

Docket Item #8
SPECIAL USE PERMIT #2007-0057

Planning Commission Meeting
September 6, 2007

ISSUE: Consideration of a request for a special use permit for an increase in FAR and a parking reduction.

APPLICANT: Nabi Nasser

LOCATION: 1203 King Street

ZONE: KR/King Street Urban Retail

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.



SUP #2007-0057

10/02/07



I. DISCUSSION

REQUEST

The applicant, Nabi Nasser, requests special use permit approval for an increase in Floor Area Ratio (FAR) and a one space parking reduction for the retail store located at 1203 King Street.

SITE DESCRIPTION

The subject property is one lot of record with 18 feet of frontage on King Street, 100 feet of depth and a total lot area of 1,800 square feet. The site is developed with a townhouse occupied by Art Underfoot, a retail store specializing in floor coverings. Access to the property is from King Street.

The surrounding area is occupied by a mix of commercial, office and residential uses. Immediately to the north are townhouses developed as offices and residences. To the south is a retail shop, Chatree's. To the east and west are retail businesses, Le Star Bridal Shop to the East and Lamplighter to the west.



BACKGROUND

The applicant presented plans for a one story addition to the Old & Historic Board of Architectural Review on May 16, 2007 (BAR2007-0070). The BAR deferred the case for further study of the proposed materials. Since then the applicant has decided that a single story addition does not meet his needs and is not economically feasible. The existing use is a by-right retail use. There have not been any SUPs previously issued at this address.

PROPOSAL

The applicant proposes to construct a two story, 874 square foot addition to the existing building. The ground floor will provide storage space and will allow the applicant to expand his showroom. The second floor will consist of an accessory apartment.

PARKING

According to Section 8-300(B) of the Zoning Ordinance, a retail store under 10,000 square feet in the Central Business District is exempt from parking requirements. According to Section 6-704 of the Zoning Ordinance an accessory apartment requires one parking space. The applicant is requesting a parking reduction of one space for the proposed accessory apartment.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the KR/King Street urban retail zone. Section 6-702(A)(1)(e) of the Zoning Ordinance allows a retail store in the KR zone by right. Section 6-705(C)(1)(a) requires a SUP to increase the FAR over 1.5.

The proposed use is consistent with the Old Town Small Area Plan chapter of the Master Plan which designates the property for commercial use.

II. STAFF ANALYSIS

The applicant operates a successful retail establishment on King Street and requests increased floor area for storage and showroom space. Staff surveyed ten properties on the north side of the 1200 block of King Street and found that seven have FARs in excess of the 1.5 allowed by right. The properties on either side of the applicant's parcel have been built to the limit of the lot with two story structures and both exceed the 1.5 FAR. The parking reduction that the applicant is seeking is for the one space that is required for accessory apartments in the KR zone. Due to the fact that the addition will cover the lot, there will be no place for the required parking space.

Address	Lot Area	Building Area (Above ground gross s.f.)	FAR
100 N.Fayette	1,535	3,000	1.954
1201 King	1,032	3,000	2.907
1205 King	1,800	2,822	1.568
1207 King	1,784	3,056	1.713
1211 King	1,784	2,088	1.170
1213 King	1,300	1,110	0.854
1215 King	1,300	1,464	1.126
1217 King	2,800	4,410	1.575
1221 King	2,630	4,458	1.695
1225 King	2,370	4,212	1.777
<i>1203 King (proposed)</i>	<i>1,800</i>	<i>3,168</i>	<i>1.76</i>

By right, the applicant can build a 504 square foot addition to the building. The smaller addition would be one story and not provide for an accessory apartment. If approved the FAR increase would result in an additional 370 square feet of floor area.

Promoting a mix of residential, commercial and office uses on King Street is strongly encouraged in the King Street Retail Strategy. The King Street Retail Strategy recommends residential uses on upper floors to encourage neighborhood vibrancy and an

active streetscape. One of the guiding principals behind the creation of the KR zone was to provide incentives for residential development on the upper floors of buildings on King Street. Staff believes that the relatively small increase in FAR requested by the applicant is justified because it will create a mixed use building with a residential unit on an upper floor. It is also consistent with the FAR of most of the other buildings on the block. The design of the addition will have to be approved by the Board of Architectural Review. In regard to the request for a one space parking reduction, staff is supportive because of the site's proximity to Metro.

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 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)
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)
5. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
6. All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (T&ES)
7. No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)

8. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the storage site. (Police)
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 proposed apartment located above the art storage. (Police)
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, Deputy 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 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)
- R-3 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-4 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (T&ES)
- R-5 No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (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).
- C-3 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.8-1-22)
- C-4 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-3-61)

- C-5 Change in point of attachment or removal of existing overhead utility services will require undergrounding or a variance. (Sec. 5-3-3)

Code Enforcement:

- F-1 There are several existing and proposed openings on the North side of the property that appear to be within 5 feet of the interior lot line. The alteration of the structure shall comply with C-1 below.
- C-1 All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to skylights within setback distance.
- C-2 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 A soils report will be required based upon the size of the addition and must be submitted with the building permit application.
- C-5 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-6 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-7 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.
- C-8 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-9 Additions and alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit (USBC 108.1). Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application (USBC 109.1).

C-10 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).

Health Department:

F-1 No Comments

Recreation:

F-1 No Comments

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 storage site.

S-1 The applicant proposes to use this site to store artwork. In consideration of security for the artwork it is suggested that the applicant use polycarbonate glazing on all windows and for glass on the door (should there be any). Polycarbonate glazing offers superior resistance to impact and shattering.

S-2 It is suggested that the applicant use a metal or steel solid core exterior rear door with an emergency push-bar door release installed on the inside of the door. The applicant should install a latch guard on the outside of the door covering the lock to prevent prying. Double cylinder locks should be used on both the front and rear doors. Further, it is suggested that a monitored alarm be installed.

R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the proposed apartment located above the art storage.

BOARD OF ARCHITECTURAL REVIEW

F-1 The proposal for an addition at the rear of 1203 King Street was considered by the Board of Architectural Review in May in a somewhat modified form (BAR Case #2007-0070). At that time the proposal was for a one story addition. While the current proposal is for a two story addition, the general comments of the staff and Board in the review of the one story addition would still apply. The staff report noted and the Board agreed that the design of the addition is largely utilitarian in nature and is similar to a number of other additions that have been approved by the Board for service areas for retail establishments along King Street. The Board believed that the design was generally appropriate and the design concerns of the

Board centered about the materials that were being proposed for use on the addition which were considered to be inappropriate in the historic district. Staff would not object to the mass, scale and general architectural character for the two story addition presented in the revised drawings.

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