



APPLICATION SPECIAL USE PERMIT

ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

Change of Ownership Minor Amendment

[must use black ink or type]

PROPERTY LOCATION: _____

TAX MAP REFERENCE: _____ ZONE: _____

APPLICANT

Name: _____

Address: _____

PROPERTY OWNER

Name: _____

Address: _____

SITE USE: _____

Business Name: **Current:** **Proposed (if changing):**

THE UNDERSIGNED hereby applies for a Special Use Permit for Change in Ownership, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinances.

THE UNDERSIGNED hereby applies for a Special Use Permit for Minor Amendment, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Print Name of Applicant or Agent Signature *Z. Williams*

Mailing/Street Address Telephone # Fax #

City and State Zip Code Email address

Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: _____	Fee Paid: \$ _____
Legal advertisement: _____	_____
ACTION - PLANNING COMMISSION _____	ACTION - CITY COUNCIL: _____

4. Is the use currently open for business? Yes No

If the use is closed, provide the date closed. _____ / _____ / _____
month day year

5. Describe any proposed changes to the conditions of the special use permit:

6. Are the hours of operation proposed to change? Yes No

If yes, list the current hours and proposed hours:

Current Hours:

Proposed Hours:

7. Will the number of employees remain the same? Yes No

If no, list the current number of employees and the proposed number.

Current Number of Employees:

Proposed Number of Employees:

8. Will there be any renovations or new equipment for the business? Yes No

If yes, describe the type of renovations and/or list any new equipment proposed.

9. Are you proposing changes in the sales or service of alcoholic beverages? Yes No

If yes, describe proposed changes:

10. Is off-street parking provided for your employees? Yes No
If yes, how many spaces, and where are they located?

11. Is off-street parking provided for your customers? Yes No
If yes, how many spaces, and where are they located?

12. Is there a proposed increase in the number of seats or patrons served? Yes No
If yes, describe the current number of seats or patrons served and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)

Current:	Proposed:
_____	_____
_____	_____
_____	_____

13. Are physical changes to the structure or interior space requested? Yes No
If yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces.

14. Is there a proposed increase in the building area devoted to the business? Yes No
If yes, describe the existing amount of building area and the proposed amount of building area.

Current:	Proposed:
_____	_____
_____	_____
_____	_____

15. The applicant is the (check one) Property owner Lessee
 other, please describe: _____

16. The applicant is the (check one) Current business owner Prospective business owner
 other, please describe: _____

17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (3%) in the corporation and the extent of interest shall be identified by name and address.

For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

Please provide ownership information here:

Special Use Permits Eligible for Administrative Approval

Certain uses of land that have potentially negative impacts on surrounding properties require special use permit approval from City Council. The City Council may impose conditions on the operation of the special use in order to protect the health, safety and welfare of the surrounding area. For new uses and for intensifications or amendments of existing uses, the Planning Commission and City Council conduct public hearings and decide whether to approve the request. The Director of Planning and Zoning, however, may approve a special use permit administratively if it is only a change in ownership or a minor amendment of a previously approved special use permit.

Special Use Permit for Change of Ownership

If the existing special use permit for an operation restricts the ownership of the use, a prospective owner may not take ownership of the operation until he receives special use permit approval for the change of ownership. Pursuant to Section 11-503, the director may approve the change and transfer the special use permit to a new owner, if the following conditions apply:

- 1) The applicant is not requesting a change in the conditions of the special use permit;
- 2) there have been no substantiated violations of the special use permit conditions;
- 3) there are no changes proposed or anticipated in the operation of the use involved;
- 4) the director has concluded that no new conditions or no amendments to existing conditions are necessary; and
- 5) following notice of the application in a newspaper of general circulation in the City, no person has requested that the director forward the application to the Planning Commission or City Council.

If the application does not meet any one of the above conditions, it must be docketed for the next available Planning Commission and City Council public hearings. If the Director approves a special use permit for change in ownership, the new owner must sign an agreement stating that he/she will to continue to comply with the special use permit conditions.

Special Use Permit for Minor Amendment

Pursuant to Sections 11-509 and 11-511 of the zoning ordinance, the director may approve minor amendments to approved special use permits. Only changes that constitute no more than a minimal enlargement or extension of the special use permit or that are so insignificant they will have little or no zoning impact on the surrounding neighborhood are eligible for administrative approval. If a change will intensify the use, it requires Planning Commission and City Council approval. Changes that intensify a use include any increase in the following:

- 1) Hours of operation;
- 2) number of seats;
- 3) number of employees; visitors of customers; or
- 4) number of vehicle trips generated.

The Director may not administratively approve minor amendments if any of the following apply:

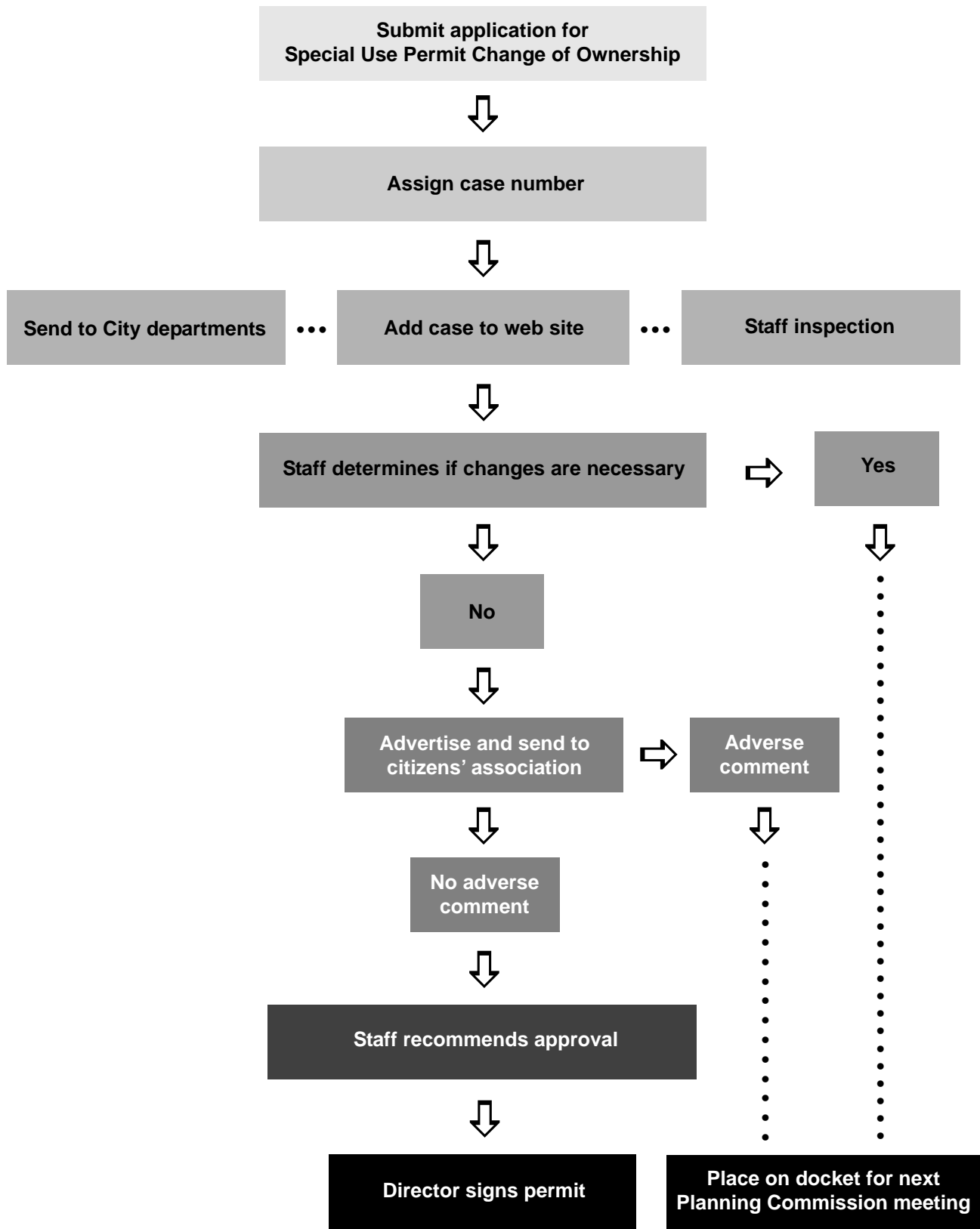
- 1) He/She has received written or oral complaints that the use is in violation of the zoning ordinance;
- 2) at the time the special use permit was approved, opposition was presented to the Planning Commission or City Council; or
- 3) new conditions or amendments to existing conditions are necessary.

