



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2010-0015

PROPERTY LOCATION: 4109 Mount Vernon Avenue, 4115, 4121 and 4125 Mt. Vernon Ave.

TAX MAP REFERENCE: 007, 01-02-19 ZONE: NR

APPLICANT:

Name: City of Alexandria - Dept. of RPCA

Address: 1108 Jefferson St., Alexandria, VA 22314

PROPOSED USE: Public (Community) Building

[] **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.

James Spengler, Director RPCA
Print Name of Applicant or Agent

[Signature] 3/23/2010
Signature Date

1108 Jefferson St.
Mailing/Street Address

Telephone # Fax #

Alexandria, VA 22314
City and State Zip Code

james.spengler@alexandriava.gov
Email address

ACTION-PLANNING COMMISSION: _____	DATE: _____
ACTION-CITY COUNCIL: _____	DATE: _____

Special Use Permit Application Submission Checklist

WARNING: If any required portion of the application is not submitted, the application may not be accepted.

Completed and signed Special Use Permit application. All questions must be answered fully and legibly.

_____ Supplemental Application for the following uses:

- | | |
|--|---|
| <input type="checkbox"/> Automobile Oriented | <input type="checkbox"/> Child Care Homes and Daycare Centers |
| <input type="checkbox"/> Parking Reductions | <input type="checkbox"/> Freestanding Signs |
| <input type="checkbox"/> Restaurants | |

Interior Floor Plan

- Submit one copy no larger than 11 x 17
- Show and label all entrance and exit doors and windows;
- Show and label all rooms/areas, staircases, elevators, bathrooms;
- n/a Show all seats, tables, counters, equipment, etc., as appropriate to the use;
- n/a Show outdoor seating areas, if applicable;
- Title block showing the address, name of the business, name of applicant(s) and square footage of the interior space

Note: Please provide drawings to scale if possible. Drawings must be legible and a clear representation of the proposed use.

Site Plan

- Submit one copy no larger than 11 x 17
- Show the subject site and surrounding buildings;
- Show cross streets;
- Show all points of ingress and egress on the property (include curbcuts, entrance gates and doors, etc.);
- n/a If use is contained in a multi use building, show the exact location of the proposed use;
- n/a Show and label any landscaping, trees or open space on the property. Indicate caliper of trees if available;
- Show and label all parking available to the use on-site and/or within 300 feet of the site;
- Show dimensions of each on-site parking space.

Note: Please provide drawings to scale if possible. Drawings must be legible and a clear representation of the proposed use.

n/a Application fee. Check the current fee schedule. **Special Notice:** A contribution of \$500 to the City's Streetscape Improvement Fund must be paid in full before an approved special use permit for any new business is released or an occupancy permit is approved. The purpose of the Streetscape Improvement Fund is to plant street trees and install trash cans City-wide.

Other pictures or exhibits that explain the nature of the use and the site. (Not required but recommended) *See attached presentation - Concept for re-use*

_____ Letters of support from the community (Not required but recommended)
to follow

PROPERTY OWNER'S AUTHORIZATION

As the property owner of _____, 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.

n/a

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. 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. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. City of Alexandria	301 King St., Alexandria, VA 22314	100%
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 4109 Mount Vernon Ave (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. City of Alexandria	301 King St. Alexandria, VA 22314	100%
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

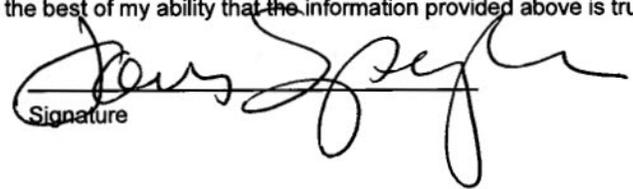
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1.		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

3/23/2010
Date

James Spengler
Printed Name


Signature

Alexandria City Council

William Euille, Mayor
Kerry Donnelly, Vice Mayor
Frank Fannon IV
Alicia Hughes
Rob Krupicka
Redella "Del" Pepper
Paul Smedberg

Planning Commission

John Komoroske, Chair
H. Steward Dunn, Vice Chair
Donna Fossum
J. Lawrence Robinson
Mary Lyman
Jesse Jennings
Eric Wagner

Board of Zoning Appeals

Harold Curry, Chair
Mark Allen, Vice Chair
Geoffrey Goodale
David Lantzy
Jennifer Lewis
Eric Zander
John Keegan

Board of Architectural Review

Old and Historic District

Thomas Hulfish, Chair
Oscar Fitzgerald
Arthur Keleher
Wayne Neale
Peter Smeallie
James Spencer
John Von Senden

Board of Architectural Review

Parker-Gray District

Christina Kelley, Chair
William Conkey
H. Richard Lloyd, III
Thomas Marlow
Douglas Meick
Philip Moffat
Deborah Rankin

Definition of business and financial relationship.

