

Docket Item #6  
SPECIAL USE PERMIT #2005-0136

Planning Commission Meeting  
March 9, 2006

**ISSUE:** Consideration of a request for a special use permit for a change of ownership of a non-conforming personal service use (hair salon).

**APPLICANT:** Sophea Nuth

**LOCATION:** 700 North Patrick Street

**ZONE:** RB/Residential

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**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, Sophea Nuth, requests special use permit approval for the operation of a personal service hair salon located at 700 N. Patrick Street.

### SITE DESCRIPTION

The subject property is one lot of record with 20 feet of frontage along North Patrick Street, 80 feet of frontage on Wythe Street, and a total lot area of 1,600 square feet. A two story brick building occupies the lot. The first floor was previously used as a barber shop and the second floor is currently a rental apartment unit. A barber shop has operated from this location from 1939 until April, 2005. Access to the property is from Wythe Street.



The surrounding area is occupied by a mix of residential civic, and religious uses. Immediately to the north is a residence. To the south is the Sixteenth Tabernacle Church. To the east across Patrick Street is the Charles Houston Recreation Center and to the west are residential uses.

### ZONING AND SUP HISTORY

The city's 1951 Zoning Ordinance included comprehensive city wide changes, and required that any non-conforming commercial uses in residential zones be terminated after 40 years, giving owners until 1991 to amortize their investment. In 1989, City Council amended the Zoning Ordinance to allow those commercial uses made non-conforming by the 1951 law to continue beyond 1991, with approval of a special use permit. Under Section 12-210 (B)(4), the commercial use must serve and enhance the nearby neighborhood and meet the overarching standards for all special use permits in Section 11-504.

The subject location is one that fell within the 1951 group of non-conforming commercial sites in residential zones. It is located in the RB/Townhouse zone and has been operating as a non-conforming barber shop/ beauty shop since 1951. In 1961, City Council granted Special Use Permit #0443 to operate a barber shop/beauty shop at 700 N. Patrick Street.

### PROPOSAL

The applicant proposes to continue the personal service use with a hair salon located on the first floor and operate it herself. The applicant will also continue the residential apartment use on the second floor of the building.

Hours:	Monday-Saturday 10:00am-8:00pm Sunday-Closed
Number Patrons/day:	15
Noise:	No proposed noise impacts
Trash/Litter:	Cut hair and a few product wrappers

PARKING

Pursuant to Section 8-200 (F) (1) of the Zoning Ordinance, off-street parking is not required for uses existing prior to 1963. A barber shop has occupied 700 North Patrick Street since 1939; therefore, no off-street parking is required for the hair salon.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the RB Townhouse zone. The previous use of the property as a barber/ beauty shop constitutes a non-conforming use in the RB zone. According to section 12-210 (B)(3)(a) of the zoning ordinance, a non-conforming commercial use in a residential zone may continue if the use enhances, serves, and is compatible with the nearby neighborhood.

The draft Braddock Road Metro Small Area Plan designates the property for residential use only and does not propose any commercial uses for the subject property.

Parker-Gray Board of Architectural Review

The flat roofed brick building at 700 N. Patrick Street appears to date to after 1941, based on map research. However, an earlier frame building in the same location and with the same footprint existed on this lot at least as early as 1912. The building at 700 North Patrick Street is located in the Parker-Gray District. Any exterior alterations visible from a public right-of-way, including signage and parking lots, must be reviewed and approved by the Board of Architectural Review in accordance with Section 10-203 of the Zoning Ordinance.

**II. STAFF ANALYSIS**

Staff has no objection to the location of the beauty shop at 700 North Patrick Street. The location has been used as a barber shop/hair salon for more than 60 years and the proposed use is the same, therefore no parking restrictions are required. Staff does not object to the continued operation of a personal service at this location. This small personal service business is compatible with the nearby residential area.

As part of the on-going Braddock Road Metro Area Plan process, Wythe Street has been recognized

as a major east-west street, connecting the Braddock Road Metro Station and adjacent neighborhoods to the Potomac Waterfront. The plan envisions pedestrian enhancements along Wythe Street, in order to encourage people to walk. Pedestrian improvements at the intersection of Wythe and Patrick streets will make it safer for pedestrians to cross at this busy intersection. The Braddock Road Metro Small Area Plan does not identify the property at 700 N. Patrick Street as a priority site for redevelopment. The plan does however, indicate the property's use to continue being zoned residential.

Given that the location is planned to remain zoned residential and that it is not a redevelopment priority site, staff recommends that City Council review the use within 10 years of the approval of the special use permit.

Staff has contacted the Inner-City Civic Association regarding any comments or concerns that the organizations feel need to be addressed. At this time, staff has not been made aware of any concerns from the community.

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. **CONDITION AMENDED BY STAFF:** The special use permit shall be granted to Frank B. Williams the applicant only or to any corporation in which the applicant has controlling interest. (P&CD)(SUP #2544)
2. **CONDITION AMENDED BY STAFF:** The hours of operation of the ~~barber shop~~ hair salon shall be restricted to between 10:00 A.M. and 8:00 P.M., Monday through Saturday. (P&Z)
3. **CONDITION AMENDED BY STAFF:** This special use permit shall be limited only to the operation of a ~~barber shop~~ hair salon on the first floor of the building only. (P&CD)(SUP #2544)
4. The second floor of the building shall be used for residential use only, and may not be used for commercial uses. (SUP#95-0090)(P&Z)

5. **CONDITION ADDED BY STAFF:** The applicant shall post the hours of operation at the entrance of the business. (P&Z)
6. **CONDITION ADDED BY STAFF:** Prior to the issuance of the certificate of occupancy, the applicant shall submit a landscaping plan and install landscaping for the property in accordance with the plan approved by the Director of Planning and Zoning. (P&Z)
7. **CONDITION ADDED BY STAFF:** The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 for a security survey and robbery awareness program for employees. (Police)
8. **CONDITION ADDED BY STAFF:** The special use permit shall expire 10 years from the date of approval by City Council. (P&Z)
9. **CONDITION ADDED BY STAFF:** 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 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:** Eileen Fogarty, Director, Department of Planning and Zoning;  
Richard Josephson, Deputy Director;  
James Hunt, Urban Planner.

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**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 No objections to proposed use.

##### Code Enforcement:

F-1 No Comment

##### Health Department:

C-1 An Alexandria Health Department Permit is required for all regulated facilities.

C-2 Permits are non-transferable.

C-3 Five sets of plans are to be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11. Chapter 7, Personal Grooming Establishment.

C-4 Permits must be obtained prior to operation.

##### 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 business.

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

SUP#2005-0136  
700 N. Patrick Street

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