Notice of the application is published in a newspaper of general circulation in the City and is sent to docket subscribers.

Approval Process

For both change in ownership and minor amendment special use permits, the approval process generally takes between four and six weeks from the time an application is submitted. During that time, staff will review the application, inspect the subject property for compliance with special use permit conditions and advertise the proposed change in the newspaper to provide an opportunity for citizens to comment on the change and, in the case of minor amendments, send notice to the Planning Commission and City Council members. If the Director determines that the Planning Commission and City Council must consider the application, he/she will docket the application for the next available Planning Commission and City Council hearings. At that time, the Director may require additional information regarding the application.

PROCESS FLOW CHART: Change of Ownership SUP



January 29, 2024

Mr. Karl Moritz
Director of Planning & Zoning
City of Alexandria
301 King Street, Suite 2100
Alexandria, Virginia 22314

Re: Consent & Authorization
Administrative Special Use Permit Application
321 First Street (Parcel ID: 055.01-03-17)

Dear Mr. Moritz:

The undersigned is the contract purchaser of 321 First Street (Parcel ID: 055.01-03-17) (the "Property") in the City of Alexandria, Virginia. The purpose of this letter is to consent to the filing of an Administrative Special Use Permit for the Property and all related applications and requests, and to authorize Venable LLP to act as attorneys on our behalf in connection with these applications. Please direct all correspondence relating to the applications to Zachary Williams at Venable LLP.

[SIGNATURE APPEARS ON THE FOLLOWING PAGE]

Edugenius US Real Estate Group LLC

By: J. Engel
Name: Josephine Engel-Banks
Title: Owner

STATE OF Virginia
COUNTY OF Arlington

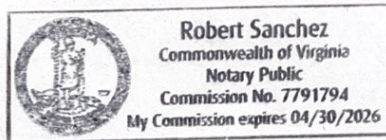
On this 1 day of Feb, 2024, before me, a Notary Public in and for said jurisdiction, personally appeared Josephine Engel-Banks, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same for the purposes therein contained.

Given under my hand and official seal, this 1 day of Feb, 2024.

Robert Sanchez
Notary Public

My Commission Expires: 30 April 2026

Registration Number: 2791794



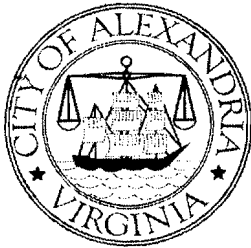


EXHIBIT NO. 1

7
12-13-08

DOCKET ITEM #8

***Development Special Use Permit with Site Plan #2008-0016
St. Anthony's Day School – 315, 317 and 321 First Street***

Application	General Data	
Project Name: St. Anthony's Day School	PC Hearing:	December 2, 2008
	CC Hearing:	December 13, 2008
	If approved, DSUP Expiration:	June 13, 2010 (18 months)
	Plan Acreage:	8,012 SF or 0.18 Acres
Location: 315, 317, and 321 First Street	Zone:	CD-X
	Existing Use:	Surface Parking Area
	Proposal:	Day Care Center Addition
	Dwelling Units:	N/A
	Gross Floor Area:	12,935 SF <i>(Existing and Proposed)</i>
Applicant: Hall and Associates, LLC Patricia Hall represented by Howard Maginniss of BMK Architects	Small Area Plan:	Old Town North
	Historic District:	N/A
	Green Building:	Achieving points toward LEED Certification

Purpose of Application

Construct a 5,436 SF addition to an existing day care center to accommodate additional children, provide smaller class sizes and provide additional amenities including an outdoor play terrace.

Special Use Permits and Modifications Requested

1. Special Use Permit to operate a day care center in the CD-X zone.
2. Special Use Permit to increase the FAR from 1.5 to 1.55.
3. Special Use Permit to reduce the number of required parking spaces and provide all compact spaces.

Staff Recommendation: APPROVAL WITH CONDITIONS

Staff Planners: Dirk Geratz, AICP Dirk.Geratz@alexandriava.gov
Jessica Ryan, AICP Jessica.Ryan@alexandriava.gov

PLANNING COMMISSION ACTION, DECEMBER 2, 2008: On a motion by Mr. Komoroske, seconded by Mr. Jennings, the Planning Commission voted to **recommend approval** of DSUP #2008-0016, subject to compliance with all applicable codes, ordinances, staff recommendations and conditions. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis and recommendations.

Speakers: There were no speakers for this application.

DSUP #2008-0016
St. Anthony's Day School
315, 317 and 321 First Street



DSUP #2008-0016

12/02/08



I. EXECUTIVE SUMMARY

A. Recommendation

Staff recommends approval of the development special use permit, with site plan, to construct an addition to an existing day care center in the CD-X zone. Staff believes that the day care center provides a necessary service to both residents and employees in Old Town North. Further, at two stories, the addition is compatible in height, mass and scale to the surrounding buildings. The addition also begins to create a street wall on First Street, which enhances the pedestrian environment and the overall streetscape.

Issues of particular concern include:

- The requested parking reduction, which is justified by the number of employees currently using transit, the applicant's proactive efforts to encourage transit use by employees, and the availability of on-street parking in the area;
- The use of the public park across the street as a play area for the children at the day care center and the request by RP&CA for a \$5,000 contribution towards maintenance of the park; and
- The need to ensure adequate lighting for the public right-of-way in front of the day care center on First Street.

