

EXHIBIT NO. 1

24
11-15-03

Docket Item #21
DEVELOPMENT SPECIAL USE PERMIT #2003-0026
LYNN HOUSE OF POTOMAC VALLEY

Planning Commission Meeting
November 6, 2003

ISSUE: Consideration of a request for a development special use permit, with site plan, to expand a nursing facility.

APPLICANT: Lynn House of Potomac Valley, Inc.
by Duncan Blair, attorney

LOCATION: 4400 West Braddock Road

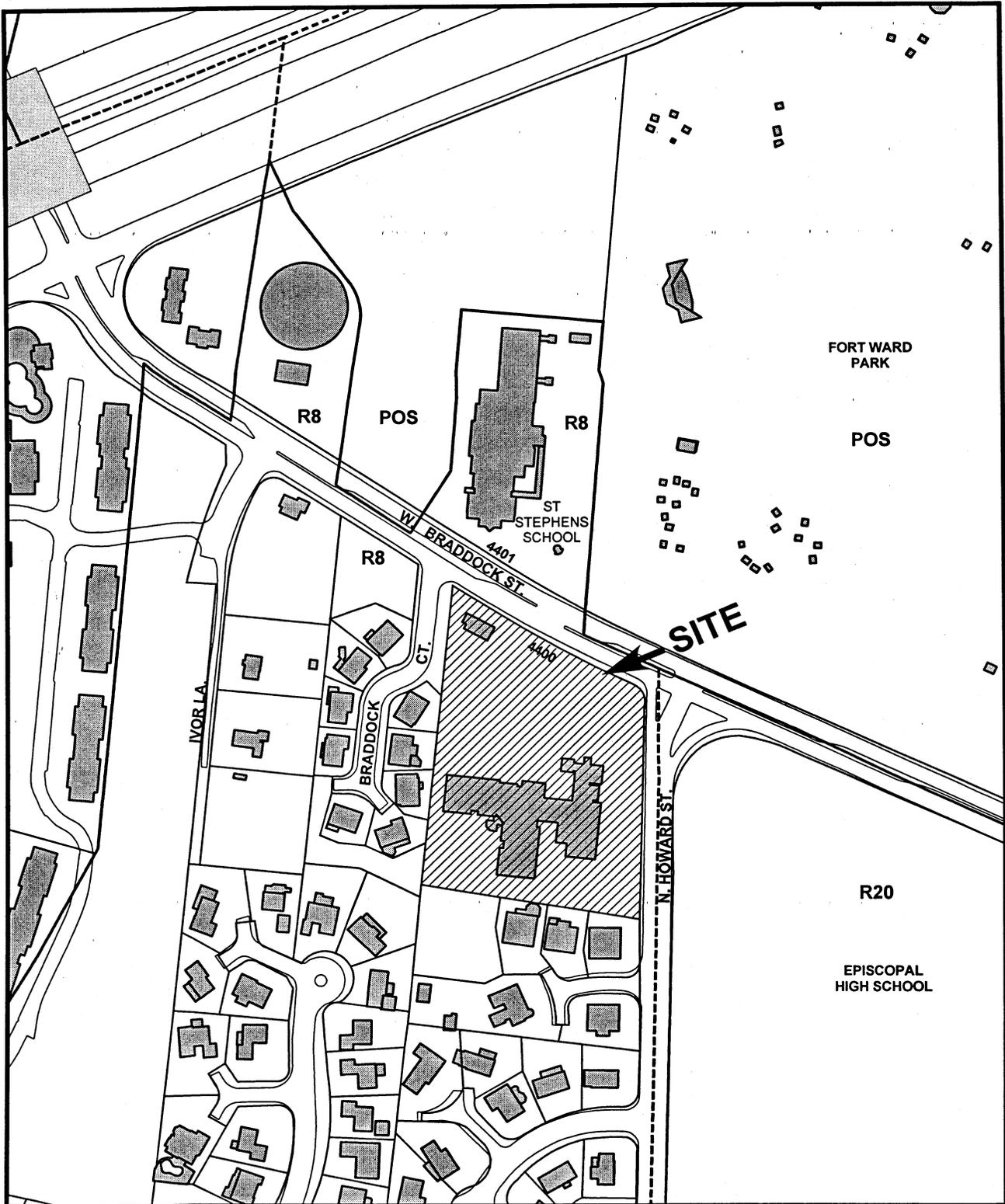
ZONE: R-8/Residential

PLANNING COMMISSION ACTION, NOVEMBER 6, 2003: On a motion by Ms. Fossum, seconded by Mr. Dunn, the Planning Commission voted to recommend approval of the development special use permit subject to all applicable codes and ordinances and staff recommendations. The motion carried on a vote of 6 to 0. Mr. Wagner was absent.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Duncan Blair, attorney, represented the application.



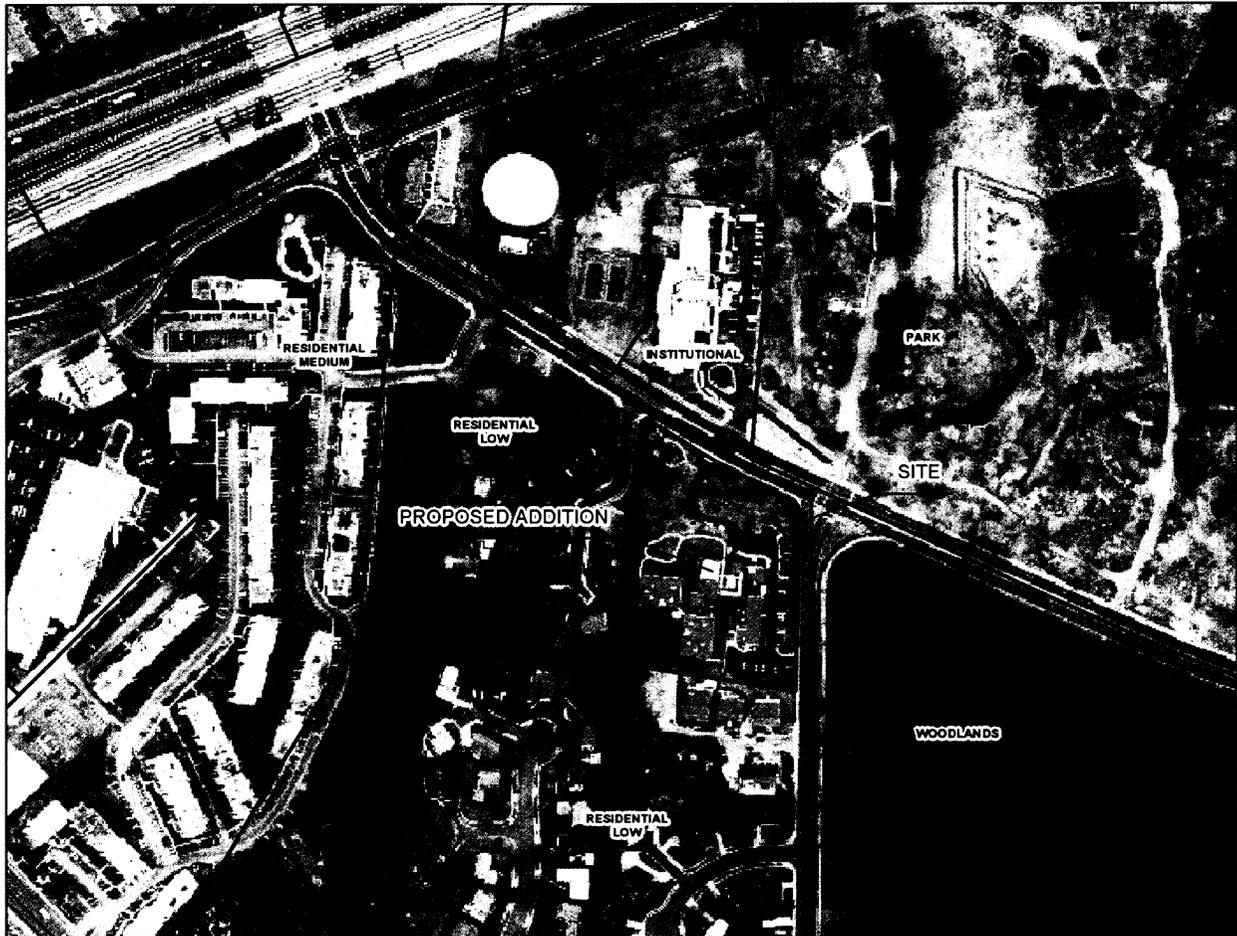
DSUP #2003-0026

11/06/03



SUMMARY:

The applicant, Lynn House of Potomac Valley, Inc., is requesting approval of a development special use permit to expand a non-complying use in the R-8 residential zone to construct a 4,000 sq .ft. addition to the existing 27,835 sq.ft. Lynn House nursing facility located at 4400 Braddock Road at the corner of N. Howard Street and Braddock Road. The 3.5 acre site is surrounded by single-family residential and the Fort Ward Park. The building addition will expand the existing nursing facility from 22 living units (beds) to 28 living units.



