

EXHIBIT NO. 1

7
9-16-06

Docket Item #9
SPECIAL USE PERMIT #2006-0059

Planning Commission Meeting
September 7, 2006

ISSUE: Consideration of a request for an extension of a previously approved special use permit to expand an existing community center, with modifications, and for a parking reduction.

APPLICANT: Community Lodgings, Inc.
by Bonnie Baxley

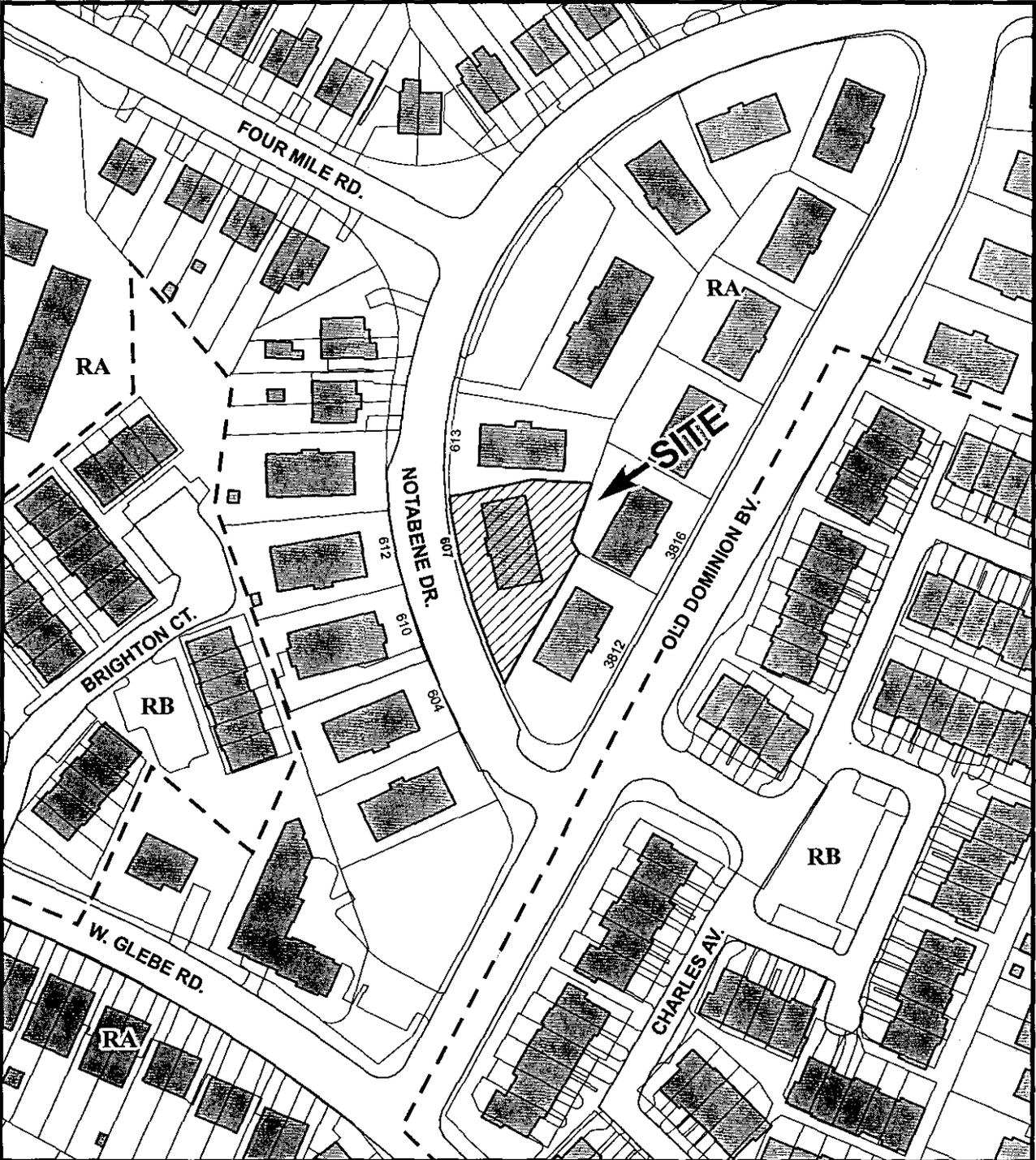
LOCATION: 607 Notabene Drive

ZONE: RA/Multifamily zone

PLANNING COMMISSION ACTION, SEPTEMBER 7, 2006: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