B. Project Description

Hall and Associates, LLC requests approval of a development special use permit, with site plan, to construct an addition to the existing St. Anthony's Day School, located at 321 First Street. The applicant proposes to construct the addition on the two adjacent lots, currently used as a surface parking lot. The proposed addition maintains eight parking spaces at the ground level, with a classroom, multipurpose room, storage rooms and an outdoor terrace located on the second level. With this application, the applicant requests the following:

- Development special use permit, with site plan, to construct and operate an expanded day care center in the CD-X zone.
- Special use permit approval to increase the permitted FAR from 1.5 to 1.55.
- Special use permit approval to reduce the number of required parking spaces from 16 to 8 and provide all compact spaces.

II. IMPACT / BENEFIT CHART

TOPIC AREA	COMMENTS
Consistency with the Old Town North Small Area Plan	<ul style="list-style-type: none"> ▪ Supports the mixture of uses in the Old Town North area ▪ Compatible in height, mass and scale to adjacent uses ▪ Begins to create a street wall on First Street which enhances pedestrian environment and streetscape
Use	<ul style="list-style-type: none"> ▪ Day care center, which provides an important service for families in this part of the City
Open Space	<ul style="list-style-type: none"> ▪ Open rooftop terrace and access to Montgomery Park
Pedestrian	<ul style="list-style-type: none"> ▪ Removal of curb cut on First Street at existing ramp
Building Compatibility	<ul style="list-style-type: none"> ▪ Height, style and architectural features such as transom windows and sun screens relate to design of existing building
Parking / Transit	<ul style="list-style-type: none"> ▪ Providing 8 compact spaces within the ground level of the addition ▪ Requesting approval of a parking reduction ▪ Providing transit subsidies to all interested employees
Environment	<ul style="list-style-type: none"> ▪ Achieving points toward LEED Certification

III. BACKGROUND

A. *Site Context*

The site is located on First Street, between North Fairfax and North Royal Streets, in Old Town North. The area surrounding the site, emblematic of Old Town North, is characterized by a variety of uses including residential, neighborhood serving retail, office and hotels. An office building and associated surface parking lot are located north of the site, a dry cleaner is located to the east, Montgomery Park is located to the south and the existing St. Anthony's Day School is located west of the site. A public alley separates the site from the office uses to the north and North Fairfax Street separates the site from Montgomery Park.

The site encompasses two lots, which are currently used as a surface parking lot for the existing day care center. The surface parking lot provides approximately nine parallel parking spaces and a drive aisle. In addition to providing parking for facility employees, the surface parking lot also serves as short-term parking for parents and guardians to drop-off and pick-up children from the day care center.

B. *Site History*

Hall and Associates, LLC was granted approval of a special use permit in 1998 (SUP97-0194) to operate a day care center in the Commercial Downtown Zone (CD-X). Though the applicant requested approval of a parking reduction, staff required the applicant to redesign the surface parking lot to provide the number of required parking spaces (ten) and accommodate the loading and unloading of children. While redesigning the parking lot, the applicant advised staff that only nine parking spaces could be provided on the site, and staff concurred. As a result, the applicant subsequently requested and was granted approval of a parking reduction to provide nine parking spaces on site (SUP98-0113). The day care facility has remained in operation since the initial approval.

IV. PROJECT DESCRIPTION

The applicant proposes to consolidate three existing lots (315, 317 and 321 First Street), maintain the ground level parking lot and construct an addition above the parking lot. The proposed addition is approximately 5,436 sq. ft., a significant portion of which is covered parking. The upper level of the addition is 1,978 sq. ft. and includes a multi-purpose room, a classroom, storage rooms, lavatories and an outdoor terrace.

The existing St. Anthony's Day School has approximately 100 students currently enrolled and 25 employees. The applicant anticipates that the addition will enable the enrollment to increase to 115 students, which will require 2 additional employees. In addition to expanding enrollment, the addition also provides two classrooms for each age group (infants, toddlers and pre-kindergartners), an improvement over the existing conditions which require each age group to share classroom space.

St. Anthony's Day School currently operates from 7:00 a.m. to 6:00 p.m. Monday through Friday, with children arriving between the hours of 7:00 a.m. and 9:00 a.m. and departing between the hours of 4:00 p.m. and 6:00 p.m. A maintenance employee works weekdays from 5:00 p.m. to 10:00 p.m. and a Parent Board meeting is held monthly from 6:00 p.m. to 7:00 p.m., typically on Thursday evenings. The applicant does not anticipate the daily operations and activities to change with the proposed application.

With the approval of the existing special use permit, the St. Anthony's Day School secured permission from the Department of Recreation, Parks and Cultural Activities to use Montgomery Park for recreational purposes and to satisfy the outdoor play area requirement of state child care regulations. To provide additional options for the younger children, mainly infants, the applicant has proposed an outdoor terrace on the northern side of the addition. The outdoor terrace, as proposed, provides an opportunity for the day care employees to care for the younger children in a secure outdoor environment. A 42 inch (minimum) railing is proposed at the northern edge of the outdoor terrace and many, if not all, of the children taken to the terrace have not yet learned to walk.

Typically, staff works with the applicant to ensure streetscape and pedestrian amenities are provided with each proposed development project. However, with the approval of Abingdon Row, a residential condominium project on North Royal Street, the developer was required to install streetscape improvements on First Street, extending from North Royal Street to North Fairfax Street. As a result, a brick sidewalk, landscape strip and street trees were recently installed on the First Street frontage. Though it is not necessary for the applicant to install the aforementioned streetscape improvements, the applicant has agreed to remove an existing curb-cut on First Street and replace the curb-cut with a brick sidewalk to match the adjacent streetscape.

V. ZONING

The site is currently zoned Commercial Downtown (CD-X), which is intended to provide a mixture uses including retail, office, service, hotel, residential and civic uses in Old Town North. Approval of a special use permit is required to operate a day care center in the CD-X zone. The zoning characteristics of the proposed development are outlined in Table 1.

Table 1: St. Anthony's Day School Zoning

Property Address:	315, 317 and 321 First Street	
Total Site Area:	8,012 SF or 0.18 Acres	
Zone:	CD-X	
Current Use:	Day Care Center and Parking Area	
Proposed Use:	Day Care Center Addition	
	<u>Permitted/Required</u>	<u>Proposed</u>
FAR:	1.5	1.55*
Height:	50 feet	26.25 feet
Setbacks:		
Front	N/A	4 feet
Side	N/A	0 feet
Rear	N/A	0.82 feet
Parking:	16 spaces	8 compact spaces**

**Special use permit for increased FAR requested*

***Parking reduction requested*

VI. STAFF ANALYSIS

A. Day Care Center

Section 4-603 of the Zoning Ordinance requires approval of a special use permit to operate a day care center in the Commercial Downtown (CD-X) zone. As previously discussed, St. Anthony's Day School was granted special use permit approval over ten years ago to operate a day care center in the CD-X zone. The facility has been in operation since the time of the approval and has become a valued use in the community. According to the applicant, many of the parents and guardians with children enrolled at the day care center either live or work in the immediate neighborhood and the day care center provides a needed service in the community.