Section 11-305 of the Zoning Ordinance defines a business or financial relationship as any of the following:

- (1) a direct one;
- (2) by way of an ownership entity in which the member or a member of his immediate household is a partner, employee, agent or attorney;
- (3) through a partner of the member or a member of his immediate household;
- (4) through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 10 percent or more of the outstanding bonds or shares of stock of a particular class. In the case of a condominium, this threshold shall apply only if the applicant is the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium;
- (5) not as an ordinary customer or depositor relationship with a professional or other service provider, retail establishment, public utility or bank, which relationship shall not be considered a business or financial relationship;
- (6) created by the receipt by the member, or by a person, firm, corporation or committee on behalf of the member, of any gift or donation having a value of more than \$100, singularly or in the aggregate, during the 12-month period prior to the hearing on the application from the applicant.

This SUP application is for change in use of an existing building located at 4109 Mount Vernon Avenue from a commercial to a public building only. Park planning related to the adjacent three, city-owned properties will occur this spring and early summer and will be reviewed and submitted for subsequent required approvals.

In January, 2007 the City acquired four properties adjacent to Four Mile Run Park (4109-4125 Mount Vernon Avenue) in accordance with the City of Alexandria's Open Space Master Plan and using the Open Space Fund. The Arlandria Small Area Plan and Four Mile Run Restoration Master Plan both anticipated the use of this property as public open space with park related uses. Between January, 2007 and January, 2009 three of the four existing buildings on the properties were demolished and voluntary environmental remediation was completed. The fourth existing building, previously the Duron Paint store, was retained to explore the feasibility for community re-use of the building, including any necessary renovation that would be required for such use.

While a number of options for possible re-use were considered, the proposed costs for each option were determined to be significant and demolition of the building was again under consideration. In response to this conclusion, a number of local practicing architects from the Northern Virginia AIA Small Firms Roundtable volunteered their services to explore adaptive reuse possibilities for the building. The architects, including the PRC Chair, developed a proposal for the building that would open up some of the building walls and provide a community gathering facility. The group presented this proposal to the City Manager, who in return has asked staff to work with the community to further explore this concept.

To date, the concept has been presented to the public at the first Arlandria Action Plan Advisory Group meeting on February 17, 2010 and at a Park and Recreation Commission regular meeting on February 18, 2010. On March 18, 2010, the Park and Recreation Commission held a public hearing on the submission of this SUP application. All speakers indicated support for a change in use of the building to a public/community building. With approval of the SUP, the public building and gathering space can provide many benefits to the community, including, but not limited to:

- Community meeting space
- Community festival area
- Environmental and Four Mile Run education facility and display area
- Art shows and markets
- Farmers' market
- Film viewing and festivals
- Small City events
- Classes and summer camps
- Professional organization meeting space
- One-time health clinics
- One-time bicycle clinics.

sup 2010-0015

All uses of the building would be by permit and application only. Staff is currently developing rules and regulations that would be in place prior to any public use of the building.

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).

50-100, not to exceed building code maximum allowed. Park hours from 8:00 am to 10:00 pm. Special exceptions by special event permit only.

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

Staffed only as needed when in use, 1-2 staff during operational hours (above).

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

Day: Sunday-Saturday

Hours: 8:00 am to 10:00 pm

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

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

Typical park + community gathering noise level and performances (music, movies, theatre by permit)

B. How will the noise be controlled?

Building use rules + regulations, including deposit to require compliance with City noise ordinance.

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

None.

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)

Minimal waste for daily use. Potential for increased food and container waste during special events.

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

One bag or less for typical use per day. Estimated 10-15 bags per special event

C. How often will trash be collected?

Daily.

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

Contract with building users, including security deposit, Trash cans provided on site.

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:

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 nearby residents, employees and patrons?

Building use agreements will include safety regulations.
Police contact information will be included and posted.

ALCOHOL SALES

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

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.

PARKING AND ACCESS REQUIREMENTS

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

- 24 Standard spaces
- _____ Compact spaces
- 2 Handicapped accessible spaces.
- 1 Other. *loading area at rear*

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

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? not required

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
--

B. Where are off-street loading facilities located? n/a

C. During what hours of the day do you expect loading/unloading operations to occur?
If loading/unloading is required for event: 8:00-9:00
am pm

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

As appropriate - avg. 1/week

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?

Adequate

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? _____ square feet.

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

4,903 ^{gross} sq. ft. (existing) + 0 sq. ft. (addition if any) = 4,903 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: _____