SUP #2006-0059

09/07/06



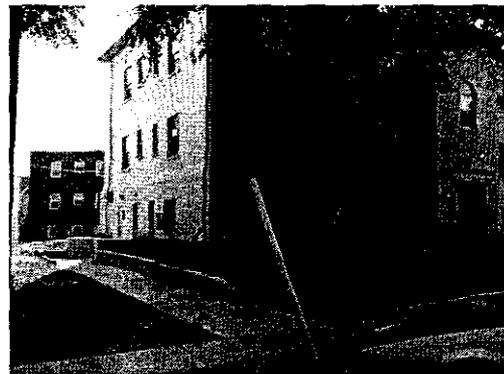
I. DISCUSSION

REQUEST

The applicant, Community Lodgings, Inc., requests special use permit approval to extend a previously approved SUP. The approved SUP included the following: (1) a one-story rear addition to its existing community center building (known as the Family Learning Center) at 607 Notabene Drive, (2) a parking reduction for the new addition, and (3) side and rear setback modifications to build the proposed one-story addition. The extension is needed to allow additional time to secure funding for the proposed improvements.

SITE DESCRIPTION

The subject property is one lot of record with 156 feet of frontage on Notabene Drive and a total lot area of 10,446 square feet. The site is developed with a masonry, two-story apartment building with ten apartments, and is surrounded by other multi family residential buildings. Access to the property is from Notabene Drive.



BACKGROUND

Community Lodgings, Inc. (CLI) is an Alexandria nonprofit organization whose mission is to assist low income and homeless families with affordable housing and with programs that enable them to become independent and self-sufficient. The organization offers housing and job and life skills training to its clients. The housing consists of one to four bedroom apartments located in CLI owned buildings along Notabene Drive and Elbert Avenue. The training includes computer, GED, ESL and other job skills training and is offered through the Family Learning Center.

In 1991, the subject property was purchased by CLI. At that time, the building consisted of 12 residential apartments. In 1991, a full parking reduction was granted for the subject building (Special Use Permit #2528) as an incentive to allow CLI to renovate the apartment building for low and moderate income housing.

On March 5, 2001, pursuant to Special Use Permit #2001-0136, two ground level apartments were converted for use as the existing community center within the subject building. Upon completion of the work, a total of 10 residential units continued to be offered for low and moderate income families.

On December 18, 2004, City Council approved Special Use Permit #2004-0096 for a rear addition, modification to side and rear yards and for a parking reduction. In accordance with Section 11-506(c) of the Zoning Ordinance, construction or operation are required to be commenced and

diligently and substantially pursued within 18 months of the date of the granting of a special use permit by City Council or the special use permit shall become void. The applicant pursued its building permits within the last 18 months. However, construction has been delayed due to the loss of an expected funding source.

The applicant wishes to extend the approved SUP to allow more time to secure a funding source and proceed with the addition. No one spoke in opposition to the request for SUP#2004-0096.

PROJECT DESCRIPTION

CLI wishes to expand the existing community center by constructing a one-story addition at the rear of the building and to receive a reduction in the parking required for the new addition. The proposed rear addition measures 30 feet by 25 feet by 9 feet in height and totals 750 square feet. As shown on the submitted building elevations, the roof slope of the new addition will match the roof slope of the main building. A small portion of roof will be flat to allow light into existing apartments. The applicant also indicates that (1) the windows in the addition will match the style of windows in the apartment building, (2) the addition will be constructed of brick and (3) the addition will be painted to match the main building. Upon completion of the proposed rear addition, the property will continue to comply with allowable floor area and open space. Placement of the new addition, however, requires a modification to the side and rear yard setbacks.