Staff supports the applicant's request to expand the day care center as the use is consistent with the CD-X zone, which intends to provide a mixture of uses in the community, ranging from residential to service related uses. Similarly, the Old Town North Small Area Plan emphasizes the importance of maintaining a mixture of uses which complement the residential and office uses located throughout the neighborhood. The day care center provides a necessary service to both residents and employees in the Old Town North area of the City.

Staff believes that the proposed addition will enable the applicant to continue to serve the residents and employees in the community and supports the applicant's request to continue to operate a day care center in the CD-X zone.

B. Increase in Floor Area Ratio

Section 4-606(B) of the Zoning Ordinance requires approval of a special use permit to increase the floor area ratio (FAR) beyond 1.5 in the CD-X zone. In this case, the applicant requests approval to increase the FAR from 1.5 to 1.55.

Staff supports the applicant's request to increase the FAR to 1.55 for two primary reasons: 1) the covered parking area, which must be counted toward the total FAR, accounts for over 60 percent of the proposed addition; and 2) the proposed addition is compatible in mass and scale to the existing neighborhood.

Though the applicant must technically request an increase in FAR for the proposed addition, it is important to note that approximately 3,458 sq. ft. of the 5,436 sq. ft. addition is a covered parking area, which does not require as much ceiling height as a structure with habitable space. As such, the proposed addition maintains a building height compatible to the character of the existing neighborhood.

C. *Building Design*

The Old Town North Small Area Plan and Design Guidelines stress the importance of urban design in creating an enhanced community and quality of life for residents, employees and visitors. The small area plan and design guidelines discuss building orientation, streetscape, height, mass and scale in detail. These planning documents encourage buildings to be oriented to the street and aside from specific locations, encourage lower scale buildings to ensure compatibility with the scale of the existing neighborhood. Underground parking or parking concealed from the public right-of-way is also strongly encouraged.

Staff believes that the proposed addition largely complies with the recommendations of the Old Town North Small Area Plan and Design Guidelines. At two stories, the addition is compatible in height, mass and scale to the surrounding buildings. The existing structure is a modest building originally designed for an office and warehouse use. The building incorporates some modern design elements such as the horizontal windows and vertical grid pattern over the front door. The addition expands upon and enhances these modern elements by including a sunscreen over the existing and new windows, refining the grid pattern and repeating its use in the addition to screen the lower level parking. To distinguish the addition from the existing building and to add some additional interest, stucco is proposed instead of brick for the wall surface. Brick accents are used in the addition that relate to the existing building as well.

Staff finds the resulting design a successful infill solution that nearly completely screens an existing parking lot without removing it and also begins to create a street wall on First Street, which enhances the pedestrian environment and the overall streetscape.

Similar to many recent development projects, the applicant has agreed to achieve 26 points toward LEED (Leadership in Energy and Environmental Design) Certification. While the applicant does not envision applying for project certification due to cost, the applicant has agreed to achieve points toward certification by incorporating the following elements into the project design: low VOC paints, highly reflective roof surfaces, sunshades, natural lighting through skylights, low flush toilets and automatic faucets.

D. *Parking Reduction*

The applicant requests approval of a parking reduction to reduce the number of required parking spaces from 16 to 8 and provide all compact spaces. Section 8-200 of the Zoning Ordinance requires two spaces for each classroom in a day care center. With the proposed addition, St. Anthony's Day School has 8 classrooms and a total of 16 parking spaces are required.

As previously described, the applicant was granted approval of a special use permit in 1998 (SUP98-0113) to reduce the number of on-site spaces from 10 spaces to 9 spaces. With the proposed addition, an additional 6 spaces are required. However, due to site constraints and the need to accommodate the loading/unloading of children, an egress from the upper level and an area for refuse removal, the applicant proposes 7 compact spaces and 1 handicap space on site.

The applicant completed a parking management plan, which included a parking study, in compliance with Section 8-100 of the Zoning Ordinance. In the parking management plan, the applicant identified that St. Anthony's Day School currently has 25 employees, many of whom commute by alternative modes of transportation. Table 2 provides an inventory of the modes of transportation currently used by employees.

Table 2: St. Anthony's Day School Transportation Survey

<u>Mode of Transportation</u>					
	<i>Drive</i>	<i>Carpool</i>	<i>Bus</i>	<i>Walk</i>	<i>Bicycle</i>
Employee	7	4	13	0	1

As depicted in Table 2, over 70 percent of the employees currently either carpool, take the bus or bike to work. As an incentive to ensure that this condition continues over time, staff has included a recommendation requiring the applicant to provide a transit subsidy to employees. The applicant has agreed to this recommendation and has indicated that they intend to offer free DASH bus passes to all employees who request a pass.

The applicant also evaluated the parking available in the immediate vicinity of the site. Based on a survey of the surrounding area, the applicant determined that approximately 76 unrestricted parking spaces (spaces which are not metered or in a residential zone) are available on First, North Royal, Second and North Fairfax Streets. Metered spaces, three-hour spaces, two-hour spaces and twenty minute spaces are also available.

While staff does not support the use of on-street parking for employees, the applicant is proposing to provide seven on-site spaces, and seven employees currently drive to work. In addition, the applicant has agreed to provide transit subsidies, as well as encourage employees to walk, bike or use public transportation.

It is important to note that the applicant also explored the possibility of providing off-site parking at 701 North Fairfax Street and at 1020 North Fairfax Street. However, in researching these locations, staff determined that neither location was a viable option for the following reasons:

- The United Way Building, located at 701 North Fairfax Street was greater than 500 feet from the site and as such could not be used to provide the required parking.
- The approved site plan for 1020 N. Fairfax Street required 38 spaces for the office use and 38 spaces were provided. Therefore, no additional spaces were available for lease.

Although staff supports the request for a parking reduction, a recommendation has been included which states that the Department of Planning and Zoning will review the parking conditions after the facility has been operational for one year and will docket the matter for consideration by the Planning Commission and City Council in the event that problems arise with on-street parking.

E. *Use of Montgomery Park*

In December 1997, the St. Anthony's Day School secured permission from the Department of Recreation, Parks and Cultural Activities to use Montgomery Park for recreational purposes and to satisfy the outdoor play area requirement of state child care regulations. At that time, the applicant provided a \$10,000 donation to the Department of Recreation, Parks and Cultural Activities for the purchase and installation of additional play equipment for use by toddlers.

Though the applicant previously provided a donation to the City, staff believes that the proposed addition – and resulting increase in students - intensifies the use of Montgomery Park. As the school depends upon the equipment, square footage, maintenance and regular safety inspections to maintain accreditation by the National Association for the Education of Young Children, staff believes that a contribution dedicated to improvements in Montgomery Park is necessary. As such, staff has included a recommendation requiring a \$5,000 contribution to the City's Living Landscape Fund.

F. *Pedestrian Scale Lighting*

As previously mentioned, the developer of Abingdon Row, a residential condominium project at the corner of North Royal and First Streets, was required to install streetscape improvements on First Street, extending from North Royal to North Fairfax Street. Although the developer installed a brick sidewalk, landscape strip and street trees, the Abingdon Row conditions of approval did not require the developer to install pedestrian scale light poles beyond the condominium property.

