

Docket Item #13
SPECIAL USE PERMIT #2007-0002

Planning Commission Meeting
March 6, 2007

ISSUE: Consideration of a special use permit for a congregate housing facility for the Safe Haven program and to allow parking within 300 feet of the facility.

LOCATION: 115 North Patrick Street

APPLICANT: Alexandria Community Services Board, by Michael Gilmore, Ph.D, Executive Director and Mary Catharine Gibbs, attorney

ZONE: CD/Commercial Downtown

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. BACKGROUND

REQUEST

The applicant, the Alexandria Community Services Board (ACSB), requests special use permit approval for the operation of a congregate housing facility to be located at 115 North Patrick Street. The facility will be operated as a Safe Haven residence, housing 12 homeless Alexandrians.

SITE AND BUILDING DESCRIPTION

The subject property is one lot of record with 36 feet of frontage on North Patrick Street, 107 feet of depth and a total lot area of 3,852 square feet. The site is developed with an historic building owned by the City. The building is two stories tall with a prominent front door on Patrick Street, and extends to fill most of the lot. There is an alley along the north of the building providing access to the rear of the property.



The building was originally built between 1896 and 1902 as a fire engine house, and later used for a series of public uses, including the Juvenile and Domestic Relations Court for the City. Most recently, the building was used for the City’s Clubhouse, a day program for mentally ill people, run by the City’s Department of Mental Health, Mental Retardation and Substance Abuse (MHMRSA). The Club House was established in the early 1980s and remained at this location until 2004 when it moved to a larger facility at 4480 King Street.



The site is in the heart of the mixed use Old Town area and is surrounded by a mix of residential and office uses. Residential, and office and other commercial uses are located in the immediate vicinity on Patrick and Cameron Streets, including a hair salon, gift shop, coffee shop and yoga studio. Commercial uses of all types, including restaurants, art galleries and furniture stores are located on King Street which is half a block away to the south. The site is also only a half block away from the predominantly residential blocks on North Patrick, Cameron and North Alfred Streets.



Located with frontage on Route 1, a major arterial, the site is the location of significant vehicle traffic, especially during rush hours.

APPLICANT'S PROPOSAL¹

The Community Services Board seeks to establish and operate a Safe Haven program at 115 North Patrick Street. The program includes supervised permanent housing and supportive services in three separate apartment units for 12 formerly homeless men and women with a mental illness and/or other disabling conditions. The Safe Haven program embraces a “housing first” approach to treating individuals, offering a permanent home as a first priority, and a means to engage residents and assist them organize their lives in order to make additional mental health treatment services available and accessible.

Safe Haven Residents

The people to be served by the Safe Haven program proposed for 115 North Patrick Street are all Alexandrians, and many have lived in Alexandria most of their lives. They are people who are homeless, but are known to the trained MHMRSA outreach personnel now working throughout the City. The target population to be served is unaccompanied adults, 18 years or older, homeless individuals who also have a serious mental illness and/or substance use disorder. Over the past seven months, the ACSB outreach team has identified approximately 35 individuals, who could benefit from a Safe Haven type of housing program.

¹ Much information has been written and disseminated by ACSB and MHMRSA regarding the proposed Safe Haven program. All information regarding the proposal in this report was derived from the SUP application, as well as from additional materials on the MHMRSA website and disseminated by ACSB at community meetings. Readers who are interested in further detail about the program should consult the MHMRSA website. A key descriptive document with Frequently Asked Questions (FAQs) about the Safe Haven program is attached to this report.

The homeless population that Safe Haven is designed to serve is unable to avail itself of the other services offered in the community, such as the Carpenters Shelter, or other ACSB residential facilities, in part because the entrance and program requirements at those facilities are beyond what the mentally ill can manage. Barriers to services include requirements that residents find jobs, pay rent, agree to treatment for their illnesses and abstain from drugs and alcohol. The Safe Haven approach includes rules for residents, but candidates may be accepted even if they do not agree at the outset to treatment, take their medications or abstain from substances. (See FAQ #19.) The Safe Haven program promotes the “housing first” and “low demand” philosophy so that residents can initially enjoy the benefits of shelter in a controlled, supportive environment, with the goal that, in that setting, treatment for both mental illness and substance use disorder becomes attractive and meaningful.