In approving a special use permit to reduce required off-street parking, City Council may modify the minimum yards, if the Council determines that such yard modification is necessary or desirable to develop the property and the yard modification will not be detrimental to the public health, safety or general welfare.

The RA zone requires that each multi family dwelling provide a minimum side and rear yard setback of 16 feet. As indicated on the attached plat (Exhibit 3A), the new addition will be located five feet from the north corner of the existing building wall and will face the north side property line and extend across a little more than one-third the length of the existing building's rear wall. The proposed addition will be located nine feet from the north side property line (30 feet from the nearest building) and six feet from the east rear property line. A side and rear yard modification of seven feet and 13 feet are requested from the zoning regulations. As indicated on the attached plat, the property is an irregular pie shaped lot with the north and east property lines angled to the front property line.

The proposed addition will enable CLI to expand its current after school program for youths (adult computer classes and employment assistance). Up to 40 people (children and adults) at any given time will take advantage of the expanded programs. Special Use Permit #2001-0136 currently allows only 20 students at the center at any one time. Approximately three instructors will be on-site at any given time. The center operates from 3:00 p.m. to 9:00 p.m. Monday through Thursday, 3:00 p.m. to 5:00 p.m. Friday, and 9:00 a.m. to 3:00 p.m. Saturday. The center currently provides an after

school program open at 3:00 p.m. Monday through Friday. The after school program is offered during the time the parents are in the center in training.

It is not anticipated that there would be any additional noise impact associated with the new addition, since the training center's students will be supervised at all times.

PARKING

Pursuant to Section 8-200 of the Zoning Ordinance, the community center is required to provide one parking space for each 200 square feet of floor area. The proposed one-story addition totals 766 square feet, and is required to provide four parking spaces.

The only parking at the subject site consists of public on-street parking spaces. A 17 space parking space reduction for the subject site's apartment building was granted in 1991 under Special Use Permit #2528. This approval was granted as an incentive to the applicant, CLI, to renovate the apartment building for low and moderate income housing. On March 5, 2002, the applicant received a five parking space reduction under Special Use Permit #2001-0136 for the community center located at 607 Notabene Drive. The applicant is now asking for approval of a reduction of four parking spaces for the new community center addition. Since 1991, and if the current parking space reduction is approved, a total of 26 required parking spaces will be waived for the subject property. According to the applicant, no parking is needed for the new addition, since all the centers' students and adults live in the neighborhood and are expected to walk to the center.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the RA(Multifamily Residential) zone. Section 3-600 of the Zoning Ordinance allows noncommercial, not-for-profit facilities, including community centers, designed to serve the neighborhood in the RA zone only with a special use permit. Section 8-100 of the Zoning Ordinance allows a reduction of the parking requirement only with a special use permit.

The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan.

II. STAFF ANALYSIS

Staff does not object to extending the approved SUP for an addition to the building and parking reduction for an expansion to the existing community center. The expansion will provide important needed additional assistance to the surrounding community. The applicant took extensive measures to recess the addition away from the nearest building and maintain a low profile. The participants, all CLI clients, walk to the center from their nearby homes and the three staff people will use available street parking. Staff has no objection to the requested four parking space reduction, since the center draws its clientele from the immediate neighborhood who walk to the center.

Extending the permit will make it valid for another 18 months, giving Community Lodgings additional time to secure funding for this community-serving use. There were no objections to the proposal when last proposed. Staff continues to believe that neither the increase in students nor the proximity of the proposed addition to the nearest building will create an unwelcome impact as to noise, intensity of use or visual obstruction. Staff recommends that the approved conditions be carried forward, with more flexibility to the hours of operation.