During the review process, staff determined that additional pedestrian scale light poles may be necessary to achieve adequate lighting levels on First Street. However, the applicant expressed concern with the cost required to purchase and install the light poles requested by the City. Staff met with the applicant on-site to review the existing lighting conditions and verified that two cobra head light poles and building mounted lighting installed on the existing building currently provide the lighting on First Street.

Due to the cost of light poles, the relatively small size of the proposal and the public benefits provided by proposal, staff agreed to waive the requirement for the pedestrian scale light poles if the lighting levels on First Street meet the City Lighting Standards. However, in the event a photometric study determines that additional lighting is needed, staff has included a recommendation requiring the applicant to install pedestrian scale light poles, as determined by the Directors of Planning and Zoning and Transportation and Environmental Services.

VII. COMMUNITY

The applicant and staff met with the Urban Design Advisory Committee and the Old Town North Community Partnership to discuss the proposed addition to St. Anthony's Day School.

While both organizations were supportive of the existing day care center and the proposed addition, a few concerns were raised with the proposed addition. Specifically, both groups expressed concern with the following:

- Concern for the safety of children on the outdoor terrace;
- Potential exposure of small children to fumes from vehicles in the parking area; and
- Security of the covered parking area.

In response to these concerns, the applicant clarified that the outdoor terrace will provide access to the outdoors for the smallest children (infants). As these children are not yet able to walk, many of the children will be held by employees. A 42 inch rail, the minimum required by the Building Code, will also be installed at the edge of the terrace. A sun shade will be erected on a portion of the terrace to protect the small children from the sun.

With regard to the exposure of small children to fumes from the parking area, the applicant indicated that the building materials and the HVAC equipment will protect children from any vehicular fumes. In addition, the vehicles will be parked in the parking area, and will not be idling for extended periods of time. The City Department of Health also confirmed that the exposure of children to harmful vehicular fumes is unlikely.

To address the safety concerns associated with the open design of the parking area, the applicant has agreed to illuminate the parking area, both inside the building and on the building exterior. Staff and the applicant discussed providing a garage door on First Street, but determined that the door may create additional safety concerns if the northern portion of the building remained open as proposed. Therefore, staff agreed that illumination and "eyes on the street" were sufficient mechanisms to deter undesired activity in the enclosed parking area.

VIII. CONCLUSION

Staff recommends approval of the development special use permit subject to compliance with all applicable codes and the following staff recommendations.

Staff: Faroll Hamer, Director, Department of Planning and Zoning;
Gwen Wright, Chief, Development;
Dirk Geratz, AICP, Principal Planner;
Jessica Ryan, AICP, Urban Planner.



