

Docket Item #4
SPECIAL USE PERMIT #2005-0128

Planning Commission Meeting
February 7, 2006

ISSUE: Consideration of a request for a special use permit to operate a commercial school.

APPLICANT: P&N Investments, LLC d/b/a OSHA Global Learning Center
by Paul Varriale

LOCATION: 3129 Mt. Vernon Ave 2C, 3B, 3C

ZONE: CL/Commercial Low

PLANNING COMMISSION ACTION, FEBRUARY 7, 2006: On a motion by Mr. Komoroske, seconded by Mr. Robinson, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations and to amend Condition #2. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis. In response to concerns regarding daytime parking impacts raised by two speakers, the Planning Commission recommended limiting the operating hours to evenings and weekends. The Commission suggested that the applicant resolve the daytime parking concerns with the speakers prior to City Council if he still wanted to request daytime hours.

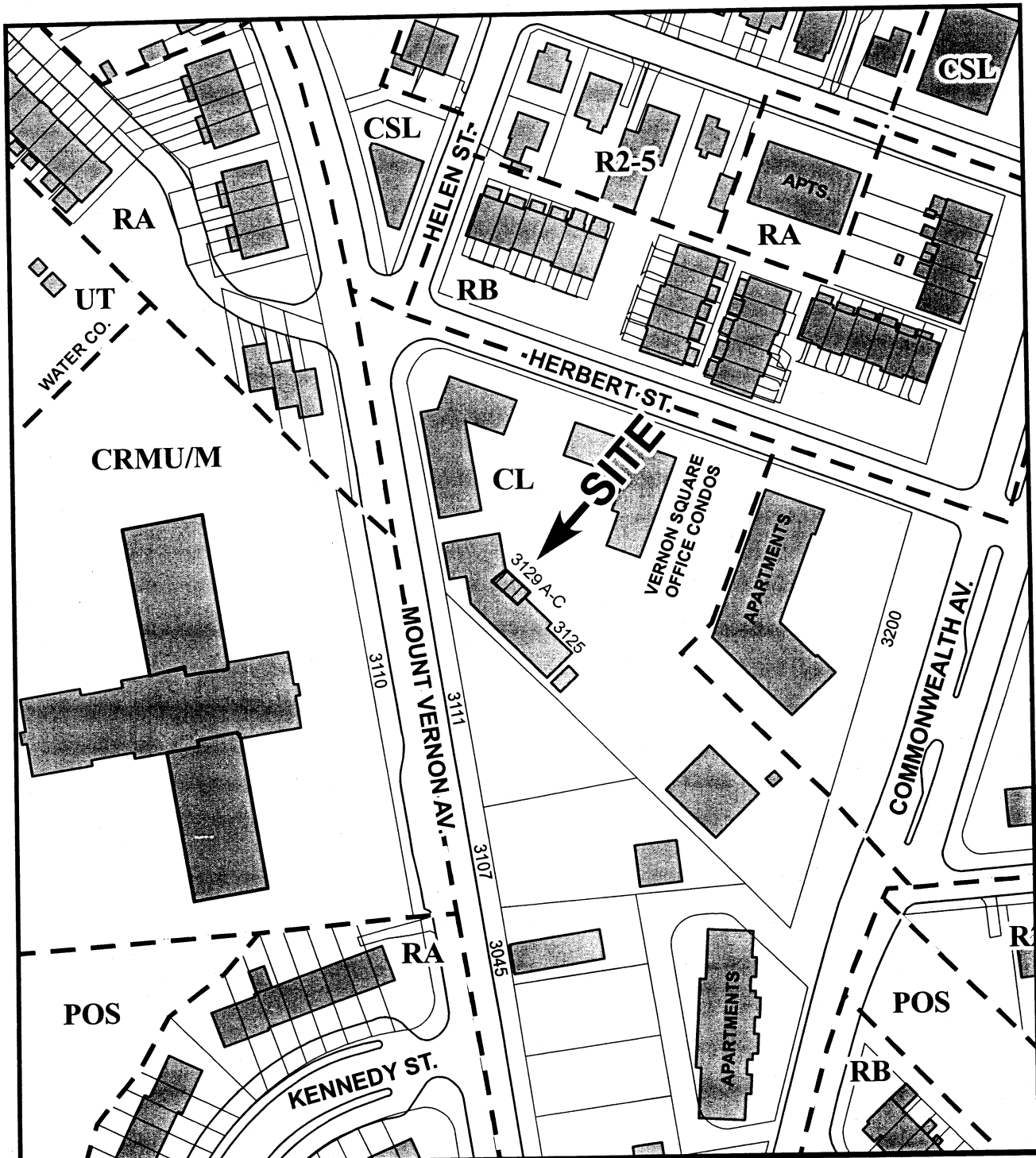
Speakers:

