

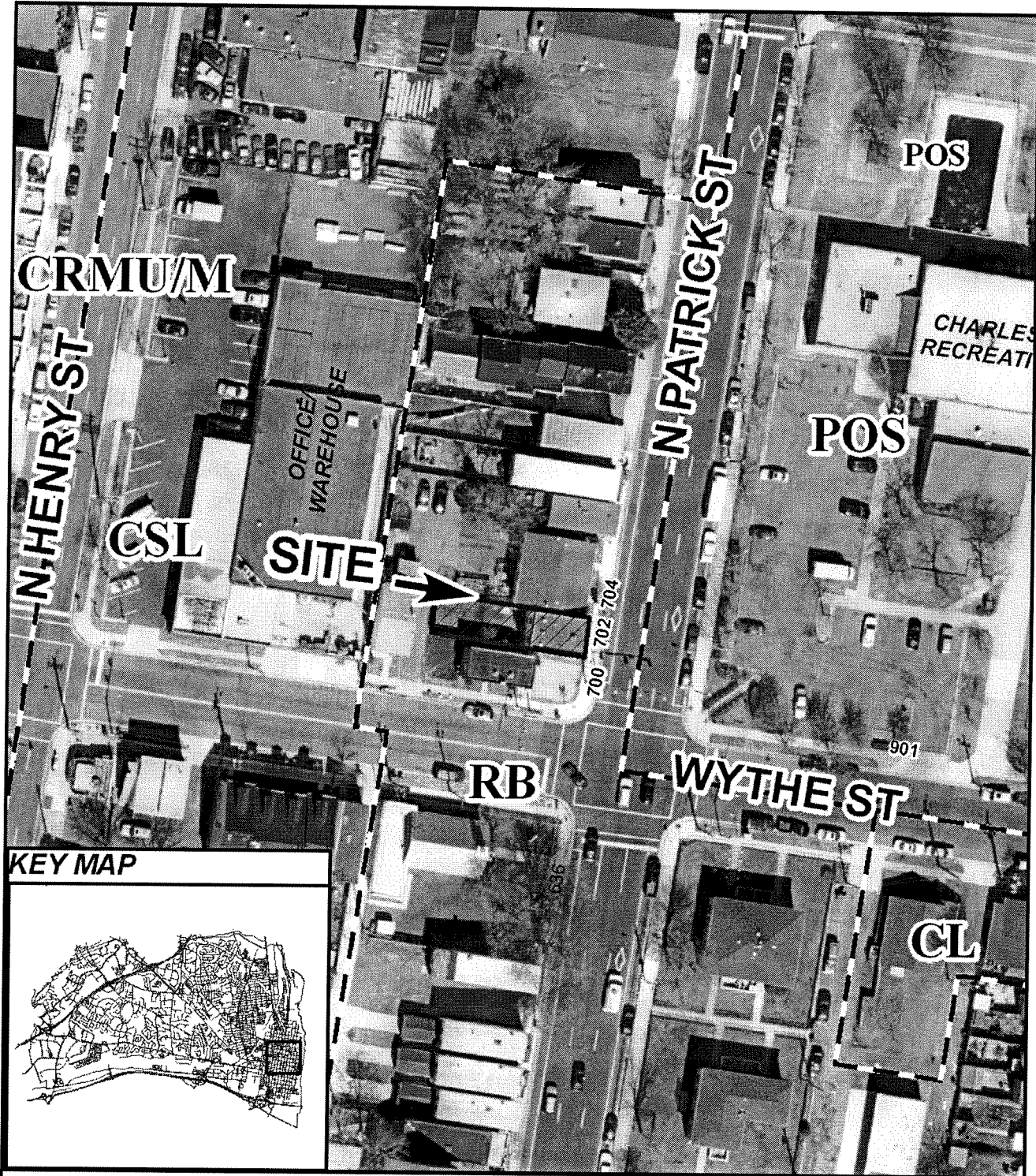
DOCKET ITEM #7

Special Use Permit #2009-0044

702 North Patrick Street – Parking Reduction

Application	General Data	
Request: Consideration of a special use permit amendment for a parking reduction.	Planning Commission Hearing:	October 6, 2009
	City Council Hearing:	October 17, 2009
Address: 702 North Patrick Street	Zone:	RB/Residential
Applicant: Alamin and Nadia Negash	Small Area Plan:	Braddock Road Metro