Figure 1: Proposed View from First Street

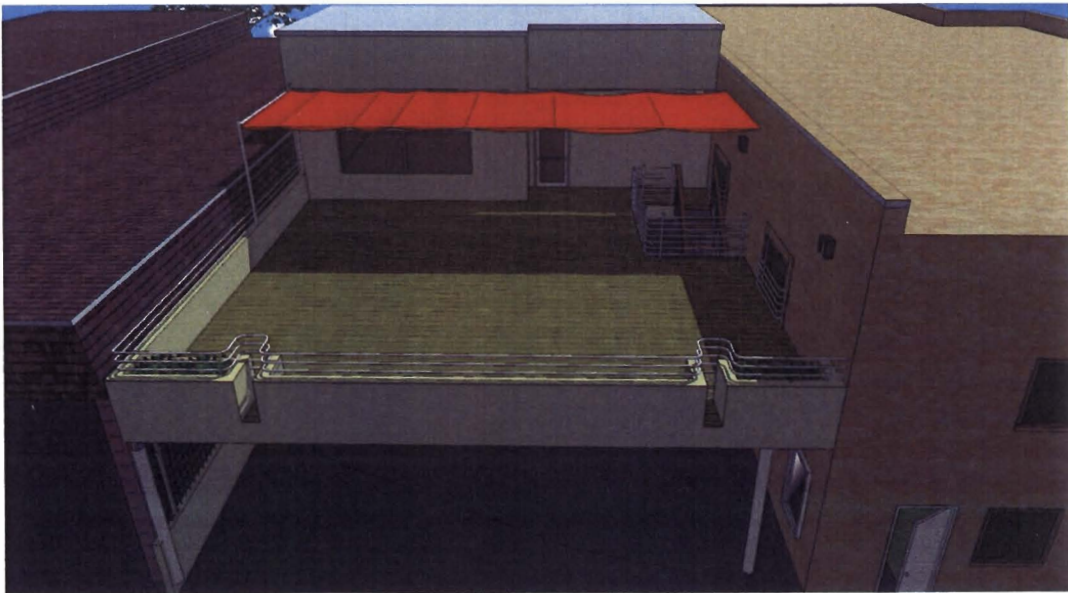


Figure 2: Proposed Outdoor Terrace

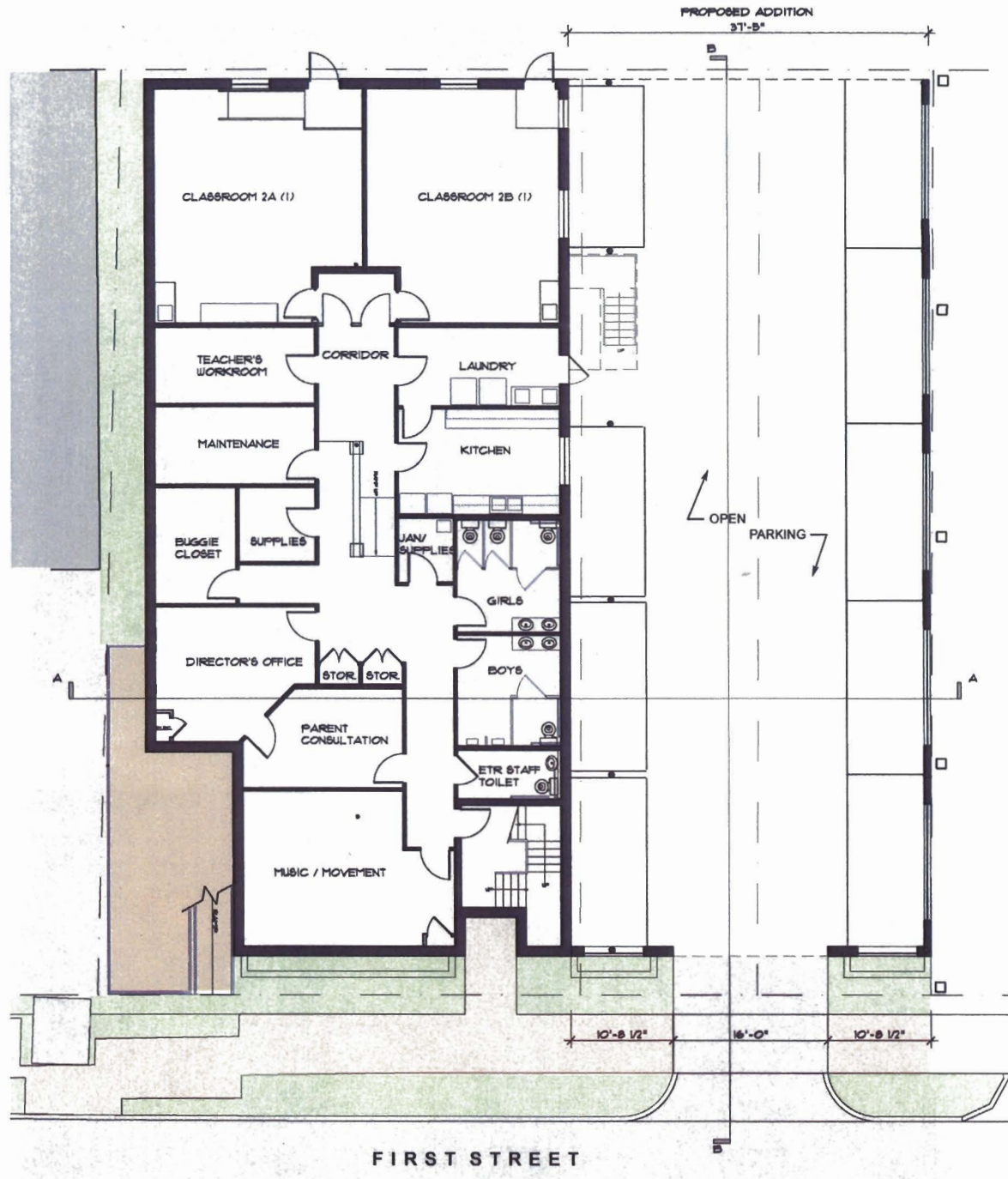


Figure 3: Ground Level Floor Plan

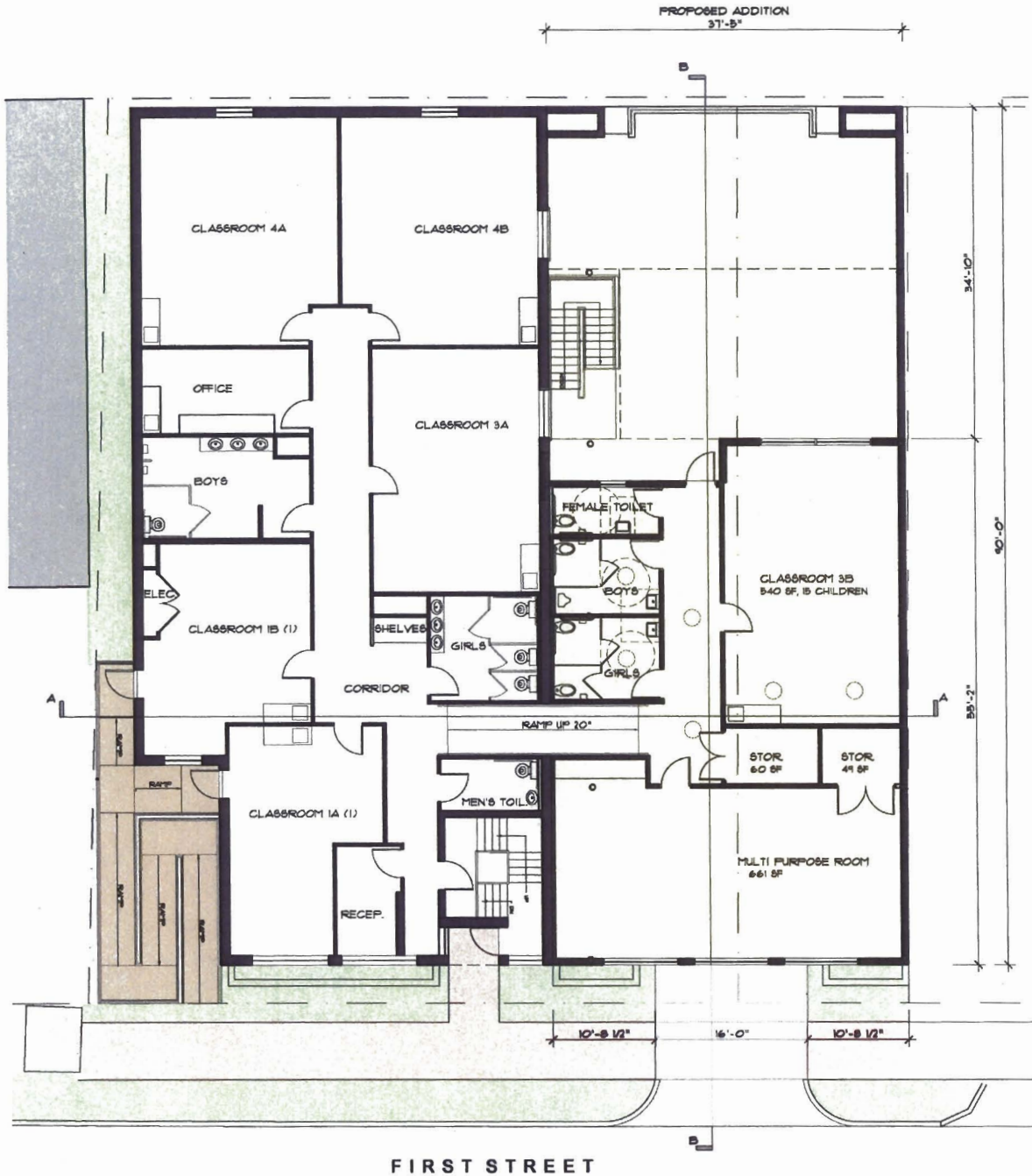


Figure 4: Second Level Floor Plan

IX. STAFF RECOMMENDATIONS

1. The applicant shall provide all improvements depicted on the approved preliminary plan dated September 2008 and comply with the following conditions of approval.

