

Docket Item #3  
SPECIAL USE PERMIT # 2006-0015

Planning Commission Meeting  
May 4, 2006

**ISSUE:** Consideration of a request for a special use permit to expand an existing private academic school into an adjacent space.

**APPLICANT:** Learning Foundations of Metropolitan Washington Inc. d/b/a  
Commonwealth Academy  
by Duncan Blair, attorney

**LOCATION:** 1321 Leslie Ave

**ZONE:** CSL/Commercial Service Low

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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, Learning Foundations of Metropolitan Washington, Inc. (d/b/a Commonwealth Academy), requests special use permit approval to expand the existing private academic school by an additional 5,000 square feet of floor area.

### SITE DESCRIPTION

The subject property is one lot of record with approximately 283 feet of frontage on Leslie Avenue and a total lot area of 24,043 square feet. The site is developed with a single-story Art Deco masonry commercial/industrial building. The building shares a wall with a commercial/industrial business of the same design on the adjacent lot to the south. The proposed school space will be approximately 19,000 square feet.



Surrounding uses are primarily residential to the west, commercial uses to the north along Leslie Avenue and the railroad tracks to the east.

### BACKGROUND

The Commonwealth Academy is an independent, non-profit, coeducational, academic middle and secondary school licensed by the State of Virginia. On November 17, 2001, City Council granted Special Use Permit #2001-0093 for the operation of a private school. On March 21, 2006, staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. Staff found no violations of the special use permit.

### PROPOSAL

The applicant has filed for a special use permit application to increase enrollment from the currently approved 100 students to a proposed 150 students. The applicant also requests approval to increase the floor area of the use by expanding into an adjacent space within the 1321 Leslie Avenue location, ultimately increasing the floor area from the current 14,000 square feet to the proposed 19,000 square feet. The applicant proposes to use the additional floor area for additional classrooms, offices, a multi-purpose room, and restroom facilities. The applicant anticipates that the school's faculty and staff will increase by seven people as a result of the proposed expansion and increased enrollment. The applicant describes the private school's operation as the following:

Hours:	Monday through Friday 7:00am-5:00pm
Number of students:	150
Noise:	Not to exceed noise levels permitted by Alexandria City Code of Ordinances.
Trash/Litter:	Trash and recyclable materials stored in bins inside the school, collected a minimum of three times per week. Staff and students will monitor and pickup litter on the school grounds daily.
Hazardous Materials:	The applicant proposes three science labs where hazardous materials will be used. The applicant will comply with the City of Alexandria's Code of Ordinances regarding the use and storage of hazardous materials.
Deliveries:	The applicant will receive deliveries of supplies approximately three to five times per week in the front of the building, during regular business hours.

PARKING AND LOADING/ UNLOADING

According to Section 8-200(A)(11) of the Zoning Ordinance, a middle school requires one parking space for every 25 seats and a high school requires one parking space for every ten seats. Therefore, a private academic school with 100 high school students and 50 middle school students requires 12 parking spaces.

The neighborhood surrounding the proposed use is within Permit Parking District No. 6 and although parking is permitted on the streets within the district, it is restricted for non-residents who may park a maximum of two and three hour limits for non-residents.

Condition #3 of the SUP requires conformance with a Transportation Management Plan that includes a staggered arrival and departure schedule for students, the use of a School Transportation Coordinator, and only use small and public buses to transport students to and from school. The applicant has indicated to staff that they will continue coordinating and promoting car pooling among parents and students.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CSL/Commercial Service Low zone. Section 4-303(V) of the Zoning Ordinance allows a private academic school in the CSL 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 CSL/Commercial Service Low use.

**II. STAFF ANALYSIS**

Staff supports the proposed expansion of a private school located at 1321 Leslie Avenue. The school use is compatible with the adjacent commercial uses along Leslie Avenue, and the school expansion is not expected to negatively impact the adjacent neighborhood. The private school will continue to provide education to students within the City of Alexandria and surrounding cities and counties.

