

EXHIBIT NO. 1

3
12-15-07

Docket Item #3
SPECIAL USE PERMIT #2007-0111

Planning Commission Meeting
December 4, 2007

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

APPLICANT: Alexander Atwood

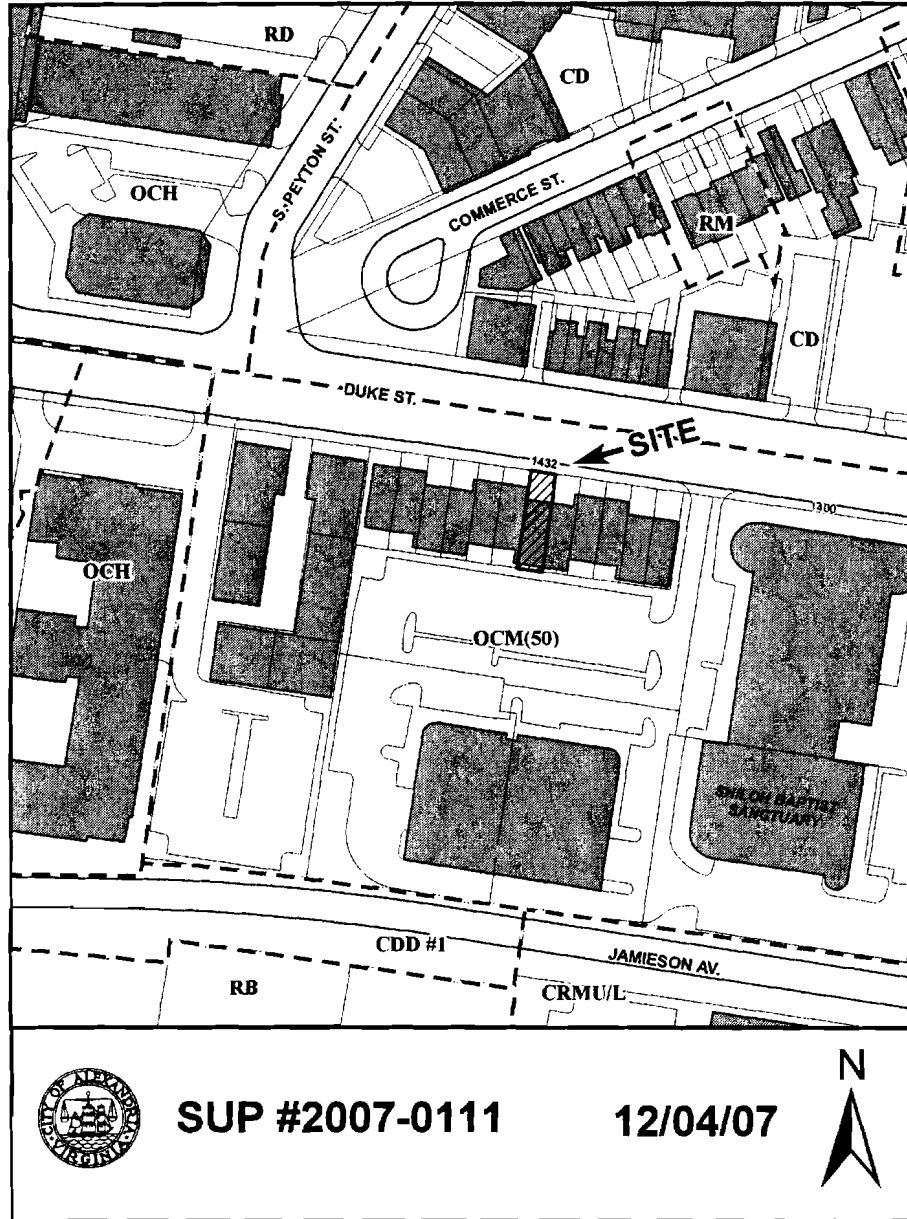
LOCATION: 1432 Duke Street

ZONE OCM(50)/Office Commercial Medium

PLANNING COMMISSION ACTION, DECEMBER 4, 2007: 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.