BUILDING

2. The applicant shall work with staff to create a building return at the northeastern corner of the building, similar to the dumpster screening, to the satisfaction of the Director of P&Z. (P&Z)
3. The applicant shall construct an on-site mock-up panel prior to vertical construction and approval of the wall check survey.
 - a. The mock-up panel shall include each of the proposed building materials for review and approval by the Department of Planning and Zoning.
 - b. The mock-up panel shall remain on-site until the completion of the building. (P&Z)
4. The applicant shall hire a LEED accredited professional as a member of the design and construction team. The LEED-AP shall work with the team to incorporate sustainable design elements and innovative technologies with the goal of achieving LEED Certification under the U.S. Green Building Council; or the LEED-AP shall demonstrate that a minimum of 26 points toward LEED Certification will be achieved. The LEED-AP shall provide a checklist and specific examples of technologies used prior to the release of a building permit, to the satisfaction of the Directors of P&Z, RP&CA and T&ES. (P&Z)(RP&CA)(T&ES)

PEDESTRIAN/STREETSCAPE

5. The applicant shall provide the following pedestrian improvements to the satisfaction of the Directors of P&Z and T&ES:
 - a. The applicant shall remove the existing curb cut at the southwestern corner of the property. The curb cut shall be replaced with a brick sidewalk. The applicant shall work with staff to determine the extent of the brick sidewalk to ensure proper alignment with the existing streetscape.
 - b. All pedestrian improvements shall be completed prior to the issuance of a certificate of occupancy permit. (P&Z)
6. In the event lighting levels on the First Street frontage do not meet the City of Alexandria Standards, the applicant shall install "Colonial" Town & Country lights with 18 foot black fiberglass poles, 4 foot direct buried, with mounting heights of 14 feet on the First Street frontage to match the existing lights on the north side of First Street. The total

number of lights shall be determined based on the photometric plan required in condition 16. (P&Z)(T&ES)

7. The applicant shall provide \$1,150 per receptacle to the Director of T&ES for purchase and installation of one (1) Iron Site Bethesda Series, Model SD-42 decorative black metal trash can by Victor Stanley. The receptacle shall be located in the public right of way as approved by the Director of T&ES. (T&ES)
8. The applicant shall provide one (1) employee bicycle parking rack to provide two (2) bicycle parking space(s) on the surface as shown on the preliminary site plan. Bicycle parking rack shall be located in a manner that will not obstruct the existing/proposed sidewalks. Bicycle parking standards and details for acceptable locations are available at: www.alexandriava.gov/bicycleparking (T&ES)

OPEN SPACE/LANDSCAPING:

9. The applicant shall develop, provide, install and maintain an integrated Landscape Plan that is coordinated with other associated site conditions to the satisfaction of the Directors of P&Z, RP&CA, and T&ES. At a minimum the Landscape Plan shall:
 - a. Be in compliance with the City of Alexandria Landscape Guidelines, as applicable;
 - b. Include all planted areas and planter boxes. (P&Z)(RP&CA)(T&ES)

TREE PROTECTION AND PRESERVATION

10. The applicant shall provide tree preservation measures in compliance with City of Alexandria Landscape Guidelines.
 - a. All tree protection measures shall be verified in-field by the City Arborist prior to commencing ground disturbing activity on site.
 - b. In the event that trees are damaged or lost, the applicant shall replace damaged vegetation with one tree per caliper inch of the sum total caliper inch measurement of trees deemed severely or terminally damaged.
 - c. Where full replacement is not practical, the applicant shall provide the monetary value of each replacement tree based on the current market rate for specification, procurement, installation and warranty of trees. (RP&CA)

SIGNAGE

11. A freestanding identification sign shall be prohibited. (P&Z)
12. A temporary informational sign shall be installed on the site prior to the approval of the final site plan for the project and shall be displayed until construction is complete or replaced with a marketing sign incorporating the required information; the sign shall

notify the public of the nature of the upcoming project and shall provide a phone number for public questions regarding the project. (P&Z)(T&ES)

13. All public notice signage erected by the applicant prior to the public hearing(s) shall be removed within 10 days of the completion of the public hearing process for the project. (P&Z)

SITE PLAN

14. The plat of consolidation shall be approved and recorded prior to the release of the final site plan. (P&Z)
15. Coordinate location of site utilities with other site conditions on the site plan to the satisfaction of the Directors of RP&CA, P&Z, and T&ES. These items include:
 - a. Location of site utilities including above grade service openings and required clearances for items such as transformers, telephone, HVAC units and cable boxes.
 - b. Minimize conflicts with plantings, pedestrian areas and major view sheds.
 - c. Do not locate above grade utilities in dedicated open space areas.
 - d. If applicable, applicant shall underground all the secondary utilities serving the site (RP&CA)(P&Z)(T&ES)
16. Provide a lighting plan with the final site plan to verify that lighting meets City standards. The plan shall be approved to the satisfaction of the Directors of T&ES, P&Z, RP&CA in consultation with the Chief of Police and shall include the following, as applicable:
 - a. Clearly show location of all existing and proposed street lights and site lights, shading back less relevant information;
 - b. A lighting schedule that identifies each type and number of fixtures, mounting height, and strength of fixture in Lumens or Watts;
 - c. Manufacturer's specifications and details for all proposed fixtures including site, landscape, pedestrian, sign(s), and security lighting.
 - d. A photometric plan with lighting calculations that include all existing and proposed light fixtures, including any existing street lights located on the opposite side(s) of all adjacent streets. Photometric calculations must extend from proposed building face(s) to property line and from property line to the opposite side(s) of all the adjacent streets and/or 20 feet beyond the property line on all adjacent properties, and right-of-way. Show existing and proposed street lights and site lights.
 - e. Photometric site lighting plan shall be coordinated with architectural/building mounted lights, site lighting, street trees and street lights and minimize light spill into adjacent residential areas.
 - f. Provide location of conduit routing between site lighting fixtures so as to avoid conflicts with street trees.

- g. Detail information indicating proposed light pole and footing in relationship to adjacent grade or pavement. All light pole foundations shall be concealed from view.
 - h. The lighting for the areas not covered by the City of Alexandria' standards shall be designed to the satisfaction of Directors of T&ES and P&Z.
 - i. Provide numeric summary for various areas (i.e., roadway, walkway/ sidewalk, alley, and parking lot, etc.) in the proposed development.
 - j. Full cut-off lighting shall be used at the development site to prevent light spill onto adjacent properties. (P&Z)(RP&CA) (T&ES)(Police)
17. Show turning movements of standard vehicles in the parking lot. The turning movements shall meet AASHTO vehicular guidelines and shall be to the satisfaction of the Director of T&ES. (T&ES)
18. All the existing and proposed public and private utilities and easements shall be shown on the site plan and a descriptive narration of various utilities shall be provided. (T&ES)

CONSTRUCTION

19. During construction, all Traffic Control Device design plans, Work Zone Traffic Control plans, and Traffic Studies shall be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia. (T&ES)
20. The applicant shall identify a person who will serve as liaison to the community throughout the duration of construction. The name and telephone number, including an emergency contact number, of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site and shall be placed on the project sign, to the satisfaction of the Directors of P&Z, RP&CA and T&ES. (P&Z)(RP&CA)(T&ES)
21. The applicant shall submit a wall check to the Department of P&Z prior to the commencement of framing for the building(s). The wall check shall include the building footprint, as depicted in the approved final site plan, the top-of-slab elevation and the first floor elevation. The wall check shall be prepared and sealed by a registered engineer or surveyor, and shall be approved by the City prior to commencement of framing. (P&Z)
22. If the City's existing public infrastructure, including but not limited, to streets, alleyways, driveway aprons, sanitary and storm sewers, street lighting, traffic and pedestrian signals, sidewalks, curb and gutter, and storm water drop inlet structures are damaged during construction, or patch work required for utility installation then the applicant shall be responsible for construction/ installation or repair of the same as per the City of Alexandria standards and specifications and to the satisfaction of Director, Transportation and Environmental Services. A pre-construction walk/survey of the site shall occur with Construction and Inspection Staff to document existing conditions prior to any land disturbing activity. (T&ES)