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.
Staff Reviewers: Nathan Randall nathan.randall@alexandriava.gov
<u>PLANNING COMMISSION ACTION:</u>
<u>CITY COUNCIL ACTION:</u>



SUP #2009-0044

10/06/09



I. DISCUSSION

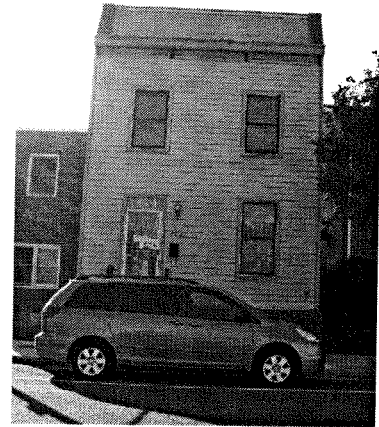
REQUEST

The applicant, Alamin and Nadia Negash, requests a special use permit amendment for a parking reduction at a single-family residence located at 702 North Patrick Street.

SITE DESCRIPTION

The subject property is one lot of record with 20 feet of frontage on North Patrick Street, 80 feet of depth and a total lot area of 1,600 square feet. The site is developed with a two-story single-family townhouse.

The surrounding area is occupied by a mix of residential, institutional and commercial uses. Immediately to the north are residential townhouses. To the south is a hair salon. To the east is the Charles Houston Recreation Center and to the west is a residential townhouse.



BACKGROUND

On May 13, 2000 City Council granted Special Use Permit #2000-0037 for a parking reduction to Habitat for Humanity, Inc. to reduce the number of required parking spaces on this residential lot from two to one. This SUP was requested in the context of building a new single-family townhouse on the property (the one in which the current applicants reside); however, except for this parking reduction, the project would not have required a SUP.

The lot on which the current house is located is particularly small. Pursuant to Section 3-707(B) of the Zoning Ordinance, any lot in the RB zone recorded prior to December 28, 1951 may be developed with a single family residence and accessory structures at the lot size shown on the recorded plat. The lot contains 1,600 square feet and was recorded prior to 1951. The RB zone ordinarily requires a minimum lot size of 1,980 square feet. Additionally, lots in the RB zone are required to provide 800 square feet of open space no matter what size the lot may be. This is different from most other residential zoning districts in the City which require a proportional open space – usually a percentage of the total lot area.

The current owners of the house (who are not the owners connected with the original Habitat for Humanity, Inc. project), have found that they need more living space and wish to build a modest two-story addition with dimensions of approximately 11 feet by 11 feet. Building this addition would reduce the designated open space on the lot from 812 square feet to approximately 680 square feet (or approximately 42.5% of the lot.)

The owners' first effort to address this issue was to make a variance request to the Board of Zoning Appeals. On June 11, 2009 the Board of Zoning Appeals denied on a 3-3 vote BZA Case #2009-0008, a variance request by the applicants to reduce the required open space on the property. In their request, the applicants proposed the same small addition noted in the current

Special Use Permit request, proposing 680 square feet of open space instead of a flat 800 square feet as required in the RB zone. Although Planning & Zoning staff recommended approval of the variance, the Board of Zoning Appeals denied the request for at least two reasons. One of the Board's major concerns seemed to be that it was not in the purview of the Board to grant a variance since the Board believed the issue of open space was likely discussed in the SUP approved by City Council.

The applicant is now pursuing permission to build their small addition by requesting a SUP for an additional parking reduction. It should be noted that staff has explored with the applicant and the City Attorney's Office whether this dilemma could be resolved by requesting a SUP to simply modify the amount of open space on the lot; however, the Zoning Ordinance would not allow that in this case because the site was only subject to SUP approval, not Site Plan approval.