I. DISCUSSION

REQUEST

The applicant, Alexander Atwood, requests special use permit approval for the operation of a hospitality and etiquette training school located at 1432 Duke Street.

SITE DESCRIPTION

The subject property is one lot of record with 20 feet of frontage on Duke Street, 75 feet of depth and a total lot area of 1,492 square feet. The site is developed with an office building. Access to the property is from Duke Street.

The surrounding area is occupied by a mix of residential, commercial and office uses. Immediately to the north are residential townhouses. To the south are the City of Alexandria Employee Credit Union and Prolec Electricians. To the east and west are business offices.

BACKGROUND

The applicant currently operates Penguin Staff, a hospitality staffing service, at the subject property. Penguin Staff is open Monday through Saturday, 10:00 am to 6:00 pm, they are closed Sunday and Friday except during the holiday season. The office has 7 full time employees. The hospitality school will be an independent company from Penguin Staff.

PROPOSAL

The applicant proposes to operate a training school for hospitality professionals in the basement of their current offices. The classes will be held in the evenings and on Saturdays.

Proposed:

Hours: Monday, Tuesday and Thursday; 6pm – 10pm
Saturday; 9am – 3pm

Number of students: 8 Students per day

Noise: The classes will be held in the basement, the applicant does not anticipate any undue noises.

Trash/Litter: Trash will consist of typical office waste, trash is collected every day.



PARKING

According to Section 8-200(A)(11) of the Zoning Ordinance, a commercial school requires one parking space for every two students. A commercial school with eight students will be required to provide four off-street parking spaces.

The subject office building shares a large parking lot with the offices in the 1400 block of Duke Street. Since the school will be operating in the evenings and on Saturdays when the parking demand is low, there will be sufficient parking for the proposed use.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the OCM(50) zone. Section 4-903(X) of the Zoning Ordinance allows a commercial school in the OCM(50) zone only with a special use permit.

The proposed use is consistent with the King Street Metro Small Area Plan chapter of the Master Plan which designates the property for office and commercial use.

II. STAFF ANALYSIS

Staff supports this commercial school. The school will be an integral component of the existing staffing company, providing hospitality training to current and prospective employees. The school will not have negative impacts on the surrounding office and commercial businesses due to the nighttime and Saturday schedule. The residences on the opposite side of Duke Street will not be impacted by the students arriving or leaving since the parking lot is behind the row of office townhouses.

With the following conditions, 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. The hours of operation of the school shall be limited to Monday through Friday, 6:00 pm to 10:00 pm and Saturday, 9:00 am to 3:00 pm. (P&Z)
3. The school's enrollment shall be limited to 10 students per class session. (P&Z)
4. The applicant shall post the hours of operation at the entrance of the classroom. (P&Z)

5. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)
6. 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. (P&Z)
7. The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
8. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
9. 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.
10. 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 as the result of a complaint that rises to the level of a violation of the permit conditions, (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: Richard Josephson, Acting Director, Department of Planning and Zoning;
Richard Bray, 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:

- R-1 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
- R-2 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
- R-4 The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)
- 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.
- C-2 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99).

Code Enforcement:

- C-1 A new fire prevention code permit is required for the proposed operation.

Health Department:

- F-1 No Comment

Parks & Recreation:

- 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.

- F-1 The applicant is not seeking an A.B.C. permit. The Police Department concurs.



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2007-0111

PROPERTY LOCATION: 1432 Duke Street, Alexandria, Va 22314

TAX MAP REFERENCE: 073.02-08-23 **ZONE:** _____

APPLICANT:

Name: Alexander R. Atwood

Address: 1432 Duke Street, Alexandria, Va 22314

PROPOSED USE: Hospitality + Etiquette Training School

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.

Alexander R. Atwood
Print Name of Applicant or Agent

[Signature] 9/24/07
Signature Date

1432 Duke Street
Mailing/Street Address

(703) 548-4000 x201 (703) 852-3876
Telephone # Fax #

Alexandria Va 22314
City and State Zip Code

atwood@penquinstaff.com
Email address

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

PROPERTY OWNER'S AUTHORIZATION


As the property owner of 1432 Duke Street, Alexandria, Va 22314, I hereby
(Property Address)
grant the applicant authorization to apply for the Training School use as
(use)
described in this application.