Potential Safe Haven residents will be screened by trained mental health professionals, and the screening will include personal interviews, and review of background information presented as well as from collateral sources, such as hospital, health and psychiatric records. Screening and evaluation will continue over time, including after residents are admitted to the program.

Individuals will not be accepted into the program if they present an unmanageable risk to themselves, other residents or the community, are not compatible with other residents of the program, and do not agree to abide by health and safety rules and community laws. Further, ACSB acceptance rules will not allow pedophiles or other sex offenders, persons with a history of fire setting or other dangerous behavior, or those diagnosed with or demonstrating sociopathic personalities. Residents must also be able to exit the facility in an emergency and manage any health conditions independently. (See FAQ #10)

Services Provided to Residents

The goal of the Safe Haven program is to provide permanent supportive housing so that residents achieve and maintain greater stability and avail themselves of mainstream resources. The facility will be staffed with trained mental health personnel 24 hours a day, seven days a week, with no fewer than two staff persons on duty at all times. Around-the-clock residential counselors will provide training, counseling and support to all residents. Staff will include a full time, licensed therapist for intensive case management for residents, on an individualized basis, and clinical consultation to the on site residential counselors. The focus of the treatment plan will be on achieving residential stability, improving self-esteem, employment and the ability to live more independently in the community. It is anticipated that approximately six employees will be in the building during normal business hours (8:30 a.m. – 5:00 p.m. M-F), with two staff persons on the premises during evening, overnight and on weekend hours. (See FAQ #16)

Design of the Facility

The ACSB proposes to convert an existing City owned 4,000 sq. ft. building into residential facility to serve 12 individuals living in three apartments. ACSB’s recently updated plans include three apartment units; two units will have four bedrooms each and the third will include three bedrooms. Ten residents will have a private bedroom; one bedroom will be shared by two

residents. Each apartment unit will have a full kitchen, with dining and living room space, as well as two full bathrooms with showers. One bedroom will be handicapped accessible, but as to physical disabilities, only persons who are able to exit the building on their own will be allowed as residents. In addition to the residential apartments, there will be room on the first floor for staff offices and meeting areas.

A roof deck will provide access to the outside for socialization and smoking. Access to the roof deck will be from an interior stairway within the building, which is available to all residents during the day and allowed only with supervision after dusk. The roof deck is depressed from the top of the main roof and the surrounding parapet walls, so the residents and activity on the roof will not be visible from the street, alley or neighboring sidewalks. In addition, a ground level patio, surrounded by a six foot tall wood fence, is located at the rear of the building at the southeast corner of the property, and is accessible to the residents of the first floor apartment.

LITIGATION AND ZONING ISSUES

The selection of the North Patrick Street site for the Safe Haven facility occurred in 2004, when City Council approved ACSB's application for HUD funding (June 2004) and authorized acceptance of the HUD grant (March 2005) for the Safe Haven program there.

The conversion of the property for residential use involved a zoning determination that the use proposed constituted four apartments without congregate cooking or kitchen facilities. However, that determination was successfully challenged by neighborhood residents in court, because the zoning ordinance also includes another use, *congregate housing*, which neighbors as well as the court believed to be a more suitable use category. Congregate housing facility is a broadly defined zoning use:

A structure other than a single-family dwelling where unrelated persons reside under supervision or 24 hour on site management and may receive special care, treatment or training, on a temporary or permanent basis.

