

EXHIBIT NO. 1

7  
3-17-01

Docket Item # 14  
SPECIAL USE PERMIT #2000-0161

Planning Commission Meeting  
March 6, 2001

**ISSUE:** Consideration of a request for a special use permit amendment for an extension of validity of the existing special use permit.

**APPLICANT:** Alexandria One Associates, LP  
by Duncan W. Blair, attorney

**LOCATION:** 111-119 East Reed Avenue

**ZONE:** RB/Townhouse

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**PLANNING COMMISSION ACTION, MARCH 6, 2001:** On a motion by Ms. Fossum, seconded by Mr. Dunn, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations and to amend Condition #23. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed in general with the staff analysis but believed that a separate special use permit approval for the building was unnecessary given the limited duration of this request.

Speakers:

Duncan Blair, attorney represented the applicant, requested an amendment to allow the parking lot land to be used either as parking for a maximum of 20 cars or in conjunction with the use of the adjacent building without requiring a separate special use permit approval for the use of the building for permitted uses.

No one spoke in opposition to the applicant's request.

LINCOLN AT ALEXANDRIA  
APARTMENTS  
(CURRENTLY UNDER CONSTRUCTION)

CDD #7

CDD #10

BLINDS  
VITAMINS  
A.T.&T

HOP'S  
REST.

**SITE**

DON  
PABLO'S

POTOMAC YARDS  
SHOPPING CENTER

I.H.O.P  
THE CHILDRENS  
PLACE

DUNKIN'  
DONUTS

EVANS LN.

E. REED AV.

111

113

115

119

RB

ALLEY

CSL

LYNHAVEN DR.

3400

JEFFERSON DAVIS HY.

EVANS LN.

MONTROSE AV.

**SUP #2000-0161**

**03/06/01**



SUMMARY

The applicant seeks permission to maintain the use of the parking lot portion of this site for parking. If the special use permit expires, the applicant cannot use the parking lot (now zoned for residential use) for parking without a rezoning.

STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any corporation or entity in which the applicant has a controlling interest. (P&Z) (SUP #2200)
2. CONDITION DELETED BY STAFF: No more than 61 vehicles shall be parked in the parking area (as shown on the approved site plan for the parking area), and all of the driveway aisles shall remain open and usable at all times. (P&Z) (SUP #2200) (P&Z)
3. CONDITION DELETED BY STAFF: East Reed Avenue shall not be used for the parking of any rental automobiles or vehicles offered for sale. (P&Z) (T&ES) (SUP #2200) (P&Z)
4. CONDITION DELETED BY STAFF: The hours of operation will be 7:00 A.M. to 10:00 P.M. Monday through Sunday, with no cars sold on Sunday and a skeleton crew working on Sunday. (CC) (SUP #98-0121) (SUP#2200) (P&Z)
5. Condition deleted. (PC) (SUP #2200-A)
6. CONDITION DELETED BY STAFF: Automobile rental shall not be done at this location. (P&Z) (SUP #2200) (P&Z)
7. CONDITION DELETED BY STAFF: At no time will the applicant block or impede traffic on East Reed Avenue as a result of maneuvering or "jockeying" the rental cars in the parking area. (P&Z) (SUP #2200) (P&Z)
8. CONDITION DELETED BY STAFF: No junked, abandoned, or stripped vehicles shall be parked or stored outside. (P&Z) (T&ES) (SUP #2200) (P&Z)