PROPOSAL

The applicants propose a parking reduction at their single-family townhouse that would reduce their requirement from one space to zero. The applicants propose this reduction in order to build a two-story addition at the rear of the existing residence consisting of approximately 121 square feet per floor (or 242 square feet in total.) The applicants also state that there will be no changes to the parking situation as a practical matter because they do not currently use the parking space on their property because it is difficult to maneuver in and out of the space, which is accessed by a narrow alley.

PARKING

According to Section 8-200 (A) (1) of the Zoning Ordinance, a single-family townhouse requires two parking spaces per dwelling unit. SUP#2000-0037 reduced this requirement from two spaces to one. The applicant currently has one parking space located at the rear of the property and accessed from the alley off Wythe Street and is seeking to eliminate this required space. Section 8-100 of the Zoning Ordinance allows a parking reduction only with a special use permit.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the RB zone. The existing single family use is consistent with the Braddock Road Small Area Plan chapter of the Master Plan which designates the property for residential use.

BOARD OF ARCHITECTURAL REVIEW

The subject property is located in the Parker-Gray Historic District and is under the jurisdiction of the Parker-Gray Board of Architectural Review (BAR). The application is for a SUP to request a parking reduction, in order to construct a rear two-story addition. The house was constructed in 2000 by Habitat for Humanity. The applicants have submitted applications to the Board for a Permit to Demolish and a Certificate of Appropriateness for the new addition. These applications have been placed on hold, pending approval of a parking reduction request. In an initial review of the proposed new addition, it appears the addition is appropriate and compatible

to the existing non-historic house, as well as the context of the historic neighborhood. While the applications to the BAR have been placed on hold, the applicants are reminded that all exterior changes to the buildings visible from a public-right-of-way, including but not limited to new signage, window replacements, roofing or siding materials replacement, fencing, exterior light fixtures, and any exterior demolition or encapsulation greater than 25 square feet requires approval by the Board of Architectural Review. It is the applicant's responsibility to inform BAR Staff should such issues develop and any changes to previously submitted applications.

II. STAFF ANALYSIS

Staff does not object to the applicant's proposal to reduce its one required parking space to zero, with specific conditions as listed in this report. The most important of these conditions is that there can be no physical changes to the rear portion of the property next to the alley. That is, the existing gate in the rear yard fence that provides access to the rear yard will not be changed and the existing paved surface in the rear yard, which was designed as a parking space but is currently used as a children's play area, will not be removed.

Although staff had some initial concern with proposal since it would eliminate any parking requirement for this location, this concern is reduced based on at least two factors. First, the applicants note in their application that they currently do not use the parking space at the rear of their property because they find it difficult to maneuver their vehicle in and out of the space. Staff agrees that the alley is tight and that it would be somewhat difficult to maneuver a large vehicle into and out of the space. Therefore, because the applicants do not use their parking space, there will be no change in the parking situation on the ground in the neighborhood as a result of the parking reduction. Second, the applicants have produced a letter signed by six of their neighbors in support of the parking reduction. Staff believes this letter further substantiates that this parking reduction will not change the parking situation on the ground and will have little or no impact on the surrounding neighborhood.

Staff has noted previously in this report the somewhat complicated history associated with this property. The single-family townhouse on the site was originally built as a Habitat for Humanity house in 2000. That organization was granted SUP#2000-0037 for a parking reduction on the property which lowered the required two spaces to one. The new owners of the property now propose a small two-story addition in the rear of the building of approximately 121 square feet per floor (total 242 square feet.)

Because the current open space calculation on the lot is 812 square feet, the applicants need to either obtain a variance or a parking reduction in order for their proposed addition to meet Zoning Ordinance requirements. The applicants applied for a variance from the open space requirement (BZA Case #2009-0008) contending that because their lot is below the standard size needed to create a legal lot today in the RB zone, the open space requirement of 800 square feet is a hardship. The BZA denied the application on a 3-3 vote on the basis that the Board did not have the authority to grant such a variance since the property was subject to a SUP. Staff has since discussed the matter with the City Attorney's office, however, and has reached the preliminary conclusion that the BZA did have the authority to grant such a variance because the

townhouse structure itself and the open space requirement were not terms of the prior Special Use Permit (SUP#2000-0037).