BACKGROUND:

The existing convalescent nursing facility is located on land which is currently zoned R-8, a residential single-family zone which does not permit a nursing facility as a permitted use. The use is a non-complying use that is allowed to expand with a special use permit. The nursing facility has existed on the site since 1954, prior to the prohibition of the use in the R-8 zone.

Proposed Addition:

On September 4, 1990, the Planning Commission approved a site plan (SP#90-020) for the project which was to be built in three (3) phases: Phases IA and IB and Phase II. Phases IA and IB consisted of constructing a new 22-bed, 29,300 sq.ft. facility with parking for 36 vehicles. Phase II consisted of construction of a 4,000 sq. ft. building addition on the north side of the new building. The approval for phase II, expired two years after completion of the main facility in 1993, because construction had not commenced. As contemplated in the original approval, the applicant is seeking special use permit approval to complete the project, but with five (5) less living units (beds) than the original 33 units that had been approved for the project 1990.

Expansion of a non-complying use:

The only issue with this application is the request to expand a non-complying use in the R-8 residential zone. A non-complying use is defined as a "use that lawfully existed prior to 1992 but which is not in compliance with the zoning regulations adopted in 1992." When the 1992 Zoning Ordinance was adopted, it removed a provision for a convalescent nursing home, with a special use permit, from the R-8 zone.

The basis for permitting expansion of non-complying uses is that the uses could be evaluated on a case-by-case basis. Staff typically does not support expansion of non-complying uses. However, in this case staff does support the proposed expansion of the use and the building. Given the modest 4,000 sq. ft. size and low height (16 ft.) of the proposed addition, the considerable setback (175 ft.) from the adjoining residential uses and the fact that the applicant has successfully operated and maintained the facility since 1954, staff is recommending approval. Staff believes the proposed addition meets the fundamental intent of a special use permit: to ensure that a proposal is designed and operated to minimize any impacts on the adjoining neighborhood. Because the recommendation of approval is based upon the current owner and operator, a condition of approval is that the special use permit be granted only to the current applicant. Subsequent owners or operators would require special use permit approval. A recommendation of approval is the provision of a considerable amount of additional landscaping on the western portion of the site to provide additional screening for the adjacent residential uses.

CONCLUSION:

Staff is recommending **approval** of the proposed development special use permit with the conditions as outlined with the staff report.

STAFF RECOMMENDATION:

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

The following conditions are carried forward from SUP#2433:

1. That the permit be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. **(REVISED BY STAFF)** That the number of beds permitted at the nursing facility be limited to twenty-eight (28) ~~thirty-three (33)~~ as requested by the applicant. (P&Z)

The following are new conditions:

3. The final design of the proposed Lynn House addition shall be consistent in architectural style, character and material quality as depicted on the preliminary architectural elevations dated August 11, 2003, and as depicted on the color rendering dated September 11, 2003, to the satisfaction of the Director of Planning and Zoning. The material for the building shall be brick and asphalt shingle roofing to match the existing building. (P&Z)
4. The total number of employees at the facility shall be limited to thirty-nine (39), or no more than twenty-two (22) for any shift. (P&Z)
5. A final landscape plan shall be provided with the final site plan to the satisfaction of the Directors of P&Z and RP&CA. The landscape plan shall also provide for the following:
 - a. Up to ten (10) additional 3"-3½" caliper shade trees and ten (10) additional evergreen trees on the western portion of the site to supplement screening for the adjacent residential uses and along the frontage of Braddock Road.
 - b. The designated caliper size of the Kwanzan Cherry trees shall be increased from 2" to 3½".
 - c. The designated caliper size of the Autumn Flame Maple trees shall be increased from 2 ½" to 3 ½".
 - d. The limits of disturbance shall be restricted to the area depicted on the preliminary plan.
 - e. All landscaping shall be maintained in good condition and replaced as needed.
 - f. All plant specifications shall be in accordance with the current and most up to date edition of the American Standard For Nursery Stock (ANSI Z60.1) as produced by the American Association for Nurserymen; Washington, D.C.

DSUP #2003-0026
LYNN HOUSE OF POTOMAC VALLEY

- g. All work shall be performed in accordance with Landscape Specifications Guidelines 4th Edition as produced by the Landscape Contractors Association (LCA) of Maryland, District of Columbia and Virginia; Gaithersburg, Maryland.
 - h. Utility lines such as water, storm sewer and electric lines shall be located to minimize impacts on proposed street trees and open space.
 - i. The location of all light poles shall be coordinated with the location of trees.
 - j. As trees mature they are to be limbed up to a minimum 6 feet. Trees are not to be planted under or near light poles. (P&Z) (RP&CA) (Police)
6. In the event any trees designated to be saved or outside of the immediate construction area are damaged or destroyed during the development process, the applicant shall replace such tree(s) with additional trees of significant caliper equal, cumulatively, to the tree destroyed. The landscape bond shall be maintained for a period of 24 months after approval of the final as-built site plan. (P&Z)
7. A temporary informational sign shall be installed on the site prior to the approval of the final site plan for the project and shall be displayed until construction is complete incorporating the required information; the sign shall notify the public of the nature of the upcoming project and shall provide a phone number for public questions regarding the project. (P&Z)
8. Any inconsistencies between the various drawings shall be reconciled to the satisfaction of the Directors of P&Z and T&ES. (P&Z)
9. The applicant shall be permitted to make minor adjustments to the building foot print to accommodate the final design of buildings to the satisfaction of the Directors of P&Z and T&ES. (P&Z)
10. Provide calculations and detailed drawings for the proposed flow splitter and 48" HDPE pipe to be used for stormwater detention. Include plan and profile for pipe. (T&ES)
11. Developer to comply with the peak flow requirements of Article XIII of AZO. (T&ES)
12. Plan must demonstrate to the satisfaction of the Director of T&ES that adequate stormwater outfall is available to the site or else developer is to design and build any on or off site improvements to discharge to an adequate outfall. (T&ES)
13. Show all existing and proposed easements, both public and private. (T&ES)

DSUP #2003-0026
LYNN HOUSE OF POTOMAC VALLEY

14. Show existing and proposed street lights and site lights. Indicate the type of fixture, and show mounting height, and strength of fixture in Lumens or Watts. Provide manufacturer's specifications for the fixtures. Provide lighting calculations to verify that lighting meets City Standards in consultation with the police. (T&ES)
15. The applicant is advised that all stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be sealed by a professional engineer, registered in the Commonwealth of Virginia. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES)
16. The stormwater Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design professional or his designated representative. Prior to release of the performance bond, the design professional shall submit a written certification to the Director of T&ES that the BMPs are:
 - a. Constructed and installed as designed and in accordance with the approved Final Site Plan.
 - b. Clean and free of debris, soil, and litter by either having been installed or brought into service after the site was stabilized. (T&ES)
17. The surface appurtenances associated with the on-site structural stormwater Best Management Practices (BMPs) shall be marked to the satisfaction of the Director of T&ES to identify them as part of a structural BMP system. (T&ES)
18. For any surface-installed stormwater Best Management Practice (BMP), i.e. Bio-Retention Filters, Vegetated Swales, etc. that are employed for this site, descriptive signage for the BMPs is required to be installed to the satisfaction of the Director of T&ES. (T&ES)
19. Prior to approval of the final site plan, the applicant shall execute and submit a maintenance agreement with the City for the stormwater quality Best Management Practices. (T&ES)
20. The applicant shall be responsible for maintaining stormwater Best Management Practices (BMPs) until activation of the homeowners' association (HOA), if applicable, or until sale to an owner. Prior to transferring responsibility for the BMPs to the HOA or owner, the applicant shall execute a maintenance service contract with a private contractor for a minimum of three years and transfer the contract to the HOA or owner. A copy of the contract shall also be placed in the BMP Operation and Maintenance Manual. Prior to release of the performance bond, a copy of the contract shall be submitted to the City. (T&ES)