9. ~~CONDITION DELETED BY STAFF: No vehicle parts, tires, or other materials shall be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (SUP #2200) (P&Z)~~
10. ~~CONDITION DELETED BY STAFF: No banners, streamers, flags or similar advertising devices shall be displayed on the premises, but signs advertising the general business conducted on the premises may be displayed in accordance with Section 7-6-173 of the City Code. (P&Z) (SUP #2200) (P&Z)~~
11. ~~CONDITION DELETED BY STAFF: All vehicles shall be stored on the property in a neat and orderly fashion at all times. (P&Z) (SUP #2200) (P&Z)~~
12. ~~CONDITION DELETED BY STAFF: No loudspeakers or amplified sound systems shall be used. (P&Z) (SUP #2200) (P&Z)~~
13. Condition deleted. (P&Z) (SUP #98-0121)
14. ~~CONDITION DELETED BY STAFF: Cars offered for sale shall be totally within the building, and no cars for sale shall be parked on the lot. (CC) (SUP #2200) (P&Z)~~
15. ~~CONDITION DELETED BY STAFF: All repairs and servicing of cars shall be done inside the building. (CC) (SUP #2200) (P&Z)~~
16. Condition deleted. (P&Z) (SUP #98-0121)
17. Condition deleted. (P&Z) (SUP #98-0121)
18. ~~CONDITION DELETED BY STAFF: There shall be meetings every three months with the citizen association if the citizens deem it necessary. (CC) (SUP #2200) (P&Z)~~
19. ~~CONDITION DELETED BY STAFF: The special use permit shall expire on February 16, 2001. (P&Z) (SUP #2000-0139)~~
20. Condition deleted. (P&Z) (SUP #98-0121)
21. ~~CONDITION DELETED BY STAFF: The applicant shall clean the closed doorways on both Jefferson Davis Highway and East Reed Avenue and shall maintain them clean and free of debris. (P&Z) (SUP #98-0121) (P&Z)~~

SUP #2000-0161  
111-119 E Reed Ave

22. CONDITION DELETED BY STAFF: No sound from car radios, or other sources, shall be audible at the property lines. (P&Z) (SUP #98-0121) (P&Z)
22. CONDITION AMENDED BY PLANNING COMMISSION: The use of the RB land for parking either for a maximum of 20 cars, or in conjunction with the use of the adjacent building, is permitted to continue until December 31, 2001. (P&Z)

DISCUSSION:

1. The applicant, Alexandria One Associates, L.P. by Duncan W. Blair, attorney, requests special use permit approval to extend the life of the existing special use permit to allow residential land located at 111-115 East Reed Avenue to continue to be used for parking.
2. The subject property consists of three lots of record, with 208 feet of frontage on East Reed Avenue, approximately 126 feet of depth, and total lot area of approximately 26,208 square feet. The parcel (there are three lots) is developed with a surface parking area most recently used by National Car Rental for vehicle parking and storage.
3. This is a technical application, addressing the unique zoning history of this site. Under current zoning, the parking lot use is not permitted today. Under the zoning ordinance in effect prior to 1992, parking lots were allowed in residential zones with a special use permit. This lot was approved many years ago and continues as a noncomplying use. Under current zoning, as long as the existing special use permit survives and the use is continued, the existing parking lot may continue. However, when the special use permit expires, the right to use the parking lot area for a parking lot ceases and cannot, without a rezoning, be revived.
4. The current permit was to expire on February 16, 2001, but is kept alive by this application. The application requests the amendment of Condition #19 of SUP #98-0121. Staff construes the applicant's request to mean a change to Condition #19 in the currently applicable Special Use Permit #2000-0139, granted by Council two months ago.
5. The applicant seeks an extension of the special use permit to December 31, 2001, with the ability to seek additional extensions, in order to continue to legally use the residentially zoned portion of the property as required parking for the building, which is located on commercially zoned property. The application anticipates that the applicant will lease the building to a tenant who may legally continue to use the parking lot while the applicant develops its plans for the future use or redevelopment of the property.
6. Since as early as the 1960s, past occupants of the building have sought and obtained special use permit approval to expand and use the residentially zoned land for parking in order to comply with the technical off-street parking requirements (SUP #695). Since 1989, when Council granted Special Use Permit #2200 to National Car Rental, the use of the parking lot and building were combined under one special use permit approval that allowed the applicant to use both the building located at 119 East Reed Avenue and outside parking area for automobile storage, sales and repair. This application seeks permission to extend only the parking use of the property and not the automobile storage, sales and repair uses.
7. The existing tenant, National Car Rental, has vacated the building and is relocating its operations to 1200 North Fayette Street (SUP #2000-0039).

