found the Project satisfied each design review standard of Subtitle X § 604:
  - Not inconsistent with the Comprehensive Plan (§ 604.5)
  - No adverse effect on neighboring property (§ 604.6)
  - Superior urban design (§§ 604.7–604.8)
- Modification affects only the interior vertical clearance of the loading berth inside the garage
- Findings, public benefits, and project amenities in the Order remain valid
- OP: proposal remains not inconsistent with the Comprehensive Plan, including through a racial equity lens

Special Exception Relief – General Standard (Subtitle X § 901.2)

- ***Relief is in harmony with purpose and intent of Zoning Regulations***
  - MU-7B zone is intended for medium-density development near rapid transit stops (Subtitle G § 400.6)
  - All required loading facilities provided: one loading berth, one loading platform, and one service/delivery space
  - Building remains able to receive deliveries and accommodate resident move-ins and waste collection for 109 units
  - OP: curbside option in LMP for larger trash trucks ensures loading needs can still be met

- ***Relief will not adversely affect the use of neighboring property***
  - Loading occurs inside the ground-level garage, accessed through the single approved curb cut
  - Head-in/head-out movements; service vehicles do not back into or out of the public right-of-way
  - Reduced clearance is not perceptible from neighboring property or the public realm
  - No spillover, queuing, or other off-site effects

Special Exception Relief – Specific Conditions (Subtitle C § 909.2(a))

- ***Use generates a lower loading demand than the minimum standards require, as a result of the nature of the use (§ 909.2(a)(1))***
  - All-affordable residential building; loading is limited to move-ins/move-outs, package and grocery delivery, and trash and recycling collection
  - Activities served by delivery vans and smaller trucks that operate within 10 ft. of clearance
  - No larger freight movements for which the 14-ft. clearance standard is intended

- ***Loading demand management plan approved by DDOT (§ 909.2(a)(2))***
  - Applicant committed to an LMP, finalized with DDOT on October 8, 2026, to be made a condition of approval
  - Independently satisfies Subtitle C § 909.2(a)(2)

Loading Management Plan (LMP)

- Loading Facilities: One 12' × 30' loading berth and one 10' × 20' service/delivery space. Proposed 10-foot vertical clearance requires flexibility from the 14-foot zoning requirement.
- Dock Management: A designated dock manager will coordinate deliveries, move-ins/move-outs, and resolve loading conflicts.
- Delivery Controls: Tenants must use the loading berth and trucks under 10 feet tall. Deliveries involving trucks 20 feet or longer must be scheduled.
- Curbside Protections: Oversized trucks will be directed to permitted curbside spaces. No curbside loading or parking during peak periods (7:00–9:30 AM and 4:00–6:30 PM).
- Trash Collection: Either curbside collection outside peak periods or on-site collection using back-in/front-out maneuvers, with a dock manager and flagger.
- Additional Safeguards: Clearance bar at garage entrance, prohibition on truck idling, distribution of truck routing information, and implementation of the LMP for the life of the project.

DDOT Coordination

- Loading Management Plan submitted October 8, 2026
- DDOT Report issued October 26, 2026

DDOT no objection with conditions

- The Applicant will implement the Loading Management Plan, as proposed by the Applicant (Exhibit 9), for the life of the project, unless otherwise noted. DDOT recommends that trash be collected curbside. – ***Agree***

Questions.

Appendix

AASHTO SU-30 Inbound - Front In



AASHTO SU-30 Outbound Back Out



GOROVE SLADE
Transportation Planners and Engineers

4401-4435 Benning Road NE Loading Analysis: SU-30 Truck Maneuvering

01.09.2023

Sheet 1 of 5

DRAFT

NE, Washington DC

SCALE: 1" = 30'

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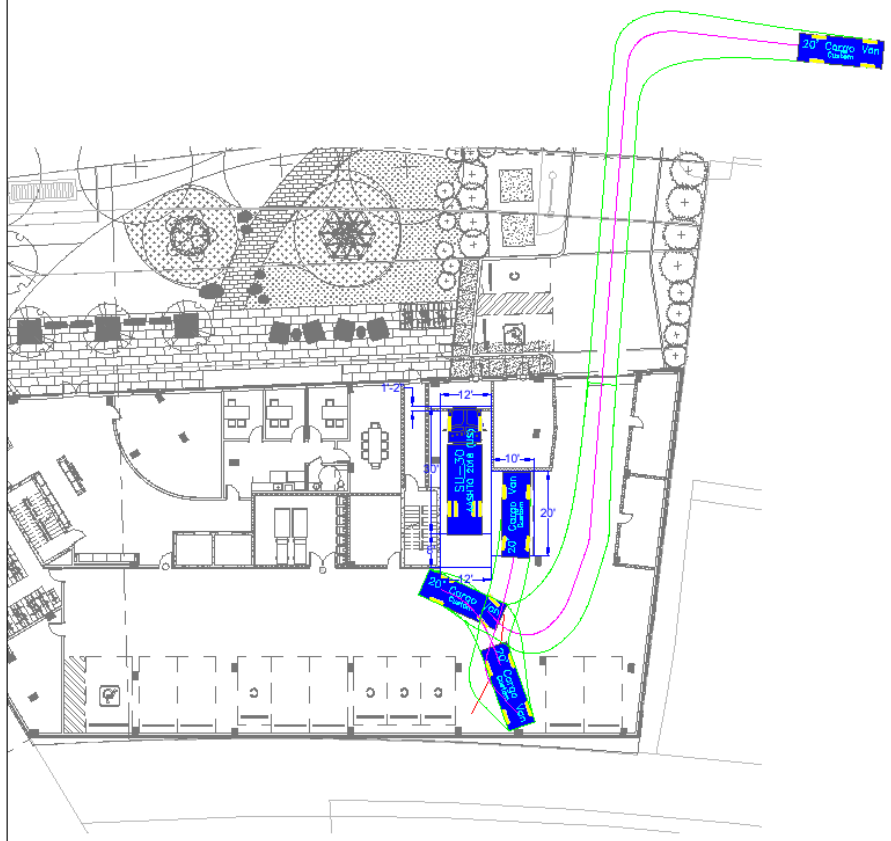
20' Service/Delivery Van Inbound



20' Service/Delivery Van Outbound



GOROVE SLADE
Transportation Planners and Engineers

4401-4435 Benning Road NE Loading Analysis: 20' Cargo Van Maneuvering

01.09.2023

Sheet 4 of 5

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