21. The applicant shall furnish the homeowner association, if applicable, or owner(s) with an Owner's Operation and Maintenance Manual for all the Best Management Practices (BMPs) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s), drawings and diagrams of the BMP(s) and any supporting utilities, catalog cuts on maintenance requirements, manufacturer contact names and phone numbers, and a copy of the maintenance agreement with the City. (T&ES)
22. During the construction phase of this development, the site developer, its contractor, certified land disturber, or owner's other agents shall implement a waste and a refuse control program. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them and sanitary waste at the construction site and prevent its off site migration that may cause adverse impacts to the neighboring properties or the environment to the satisfaction of Directors of Transportation and Environmental Services and Code Enforcement. All wastes shall be disposed off-site properly in accordance with all applicable federal, state and local laws. (T&ES)
23. In approving the waiver of Article XIII, Section 13-117(B), water quality volume, the City requires that a certain portion of the site be treated in an approved water quality BMP. The treated impervious area must be equal to or greater than the proposed limit of disturbance (assuming no water quality design is required). The preliminary water quality BMP design indicates that 1.27 acres of mostly roof area will be treated. While this approach is acceptable, the City would prefer to have impervious surfaces that come into contact with vehicles be treated in order to maximize the water quality improvements afforded by the BMP. Please consider this as the site design progresses. (T&ES)
24. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the facility and a robbery awareness program for all employees. (Police)

25. In accordance with the City's Affordable Housing Policy, the applicant shall make a contribution to the City's Affordable Housing Trust Fund of \$1 per gross square foot of development for all new building area constructed if larger than 3,000 gross square feet. The applicant shall pay the contribution to the City's Office of Housing prior to issuance of the certificate of occupancy. (Housing)

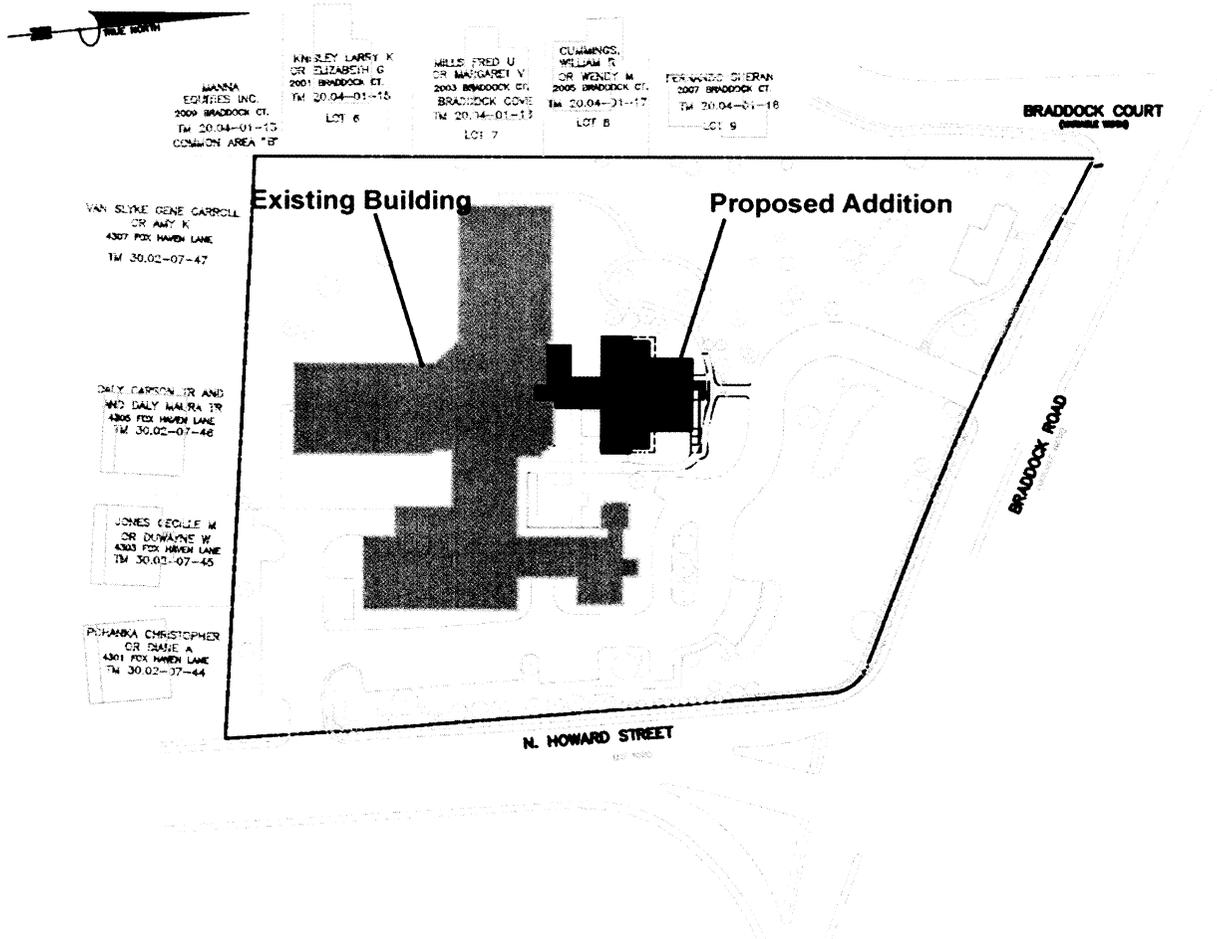
Special use permits and modifications requested by the applicant and recommended by staff:

1. Special use permit to expand a non-complying use in the R-8 residential zone

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

A. BACKGROUND:

The applicant, is requesting a development special use permit to expand a non-complying use to construct a 4,000 sq. ft. building addition to the existing 29,300 sq. ft. Lynn House convalescent nursing home facility located at 4400 West Braddock Road. The current facility was constructed in th early 1990's to replace the previous 33-bed facility built in 1950. The 3.5 acre site is surrounded by single-family residential and the Fort Ward Park. The building addition will expand the existing nursing facility from 22 living units (beds) to 28 living units.



Site Plan

B. DEVELOPMENT HISTORY:

On September 4, 1990, the Planning Commission approved a preliminary site plan #90-020 for Lynn House. The project was to be built in three (3) phases: Phases IA and IB and Phase II. Phases IA and IB, which comprise the current building and site improvements, was completed in 1993. As depicted on the approved 1990 preliminary site plan, a future Phase II building addition was shown on the north side of the main building. That addition was intended to accommodate ten (10) more resident units (beds). Once the addition was constructed, the total number of beds at the nursing facility would be 33 (the same number of beds that currently existed at the facility constructed in 1954).

C. PROPOSED USE:

The existing convalescent nursing facility is located on land which is currently zoned R-8, a residential single-family zone which does not permit a nursing facility as a permitted use. The use is non-complying, however, expansion is permitted with a special use permit. The nursing facility has existed on the site since 1954, 49 years prior to the prohibition of the use in the R-8 zone. Generally, the age of residents ranges from sixty (60) years or older, however, on occasion the facility may accept younger individuals who are in need of their services. The total number of individuals employed at the facility is twenty-five (25), covering three (3) shifts. The 7:00 A.M. to 3:00 P.M. shift has the highest number of employees with a maximum of up to 22 employees. The 11:00 P.M. to 7:00 A.M. shift has the fewest with three (3) employees. No medical services are offered to the residents other than feeding, bathing, clothing and bandaging of wounds. Other medical services being offered to the residents consist of rehabilitation for walking or training in the use of walkers. Patient meals are prepared on-site at the facility.

