

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 Varriate

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

ZONE: CL/Commercial Low

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.

SITE GRAPHIC
AVAILABLE IN THE PLANNING AND ZONING OFFICE

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. The hours of operation of the commercial school shall be limited to between 7:00 a.m. and 10:00 p.m. daily. (P&Z)
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 travelling 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.

SUP#2005-0128
3129 Mt Vernon Ave 2c,3b,3c

**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE**