



# APPLICATION

## SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** 2009-0081

**PROPERTY LOCATION:** 601 Holland Lane, Carlyle - Block "O"

**TAX MAP REFERENCE:** 073.04-01-03 **ZONE:** CDD #1

**APPLICANT:**

Name: Post Carlyle II LLC

Address: One Riverside - 4401 Northside Parkway, Suite 800, Atlanta, GA  
30327

**PROPOSED USE:** Request to convert approximately 6,286 sf of retail to residential and add 6,286 sf of residential to Carlyle - Block "O".

[ ] **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 staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

[ ] **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.

POST CARLYLE II LLC

By: M. Catharine Puskar, Attorney M. Catharine Puskar <sup>by em</sup> 12/22/09

Print Name of Applicant or Agent Walsh, Colucci, Lubeley, Emrich Walsh, PC Signature M. Catharine Puskar Date 12/22/09

2200 Clarendon Blvd., Suite 1300 703-528-4700 703-525-3197

Mailing/Street Address Telephone # Fax #

Arlington, VA 22201 cpuskar@arl.thelandlawyers.com

City and State Zip Code Email address

<b>ACTION-PLANNING COMMISSION:</b> _____	<b>DATE:</b> _____
<b>ACTION-CITY COUNCIL:</b> _____	<b>DATE:</b> _____

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of N/A Owner is applicant. I hereby  
 (Property Address)  
 grant the applicant authorization to apply for the \_\_\_\_\_ use as  
 (use)  
 described in this application.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Please Print

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

Required floor plan and plot/site plan attached.

Requesting a waiver. See attached written request.

2. 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 or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

Post Carlyle II LLC, a Delaware limited liability company

By: Post Apartment Homes L.P., a Georgia limited partnership,  
its sole member

By: Post GP Holdings, Inc., a Georgia corporation, its  
sole general partner



**USE CHARACTERISTICS**

4. The proposed special use permit request is for (*check one*):
- a new use requiring a special use permit,
  - an expansion or change to an existing use without a special use permit,
  - an expansion or change to an existing use with a special use permit,
  - other. Please describe: \_\_\_\_\_

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).

N/A  
\_\_\_\_\_  
\_\_\_\_\_

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

N/A  
\_\_\_\_\_  
\_\_\_\_\_

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

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.

N/A  
\_\_\_\_\_  
\_\_\_\_\_

- B. How will the noise be controlled?

N/A  
\_\_\_\_\_  
\_\_\_\_\_

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

N/A

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**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? (i.e. office paper, food wrappers)

N/A

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B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

N/A

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C. How often will trash be collected?

N/A

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

N/A

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

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? N/A

Yes.       No.

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

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

N/A

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**ALCOHOL SALES**

**13.**

A. Will the proposed use include the sale of beer, wine, or mixed drinks? N/A

Yes       No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

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**PARKING AND ACCESS REQUIREMENTS**

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

- \_\_\_\_\_ Standard spaces                      Parking per TMP SUP 2254.
- \_\_\_\_\_ Compact spaces
- \_\_\_\_\_ Handicapped accessible spaces.
- \_\_\_\_\_ Other.

Planning and Zoning Staff Only Required number of spaces for use per Zoning Ordinance Section 8-200A _____ Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No
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B. 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?

\_\_\_\_\_

**PLEASE NOTE:** 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.

C. 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.

**Parking reduction requested; see attached supplemental form**

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are available for the use? \_\_\_\_\_

Planning and Zoning Staff Only Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____ Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No
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B. Where are off-street loading facilities located? \_\_\_\_\_  
\_\_\_\_\_

C. During what hours of the day do you expect loading/unloading operations to occur?  
\_\_\_\_\_  
\_\_\_\_\_

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
\_\_\_\_\_  
\_\_\_\_\_

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?

N/A  
\_\_\_\_\_  
\_\_\_\_\_

**SITE CHARACTERISTICS** N/A

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? \_\_\_\_\_ square feet.

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

\_\_\_\_\_ sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = \_\_\_\_\_ 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: \_\_\_\_\_

**End of Application**

### 3. Narrative Description

With this Special Use Permit (SUP) application, the Applicant, Post Carlyle II LLC, proposes to convert approximately 6,286 square feet of approved retail use to residential use and add approximately 6,286 square feet of residential GFA. The additional residential area would be created by horizontally dividing the currently approved ground floor retail space (which was originally designed as a two-story volume to accommodate taller ceiling heights for retail uses) to result in two levels of residential units. While a modest amount of additional residential square footage is being created, it will be fully within the currently approved building envelope and within the overall Carlyle FAR limitations.

By way of background, Carlyle is zoned CDD#1 (Zoning Ordinance Section 5-600) and the overall Carlyle development plan was approved in 1990 as a CO planned residential/commercial development via SUP #2253. Since that time, there have been several amendments to this SUP as various changes to the individual Block plans have been needed. Section 12-600(5) of the Zoning Ordinance permits amendments to Carlyle by approval of an SUP provided that: there is not an increase in the maximum FAR originally approved for the development (2.62 FAR); the uses are as originally approved; and the application does not cause the development to be noncompliant with the zone regulations in which the development is located.

This proposal, to essentially split the approved ground floor retail space into two floors of residential units meets all of the aforementioned criteria in Section 12-600(5) as it does not increase the originally approved maximum FAR, does not include any uses which were not originally approved and does not create any noncompliance with the CDD#1 regulations. Due to the current economic climate as well as its location within the larger Carlyle development, this space is not viable for retail uses for the reasons summarized in the following paragraph.

As you are aware, there are a number of vacant retail spaces within the already constructed and occupied buildings in Carlyle. For instance, Block "L" amended the SUP for a 7-11 and even with the 7-11, there is approximately 20,000 square feet of vacant retail including the recently vacated Bruegger's Bagels space which was vacated during an active lease term due to lack of retail traffic and sales. In addition to Block "L", there is a significant amount of vacant retail space within the Carlyle development which is superior in design and location to the subject property. This retail space is challenged in design and location. This 6,286 square foot, single-loaded corridor space steps down from the street grade on one end and steps up from the street grade on the other end making it less attractive to pedestrians and it is located across the street from a parking garage, and not in close proximity to other retail.

Finally, there have been other recently pursued amendments within Carlyle in order to permit different uses in spaces that were originally designed for retail and which are located in more prominent pedestrian locations, thus making it more difficult for this small, single-loaded corridor across from a parking garage to work as retail. Approval of this request will better enable Post Properties to obtain financing as the requirement for retail puts an additional constraint on underwriting for the building. The replacement of "dark" or vacant retail space with vibrant, occupied residential units will enhance the street experience and also provide additional residents to support the existing retail as opposed to compounding the problem which presently exists.

In connection with this SUP application, the Applicant will also be filing an application for DRB review of the façade modifications associated with this request and is proposing to amend the Design Guidelines for Block "O". The façade modifications will be in character with the approved architectural design and materials.

In summary, the Applicant looks forward to working with Staff on this application and being able to commence with construction on the residential building in the Carlyle development. It is hoped that this residential building will add to the activity and sense of community in Carlyle.