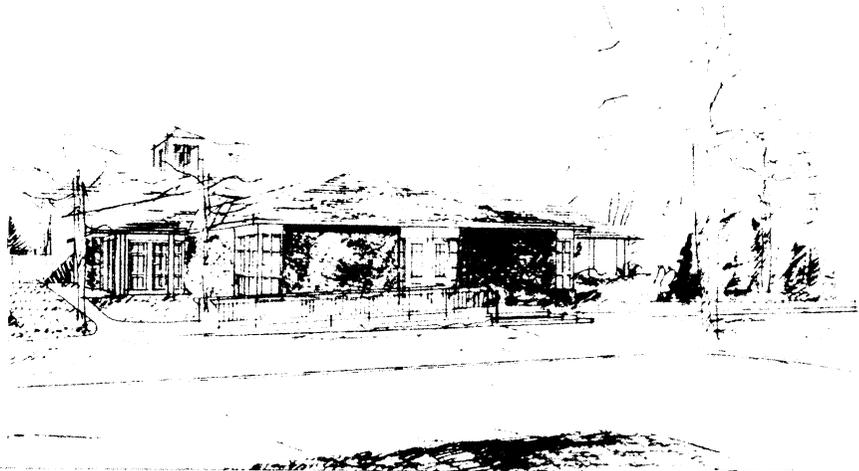
The proposed facility is described by the Zoning Ordinance as a nursing or convalescent home or hospice which provides 24 hour convalescent or chronic care, or both, for three or more individuals which are not related by blood or marriage to the operator and who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves. No intensive medical care or surgical or obstetrical services shall be provided by such an establishment. Lynn House is a religious facility of the First Church of Christ (Christian Science Church) which practices natural healing and rehabilitation through faith and prayer. Lynn House currently provides two levels of services—14 living units or beds are to be utilized for assisted living where individuals may stay indefinitely, with the remaining 14 living units or beds being utilized for the treatment of patients much like a hospital except treatments consist of rehabilitation through faith and self healing. These individuals may stay as short as a day or up to a year depending on the severity of their illness.

The applicant has proposed no changes to operations as specified in SUP#2433. The Lynn House nursing facility currently operates 24 hours a day. The building addition will not require any additional staff and allow staffing to remain at the current level of twenty-five (25) employees, which includes administrative, nursing and support personnel. The applicant has expressed an interest utilizing part-time employees at the site, but the maximum number of employees would remain at twenty-two (22) for the 7:00 A.M. to 3:00 P.M. shift. Employee shifts permit a minimum of three (3) to twenty-two (22) employees at the site at any one time. The estimated number of employees per shift is as follows:

<u>NUMBER OF EMPLOYEES</u>	<u>SHIFT TIME</u>
13 to 22	7:00 A.M. to 3:00 P.M.
11 to 15	3:00 P.M. to 11:00 P.M.
3	11:00 P.M. to 7:00 A.M.

D. PROJECT DESCRIPTION:

The existing one-story building, contains 27,835 sq.ft. with 22 individual patient bedrooms, administrative offices, a personal care room, patient dining room, reading and activity/day rooms, including treatment and nurses' stations. The proposed addition will allow for more efficiency and an improved floor plan which is intended to better accommodate the needs of the residents. The applicant intends to house 12 assisted living units (beds) in the addition and convert eight (8) existing living units to assisted units. The proposed 4,000 square foot addition is located on the north side of the existing building along the frontage of Braddock Road. It is approximately 175 feet to the nearest single-family residence located in the Braddock Cove community. The one-story addition measures 16 ft. to the roof mid point and 20 feet to the top of the roof. The proposed building addition is to be 10 feet lower than the tallest portion of the existing facility.



Perspective View From Braddock Road

E. ZONING:

The subject property has been zoned R-8, residential since adoption of the Third Revised Zoning Map of 1953 and the 1992 rezonings. Prior to adoption of the 1992 Zoning Ordinance, Section 7-6-14(a) permitted a nursing home or sanitarium in an R-8, residential zone with a special use permit. However, after adoption of the 1992 zoning ordinance, the use was no longer a permitted use, with a special use permit. It is currently classified as a non-complying use. Under Section 12-302, the use is allowed to continue indefinitely as a legal use but subject to restriction of Sections 12-302 (A) through (J). Expansion of the non-complying use is permitted under Section 12-302(A) with a special use permit. The "Seminary Hill/Strawberry Hill Small Area Plan" designates the subject site Institutional (INST). The area plan recognizes use of the site for a nursing/convalescent home.

Section 7-6-72(11)(r) of the City Zoning Ordinance requires one (1) off-street parking space for each two (2) patient beds. A thirty-three (33) bed facility will be required to provide seventeen (17) off-street parking spaces. A 22-bed facility would be required to provide 14 off-street parking spaces. Thirty-six (36) existing off-street parking spaces have been provided to serve employee and visitor needs.

LYNN HOUSE		
Property Address:	4400 Braddock Road	
Total Site Area:	153,368 square feet or 3.5208 acres	
Zone:	R-8, residential single-family	
Current Use:	Nursing home facility	
Proposed Use:	Nursing home facility	
	<u>Permitted/Required</u>	<u>Proposed</u>
Floor Area	52,878 sq.ft.	27,835 sq.ft. <u>4,000 sq.ft.</u> 3,920 sq.ft.
FAR	0.35	0.21
Yards	front: 30' (Braddock Rd.) front: 30' (N. Howard St.) side: 25' or 1:1 rear: none (corner lot)	151.45' (Braddock Rd.) 160' (N. Howard St.) 113.19' N/A
Height	35'	16'
Open Space	none	100,757 sq.ft.
Parking	1 space/2 patient beds 14 spaces	36 spaces (existing)

F. STAFF ANALYSIS:

Staff is not opposed to the proposed building addition to the existing Lynn House convalescent nursing home. The subject property has been used as a nursing convalescent home since 1950. The facility is a non-complying use which may be expanded with a special use permit. The expansion is consistent with the original approval for a Phase II addition which was approved by City Council in 1990. The proposed addition will add six (6) additional living units (beds) and will not require any additional staff nor require any additional parking spaces which had been constructed with the new facility in the early 1990's.

G. CONCLUSION:

Staff is recommending **approval** of the development special use permit contingent upon the staff recommendations.

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Jeffery Farner, Chief, Development;
Gregory Tate, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- C- 1 Bond for the public improvements must be posted prior to release of the plan.
- C- 2 All downspouts must be connected to a storm sewer by continuous underground pipe.
- C- 3 The sewer tap fee must be paid prior to release of the plan.
- C- 4 All easements and/or dedications must be recorded prior to release of the plan.
- C- 5 Plans and profiles of utilities and roads in public easements and/or public right-of-way must be approved prior to release of the plan.
- C- 6 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval.
- C- 7 All utilities serving this site to be underground.
- C- 8 Provide site lighting plan to meet minimum city standards.
- C- 9 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- C- 10 The applicant must comply with the Chesapeake Bay Preservation Act in accordance with Article XIII of the City's zoning ordinance for storm water quality control which includes requirements for pollutant load reductions and treatment of the Water Quality Volume Default (WQV).
- C- 11 The applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. This includes naming a Responsible Land Disturber on the Erosion and Sediment Control sheets prior to engaging in land disturbing activities in accordance with Virginia Erosion and Sediment Control Law.
- C- 12 All required permits from Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, Virginia Marine Resources must be in place for all project construction and mitigation work prior to release of the final site plan. This includes the new state requirement for a VPDES permit for all construction activities greater than 1 acre.

Code Enforcement:

The following are repeat comments from a review on 7/10/03 and 8/22/03. Updated comments are in **BOLD**.