Name: Alexander Atwood
Please Print

Phone (703) 548-4060 x201

Address: 1432 Duke Street, Alexandria, Va 22314

Email: aatwood@penquinstaff.com

Signature: 

Date: 9/24/07

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.

Alexander R. Atwood, 10303 Yorktown Ct., Great Falls, Va 22066
Rejanechill Sood, 5591 Cavalier Woods Lane, Clifton, Va 20124

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

Yes. Provide proof of current City business license

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

NARRATIVE DESCRIPTION

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 fully discuss the nature of the activity. (Attach additional sheets if necessary.)

The facility will be used to train hospitality professionals in the proper techniques and protocol of event/facilities management. The key course topics will be safety practices, set up and service guidelines, techniques for best practices, and basic banquet training. The courses will be taught using both applied and written course methodology. Each class will be between 3 and 5 hours in length with exams administered following each course.

Classes will be in the following:

Tips training: Techniques of Alcohol Safety.

Safety training: Bloodborne Pathogens, Food Safety, HACCP requirements

Etiquette training: Proper protocol for high level and banquet events

Banquet training: Proper service techniques for banquet services.

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).

Approximately 8 students per class per day

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

3-4 Faculty per day

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

Day:	Hours:
<u>Monday</u>	<u>6pm - 10pm</u>
<u>Tuesday</u>	<u>6pm - 10pm</u>
<u>Thursday</u>	<u>6pm - 10pm</u>
<u>Saturday</u>	<u>9am - 3pm</u>

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

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

Classes will not emanate any noise beyond conversational speaking

- B. How will the noise be controlled?

Classroom doors will be closed and students will be asked to keep levels to a minimum.

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

No potential odors.

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)

There will be office paper (handouts, exams, etc.)

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

4 to 5 trash bags per week

C. How often will trash be collected?

Daily

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

We have posted signs to inform students of littering policies. We will also have a cleaning company pick up litter ^{once} a week.

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?

All classes will be administered indoors with
all the necessary safety precautions met.

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:

- 5 Standard spaces
- _____ 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?
 Yes 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? 1

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____

Does the application meet the requirement?
 Yes 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?
N/A