Sharon Lieblich, member of the Mt. Vernon Square Condo Association, discussed concerns with potential parking impacts from the proposed use during daytime hours.

Paul Hoelzel, president of the Mt. Vernon Square Condo Association, discussed concerns with potential parking impacts from the proposed use during daytime hours.

Paul Varriale, the applicant's attorney, spoke in support of the application, stating that classes would be offered mostly during evening and weekend hours.

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 #2005-0128

02/07/06



I. DISCUSSION

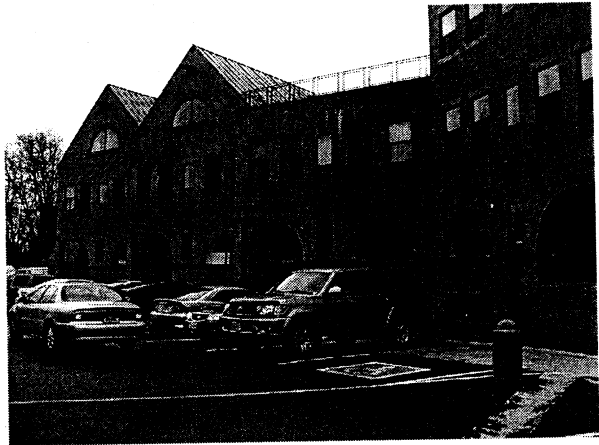
REQUEST

The applicant, P & N Investment, LLC, d/b/a OSHA Global Learning Center, requests special use permit approval for the operation of a commercial school located at 3129 Mt. Vernon Avenue, units 2B, 3B and 3C.

SITE DESCRIPTION

The subject property is one lot of record with 175 feet of frontage on Mt. Vernon Avenue, 275 feet of frontage on Herbert Street, and a total lot area of 1.7 acres. The site is developed with office condominium buildings. Access to the property is from Herbert Street.

The surrounding area is occupied by a mix of residential and commercial uses. To the west across Mt. Vernon Avenue are the Calvert apartments and associated commercial uses. To the north are residential townhomes. To the south is a vacant building on a property that, consolidated with others to the south, was identified in the Mt. Vernon Avenue Study as a redevelopment site.



PROPOSAL

The applicant proposes to operate a commercial school that prepares students for professional examinations such as state licensing exams for nurses. Prepared materials are reviewed in a classroom setting. Classes will generally be offered on weekday evenings and weekends. There are no current plans to offer a weekday class, however, these classes may be offered in the future. Classes will range from five to 18 students. Specific aspects of the operation as described by the applicant are as follows:

- Hours: Classes will typically be offered from 5:30 p.m. to 10:00 p.m. Monday through Friday, and between 9:00 a.m. and 10:00 p.m. Saturday. While there are no current plans for classes during weekday daytime hours, there may be one offered in the future.
- Number of students: There will be no more than 18 students on the premises at any one time.

Trash: The applicant anticipates general office trash. Trash is collected twice each week by a private contractor hired by the condominium association. The applicant does not anticipate litter to be a problem.

PARKING

According to Section 8-200 (A)(11) of the Zoning Ordinance, a commercial school requires one parking space for every two seats. In this case, the applicant proposes 18 students, which results in a parking requirement of nine spaces.