- C-1 The developer shall provide a separate Fire Service Plan which illustrates: a) emergency ingress/egress routes to the site; b) two fire department connections (FDC) to the building, one on each side/end of the building; c) fire hydrants located within one hundred (100) feet of each FDC; d) on site fire hydrants spaced with a maximum distance of three hundred (300) feet between hydrants and the most remote point of vehicular access on site; e) emergency vehicle easements (EVE) around the building with a twenty-two (22) foot minimum width; f) all Fire Service Plan elements are subject to the approval of the Director of Code Enforcement. Submit plan as part of next set of plans. **Acknowledged but not submitted**
- C-2 Include Rodent Abatement Plan note. Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will be taken to prevent the spread of rodents from the construction site to the surrounding community and sewers. **Acknowledged but not submitted Include as note on plan.**
- C-3 Include Soil Report Note. A soils report must be submitted with the building permit application. **Condition not addressed.**
- C-4 Modified means of egress from existing building into new addition must meet the requirements of the USBC. **Condition not addressed.**

GENERAL COMMENTS

- C-5 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC). **Condition met. Shown as Note 3, Sheet 2.**
- C-6 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC). **Acknowledged by applicant.**
- C-7 The developer shall provide a building code analysis with the following building code data on the plan: a) use group; b) number of stories; c) type of construction; d) floor area per floor; e) fire protection plan. **Acknowledged but not submitted.**

- C-8 Prior to submission of the Final Site Plan, the developer shall provide a fire flow analysis by a certified licensed fire protection engineer to assure adequate water supply for the structure being considered. **Acknowledged but not submitted.**
- C-9 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 118.0. **Acknowledged by applicant.**
- C-10 The proposed addition shall be equipped with an automatic fire sprinkler system in accordance with NFPA 13 and the USBC. **Acknowledged by applicant.**

Historic Alexandria (Archaeology):

- F-1 Civil War period maps indicated the presence of a structure in the vicinity of this property, but the exact location is unknown. In addition, Fort Ward is situated across Braddock Road, and several other Civil War period fortifications are on nearby lots. The property therefore has the potential to yield archaeological resources which could provide information about the Civil War as well as insight into domestic activities outside of the town during the 19th century. Although archaeological testing conducted on the property in 1990 indicated that there was significant disturbance, it is possible that remnants of the 19th century activities could still be present.
- C-1 Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- C-2 The above statements (in C-1) must appear in the General Notes of the site plan so that on-site contractors are aware of the requirement.

Police

Due to the proximity of existing residential single-family homes, staff has modified this requirement to include evaluation of appropriate lighting levels for the site in consultation with the police.

- R-1 The lighting in the parking lots, sidewalks and all common areas is to be a minimum of 2.0 foot candles minimum maintained.

Parks & Recreation (Arborist):

No comments

Health Department:

No comments

Virginia American Water Company

No comments

APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2003-0026

PROJECT NAME: Lynn House

PROPERTY LOCATION: 4400 West Braddock Road

TAX MAP REFERENCE: 20.00 02.14, 15 & 16 ZONE: R-8

APPLICANT Name: Lynn House of Potomac Valley, Inc., a Virginia nonstock corporation
Address: 4400 West Braddock Road, Alexandria, VA 22304

PROPERTY OWNER Name: Lynn House of Potomac Valley, Inc.
Address: 4400 West Braddock Road, Alexandria, VA 22304

SUMMARY OF PROPOSAL: Approval to expand existing nursing facility by construction a one (1) story 4000 square foot addition.

MODIFICATIONS REQUESTED: None

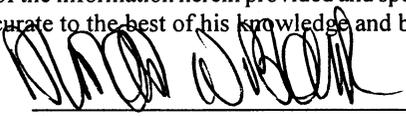
SUP's REQUESTED: Development Special Use Permit with Site Plan to expand existing nursing facility.

THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of the 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 also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his knowledge and belief.

Duncan W. Blair, Esquire
Print Name of Applicant or Agent



Signature

Email : dblair@landclark.com

Tel: (703) 836-1000 Fax: (703) 549-3335

524 King Street, Alexandria, Virginia 22314 June 24, 2003

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

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

Received Plans for Completeness: _____
Received Plans for Preliminary: _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

All applicants must complete this form.

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is the (check one):

Owner Contract Purchaser

Lessee Other: _____

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

Lynn House of Potomac Valley, Inc. is a Virginia nonstock corporation, qualified as a Section 501(c)(3) of the Internal Revenue Code as a nonprofit hospital organization. Attached is a list of the current directors and officers of Lynn House of Potomac Valley, Inc.

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

Yes. Provide proof of current City business license

No. The agent shall obtain a business license prior to filing application, if required by the City Code.

NARRATIVE DESCRIPTION

2. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise.

Lynn House of Potomac Valley, Inc., a Virginia nonstock corporation ("Lynn House"), is requesting a Development Special Use Permit to amend Special Use Permit #2433, approved by the Alexandria City Council on October 13, 1990 (SUP 2433) to expand the existing nursing facility by constructing a one (1) story, 4,000 square foot addition to house twelve (12) assisted living units and to convert eight (8) of the existing living units to assisted units. The total amount of units in the expanded facility will be twenty eight (28), which is less than the maximum number of beds of thirty-three (33) beds permitted by SUP 2433.

The proposed expansion is consistent with the site plan approved with SUP 2433 (Site Plan 90-002), delineated as Phase II future construction, and has a building footprint similar to the proposed addition. The parking, landscaping, and site amenities were all constructed as part of the initial 1990 approvals.

3. How many patrons, clients, pupils and other such users do you expect?
Specify time period (i.e., day, hour, or shift).

No change from SUP 2433

4. How many employees, staff and other personnel do you expect?
Specify time period (i.e. day, hour, or shift).

No change from SUP 2433

5. Describe the proposed hours and days of operation of the proposed use:

Day	Hours	Day	Hours
-----	-------	-----	-------

No change from SUP 2433

6. Describe any potential noise emanating from the proposed use:

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.

No change from SUP 2433

- B. How will the noise from patrons be controlled?

No change from SUP 2433

7. Describe any potential odors emanating from the proposed use and plans to control them:

No change from SUP 2433

8. Provide information regarding trash and litter generated by the use:

- A. What type of trash and garbage will be generated by the use?

No change from SUP 2433

- B. How much trash and garbage will be generated by the use?

No change from SUP 2433

- C. How often will trash be collected?

No change from SUP 2433

- D. How will you prevent littering on the property, streets and nearby properties?

No change from SUP 2433

9. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

[] Yes. [X] No.

If yes, provide the name, monthly quantity, and specific disposal method below:

24

10. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

11. What methods are proposed to ensure the safety of residents, employees and patrons?

No change from SUP 2433

ALCOHOL SALES

12. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes. No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

13. Provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

One (1) parking space for each two (2) beds for a total of fourteen (14) required spaces.

B. How many parking spaces of each type are provided for the proposed use:

<u>11</u>	Standard spaces
<u>23</u>	Compact spaces
<u>2</u>	Handicapped accessible spaces.
	Other.
<u>36</u>	Total

C. Where is required parking located? (*check one*) on-site off-site.

If the required parking will be located off-site, where will it be located:

No change from SUP 2433

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-

Development Special Use Permit with Site Plan (DSUP) # 2003-0026

site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

14. Provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance?
No change from SUP 2433

- B. How many loading spaces are available for the use?
No change from SUP 2433

- C. Where are off-street loading facilities located?
No change from SUP 2433

- D. During what hours of the day do you expect loading/unloading operations to occur?
No change from SUP 2433

- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
No change from SUP 2433

15. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

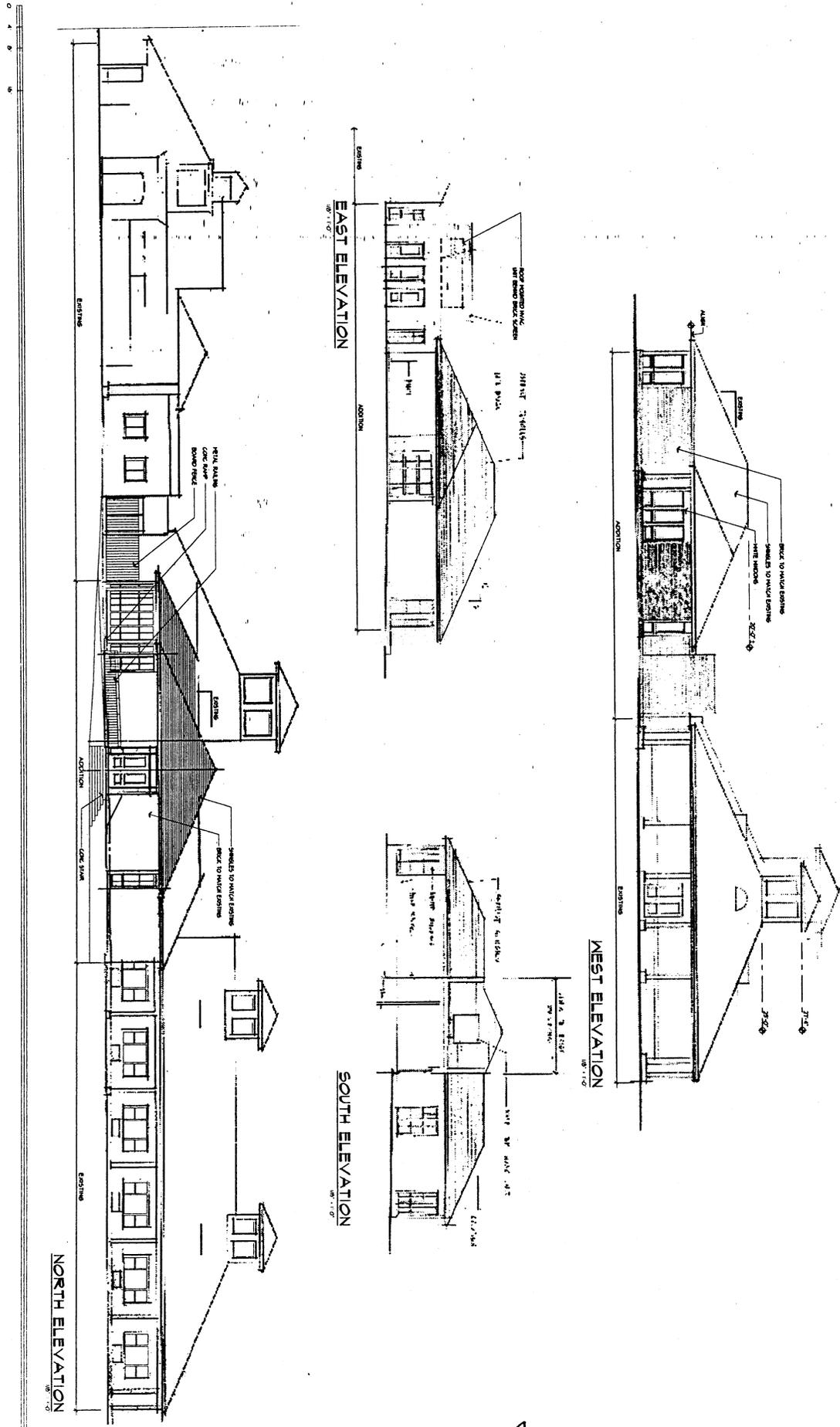
No change from SUP 2433

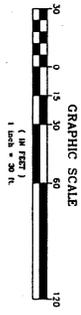
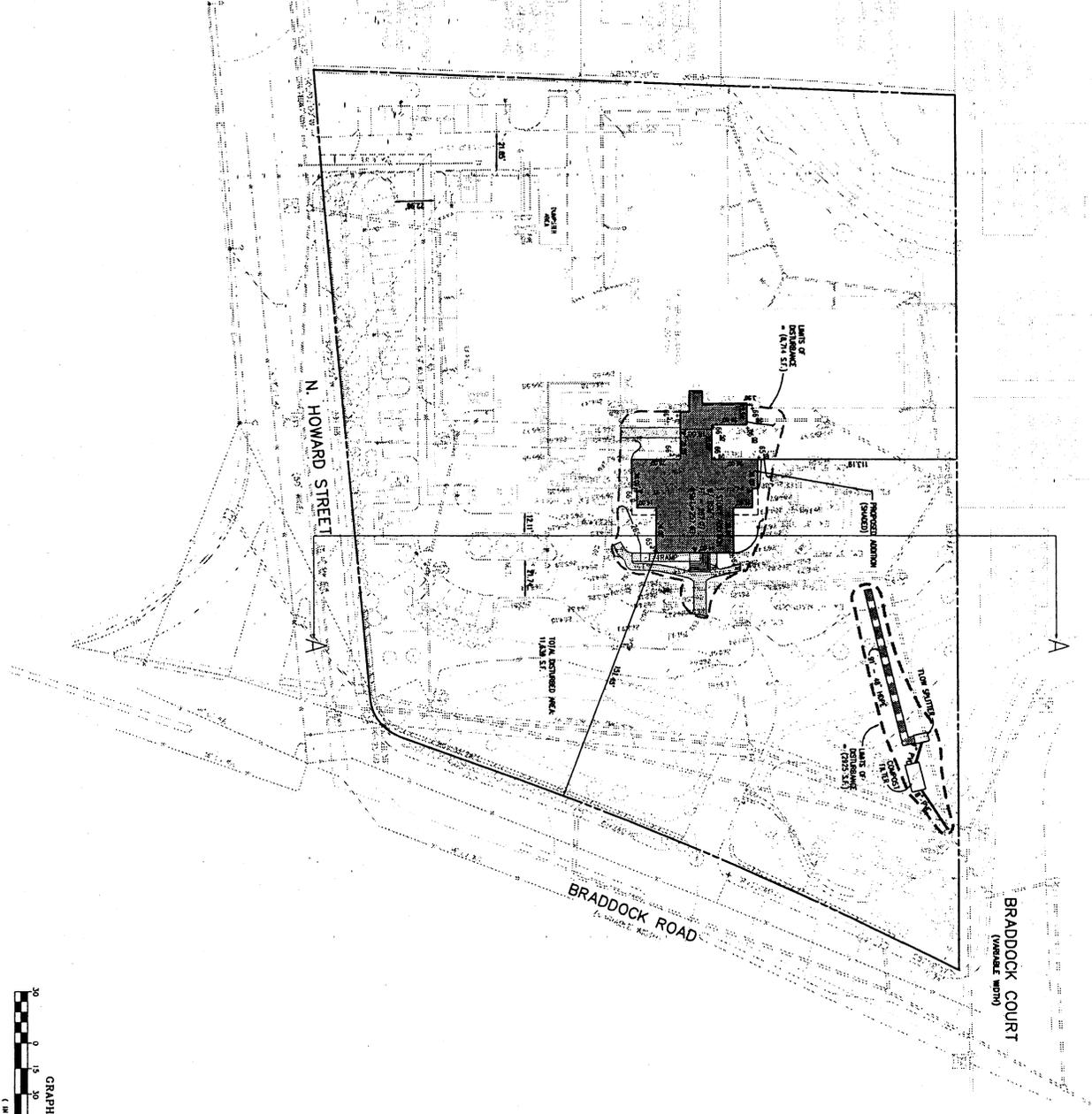
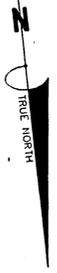
LYNN HOUSE
 4400 West Braddock Road
 Alexandria, Virginia

A2
 ELEVATIONS
 August 11, 2000

Kerns Group Architects, P.C.
 Arlington, Virginia

Copyright 2000 Kerns Group Architects, P.C. All Rights Reserved.





APPROVED

REGULATORY, UTIL, RESIDENT AND GENERAL SERVICES DIVISION

DEPARTMENT OF TRANSPORTATION & ENVIRONMENTAL SERVICES

SITE PLAN NO. _____

DATE _____

SCALE _____

FILE NO. _____

ATTACHMENT NO. _____

PROFESSIONAL SEAL

ANTHONY J. MORSE

No. 12318

REGISTERED PROFESSIONAL ENGINEER

STATE OF VIRGINIA

DATE _____

SCALE _____

FILE NO. _____

SP-NUMBER _____

COUNTY PROJECT NUMBER _____

DEVELOPMENT SITE PLAN

LYNN HOUSE 29

CITY OF ALEXANDRIA VIRGINIA

Bowman Consulting Group, Ltd.