One difference between the two uses is that SUP approval and public hearings are required to establish congregate housing. Although extensive notice was given to neighbors regarding the proposed facility, and community meetings held between June 2004 and December 2005, including public hearings at the Board of Architectural Review for the Old and Historic Alexandria District, there was no SUP required and no public hearings before the Planning Commission and City Council as are now scheduled for approval of the Safe Haven as a congregate housing facility.

Although the City has used the "congregate housing" designation in two instances in the past to approve private residential assisted living facilities with extensive communal operations, neither of those operations was ever established. (SUP 98-0168 and SUP 98-0073).

BAR APPROVAL

Small changes to the building are part of the plans for Safe Haven, including the creation of a roof deck so that the residential building meets open space requirements. In addition, there will be minor alterations to doors and openings, and a small enclosure of space for the interior stairway to the roof and laundry room technically adds 108 sq ft to the building. No expansion of the footprint of the building is proposed. All changes meet zoning requirements and those within the BAR jurisdiction were approved by the BAR in December 2005, and by Council on appeal in January 2006. (BAR CASE #2005-0273, #2005-0274)

PARKING

The zoning ordinance does not include a parking requirement for a congregate housing facility. Therefore, staff assessed the parking in this case in two ways. First, according to Section 8-200(A)(2) of the zoning ordinance, a three apartment multifamily building, with the number of bedrooms proposed here, requires seven parking spaces. (Three or more bedrooms @ 2.2 parking spaces each x 3 apartments = 7 spaces.) Second, per Section 8-200(A)(18) of the zoning ordinance, office space within the building will require two parking spaces. (One parking space for each 500 square feet of office located in Parking District 1, with an office area of approximately 750 square feet.) A 19 space parking lot owned by the City is located across the street from the proposed facility, and at least nine spaces there are currently allocated for this use, fully meeting the technical parking requirements. Off site parking is permitted if located within 300 feet and approved by SUP.

In addition, because the facility will have residents who are unlikely to own cars, but will include staff who may drive, planning staff reviewed the staffing levels and determined that seven parking spaces are more than adequate for the staff requirements of the building. According to MHM RSA staff, it is unlikely that there will be more than six staff people on the premises at any one time, and additional spaces in the City lot are available if necessary. Therefore, the parking should be sufficient for the facility and staff supports the convenient location of the parking lot across Patrick Street.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CD zone. Section 4-503(F) of the zoning ordinance allows a congregate housing facility in the CD zone only with a special use permit.

The proposed use is also consistent with the Braddock Road Small Area Plan chapter of the Master Plan which designates the property for Commercial Downtown uses, to include a mix of retail, office, service, hotel and residential activities in the central business area at high densities and limited heights.

II. STAFF ANALYSIS

The proposed Safe Haven program at 115 North Patrick Street has generated controversy, including litigation, and some citizens who live or work nearby have expressed their concerns about placing mentally ill individuals in their neighborhood. The proposed facility also has significant support in the community. Planning staff is recommending approval of the facility because, as a land use matter, the program is consistent with City goals, the location is appropriate and there should be minimal if any impacts on the neighborhood.

PROGRAM MEETS CITY'S GOALS

The proposed Safe Haven program complements the wide range of housing and mental health services the City provides, and implements long term goals of the City. Since 1997, when Safe Haven was first identified as a high-level priority by Alexandria's Homeless Services Coordinating Committee, the program has been part of the City's approach to homeless issues. In 2000 Safe Haven was first incorporated as a priority objective in the City's Consolidated Plan for Housing and Community Development. In 2003 Council approved the creation of a Safe Haven program, and identified it as its highest priority in ACSB's own Housing Plan, which was incorporated into the City's 2005 Consolidated Housing Plan.

In 2004, with the adoption of City Council's Strategic Plan, the City formally incorporated the Safe Haven Program for the Homeless as a top priority policy action in order to meet Goal 5 of the Plan: providing a caring community that is diverse and affordable. This application becomes an opportunity for the City to realize its vision and to provide effective treatment for people with mental illness who have no other treatment available.