8. Zoning/Master Plan: The subject property is zoned RB/Townhouse and is identified in the Potomac West small area plan chapter of the Master Plan for residential land use.

STAFF ANALYSIS:

Staff has no objection to this technical request but is concerned because the character of the area is changing and that the future use of the property is unknown. Staff notes that the relocation of National Car Rental from this site to North Fayette Street provides the applicant the opportunity to consider redeveloping the site in a manner that is consistent with the redevelopment of Potomac Yard and compatible with its residential neighbors. Staff has received numerous inquiries from possible developers proposing a variety of uses for the property, including residential.

Staff would like to see a future use of the National Car Rental building that is compatible with the neighborhood, and can envision using the parking lot as parking to support the use, provided the parking lot is effectively and attractively screened. However, because the applicant has no definitive plans for the use of the site, staff recommends that any new use of the building obtain special use permit approval from Council prior to operation and has included a new condition to this effect. Staff is unwilling to support a blanket approval for parking here, without knowing the use to which the main part of the site will be put.

On the other hand, there have been recent suggestions about using the parking lot on an interim basis for parking of construction worker cars associated with the development of Lincoln Properties. While that construction project has resulted in many difficulties for the neighborhood, staff believes it will alleviate some problems if a small number of cars associated with the construction can find a place to park off the street and off the construction site. The applicant requests an extension of this permit for only the next ten months. Therefore, the interim use for parking of up to 20 cars can be revisited after that time and, if there are problems, does not have to be extended.

Based on the above concerns and the unusual status of this case, staff has designed condition 19 to address the above three concerns by:

- 1) requiring a special use permit for the ultimate main use of the building and parking lot;
- 2) allowing the interim use of the parking lot for parking no more than 20 automobiles; and
- 3) keeping the right to use the parking lot alive pending decisions about the long term use.

With that condition, staff recommends approval.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;  
Barbara Ross, Deputy Director;  
Kathleen Beeton, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

F-1 No objections or additional recommendation.

Code Enforcement:

C-1 A fire safety inspection was performed on December 14, 2000, at this facility with the following violations noted:

- Fire exits were obstructed by parked vehicles.
- Exit doors were in disrepair and inoperative.
- Overview (spillage) control is required at the interior oil storage tanks.
- Inadequate exhaust ventilation exists at the interior parking area.
- Additional fire extinguishers are required in the interior parking area.

Health Department:

F-1 No comments.

Police Department:

F-1 No objections.

APPLICATION for SPECIAL USE PERMIT # 2000-0161

PROPERTY LOCATION: 111-119 East Reed Avenue, Alexandria, Virginia

TAX MAP REFERENCE: 16.01 03 12, 13, 14 & 15 ZONE: CSL/Commercial Service Low and RB/ Townhouse Zone

APPLICANT Name: Alexandria One Associates, L. P.  
Address: c/o Carlton Capital Group  
1130 Connecticut Avenue, N.W., Suite 800  
Washington, D.C. 20036

PROPERTY OWNER Name: Alexandria One Associates, L. P.  
Address: c/o Carlton Capital Group  
1130 Connecticut Avenue, N.W., Suite 800  
Washington, D.C. 20036

PROPOSED USE: Amendment to Special Use Permit #98-0121 to amend Condition 19 to extend the validity of the Special Use Permit, and to permit change of uses to permitted uses under §4-302 (A)-(M) and special uses under §4-303(A)-(CC) with a special use permit.

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Land, Clark, Carroll, Mendelson & Blair, P.C.  
Duncan W. Blair, Esquire  
Print Name of Applicant or Agent



Signature

112 South Alfred Street, Suite 300  
Mailing/Street Address

(703) 836-1000  
Telephone #

(703) 549-3335  
Fax #

Alexandria, Virginia 22314  
City and State Zip Code

December 8, 2000  
Date

===== DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY =====

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: 3-6-2001 RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 3/17/01PH -- CC approved the Planning Commission recommendation.