2121 Eisenhower Avenue

Suite 202

Alexandria, Virginia 22314

Phone: (703) 648-8168

Fax: (703) 663-8791

www.bowmanconsulting.com

© Bowman Consulting Group, Ltd.



DOCKET ITEM # 30-A
SPECIAL USE PERMIT # 2433

PLANNING COMMISSION MEETING
TUESDAY, SEPTEMBER 4, 1990
7:30 P.M., COUNCIL CHAMBERS

ISSUE: Consideration of a request for Special Use Permit to operate a nursing facility.

APPLICANT: Lynn House of Potomac Valley Inc.
by William C. Thomas Jr., attorney

LOCATION: 4400 West Braddock Road

ZONE: R-8, Residential

PLANNING COMMISSION MEETING OF SEPTEMBER 4, 1990

Mr. Bernard Fagelson, attorney, presented the application.

Citizens who spoke in opposition to the request:

Ms. Nell Vetter, 922 Juniper Place, stated that the new structure is inappropriate and out of proportion for the area.

Mr. Bernie McKay, resident of Braddock Court, felt that a new institutional facility would not contribute to the quality of life for a residential area.

Ms. Pat Leheay, resident of Braddock Court, supported Mr. McKay's statement and felt that Lynn House should not be expanded.

Ms. Barbara Beach, attorney representing Jack and Eloise Seamon, owners of the property to the south abutting the Lynn House property, stated that the owners believed that the new facility will have a great impact on the immediate residential area. The new structure's service area will face some 30 feet away from their property line, and the proposed new residential structures to be constructed on their land will be impacted by the continued traffic and noise to the service area. The owners desire a six foot high brick wall along the south property line to screen the service area and that the overall structure be moved further away from their property.

SUP 2433

Mr. Jack Sullivan, resident of Seminary Hill, stated that the Lynn House is an anomaly and that to allow it to be doubled in size would be a problem for the residential neighborhood.

Citizens who spoke in support of the request:

Ms. Judith Fraine, president of the Seminary Hill Association and speaking on behalf of the majority of the association, stated that the Lynn House proposal is a good one and that overall the Lynn House has been a quiet and good neighbor in the area. The applicant proposes to retain extensive landscaping and trees, and design a project which is in harmony with the property's topography and the neighborhood.

COMMISSION ACTION: On a motion by Mr. Kamerow, seconded by Mr. Hurd, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations, and deleted Condition #4. The motion carried on a vote of 4 to 2; Ms. Fossum and Mr. Leibach voted no. Mr. Bernabucci was absent.

REASON: A majority of the Planning Commission believed that the project is appropriate and enhances the lot, is well below the floor area ratio (FAR) permitted, and that overall the Lynn House has been a good neighbor in the area.

CITY COUNCIL MEETING OF SEPTEMBER 15, 1990:

Noted the deferral to October.

CITY COUNCIL MEETING OF OCTOBER 13, 1990:

Granted the special use permit, subject to compliance with all applicable codes, ordinances and staff and Planning Commission recommendations, and incorporated as part of the special use permit the agreement reached by Lynn House, Seminary Hills Association, the Braddock Cove Homeowners Association and H.P. and Eloise Seamon (see attached).

STAFF RECOMMENDATION:

Recommend approval subject to all applicable codes, ordinances and the following conditions:

1. That the permit be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&CD)
2. That the number of beds permitted at the nursing facility be limited to thirty-three (33) as requested by the applicant. (P&CD)
3. That the applicant provide a minimum of 17 interim parking spaces for residents and employees during the construction of the new Lynn House building. (P&CD)

CONDITION #4 DELETED BY PLANNING COMMISSION.

4. ~~That the applicant obtain all appropriate permits required by the City prior to commencement of construction. (P&CD)~~

DISCUSSION:

1. The applicant, Lynn House of Potomac Valley Inc., is requesting a special use permit to demolish the existing facility and replace it with a new Lynn House Nursing facility located at 4400 West Braddock Road.
2. The applicant proposes to replace an existing thirty-three (33) bed nursing facility constructed in 1950, which has outlived its usefulness, with a new modern structure. The current nursing facility is extremely costly to maintain and repair and cannot adequately meet the needs of the residents and staff. The new one-story building with a sloped roof totaling 29,300 square feet of floor area will offer 33 individual patient bedrooms, administrative offices, personal care room, patient dining room, reading and activity/day rooms, including treatment and nurses' stations. The new floor plan is intended to better accommodate the needs of the residents.
3. On August 17, 1990 the applicant's attorneys met with Zoning Staff to discuss phases of construction for the new Lynn House building. At the meeting, it was indicated that operations at the existing Lynn House will continue during construction of the new building. It was stressed that residents cannot be moved to another off-site location since none is available. Based upon the philosophy of Lynn House, residents generally do not stay at the facility for more than thirty (30) days. During construction, it is anticipated that fewer than twenty-six (26) residents will be at Lynn House during the stages of construction. The new building will be tentatively built in three (3) phases: Phases IA and IB and Phase II. Phase IA which comprises most of the new building (located furthest from the existing main building) will be constructed in a manner which will not disrupt daily administrative operations and residents. The applicant indicates that residents' bedrooms are located in the existing building on the opposite side of the construction efforts. Once this portion of the new building is constructed, residents and administrative operations will be moved into the new building. In turn, Phase IB and Phase II will commence and the existing building will be demolished. During construction, twenty-three (23) off-street parking spaces will be made available. Of that total number, sixteen (16) spaces will be constructed on the east side of the property with access off North Howard Street and seven (7) existing spaces will remain located on the west side of the property with access from Braddock Road.
4. As depicted on the applicant's submitted preliminary site plan, at a later date a Phase II building program will include the construction of a new addition on the north side of the main building. The new addition will accommodate ten (10) more resident beds. Once the addition is constructed, the total number of beds at the nursing facility will be 33 (the same number of beds that currently exist at the present facility).

SUP 2433

5. The Lynn House nursing facility currently operates 24 hours a day. The new facility will operate under the same hours.
6. The applicant indicates that patients minimum tenure at the facility is 30 days.
7. The new facility will not require additional staff to operate above the present level of twenty-five (25) employees which include administrative and nursing personnel. Employee shifts permit a minimum of three (3) to twenty-two (22) employees on-site at any one time. As indicated by the applicant, the estimated number of employees per shift are as follows:

<u>NUMBER OF EMPLOYEES</u>	<u>SHIFT TIME</u>
13 to 22	7:00 A.M. to 3:00 P.M.
11 to 15	3:00 P.M. to 11:00 P.M.
3	11:00 P.M. to 7:00 A.M.

8. A service drive with an entrance off Howard Street permits deliveries at the rear of the building. On average, two (2) trucks per week deliver nursing supplies and food products to Lynn House. Ambulances which deliver patients to Lynn House do not arrive with their sirens on so as not to impact nearby residents.
9. Section 7-6-72(11)(r) of the City Zoning Code requires one (1) off-street parking space for each two (2) patient beds. A thirty-three (33) bed facility will be required to provide seventeen (17) off-street parking spaces. As depicted on the applicant's submitted site plan, thirty-five (35) off- street parking spaces have been proposed to serve employee and visitor needs.
10. At the September 4, 1990 regularly scheduled Planning Commission hearing, Preliminary Site Plan #90-020, Lynn House, will be heard concurrently with Special Use Permit #2433.
11. On May 12, 1954, the City Council granted Special Use Permit #127 to L. P. Sutton to operate a convalescent home for an indefinite period located at the southwest corner of Howard Lane and Braddock Road.
12. On June 23, 1959, the City Council granted Special Use Permit #356 to Fort Ward Convalescent Home to construct 6,000 square feet of floor space to expand the existing convalescent home at 4400 West Braddock Road.
13. On April 25, 1973, the City Council granted Special Use Permit #901 to Lynn House of Potomac Valley Inc., to construct a nurses' residence to house 12 to 14 nurses at 4400 West Braddock Road.