APPROPRIATE LOCATION

The City has already determined that the Safe Haven program is a worthwhile undertaking and a necessary and effective means of addressing its homeless population. Therefore, the key question for SUP approval, is whether the proposed location at 115 North Patrick Street is appropriate for the use and consistent with the public health, safety and welfare.

The proposed Safe Haven building is located on a major thoroughfare through downtown Alexandria and has been owned by the City for over 100 years. It is located in Alexandria's central business district, which is a mixed commercial and residential neighborhood, and the area also includes a multitude of retail and personal service businesses, churches, fraternal and other organizations, health clinics, funeral homes and cultural institutions. The 100 block of North Patrick Street is fairly evenly mixed between commercial and residential uses, with a hair salon, gift shop and offices, as well as both small apartment buildings and townhouses. The proposed use is permanent residential housing, similar to many nearby uses. For over 20 years, the City's Clubhouse, a structured day program for seriously mentally ill individuals, with substance use disorders, operated in the 115 North Patrick building, and provided an appropriate balance for the street. A national survey of Safe Haven facilities cited by ACSB, the Family Ward

Foundation Study, found that 62% of the facilities were located in mixed use neighborhoods. Planning staff finds it appropriate to place a residential facility for the mentally ill homeless within the area's broad mix of uses.

The site is conveniently located with access to transportation and services for residents of the Safe Haven. It is within a block of major Dash and Metro bus routes, and within an easy walking distance of the Metro subway system. All City services for residents, including mental health and substance abuse services, entitlement programs and job training, are within a short walk or bus ride. Inova Alexandria Hospital, the Queen Street Clinic, Alexandria Health Department's Casey Clinic, and the Arlandria Neighborhood Health Clinic are all a short bus ride from the proposed site. Old Town Alexandria offers many shops and eating establishments within walking distance. The identified site is also approximately seven blocks from Carpenters Shelter and David's Place, a primary referral site for the Safe Haven.

Finally, ACSB Policy #13 directs that locations for its facilities be chosen according to two principles. First, Board housing must be affordable, reasonably and conveniently located for residents and participants, structurally suitable, reasonably safe and a good fit for the intended use and users. In addition, Board policy requires that special needs housing programs be dispersed throughout the City, so that no area is overly saturated with such facilities. For purposes of planning, the Board has divided the City into eight geographical areas; the Patrick Street location is half a block from Area IV (Old Town) which has the lowest density of special needs housing, and is therefore the Board's highest priority for siting, and within Area V (Braddock Road, Old Town North, Potomac Yard), which is the second lowest density and the second highest priority area. ACSB has explained that before choosing the proposed location, it looked extensively throughout the City, and especially in Old Town, but the availability and suitability of housing and the price of real estate have been frequent and recognized obstacles.

For each and all of the above reasons, planning staff finds the proposed location suitable and appropriate for the Safe Haven facility.

ZONING IMPACTS

From planning staff's perspective, the proposed facility should generate very little in the way of negative impacts for the community. In fact, because the project will provide housing to a formerly homeless population and will provide services to a formerly unsupervised group of people, it could contribute to an enhanced neighborhood by lessening nuisance behaviors of homeless individuals in Old Town.

The typical zoning impacts that attend difficult land use choices for neighborhoods, such as noise, traffic, and parking, will not be part of the proposed use. Potential residents of the Safe Haven facility will undergo comprehensive screening and evaluation by ACSB's trained mental health professionals prior to being accepted into the program. The screening is designed to identify individuals with behaviors that could be a problem for themselves, for other residents and for the community and to exclude them from this housing. The facility appears to be sufficiently staffed with a thorough supervision plan. ACSB has a long history in the City of

operating residential programs. It currently has 63 other residential facilities throughout the City in a variety of neighborhood settings where, according to its history over the last 10 years, with 706 individuals in its residential programs, the other locations operate without incident.

Letters are attached from two other Safe Haven facilities in Arlington and Fairfax Counties both of which recite the fact that the experience at each of these operations takes place without problems for the surrounding neighborhood.