Parking for these office condominiums was approved in Site Plan #85-036. The requirement for the offices was 1.1 spaces for every 400 net square feet of floor area. A total of 37,454 net square feet was approved. The subject tenant space has 3,650 square feet, which would have required 10 spaces. In this case, the school only requires nine. Therefore, the applicant complies with the parking requirement.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CL zone. Section 4-103 (K) of the Zoning Ordinance allows a commercial school in the CL zone only with a special use permit.

The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for uses consistent with the CL zone.

II. STAFF ANALYSIS

Staff does not object to the proposed commercial school at 3129 Mt. Vernon Avenue. The applicant proposes only up to 18 students at any one time, and will comply with the parking requirement. As a practical matter, classes are proposed to be offered mostly during evening and weekend hours when the other offices are likely closed, and parking will be readily available. Staff recommends the standard condition that mass transportation options be posted at the facility to encourage mass transit use, and reduce the demand on parking. Staff also recommends a one year review to ensure that no issues arise.

Staff recommends approval of the special use permit.

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 granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. **CONDITION AMENDED BY PLANNING COMMISSION:** The hours of operation of the commercial school shall be limited to between 7:00 a.m. and 10:00 p.m. Sunday through Friday, and 9:00 a.m. and 10:00 p.m. Saturday daily. (P&Z)(PC)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. The applicant shall encourage its students and staff to use mass transit or to carpool when traveling to and from the school, by posting in a common area information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)
5. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z)
6. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703- 838-4520 regarding a security survey for the school and a safety awareness program for all employees. (Police)
7. The Director of Planning and Zoning shall review the special use permit after it has been operational 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 has received a request from any person to docket the permit for review, 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)

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:

F-1 T&ES has no objection to the proposed request to operate a commercial school.

Code Enforcement:

F-1 No Comment

Health Department:

F-1 No Comment

Police Department:

R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703- 838-4520 regarding a security survey for the school.

R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703- 838-4520 regarding a safety awareness program for all employees.

APPLICATION for SPECIAL USE PERMIT # 2005-0128

[must use black ink or type]

PROPERTY LOCATION: 3129 Mount Vernon Ave. 2C, 3B, 3C

TAX MAP REFERENCE: 15.04 08 002C, 3B, 3C ZONE: _____

APPLICANT Name: P+N Investments, LLC DBA: OSHA Global Learning Center

Address: 3129 Mount Vernon Ave. Alexandria VA

PROPERTY OWNER Name: R. Brahi Associates, Inc.

Address: 401 East Globe Road Alexandria VA 22305

PROPOSED USE: Test Preparation Classes

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

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

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

Paul Varrault, Attorney
Print Name of Applicant or Agent

Paul Varrault
Signature

500 N Washington St.
Mailing/Street Address

703 299-0715 703-847-2016
Telephone # Fax #

Alexandria VA 22314
City and State Zip Code

11-29-2005
Date

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

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

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 (check one) the 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.

Patrick OSU
Blessing OSU
45 Livingston Road
East Hartford, Connecticut 06118

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.

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 8½" x 14" or smaller. Twenty-four copies are required for larger plans or 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.

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, 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. (Attach additional sheets if necessary)

SEE ATTACHMENT

ATTACHMENT

OSHA Global Learning Center ("Learning Center") prepares its customers/students to take various examinations including CLEP and DANTES examinations as well as state licensing examinations for nurses. Prepared materials are reviewed in a classroom setting. Classes are generally offered on weekday evenings and on weekends. Classes during the week begin at 5:30 p.m. or 6:00 p.m. and last for approximately four hours. Classes may be offered at anytime on weekends between the hours of 9:00 a.m. and 10:00 p.m. Some similar facilities, in other locations, offer one daytime class during the week for a period of four hours. There are no present plans to offer a weekday class at this facility; however, a weekday class may be offered in the future. Classes will range in size from 5 to 18 persons. In order to maintain appropriate student/instructor ratios, the Learning Center will generally form a new class once enrollment exceeds 18 students. Classes are lead by an instructor who uses prepared written review materials. No classes have labs and there is no use of hazardous materials. The Learning Center anticipates that two to three people will perform routine office duties during regular business hours. The Learning Center believes that ample parking exists on the premises. Further, most of the businesses that share the parking lot at the office condominium complex operate during regular business hours whereas the Learning Center's greatest parking demands occur during off-peak hours. Parking spaces are not dedicated to any particular business. The Learning center does not anticipate any problems with noise or odors. The office condominiums, where the Learning Center plans to operate, are individually owned; therefore, no master list of the businesses operating in the condominiums is available. The condominium association is responsible for the trash pickup and trash is currently collected every Tuesday and Friday.