SUP 2433

14. Section 7-6-14(a) permits a nursing home or sanitarium in an R-8, residential zone only with a special use permit.
15. Zoning History: The subject property has been zoned R-8, residential since adoption of the Third Revised Zoning Map of 1953.
16. The adopted "Seminary Hill/Strawberry Hill Small Area Plan" recommends that the subject property's existing Residential Low (RL) land use designation be changed to Institutional (Inst). The change reflects the existing convalescent home. The property would remain zoned R-8, residential. Under the revised Zoning Code which has not yet been adopted, in the R-8, residential zone, if the applicant were interested in constructing a nursing home on the subject property (if no facility had previously been constructed on the site), it would not be permitted. In the R-8, residential zone, the new Zoning Code does not allow nursing or convalescent homes as a permitted use by-right nor does it allow them by special use permit.
17. The applicant is advised that in accordance with Section 7-6-194 of the City Zoning Code, construction or operation shall be commenced and diligently and substantially pursued within one year of the date of granting of a special use permit by City Council or the use permit shall become void; provided, however, where an approved valid site plan exists, with a remaining term exceeding twelve months, the special use permit term for construction or operation shall be extended to coincide with the date of the site plan expiration.

STAFF ANALYSIS:

The property in question has been used as a nursing or convalescent home since 1954. The applicant has indicated that the current building has outlived its usefulness and cannot adequately meet the needs of the residents and staff at the facility. The proposed new nursing facility will not require additional staff nor increase the number of beds currently available for patients. The new facility will offer more on-site parking for visitors and employees than is required by Zoning Code. Staff offers no opposition to replace the current Lynn House nursing facility with a new one. Staff recommends approval of the special use permit.

CITY DEPARTMENT COMMENTS

Transportation & Environmental Services:

- R-1 Comply with Site Plan #90-020 requirements.

Public Safety (Code Enforcement):

- C-1 All construction must conform to the Virginia Uniform Statewide Building Code, 1987 edition.
- F-1 This site falls within a designated marine clay area. A soils report, certified by a Virginia registered professional engineer, must accompany application for construction.

Alexandria Sanitation Authority:

No comment.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Certified Food Managers must be on duty during all hours of operation.
- C-3 Permits must be obtained prior to operation.
- C-4 Three sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Handling Establishments.
- C-5 Facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.

SUP 2433

Police Department:

No comment.

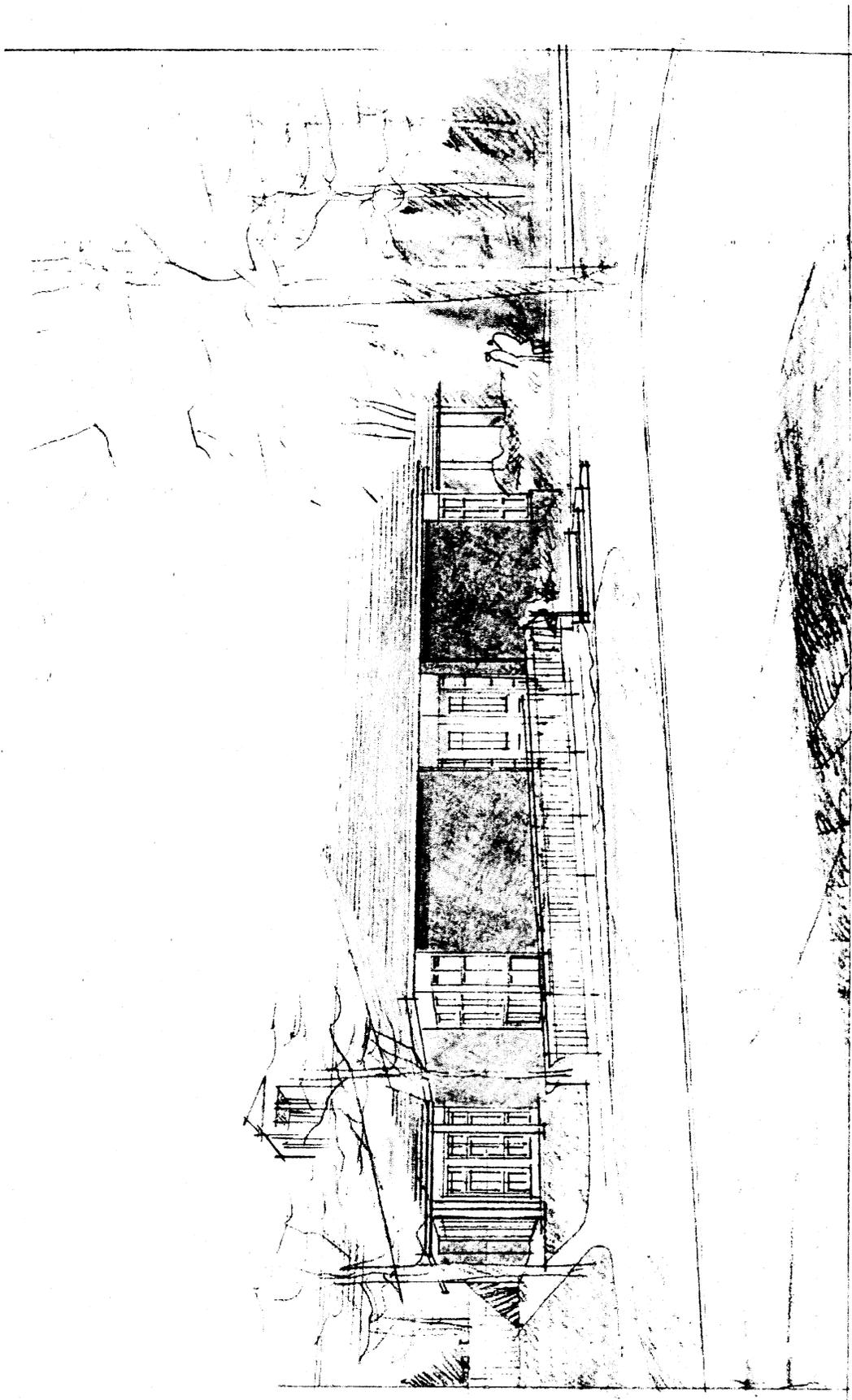
Recreation Department (Arborist):

F-1 No specimen trees are affected by this plan.

SUP 2433

REPORT ATTACHMENTS

939



40

LYNN HOUSE
4400 West Braddock Road
Alexandria, Virginia

View from
Braddock Road
August 11, 2020

Kerns Group Architects, P.C.
Arlington, Virginia

Copyright © 2020 Kerns Group Architects, P.C. All Rights Reserved

APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2003-0026

PROJECT NAME: Lynn House

PROPERTY LOCATION: 4400 West Braddock Road

TAX MAP REFERENCE: 20.00 02 14, 15 & 16 ZONE: R-8

APPLICANT Name: Lynn House of Potomac Valley, Inc., a Virginia nonstock corporation
Address: 4400 West Braddock Road, Alexandria, VA 22304

PROPERTY OWNER Name: Lynn House of Potomac Valley, Inc.
Address: 4400 West Braddock Road, Alexandria, VA 22304

SUMMARY OF PROPOSAL: Approval to expand existing nursing facility by construction a one (1) story 4000 square foot addition.

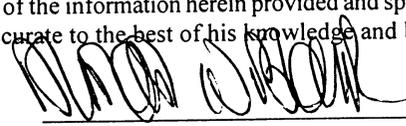
MODIFICATIONS REQUESTED: None

SUP's REQUESTED: Development Special Use Permit with Site Plan to expand existing nursing facility.

THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of the 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 also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his knowledge and belief.



Duncan W. Blair, Esquire
Print Name of Applicant or Agent

Signature

Email : dblair@landclark.com

Tel: (703) 836-1000 Fax: (703) 549-3335

524 King Street, Alexandria, Virginia 22314 June 24, 2003

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

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

Received Plans for Completeness: _____
Received Plans for Preliminary: _____

ACTION - PLANNING COMMISSION: 11/06/03 RECOMMEND APPROVAL 6-0

ACTION - CITY COUNCIL: Approved 6 to 0