Perhaps the best indication of the type of impact the proposed residential facility will create for the neighborhood comes from the City's experience with the Clubhouse which occupied the same building with individuals with some of the same disabilities as those who will live at Safe Haven. The Clubhouse served 60 individuals, who each had different schedules and were not required to be at the facility at specific times. There were 30 staff persons serving the Clubhouse, 18 of which were full time. The Clubhouse operated during the week but there were occasional weekend and evening activities for members. Despite the fact that these mentally ill people were allowed to come and go freely to and from the building, city records show no reported incidents of problem behavior involving Clubhouse members. The Safe Haven facility will have only 12 residents and anticipates up to six staff people on the premises at any one time. The proposed Safe Haven use will be less intense, with less activity and people, than the Clubhouse. Therefore, there should be minimal if any impacts from the Safe Haven program in the neighborhood.

Finally, ACSB is proposing that a Neighborhood Advisory Committee be created to deal with any neighborhood issues that arise and desires to have an ongoing dialogue with neighbors to address any issues.

COMMUNITY CONCERNS

Since ACSB first notified neighbors of the proposed Safe Haven of its intent to house 12 mentally ill individuals there, it has heard criticism and fears about the proposal. Specifically, citizens who live and work near the 115 North Patrick location have expressed concerns about potential harm to their safety, to the market value of their properties, and to their neighborhood in general.

Crime and Nuisance Behavior

As to security issues, some neighbors have stated that they feel threatened by the potential for nuisance and even criminal behavior by Safe Haven residents or by those who might prey on those residents. Neighbors express fears related to the fact that residents will be mentally ill, that some will also have substance abuse disorders and that the program includes no mandatory curfew. However, the Safe Haven program, with its "housing first" and "low demand" approach, is a national model, with a relatively long, well documented history. Potential Safe Haven residents are homeless because they suffer from mental illness, often accompanied by substance abuse, and are therefore unable to avail themselves of appropriate treatment. MHMRSA staff estimate that 1/3 to 1/2 of the residents may also suffer from substance use disorder. Individuals

with the same disorders were members of the Clubhouse and came and went in the neighborhood for many years without problems. The lack of any history with problem behavior at the existing location when the Clubhouse was there suggests that there is no basis for fear at the proposed location.

ACSB has a long track record serving mentally ill and substance use disorders in the City, including with residential facilities that are located in a number of different neighborhoods. The ACSB now operates 63 other residential facilities (172 beds) in the City and has done so for many years without complaints from neighbors. Its experience in its other locations demonstrates its ability to manage this facility so that there will be no problems for the neighborhood. In addition, the exclusionary criteria, and extensive screening, staffing and supervision plan proposed for the Safe Haven program should result in the ability to identify problem residents before they are admitted to the program. (See FAQs #3, #20)

Should individual residents in the program demonstrate problem behavior, they will be supervised and asked to leave if the behavior is not modified. ACSB staff has stated its intent to prohibit Safe Haven residents from loitering or lingering outside near the property and to police the grounds and nearby areas for litter daily. Noise from residents will not be tolerated within or outside the facility. ACSB staff has also emphasized that it will not tolerate disruptive behavior by residents in the neighborhood at any time. Staff will be monitoring the immediate neighborhood and will report any suspicious activity to the police. ACSB staff intends to engage the neighborhood so that any issues residents perceive can be aired, addressed and resolved. This high level of engagement and concern for the neighborhood should resolve problems if any arise.

Neighbors have specifically objected to the fact that, under the “low demand” approach, a cornerstone of the Safe Haven program, residents who meet the entrance criteria are allowed to occupy the facility without a commitment to treatment or abstinence as a prerequisite. An agreement for treatment for mental illness, substance abuse and other disorders may be delayed until the individuals become accustomed to an organized, sheltered life. Although rules and regulations at the facility will be kept to a minimum, there are rules for residents (See FAQ #19, #20), including that residents behave in an acceptable manner and work with program staff.