Since the approval by City Council of SUP#2001-0093, staff is not aware of any complaints or violations regarding the use at the current location. Since the approval of the current special use permit, the applicant has worked with staff to upgrade the property significantly from its previous physical condition.

Staff is not aware of any parking problems within the neighborhood regarding the private school use. The applicant proposes to continue staggered arriving and departure times for students, in order to reduce traffic impacts within the neighborhood. The applicant also wishes to continue maintaining condition #3 of this report which requires the applicant to conform to the submitted Transportation Management Plan (see attachment).

Staff is pleased with the positive relationship that the applicant has established within the community. As indicated within condition #15, the applicant will continue to set up meetings with the affected neighbors in order to seek solutions to neighborhood issues regarding the operation of the school.

In order to continue reducing the likelihood of congestion for the neighborhood during the morning and afternoon drop off/pick up hours, staff maintains condition #3 which requires the applicant to conform to the submitted Transportation Management Plan(see attachment). Should the intensity of the school and its traffic change significantly in the future, the applicant would require an amendment to the special use permit.

During a site visit to the property, staff found that the existing landscaping was well maintained. However, staff found an opportunity for the applicant to plant five additional ornamental or deciduous trees along the west side of the property. That would greatly enhance this frontage of the property. Staff has included a condition to this effect.

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 business or entity in which the applicant has a controlling interest. (P&Z)(SUP2001-0093)
2. **CONDITION AMENDED BY STAFF:** The maximum student enrollment shall not exceed ~~100~~ 150 students. (P&Z)(SUP2001-0093)
3. **CONDITION MAINTAINED BY STAFF:** The applicant shall conform its operation generally to the elements of the Traffic Summary and Transportation Management Plan, dated September 28, 2001, filed as part of the application, which includes, without limitation: (a) staggered arrival and departure times for students; (b) the use of a School Transportation Coordinator to assist with traffic management when students are arriving and leaving the premises; (c) no use of buses to transport students to and from school, except those small, public buses bringing students from public school as described in the application; and (d) coordinating and promoting car pooling among parents and students. (P&Z)(T&ES)(SUP2001-0093)
4. **CONDITION AMENDED BY STAFF:** The applicant shall ~~create a~~ maintain the loading/unloading zone for buses and vehicles on Leslie Avenue adjacent to the main entrance to the building for arriving and departing students and shall work with the Department of Transportation and Environmental Services and the Traffic and Parking Board to implement the change in parking. (T&ES)(P&Z)(SUP2001-0093)
5. **CONDITION AMENDED BY STAFF:** ~~In the event the Monroe Avenue bridge is realigned, and alternative routes for school bus and vehicle traffic is available, the applicant shall redirect users to those alternative routes and work with the Departments of Planning and Zoning and Transportation and Environmental Services to establish the new routes. (P&Z)(SUP2001-0093)~~  
The applicant shall coordinate with the Departments of Planning & Zoning and Transportation & Environmental Services on the means to notify users of alternate routes in conjunction with the realignment of the Monroe Avenue Bridge. (T&ES)(P&Z)