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: _____

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).

up to 18, generally weekends + evenings

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

2 to 3 ~~at~~ 9:00 am - 6:00 pm

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

Day:	Hours:
<u>monday</u> _____	<u>5:30 pm / 6:00 pm - 10:00 pm</u>
<u>tuesday</u> _____	
<u>wednesday</u> _____	
<u>thursday</u> _____	
<u>friday</u> _____	
<u>saturday</u> _____	<u>9:00 am</u> <u>10:00 pm</u>

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

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

The owner does not anticipate
noise to be a problem

B. How will the noise from patrons be controlled?

N/A

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

The owner does not anticipate
odors to be a problem

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?

General office trash

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

The owner anticipates normal
levels of trash from general office activities

C. How often will trash be collected?

Trash is collected twice per week
(Tuesdays & Fridays) by private contractor
hired by The Condominium Association

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

The owner does not anticipate
littering to be a problem

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 residents, employees and patrons?

The owner does not anticipate
any safety problems

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?

A maximum of 9

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

31 ~~100~~ Standard spaces

75 Compact spaces

5 Handicapped accessible spaces.

_____ Other.

> list tenants
> how much space

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

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:

N/A

A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? _____

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?

E. 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?

The owner believes that current street access is 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?

3650 sq. ft. (existing) + 0 sq. ft. (addition if any) = 3650 sq. ft. (total)

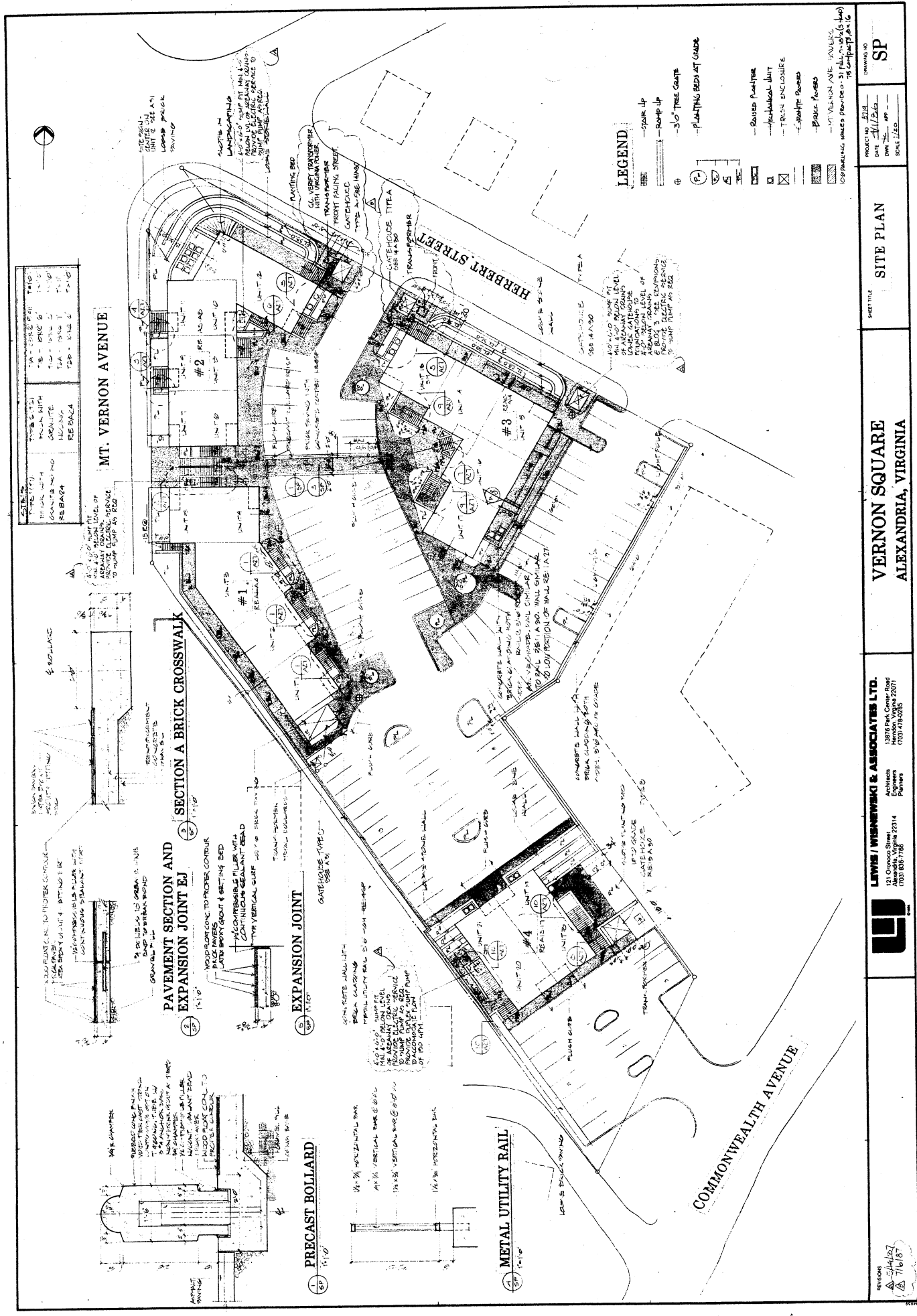
19. The proposed use is located in: (check one)

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: office condominium

other, please describe: _____



PROJECT NO. 1318	DRAWING NO. SP
DATE 11/12/13	
OWN 1318	
SCALE 1/8" = 1'-0"	
SITE PLAN	
VERNON SQUARE	
ALEXANDRIA, VIRGINIA	
LEWIS / WISNIEWSKI & ASSOCIATES LTD.	
1318 Park Center Road Alexandria, Virginia 22314 (703) 839-7100	
Architect Engineers Planners	
1318 Park Center Road Alexandria, Virginia 22314 (703) 839-7100	

SECOND FLOOR

WARREN L. ALDRED, AIA ARCHITECT
201 EAST HENNING AVENUE
ALEXANDRIA, VA 22304
ARCHITECTURE PLANNING INTERIOR DESIGN
703.836.3273

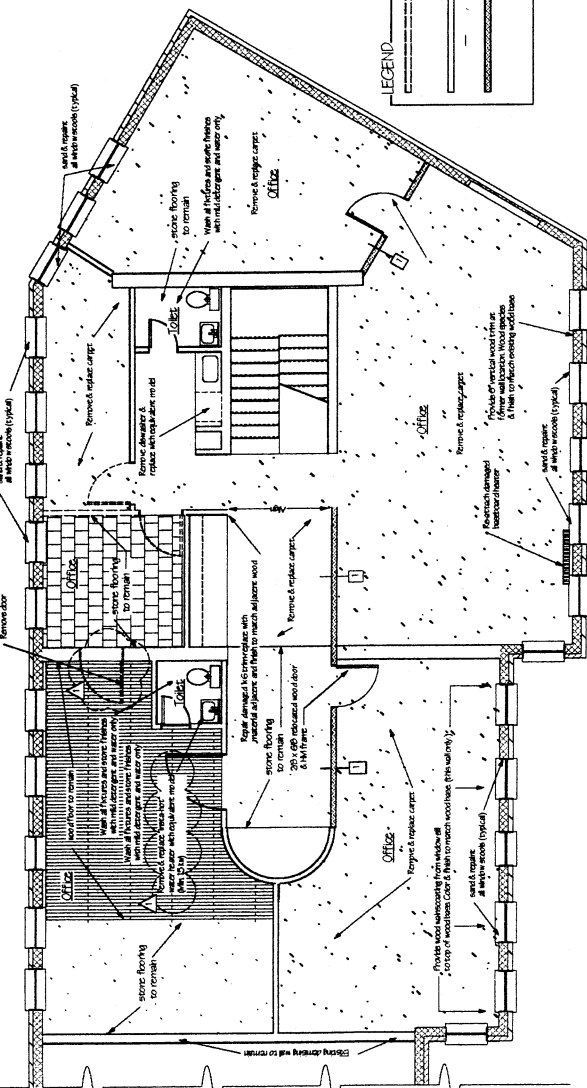
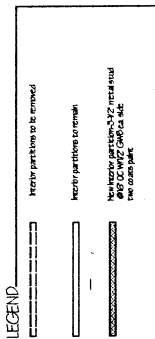
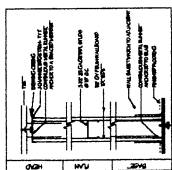
REVISIONS
NO. 0020 BY JAMES CONNORS