With these conditions, staff recommends approval.

III. RECOMMENDED CONDITIONS

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

1. The special use permit shall be limited to the applicant only. (P&Z) (SUP#2001-0136)
2. The community center shall occupy only Apartments #1 and #2 and rear addition at 607 Notabene Drive. (P&Z)
3. **CONDITION AMENDED BY STAFF:** The community center shall limit its hours of operation from ~~3:00 p.m.~~ 9:00 a.m. to 9:00 p.m., Monday through Friday, and from 9:00 a.m. to ~~3:00~~ 5:00 p.m. on Saturdays. (P&Z) (SUP#2001-0136)
4. No more than forty students may occupy the community center at any one time. (P&Z) (SUP#2004-00096)
5. A parking reduction is granted for nine parking spaces otherwise required for the community center by the zoning ordinance. (P&Z) (SUP#2004-00096)
6. The following setback modifications are granted as part of the request: a side yard setback of 9.00 feet from the north side property line and a rear yard setback of 6.00 feet from the east rear yard property line. (P&Z) (SUP#2004-00096)
7. That the rear addition be constructed of brick and painted to be compatible with the existing building and the addition have a gable roof to match the roof slope of the existing building. (P&Z) (SUP#2004-00096)
8. That landscaping be installed and maintained around the addition to the satisfaction of the Director of the Department of Planning and Zoning. (P&Z) (SUP#2004-00096)

9. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department prior to opening to obtain a security survey for the learning center and robbery awareness program for all employees. This is to be completed prior to the center expansion opening. (Police) (SUP#2004-00096)
10. Condition deleted. (P&Z) (SUP#2004-00096)
11. Condition deleted. (P&Z) (SUP#2004-00096)
12. The Director of Planning and Zoning shall review the special use permit after the expanded portion of the center has been in operation for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP#2004-00096)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
Valerie Peterson, Urban Planner.

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.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- C-1 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.
- R-1 T&ES has no objection with the requested extension provided the applicant is in conformance with the original SUP conditions.

Code Enforcement:

- C-1 Construction permits are required for this project. 5 sets of plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 This structure contains mixed use groups [R2, Residential; E, Educational] and is subject to the mixed use and occupancy requirements of USBC 302.3. This will require separating this space from the rest of the building with 2 hour fire resistance rated construction.
- C-4 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.
- C-5 All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided. (USBC 704.5)
- C-6 The new addition shall not reduce the egress capacity or conflict with the egress requirements of the USBC for the existing space.

- C-7 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 taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-8 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.

Health Department:

- F-1 No comment.

Police Department:

- F-1 The Police Department has inquired of Captain Eddie Reyes about this property. The Police Department was informed that Community Lodgings is more like a computer lab that helps the community with becoming computer literate and helps the community grasp the English language. Therefore, the Police Department has no objections to the extension of this SUP.

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2006-0059
~~2004-0096~~



APPLICATION

All applicants must complete this form. Supplemental signs 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 or
- Other: _____ of the subject property.

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.

Not-for-profit corporation 501(c)3

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 N/A

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

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 11" x 17" or smaller. Twenty-four copies are required for plans larger than 11" x 17" if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

NARRATIVE DESCRIPTION

3. 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. The description should include 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. (Attach additional sheets if necessary.)

Request an extension of this SUP since construction is delayed due to loss of an expected funding source. Building permit application has been submitted and is pending.

Project description: (see original SUP):

Community Lodgings is a 501(c)3 that provides transitional housing programs at 607 and 612 Notabene Dr. We have low income housing at 3908, 3912 and 3916 Elbert Ave. We have been offering computer training and ESL for adults and after-school help for elementary and middle school children at our Family Learning Center at 607 Notabene Drive, for which we have a special use permit. We plan to expand our Learning Center by building an addition to the existing facility. The new space will be used to expand our current programs and the number served. The expansion will provide space to serve up to 40 people at any given time.