6. **CONDITION AMENDED BY STAFF:** The applicant shall ~~upgrade~~ maintain the building and the site, including landscaping and facade treatment, generally consistent with the conceptual drawings provided as part of the application, to the satisfaction of the Director of Planning and Zoning. (P&Z)(SUP2001-0093)
7. **CONDITION DELETED BY STAFF** ~~The applicant shall remove the concrete slabs, and repair and stripe the parking lot to the satisfaction of the Director of the Department of Transportation and Environmental Services. (T&ES)(SUP2001-0093)~~
8. **CONDITION DELETED BY STAFF** ~~The applicant shall remove the existing chain link fence on the Leslie Avenue frontage which is in disrepair. The fence shall be replaced with a low decorative wall, a screening hedge or other fencing to the satisfaction of Planning and Zoning and Transportation and Environmental Services. (P&Z)(T&ES)~~
9. **CONDITION DELETED BY STAFF** ~~The applicant shall remove the southern driveway apron and replace it with city standard curb and gutter and sidewalk. (T&ES)(SUP2001-0093)~~
10. There shall be no outdoor storage on site. (P&Z)(SUP2001-0093)
11. The applicant shall provide site lighting in the parking lot to meet minimum city standards. Lighting shall be shielded to prevent excessive spillover and glare onto adjacent residential properties. (T&ES)(SUP2001-0093)
12. **CONDITION AMENDED BY STAFF:** ~~The use of outside speakers shall be prohibited~~ All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES)(SUP2001-0093)
13. **CONDITION AMENDED BY STAFF:** The applicant shall control odors, smoke, and any other air pollution from operations at the site associated with the science lab and photo processing operations and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)(SUP2001-0093)
14. The applicant shall consult with the Crime Prevention Unit of the Alexandria Police Department regarding a security survey and alarms for the school. The initial consultation is to be prior to the commencement of renovations to the building. (Police)(SUP2001-0093)

15. **CONDITION AMENDED BY STAFF:** The applicant shall ~~set up a mechanism by which it meets~~ continue meeting with affected neighbors to discuss and seek solutions and mutual understanding as to neighborhood issues regarding the operation of the school. (P&Z)(SUP2001-0093)
16. The applicant shall install a fire suppression system for this facility. (Code)(SUP2001-0093)
17. **CONDITION AMENDED 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 has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation of the permit conditions, 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)(SUP2001-0093)
18. **CONDITION ADDED BY STAFF:** 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)
19. **CONDITION ADDED BY STAFF:** The applicant shall install five ornamental or deciduous trees along the west side of the property. (P&Z) (RP&CA)
20. **CONDITION ADDED BY STAFF:** The current proposal indicates that hazardous materials will be handled, stored or generated on the property. Please discuss the type and nature of hazardous material been generated and provide the means and method of extraction and proper disposal of the waste. (T&ES)
21. **CONDITION ADDED BY STAFF:** The applicant shall maintain and provide all on-site parking as required by the proposed intensification of the existing use. (T&ES)

**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:

Carry forward previous conditions from SUP#2001-0093 with amendment of #12 as noted below:

- R-1 AMENDED CONDITION #12: All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line.
- R-2 The current proposal indicates that hazardous materials will be handled, stored or generated on the property. Please discuss the type and nature of hazardous material been generated and provide the means and method of extraction and proper disposal of the waste.
- R-3 (to dovetail with condition #5 of the Staff recommendations for SUP#2001-0093): The applicant shall coordinate with the Departments of Planning & Zoning and Transportation & Environmental Services on the means to notify users of alternate routes in conjunction with the realignment of the Monroe Avenue Bridge.
- R-5 The applicant shall maintain and provide all on-site parking as required by the proposed intensification of the existing use.
- C-1 The applicant shall comply with Alexandria's Noise Control Code, Chapter 11, Section 5 which sets the maximum permissible noise level measured at the property line.

##### Code Enforcement:

- F-1 The proposed project extends across an interior lot line dividing 1321 and 1321A Leslie Avenue. The design and use of the additional space shall comply with the fire separation requirements of the USBC.
- F-2 The expansion into the adjacent space may require a change of use.
- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).

- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 Before a building permit can be issued on any proposed future alterations, a certification is required from the owner or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos (USBC 112.1.4).
- C-4 The developer shall provide a building code analysis with the following building code data on the plan: a) use group; b) number of stories; c) type of construction; d) floor area per floor ; e) fire protection plan.
- C-5 A revised fire prevention code permit is required for the proposed increase in operations.
- 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 Prior to the application for 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-8 A Certificate of Use of Occupancy is required prior to opening.
- C-9 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11.

Health Department:

- F-1 No Comment

Police Department:

- F-1 The Police Department has no objections to the expansion of the Commonwealth Academy by an additional 5,000 square feet of floor area.

SUP#2006-0015  
1321 Leslie Avenue

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