Alterations to:
3129 Mt. Vernon Ave.
Alexandria VA 22305

A-2

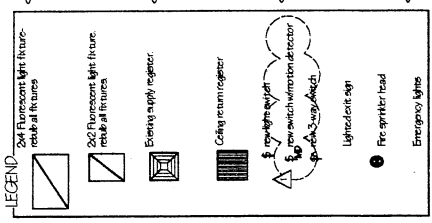
DATE: 9.10.2003

SCALE SYSTEM LIGHT FIXTURE NOTICES
AC1
1400mm CHN-482000 PH11 ceiling, 4025mm H811 housing (Center Model 401010)
AC2
1400mm CHN-482000 PH11 ceiling, 3110mm H811 housing (Center Model 401010)



1 SECOND FLOOR PLAN
Scale: 1/4" = 1'-0"

NOTE: See sheet A-1 for General Notes



2 SECOND FLOOR REFLECTED CEILING PLAN
Scale: 1/4" = 1'-0"

- General Ceiling Notes
- Contractor shall furnish and install new ceiling tiles as beyond the limits of work where ceiling tiles have been damaged during the course of site work.
- Any new ceiling tile shall be installed in full accordance with the manufacturer's spec. Supply and install ceiling grid as required compatible with new tile and with existing grid indices.
- Contractor shall provide a thorough inspection of all existing lighting fixtures and shall make a thorough confirmation of all existing conditions before making work. Lighting shall be installed and coordinated in full accordance with the manufacturer's spec. for each fixture type.
- All existing lighting is to remain unless noted otherwise. Replace all existing appropriate diffusers or baffle diffusers with new acrylic, prismatic, egg-crate and clear light fixture frames.
- Contractor shall provide and install new lighting fixtures as shown and shall re-install any existing fixtures removed to accomplish other portions of the work.

18

Del Ray Citizens Association

PO Box 2233

Alexandria VA 22301

Established 1954 PC Docket Item(s) # 4

Case # SUP 2005-0128

To: Eileen Fogarty, Director, Office of Planning and Zoning
Members of Alexandria Planning Commission

From: Amy Slack, Land Use Committee Co-Chair
Sarah Haut, Land Use Committee Co-Chair
Laurie MacNamara, President

Date: February 3, 2006

Subject: Special Use Permit #2005-0128
OSHA Global Learning Center, commercial school at 3129 Mt. Vernon Ave (2C, 3B AND 3C)
Request to operate a commercial school (professional & career testing preparation classes)
Zoned CL/Commercial Low.
Applicant P&N Investments, LLC by Paul Varriate

The LU committee discussed the application at their meeting of January 19, 2006. An explanation of the proposal and conversation with Mr. Varriate was presented. Deputy Director Josephson, President Laurie MacNamara, and Executive Board member David Fromm attended. The item was announced in the Association newsletter.

The subject use, preparation classes for career testing, will be held in an office condominium located between Mt. Vernon and Commonwealth Avenues. No more than 18 students at one time will be present, usually Monday – Friday during the evenings and on Saturday. The required 9 parking spaces are provided on-site; the lot is accessed from Commonwealth. The applicant is agreeable to a condition that requires information be provided about alternate means e.g. public transportation and carpooling, at the school and in their advertising.

The LU committee and the Executive Board recommended support the application.

We request your support for this position and welcome your questions and comments. Please feel free to contact President Laurie MacNamara at 703-519-9410, Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060.