While staff acknowledges that in theory the applicants could attempt to return to the Board of Zoning Appeals in light of this new evidence, the outcome of that endeavor remains uncertain. Staff finds that the applicant's small addition which has brought about the parking reduction request is reasonable, particularly given the size of the current residence. Staff also finds that the parking reduction would not impact the parking situation in the neighborhood as a practical matter. Finally, the parking reduction if approved would provide the applicants a certain degree of relief from what has become a complicated regulatory process in this instance for a simple addition. For these reasons, staff does not object to the proposed parking reduction.

Subject to the conditions contained in Section III of this report, staff recommends approval of the applicants' Special Use Permit request.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. **CONDITION AMENDED BY STAFF:** This special use permit allows a parking reduction to permit ~~one, compact head-in parking space~~ zero on-site parking spaces. (P&Z) (SUP2000-0037)
2. A plot plan showing all improvements/alterations to the site shall be approved by the Department of T&ES before a building permit can be issued. (T&ES)-(SUP2000-0037)
3. **CONDITION DELETED BY STAFF:** ~~The applicant shall either remove the brick wall or file an encroachment application for the existing wall located in the public right-of-way and remove it if the encroachment is not granted.~~ (P&Z) (SUP2000-0037)
4. **CONDITION DELETED BY STAFF:** ~~The applicant shall consult with the Crime Prevention Unit of the Alexandria Police Department regarding locking hardware and alarms for the home prior to the commencement of construction.~~ (Police) (SUP2000-0037)
5. **CONDITION ADDED BY STAFF:** The applicant shall not remove the existing asphalt area or the existing fence gate at the rear of the property. (P&Z) (T&ES)
6. **CONDITION ADDED BY STAFF:** The property is subject to compliance with tree coverage requirements. Tree plantings and crown coverage calculations shall be included with the building plans, prior to the issuance of a building permit. (RP&CA)

STAFF: Gwen Wright, Division Chief, Department of Planning and Zoning;
Nathan Randall, Urban Planner.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 The applicant shall not remove the existing asphalt area or the existing fence gate at the rear of the property. (P&Z) (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. (T&ES)

Code Enforcement:

- F-1 No Comment

BAR:

- F-1 702 North Patrick Street is located in the Parker-Gray Historic District and is under the jurisdiction of the Parker-Gray Board of Architectural Review (BAR). The application is for a SUP to request a parking reduction, in order to construct a rear two-story addition. The house was constructed in 2000 by Habitat for Humanity. The applicants have submitted applications to the Board for A Permit to Demolish and a Certificate of Appropriateness for the new addition. These applications have been placed on hold, pending approval of a parking reduction request. In an initial review of the proposed new addition, it appears the addition is appropriate and compatible to the existing non-historic house, as well as the context of the historic neighborhood. While the applications to the BAR have been placed on hold, the application reminded that all exterior changes to the buildings visible from a public-right-of-way, including but not limited to new signage, window replacements, roofing or siding materials replacement, fencing, exterior light fixtures, and any exterior demolition or encapsulation greater than 25 square feet requires approval by the Board of Architectural Review. It is the applicant's responsibility to inform BAR Staff should such issues develop and any changes to previously submitted applications.

Health Department:

- F-1 No Comment

Parks and Recreation:

- R-1 The property is subject to compliance with tree coverage requirements. Tree plantings and crown coverage calculations shall be included with the building plans, prior to the issuance of a building permit. (RP&CA)

- C-1 Property owner shall control weeds along public sidewalks, curb lines and within tree wells which are within 12 feet of the owners front property line. (City Ord. No. 2698, 6/12/82, Sec. 2; Ord. No. 2878, 11/12/83, Sec. 1)

Police Department:

- F-1 The Police Department has no objections to reducing the parking spaces from one to none.