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

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

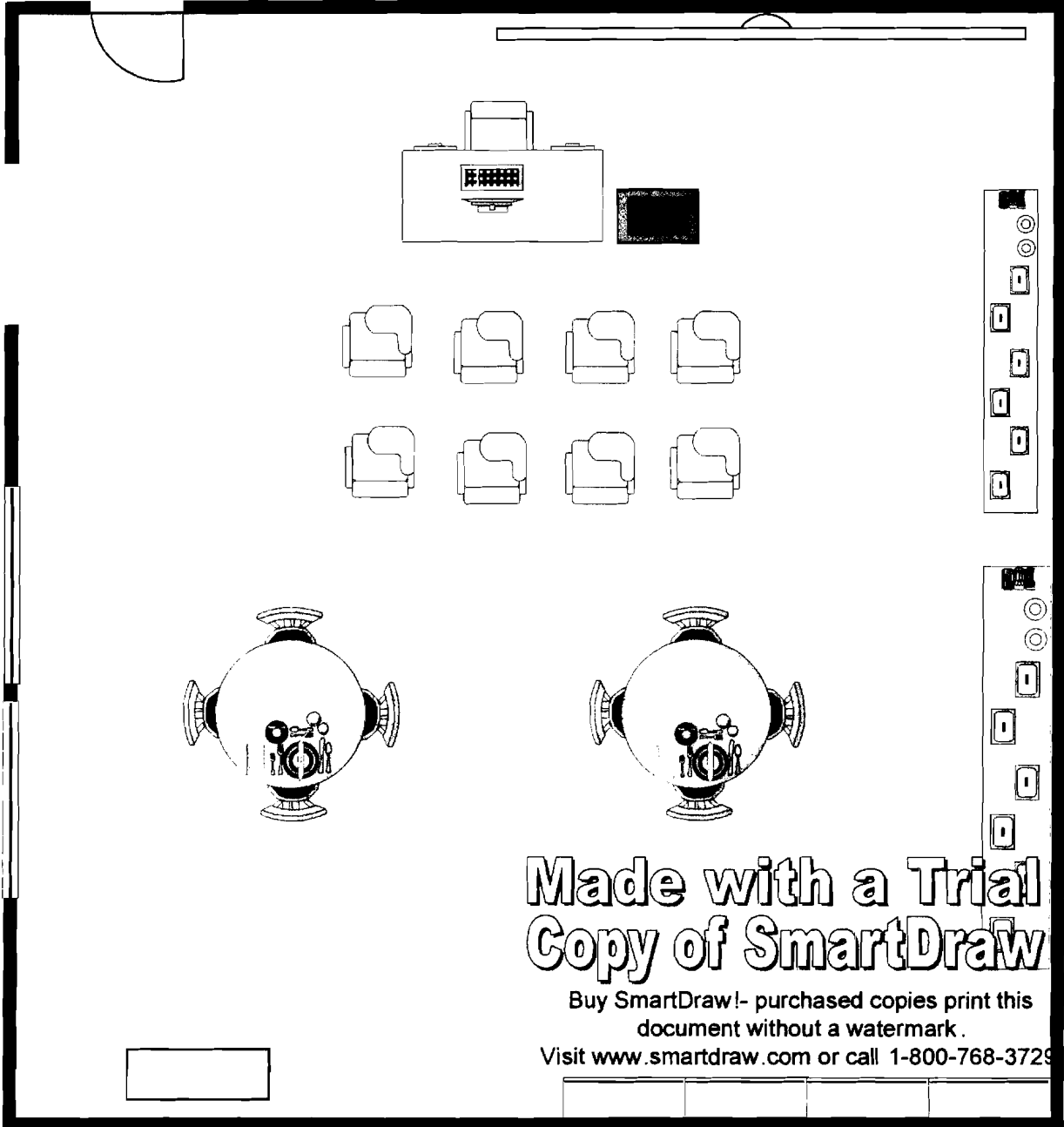
How large will the addition be? _____ square feet.

18. What will the total area occupied by the proposed use be?
300 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: office / commercial townhouse

End of Application

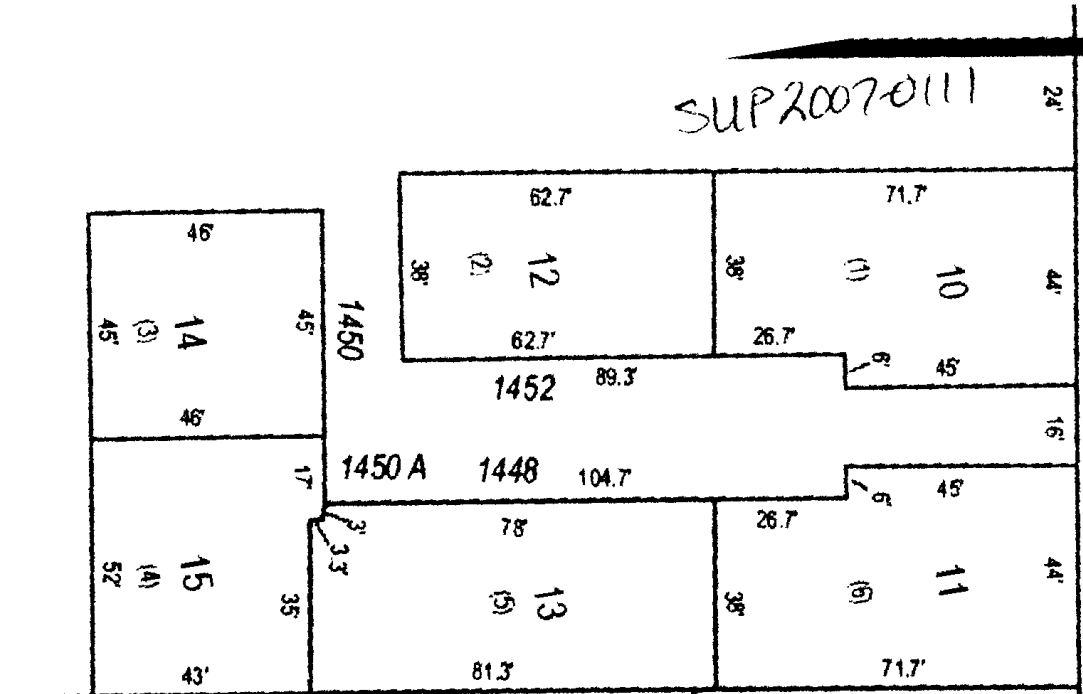
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DUKE ST. (ROUTE 236)