9
2-25-06

City of Alexandria, Virginia

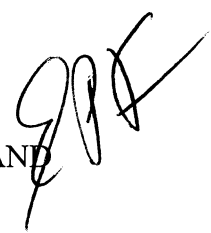
MEMORANDUM

DATE: FEBRUARY 23, 2006

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: EILEEN FOGARTY, DIRECTOR, DEPARTMENT OF PLANNING AND ZONING

SUBJECT: COMMERCIAL SCHOOL, 3129 MT. VERNON AVENUE, SUP #2005-0128



This is in response to a letter you received from Sharon Lieblich regarding an SUP for a commercial school at 3129 Mt. Vernon Avenue.

On February 7, 2006, the Planning Commission recommended approval of SUP#2005-0128 for a commercial school at 3129 Mt. Vernon Avenue. In response to concerns raised by two members of the Mt. Vernon Square Office Condominium Association regarding the difficulty of parking during daytime hours, the Planning Commission limited the hours of operation of the school to evenings and weekends only. In her letter, Ms. Lieblich indicates that the Board of Directors of the Mt. Vernon Square Office Condominium Association supports the Planning Commission's recommendation limiting the use to evening and weekend hours.

The space to be occupied by the school totals 3,650 square feet, which would require 10 spaces if used for offices. Staff recommended allowing daytime hours to provide some flexibility to the applicant, with the limitation that there be no more than 18 students at any one time. The parking requirement for a commercial school of 18 students is nine spaces. Staff found that, with the limitation on the number of students, it was reasonable to allow daytime hours, given that the parking requirement was similar to an office use in the same space. In addition, upon visits to the property during daytime hours, while the parking area immediately in front of the building was tight, there were a number of spaces available further south in the same lot.

Condo Board members expressed their concern about potential impacts from the school during daytime hours given past experiences of high parking demand when the buildings have been fully occupied. Staff spoke with Ms. Lieblich following the Planning Commission hearing, and she was not agreeable to considering daytime hours with conditions such as designated parking, staggered hours of classes, or further limiting the number of students during daytime hours, to address potential issues.

Staff spoke with the applicant following the Planning Commission hearing, and the applicant does not object to limiting their hours. The proposed evening and weekend hours are consistent

with the applicant's requested hours of operation. The daytime seminars that are discussed by Ms. Lieblich in her letter were not included in the original application, and according to the applicant can be held off site or during the recommended evening and weekend hours.

Given the concerns raised by the Condo Board, and the ability of the applicant to operate under limited hours, staff supports the Planning Commission recommendation. The applicant can come back at a later date to request daytime hours, and in the meantime can work with the Condo Board on resolving parking issues.

Del Ray Citizens Association

9
2-25-06

PO Box 2233

Alexandria VA 22301

Established 1954

To: Honorable Members of City Council
Eileen Fogarty, Director, Office of Planning and Zoning

From: Laurie MacNamara, President
Amy Slack, Land Use committee Co-chair
Sarah Haut, Land Use committee Co-chair

Date: February 23, 2006

Subject: Docket item #9 Special Use Permit #2005-0128
OSHA Global Learning Center, commercial school at 3129 Mt. Vernon Ave (2C, 3B AND 3C)
Request to operate a commercial school (professional & career testing preparation classes)
Zoned CL/Commercial Low.
Applicant P&N Investments, LLC by Paul Varriate

At our regular meeting of February 13, 2006, the membership voted to support the application request use as recommended by the Planning Commission. Based on a discussion LU chair Amy Slack had with the applicant and 2 members of the business condominium association after the Commission's public hearing, it is believed that there are ways for the condo association to resolve parking issues within the site. In addition, on street parking along Mt. Vernon Avenue have recently been restored along this stretch of the Avenue that should ease demand within the site.

We request your support for this position and welcome your questions and comments. Please feel free to contact President Laurie MacNamara at 703-519-9410 and Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060.