Oct.



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2009-0044

PROPERTY LOCATION: 702 NORTH PATRICK STREET

TAX MAP REFERENCE: 054,04-05-14 ZONE: RB

APPLICANT:

Name: ALAMIN & NADIA NEGASH

Address: 702 N. PATRICK STREET ALEXANDRIA VA. 22314

PROPOSED USE: SINGLE FAMILY RESIDENCE

THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

<u>ROBERT S. LARSON</u> Print Name of Applicant or Agent	<u>[Signature]</u> Signature	<u>7/21/09</u> Date
<u>2107 MT. VERNON AVE.</u> Mailing/Street Address	<u>703-519-9592</u> Telephone #	<u>703-519-9604</u> Fax #
<u>ALEXANDRIA, VA. 22301</u> City and State Zip Code	<u>RSL@LKARCHITECTS.COM</u> Email address	

ACTION-PLANNING COMMISSION: _____	DATE: _____
ACTION-CITY COUNCIL: _____	DATE: _____

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 702 H. PATRICK STREET, I hereby
(Property Address)
grant the applicant authorization to apply for the PARKING REDUCTION use as
(use)
described in this application.

Name: NADIA NEGASH
Please Print

Phone 703-299-4428

Address: 702 H. PATRICK STREET

Email: _____

Signature: Nadia Negash

Date: 07/21/09

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

Required floor plan and plot/site plan attached.

Requesting a waiver. See attached written request.

2. The applicant is the (check one):

Owner

Contract Purchaser

Lessee or

Other: ARCHITECT of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

ALAMIN & NADIA NEGASH - 100%

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

Yes. Provide proof of current City business license

No. The agent shall obtain a business license prior to filing application, if required by the City Code

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

In 2000 a SUP was granted to build a house on a substandard lot (1600 SF) in the RB zone in the Parker Gray neighborhood. This project was built by Habitat for Humanity. The two required off street parking spaces were reduced to one off street space. The present owner desires to add onto the house, creating a new family room on the first floor and a bedroom at the second floor with a footprint of 130 square feet per floor. In order to have the required open space they would need to eliminate the parking space.

The existing required parking space is never used by the owners. The alley adjacent to their property is at its most narrow dimension (12 feet 4 inches), which makes maneuvering into their space very difficult. The other neighbors that use the alley to park behind their houses, have a much wider maneuvering space.

On street non restricted parking is usually available directly across the street from the owners' house on the east side of Patrick Street. Additionally, Monday through Friday, 2 hour parking is available directly in front of their house and 3 hour parking is available just around the corner on Wythe Street.

USE CHARACTERISTICS

- 4. The proposed special use permit request is for (check one):
 - a new use requiring a special use permit,
 - an expansion or change to an existing use without a special use permit,
 - an expansion or change to an existing use with a special use permit,
 - other. Please describe: _____

5. Please describe the capacity of the proposed use:

- A. How many patrons, clients, pupils and other such users do you expect?
Specify time period (i.e., day, hour, or shift).

SINGLE FAMILY HOME

- B. How many employees, staff and other personnel do you expect?
Specify time period (i.e., day, hour, or shift).

N/A

6. Please describe the proposed hours and days of operation of the proposed use:

Day: N/A	Hours: N/A
_____	_____
_____	_____
_____	_____

7. Please describe any potential noise emanating from the proposed use.

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.

SINGLE FAMILY HOME

- B. How will the noise be controlled?

N/A



APPLICATION - SUPPLEMENTAL

PARKING REDUCTION

Supplemental information to be completed by applicants requesting special use permit approval of a reduction in the required parking pursuant to section 8-100(A)(4) or (5).

1. Describe the requested parking reduction. (e.g. number of spaces, stacked parking, size, off-site location)

At present the owner has 1 compact off street parking space at the rear of the property. This space is accessed by an easement over a neighboring property, which comes off of Wythe Street. An SUP issued in 2000 allowing the construction of a new house eliminated the requirement of having 2 off street spaces.