USE CHARACTERISTICS

4. The proposed special use permit request is for (check one):

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- expansion or change to an existing use with a special use permit,
- other. Please describe: see narrative

5. Please describe the capacity of the proposed use:

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

see previous

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

see previous

6. Please describe the proposed hours and days of operation of the proposed use: see previous

Day:

Hours:

7. Please describe any potential noise emanating from the proposed use.

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

No significant noise levels expected--see previous

B. How will the noise from patrons be controlled?

Program participants will be supervised by instructors at
all times

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

None expected --see previous

9. Please provide information regarding trash and litter generated by the use.

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

Ordinary household trash --see previous

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

C. How often will trash be collected?

at least weekly

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

Confined to containers

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

Yes. No.

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

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11. 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:

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

N/A - see previous

ALCOHOL SALES

13. 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

14. Please 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?

Parking reduction granted - see previous

- B. How many parking spaces of each type are provided for the proposed use:
- _____ Standard spaces
 - _____ Compact spaces
 - _____ Handicapped accessible spaces.
 - _____ Other: None--participants walk to facility

C. Where is required parking located? (check one)

- on-site
 off-site N/A

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

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-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.

15. Please 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?

_____ N/A-see previous _____

- B. How many loading spaces are available for the use? _____

- C. Where are off-street loading facilities located? _____
- _____

- D. During what hours of the day do you expect loading/unloading operations to occur?

_____ N/A _____

- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

_____ N/A _____

16. 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?

Street access adequate - see plans

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? Yes No

Do you propose to construct an addition to the building? Yes No

How large will the addition be? 750 square feet.

18. What will the total area occupied by the proposed use be?

900 sq. ft. (existing) + 750 sq. ft. (addition if any) = 1650 sq. ft. (total)

19. The proposed use is located in: (check one)

a stand alone building a house located in a residential zone a warehouse

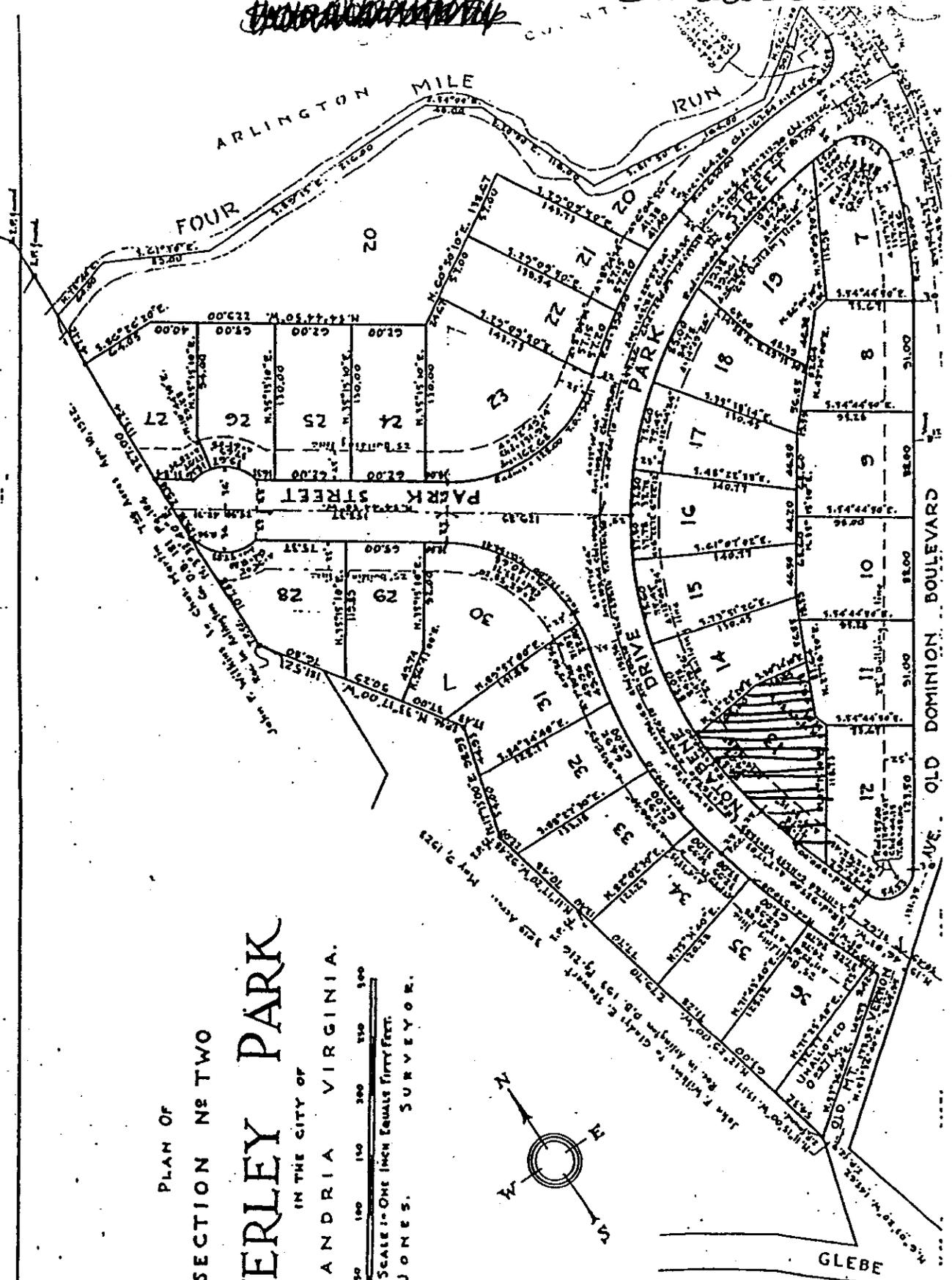
a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