Neighbors have also expressed specific concern regarding the potential for drug dealers to be attracted to the neighborhood because Safe Haven residents may have a drug or alcohol problem when they enter the program. However, staff fails to find convincing the market created by, at most, six new residents of the Safe Haven projected to possibly have drug or alcohol use disorders. Furthermore, ACPD reports that overall crime including drug activity has been significantly reduced in the Inner City neighborhood over the last decade.

The low demand approach is well documented in the Ward Family Foundation Study which analyzes the operations of the 118 Safe Haven programs across the country. While there may be isolated examples of Safe Haven programs elsewhere with some requirements not proposed here, the vast majority of programs cited in the Study have rules and requirements similar to what is proposed for Alexandria. For example, drug testing will be available, and will be used when

appropriate by trained staff, but it is not a precondition and is not mandatory where staff does not find it to be necessary or appropriate. Residents will be encouraged to take their medication, but will not be expelled if they failed to adhere to their prescriptions. Residents are expected to be in the building in the evenings by 11:00 p.m, but will not be expelled from the program if they are late.

Finally, the individuals who will live in the Safe Haven facility are in the City now, and living on the street, including in Old Town. They are not being treated. The potential for crime and problem behavior, if there is any, exists now and puts the community at risk. If the Safe Haven facility is approved, and the program succeeds, these people will achieve stability and engage in treatment. The result is not only better for the individuals in the program and their families, but better for the neighborhood and the City as a whole.

Property Values

Citizens concerned about the program have expressed their fears that property values will be lowered by the establishment of the Safe Haven facility in their neighborhood.² Staff has found no evidence that special needs housing has a negative impact on property values, and that has not been the City's experience, given the actual rise in values for residential property throughout the City, including in Del Ray, where there are several supportive housing facilities, and in the Inner City/Old Town neighborhood where 115 North Patrick Street building is located. The proposed use is permanent housing, and is similar to other uses on the block and on blocks near the subject property. The building will be improved significantly as part of the Safe Haven proposal. These facts lead to the conclusion that the building will share in the rise and fall of property values along with other neighborhood properties but will not affect those values.

Furthermore, according to information cited on the MHMRSA website, a large number of studies have found that including affordable housing, including residential care facilities and supportive housing, in a neighborhood does not negatively affect the value of neighborhood properties. Finally, and most significantly, the City asked a certified real estate appraiser to determine the effect that locating the Safe Haven facility at 115 North Patrick Street would have on property values in the neighborhood. After reviewing the impact of various supported housing programs on nearby and neighborhood housing prices, the appraiser determined that the conversion of the Patrick Street building to a Safe Haven supported housing program facility will have no negative economic impact on housing in the neighborhood. These facts should alleviate the neighbors' concerns about property values. (See FAQ #22)

Rooftop Deck for Residents

One of the specific concerns expressed by neighbors is the alleged opportunity for mischief

² The issue of property values was raised in the recent lawsuit as a matter of standing, and the court allowed the case to proceed, finding that the neighbors made a showing with regard to a potential value issue sufficient to warrant a finding of standing. The court made no determination of fact with regard to value.

created by a new rooftop patio area being built at the 115 North Patrick Street building. Neighbors have voiced concerns that residents will either throw things over the side of the patio walls or jump themselves. The Safe Haven program rules allow residents to use the rooftop deck during the day, but require that residents be supervised on visits to the roof deck between dusk and dawn. This rule was created by ACSB out of a concern for the potential for noise from the rooftop possibly disturbing the neighborhood in the evening. The rooftop is the only location on the site that all residents can use for smoking, and the only opportunity available to all of them to be outdoors on site.