2. Provide a statement of justification for the proposed parking reduction.

The alley (easement on adjacent property) is only 12 feet 4 inches wide and abuts the neighbors house. Turning into the existing space is very difficult because the alley is so narrow and therefore is never used for parking.

3. Why is it not feasible to provide the required parking?

The width of the alley (easement) can not be changed because the neighbors' house creates one side of alley, therefore the space is not used because it is too difficult to make the turn from a 12 feet 4 inch alley into the space. The alley can not be made wider.

4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces?

Yes. No.

5. If the requested reduction is for more than five parking spaces, the applicant must submit a **Parking Management Plan** which identifies the location and number of parking spaces both on-site and off-site, the availability of on-street parking, any proposed methods of mitigating negative affects of the parking reduction.

6. The applicant must also demonstrate that the reduction in parking will not have a negative impact on the surrounding neighborhood.

SUP 2009-0044



Charles Houston Rd
054.04-06-0

Charles Houston Rd

N PATRICK ST

SITE

WYTHE ST

N HENRY ST

7

sup 2009-0044

PRIVATE PARKING
PRIVATE PARKING
PRIVATE PARKING
PRIVATE PARKING
PRIVATE PARKING

250' Ø
FROM SITE

701

PRIVATE PARKING
PRIVATE PARKING
PRIVATE PARKING
PRIVATE PARKING
PRIVATE PARKING

WYTHE ST.

2 HR. PARKING

2 HR. PARKING

2 HR. PARKING

2 HR. PARKING

1014

1012

1010

1008

1006

ALLEY

2 HR. PARKING

1005

PRIVATE PARKING

PRIVATE PARKING
PRIVATE PARKING
PRIVATE PARKING
PRIVATE PARKING

ALLEY

12'-0"

PROPOSED OPEN SPACE 80' x 15'

NEW MAIN ADDITION 115' x 15'

EX. 2 STORY FRAME HOUSE #702

700

700 A

80'-0"