other. Please describe: _____

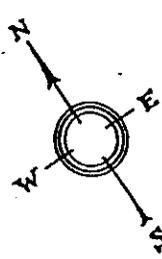
SUP 2006 0059

~~THE ARLINGTON MILE RUN~~



PLAN OF
SECTION NO TWO
BEVERLEY PARK
IN THE CITY OF
ALEXANDRIA VIRGINIA.

SCALE 1" = ONE INCH EQUALS FIFTY FEET.
P. A. JONES, SURVEYOR.



UNRECORDED INSTRUMENT

18

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100

SUP 2704-1

SUP2006-0059

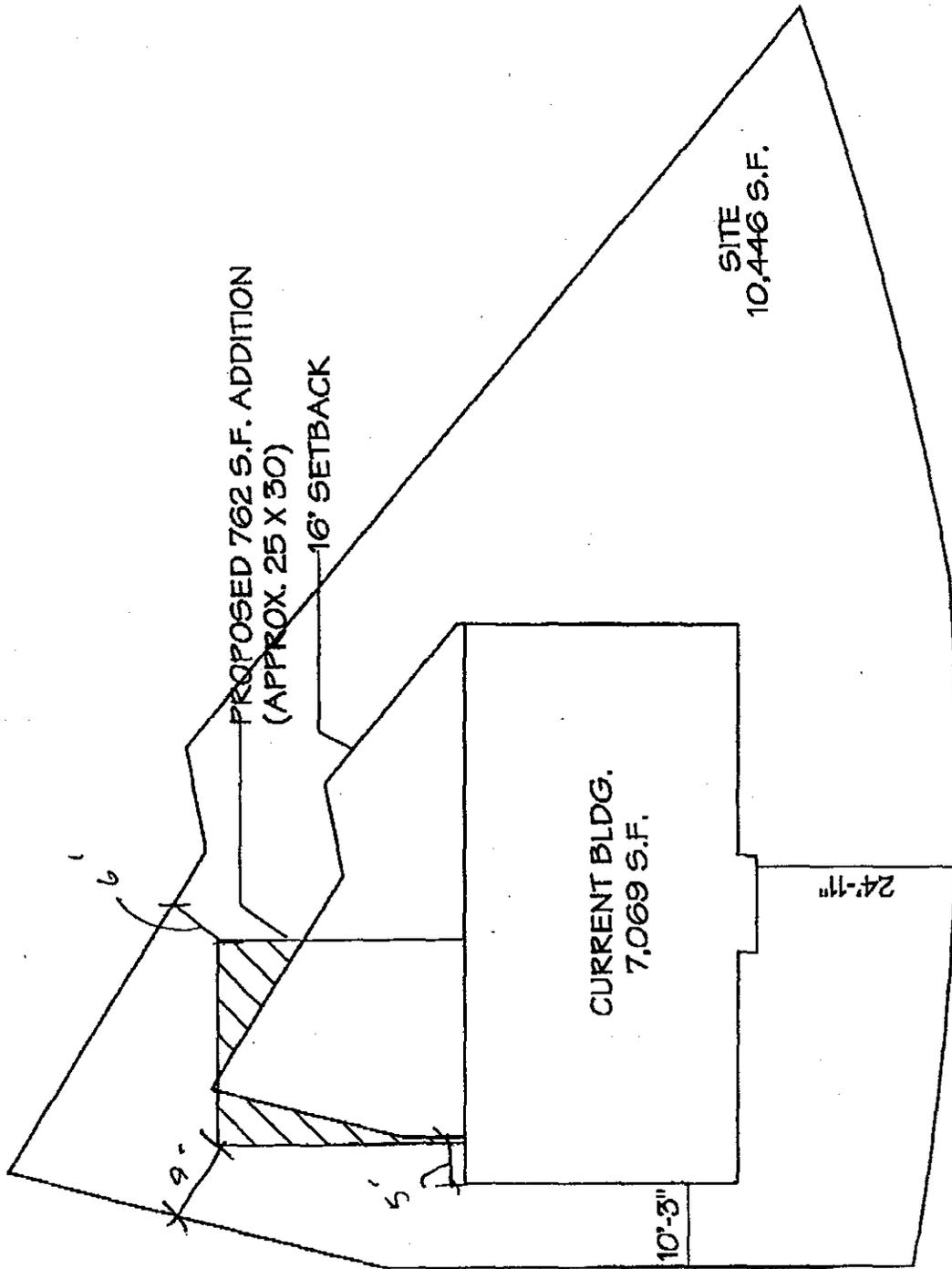


EXHIBIT 3A



SCALE = 1"=20'-0"



ILLUSTRATED AREA REQUIRING VARIANCE



APPLICATION

SPECIAL USE PERMIT # 2006-0059
~~2004-0096~~

PROPERTY LOCATION: 607 Notabene Drive

TAX MAP REFERENCE: 007.00 03:08 **ZONE:** RA

APPLICANT

Name: Community Lodgings Inc.

Address: _____ Street

PROPERTY OWNER

Name: Community Lodgings Inc.

Address: 3912 Elbert Ave., #108, Alexandria VA 22305 (new as of 6/28

PROPOSED USE: Request for extension, SUP 2004-0096 for community center, noncommercial, not-for-profit facility with parking reducti

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 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 IV, Section 4-1404(D)(7) 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 Director of Planning and Zoning 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.

Community Lodgings Inc.
Print Name of Applicant or Agent **NEW ADDRESS:**
3912 Elbert Avenue #108
Mailing/Street Address
Alexandria VA 22305
City and State Zip Code

Bonnie Baxley
Bonnie Baxley, Executive Director
Signature
703-549-4407 703-548-1294
Telephone # Fax #
cli@communitylodgings.org
Email address
June 28, 2006
Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

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

ACTION - PLANNING COMMISSION: Unanimous consent, recommended approval 9/7/06

ACTION - CITY COUNCIL: 9/16/06 - City Council approved the PC recommendation 7-0

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