In response to citizens' concerns expressed at the BAR hearings about the rooftop deck, the BAR required and ACSB agreed to lower the height of the roof patio deck. As currently proposed and approved, the deck is depressed from the main roof, and further concealed by parapet walls surrounding the main roof. Staff believes that the physical arrangement and the nighttime supervision should address neighbors' concerns with the rooftop deck and notes that rooftop and upper level decks and balconies are common on nearby buildings in the immediate neighborhood.

RECOMMENDED CONDITIONS

Staff is recommending a series of conditions to ensure that the program remains as described, and that if any issues of concern to the neighborhoods should arise, there is a forum for resolution. For example, staff is requiring that the rooftop deck be recessed and depressed as approved by the BAR, that the grounds be policed for litter, that building waste be arranged and screened appropriately, and that the patio be appropriately landscaped. Staff is also recommending that the ACSB maintain essential program operations, including the number of residents, the screening, supervision and rules as proposed to ensure that the facility and its residents are not disruptive or otherwise negatively impact the neighborhood. Based on concerns expressed by neighbors at recent community meetings and plan operations by ACSB, staff has included a condition requiring that the facility maintain quiet hours between 11:00 p.m. and 7:00 a.m.

In addition, ACSB's proposal to create a Neighborhood Advisory Committee has been included as a condition so that the neighborhood and the facility have a forum to address and resolve any issues that arise. Finally, because of the neighborhood concerns, staff has extended its typical review condition, requiring a review not only after one year, but also after the second year of operation. In this way, neighbors have procedural recourse in the unlikely event that issues remain unresolved and that the facility requires additional conditions or to have its SUP reassessed.

CONCLUSION

Mixed use areas like this one are one of the land use arrangements which many believe makes Alexandria a desirable place. While the City needs to be cautious regarding uses it permits close to residential areas, it is also important to maintain a balance of uses and to provide housing for all citizens. Area zoning permits office, retail, personal services and residential uses at the

subject location without a special use permit. The special use permit mechanism expands those options allowing a closer look at individual uses to ensure they can coexist with surrounding uses. In this case, for all the reasons outlined above, staff finds that the use is appropriate, that impacts on the neighborhood will be minimal and that the Safe Haven fulfills a long held City goal for alleviating homelessness in the City. Staff therefore recommends approval, with the recommended conditions.

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 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)
3. 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)
4. The Safe Haven facility shall be limited to a maximum of 12 residential members plus staff. (P&Z)
5. Operation of the Safe Haven facility shall include adequate screening of residents, staffing levels, rules and regulations for residents, ongoing monitoring and evaluation and trained supervision to ensure that any disruption, criminal behavior, noise, litter, or other negative impacts for the neighborhood shall be prevented or promptly remediated such that they do not rise to the level of a nuisance to the neighborhood. (P&Z)
6. The applicant shall ensure that residents maintain quiet hours between 11:00 PM and 7:00 AM daily. (P&Z)
7. The applicant shall provide an open rooftop deck for residents, with the size, design and construction consistent with the plans approved by the BAR, including a recessed deck surrounded by a wall as generally depicted on the plans approved by the Old and Historic District Board of Architectural Review. Use of the rooftop deck by residents shall be limited and supervised between dusk and dawn in order to minimize disruption for neighbors. (P&Z)
8. A minimum of seven parking spaces shall be provided in the City parking lot across the street from 115 North Patrick Street, or at a comparably convenient alternative location within 300 feet of the facility. (P&Z)

9. ACSB shall establish and maintain a Neighborhood Advisory Committee, which shall include Safe Haven staff members, and residents and workers in the vicinity of the facility and shall continue as long as desirable by neighbors. The Committee shall meet with affected neighbors on a regular basis to discuss and seek solutions and mutual understanding as to neighborhood issues regarding the operation of the Safe Haven facility. (P&Z)
10. 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)
11. The applicant shall provide the City \$1000.00 for one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60-days of approval). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation. (T&ES)
12. 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 once a day to prevent an unsightly or unsanitary accumulation. (T&ES)
13. The applicant shall provide landscape improvements within the patio and at the rear of the building to the satisfaction of the Director of Recreation, Parks and Cultural Activities. A plan shall be submitted for review by RP&CA. (RP&CA)
14. Trash bins for this facility shall be stored and screened from public view to the maximum extent possible. The method of storage and screening shall be provided to the satisfaction of the Directors of RP&CA, T&ES and P&Z. (RP&CA)(P&Z)
15. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and again after it has been operational for two years, 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;
Stephen Milone, Chief, Land Use Services; Peter Leiberg, Zoning Manager,
James Hunt, Urban Planner.