704

706

708

710

712

716

2 HR. PARKING

2 HR. PARKING

2 HR. PARKING

2 HR. PARKING

2 HR. PARKING

2 HR. PARKING

2 HR. PARKING

SITE

NORTH PATRICK ST

UNRESTRICTED PARKING

UNRESTRICTED PARKING

UNRESTRICTED PARKING

UNRESTRICTED PARKING

UNRESTRICTED PARKING

UNRESTRICTED PARKING

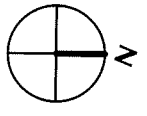
UNRESTRICTED PARKING

UNRESTRICTED PARKING

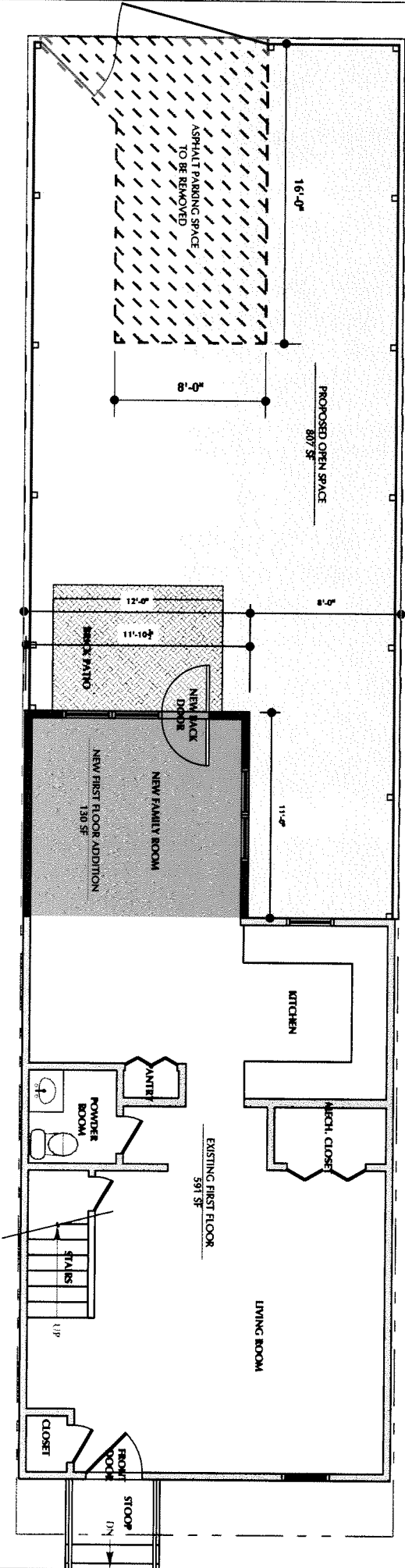
UNRESTRICTED PARKING

CHARLES HOUSTON RECREATION CENTER # 901

15

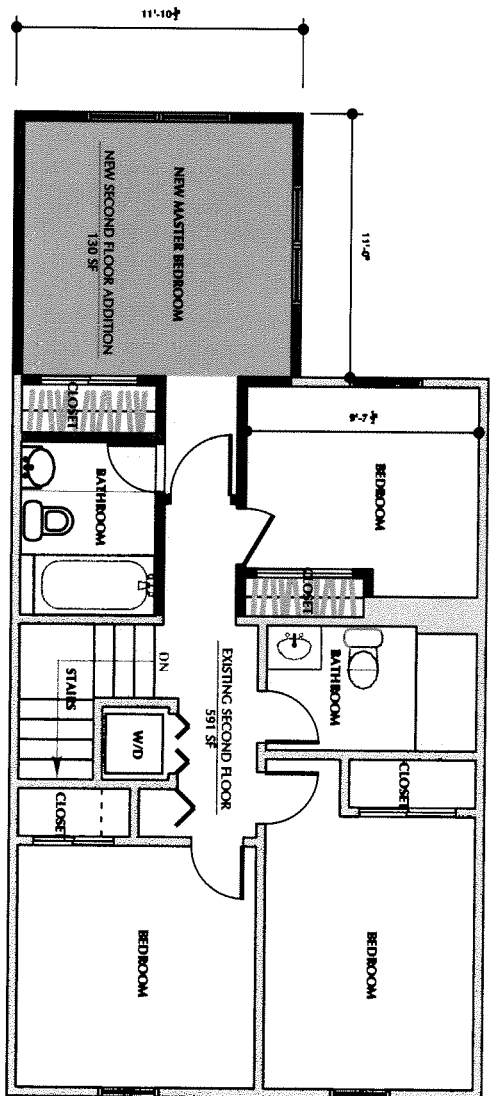


L/K/A LARSON / KOENIG ARCHITECTS, LLC 702 S 19 592 PROJECT 0064 © 2009 NEGASH RESIDENCE 702 N. PATRICK STREET ALEXANDRIA VA 22314 SPECIAL USE PERMIT DRAWINGS • SITE PLAN JULY 21, 2009 A-2

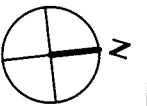


1 FIRST FLOOR PLAN

2 SECOND FLOOR PLAN



16





1 VIEW OF PARKING SPACE TO BE REMOVED



1 VIEW OF ALLEY

July 24, 2009

To Whom It May Concern:

I am a neighbor of the Negash family that lives at 702 N. Patrick Street. They have spoken to me about their desire to eliminate the on-site parking space behind their house because it is very difficult to use. This would allow them to build a small addition at the rear of their house. I support them in their efforts.

Patricia L. Turner
Name

710 North Patrick St. Alex. Va.
Address 22314

Sophia Nutz
Name

700 North Patrick St Alex. VA
Address 22314

Elizabeth White
Name

706 North Patrick Alex. VA
Address 22314

Nailey Goolsby
Name

712 N. Patrick St Alex. VA
Address 22314

Deborah
Name

716 N Patrick Alex Va
Address 22314

Bernice Johnson
Name

720 N. Patrick, St
Address