SPEAKER'S FORM

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.**

DOCKET ITEM NO. 9

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Paul Varrick
2. ADDRESS: 500 N. Washington Street
TELEPHONE NO. (703) 299-0715 E-MAIL ADDRESS: PVLLC@~~verizon.net~~
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? Mr. OSU
P+N Investments, LLC
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: AGAINST: _____ OTHER: _____
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY,
LOBBYIST, CIVIC INTEREST, ETC.):
Attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE
COUNCIL? YES NO

This form shall be kept as a part of the Permanent Record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of 5 minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the City Clerk.

Additional time, not to exceed 15 minutes, may be obtained with the consent of the majority of the Council present, provided that notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at Public Hearing Meetings, and not at Regular Meetings. Public Hearing Meetings are usually held on the Saturday following the second Tuesday in each month; Regular Meetings are regularly held on the Second and Fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item can be waived by a majority vote of Council members present, but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at Public Hearing Meetings. The Mayor may grant permission to a person, who is unable to participate in public discussion at a Public Hearing Meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- No speaker will be allowed more than 5 minutes, and that time may be reduced by the Mayor or presiding member.
- If more than 6 speakers are signed up or if more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30-minute public discussion period.
- If speakers seeking to address Council on the same subject cannot agree on a particular order or method that they would like the speakers to be called, the speakers shall be called in the chronological order of their request forms' submission.
- Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

#9

APPLICATION for SPECIAL USE PERMIT # 2005-0128

[must use black ink or type]

PROPERTY LOCATION: 3129 Mount Vernon Ave. 2C, 3B, 3C

TAX MAP REFERENCE: 15.04 08 002C, 3B, 3C ZONE: _____

APPLICANT Name: P+N Investments, LLC DBA: OSHA Global Learning Center

Address: 3129 Mount Vernon Ave. Alexandria VA

PROPERTY OWNER Name: R. Brahi Associates, Inc.

Address: 401 East Globe Road Alexandria VA
22305

PROPOSED USE: Test Preparation Classes

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

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

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

Paul Verrill, Attorney
Print Name of Applicant or Agent

Paul Verrill
Signature

500 N Washington St.
Mailing/Street Address

703 299-0715 703-847-2016
Telephone # Fax #

Alexandria VA 22314
City and State Zip Code

11-29-2005
Date

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

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

ACTION - PLANNING COMMISSION Recommended Approval as amended 2/7/06 7-0

ACTION - CITY COUNCIL: 2/25/05- CC approved the PC recommendation (w/amendments)
7-0 see attachment

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

9. SPECIAL USE PERMIT #2005-0128
3129 MOUNT VERNON AVENUE (2C, 3B AND 3C)
COMMERCIAL SCHOOL
Public Hearing and Consideration of a request for a special use permit to operate a commercial school (test preparation); zoned CL/Commercial Low. Applicant: P&N Investments, LLC by Paul Varriate

PLANNING COMMISSION ACTION: Recommend Approval as amended 7-0

City Council approved the Planning Commission recommendation, with a change to condition #2 that the hours be 5:30 p.m. to 10:00 p.m., Monday through Friday and from 9:00 a.m. to 10:00 p.m. Saturday; and with a new condition that specifically says there will be no more than 18 students at one time.

Council Action: _____

10. SPECIAL USE PERMIT #2005-0131
1901 MOUNT VERNON AVENUE
ART OUT LOUD
Public Hearing and Consideration of a request for a special use permit amendment to allow alcohol service, an increase in the number of seats and for a parking reduction at an art gallery/restaurant; zoned CL/Commercial Low. Applicant: Eric Nelson

PLANNING COMMISSION ACTION: Recommend Approval 7-0

City Council approved the Planning Commission recommendation.

Council Action: _____

11. SPECIAL USE PERMIT #2006-0001
1215-1217 FIRST STREET
YATES AUTO CARE
Public Hearing and Consideration of a request for a special use permit for the continuation of a noncomplying light automobile repair, washing and detailing facility; zoned CRMU-H/Commercial Residential Mixed Use High. Applicant: Jeffrey Yates

PLANNING COMMISSION ACTION: Recommend Approval 7-0

City Council approved the Planning Commission recommendation, with an amendment to condition #22 to set the time limit for the special use permit at 10 years.

Council Action: _____