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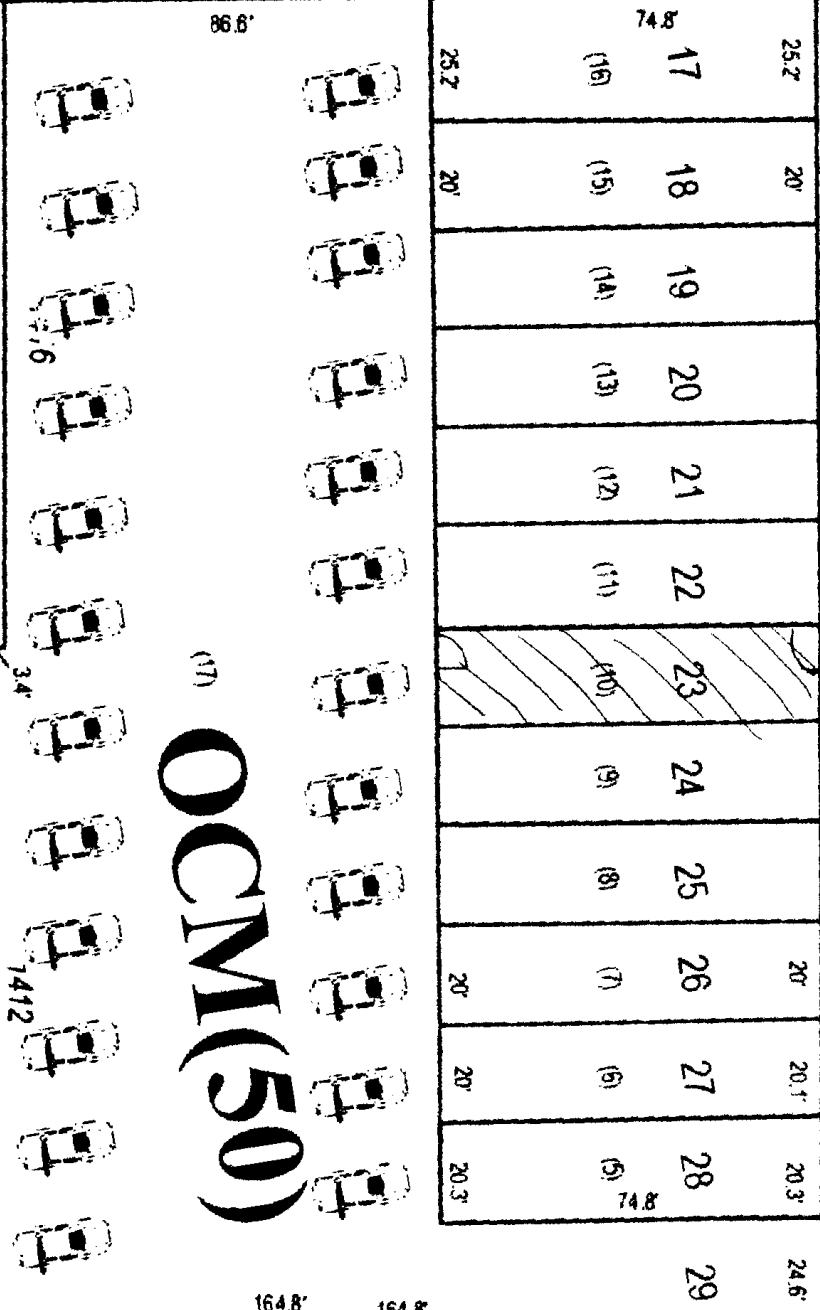
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