ATTACHMENTS: 1) Frequently Asked Questions (FAQs) for Safe Haven
(February 2007)
2) Alexandria Community Services Board Policy #13

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.

CITY DEPARTMENT COMMENTS

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

Transportation and Environmental Services

- R-1 The applicant shall provide storage space for solid waste and recyclable materials 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.
- R-2 Applicant shall provide the City \$1000.00 for one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60-days of approval). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation.
- R-3 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 once a day to prevent an unsightly or unsanitary accumulation.
- 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).

Recreation, Parks and Cultural Activities

- R-1 Provide landscape improvements within the patio and at the rear of the building to the satisfaction of the Director of Recreation, Parks and Cultural Activities. A plan shall be submitted for review by RP&CA.
- R-2 Trash bins for this facility shall be stored and screened from public view. The method of storage and screening shall be reviewed by RP&CA.

Department of Human Services

- F-1 DHS has maintained a close working relationship with the Community Services Board for the past 17 years, providing outreach and services to the homeless in the community. Our Office of Community services is a primary service provider for the homeless and I also serve as co-chair of the Homeless Services Coordinating Committee (HSCC) in the City. The HSCC has focused effort on reducing and ending chronic homelessness for the last several years. In fact, the HSCC recommended Ten Year Plan to End Chronic Homelessness was adopted in 2005 by the City Council. The plan addresses services for the chronic population and developing a specific safe haven project in Alexandria to combine housing with services.

The chronic homeless population in the community is extremely hard to serve and often resistant. Chronic homelessness is defined as: several years of, or repetitive episodes of homelessness, suffering from mental illness or substance abuse or both. The population does not mix well or benefit from traditional emergency shelter programs.

Each year the HSCC enumerates the homeless population in the community. The numbers vary slightly from year to year, but over the preceding three years, we have found between 75 and 100 individuals in the community that fit the chronic profile and a similar number of unsheltered individuals that could benefit from "safe haven" style programming and housing services. In January 2006, 68 persons in the City were found to be unsheltered and chronically homeless.

The Department and the HSCC support the development of the safe haven project since it does fill a serious and unmet need in the community, offering housing first to a vulnerable population.

Code Enforcement

- F-1 The applicant has stated in the narrative portion of the SUP application that the address will house twelve adults with mental illness and/or other disabling conditions. Applicant shall provide the types of disabilities and if the occupants are capable of responding to an emergency situation without physical assistance from staff. **[The applicant has stated that only residents who are able to physically exit the building on their own in an emergency will be admitted to the program.]**
- F-2 The applicant must confirm the intended use of the structure.
- C-1 The current use is classified as R-2, Residential. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 116.2) and compliance with USBC 116.1 including but not limited to: limitations of exit travel distance, emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities.

- C-2 Prior to the application for a new Certificate of Occupancy, the applicant shall submit a building permit for a change of use. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. These plans shall show provide existing conditions, construction type data, and a plot plan. In addition, these plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.
- C-3 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-4 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-5 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 When a change of use requires a greater degree of structural strength, fire protection, exit facilities or sanitary provisions, a construction permit is required.
- C-7 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).

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 facility.

**REPORT ATTACHMENTS
ADDITIONAL INFORMATION AVAILABLE ON THE
MH/MR/SA WEBSITE
http://alexandriava.gov/mhmrsa/safe_haven.html
AND THE PLANNING AND ZONING OFFICE.**