23. No major construction staging shall be allowed from N Royal Street and N Fairfax Street. The Applicant shall meet with T&ES to discuss construction staging activities prior to release of any permits for ground disturbing activities. (T&ES)
24. The applicant shall submit a construction management plan for review and approval by the Directors of P&Z, T&ES and Code Enforcement prior to final site plan release. The plan shall:
 - a. Include a plan for temporary pedestrian and vehicular circulation;
 - b. Include the overall schedule for construction and the hauling route;
 - c. Copies of the plan shall be posted in the construction trailer and given to each subcontractor before they commence work;
 - d. If the plan is found to be violated during the course of construction, citations will be issued for each infraction and a correction notice will be forwarded to the applicant. If the violation is not corrected within ten (10) calendar days, a "stop work order" will be issued, with construction halted until the violation has been corrected. (P&Z)(T&ES)(Code)
25. Prior to the release of the final site plan, a Traffic Control Plan for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, and storage and staging shall be provided for information purpose; however, an amended Traffic Control Plan, if required by the Director of Transportation and Environmental Services shall be submitted to the Director of T&ES along with the Building Permit Application. (T&ES)
26. Prior to commencing clearing and grading of the site, the applicant shall hold a meeting with notice to all adjoining property owners and civic associations to review the location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Departments of P&Z and T&ES shall be notified of the date of the meeting before the permit is issued. (P&Z)(T&ES)
27. A "Certified Land Disturber" (CLD) shall be named in a letter to the Division Chief of C&I prior to any land disturbing activities. If the CLD changes during the project, that change must be noted in a letter to the Division Chief. A note to this effect shall be placed on the Phase I Erosion and Sediment Control sheets on the site plan. (T&ES)
28. During the construction phase of this development, the site developer, their contractor, certified land disturber, or owner's other agent shall implement a waste and refuse control program. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them, and all sanitary waste at the construction site and prevent offsite migration that may cause adverse impacts to neighboring properties or to the environment to the satisfaction of Directors of Transportation and Environmental Services and Code Enforcement. All wastes shall be properly disposed

offsite in accordance with all applicable federal, state and local laws. (T&ES)(Code Enforcement)

29. Temporary construction trailer(s) shall be permitted and be subject to the approval of the Director of P&Z. The trailer(s) shall be removed prior to the issuance of a certificate of occupancy permit for the building. (P&Z)
30. As part of the request for a certificate of occupancy permit, the applicant shall submit a height certification and a location survey for all site improvements to the Department of P&Z. The height certification and the location survey shall be prepared and sealed by a registered architect, engineer, or surveyor. The height certification shall state that the height was calculated based on all applicable provisions of the Zoning Ordinance. (P&Z)

PARKING

31. A minimum of 8 parking spaces, as represented on the preliminary plan, shall be located in the garage. (P&Z)
32. For all day care employees who use Metro, Metrobus, DASH or another form of mass transit to work, the applicant shall subsidize the fares for mass transit. The applicant shall demonstrate compliance with this condition prior to Certificate of Occupancy and make this information readily available to all employees. (P&Z)
33. The Director of Planning and Zoning shall review the parking condition after the facility 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 or (b) the Director has determined that there are problems with the parking and that new or revised conditions for the parking are needed. (P&Z)
34. The applicant shall provide seven off-street parking spaces for day care employees during construction, without charge. The applicant shall provide written notification establishing the location of the off-street parking for day care employees, to the satisfaction of the Directors of P&Z and T&ES. (P&Z)
35. The applicant shall provide an off-street parking plan for all construction workers without charge. For the construction workers who use Metro, DASH, or another form of mass transit to the site, the applicant shall subsidize a minimum of 50% of the fees for mass transit. Compliance with this condition shall be based on a plan, which shall be submitted to the Department of P&Z and T&ES prior to the issuance of the Excavation/Sheeting, and Shoring Permit. This plan shall:
 - a. Establish the location of the parking to be provided at various stages of construction, how many spaces will be provided, how many construction workers will be assigned to the work site, and mechanisms which will be used to encourage the use of mass transit.

- b. Provide for the location on the construction site at which information will be posted regarding Metro schedules and routes, bus schedules and routes.
- c. If the plan is found to be violated during the course of construction, a correction notice will be issued to the developer. If the violation is not corrected within ten (10) days, a "stop work order" will be issued, with construction halted until the violation has been corrected. (P&Z)(T&ES)

STORMWATER

- 36. The storm water collection system is located within the Potomac River watershed. All on-site storm water curb inlets and public curb inlets within 50 feet of the property line shall be duly marked using standard City markers, or to the satisfaction of the Director of T&ES. (T&ES)

CONTAMINATED LAND

- 37. The plan shall indicate whether or not there is any known soil and groundwater contamination present as required with all preliminary submissions. Should any unanticipated contamination, underground storage tanks, drums or containers be encountered at the site, the Applicant must immediately notify the City of Alexandria Department of Transportation and Environmental Services, Division of Environmental Quality. (T&ES)

AIR POLLUTION

- 38. Contractors shall not cause or permit vehicles to idle for more than 10 minutes when parked. (T&ES)

CONTRIBUTIONS

- 39. Prior to approval of Final Site Plan, the applicant shall provide an amount of \$5,000 deposited in the Living Landscape Fund of the City, dedicated to improvements to Montgomery Park. (RP&CA)

APPLICABLE CONDITIONS FROM PREVIOUS SUP

- 40. 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) (SUP #98-0113)
- 41. The maximum number of children permitted at the day care facility at any one time shall be that number for which the center has been licensed by the state. (P&Z) (SUP #98-0113)

42. The hours of operation shall be limited to between 6:30 A.M. and 6:30 P.M., Monday through Friday, as requested by the applicant. (P&Z) (SUP #98-0113)
43. The applicant shall provide the outdoor play area to the satisfaction of the Virginia State Department of Social Services, Division of Licensing Programs. (P&Z) (SUP #98-0113)
44. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department regarding safety programs for the staff and children. (P&Z) (SUP #98-0113)
45. All children shall be dropped off and picked up from the parking lot east of the building. The applicant shall ensure that parents or guardians do not block the alley with vehicles or double-park when transporting children. The applicant shall provide parents with this information either by posting notice within the facility or by distributing flyers. (P&Z) (SUP #98-0113)

CITY DEPARTMENT CODE COMMENTS

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

Transportation and Environmental Services

- F-1 The list of sustainable building materials and techniques previously provided by the applicant is acknowledged.
- F-2 The project site lies within the City's Combined Sewer District. Should the development's disturbed area exceed 2,500 square feet at any point during construction, proposed stormwater management and compliance with the City's Chesapeake Bay Program shall be coordinated with City's policy for management of storm water discharge within the Combined Sewer District.
- F-3 Include all symbols, abbreviations, and line types in the legend.
- F-4 Dimensions of parking spaces, aisle widths, etc. within the parking garage shall be provided on the plan. Note that dimensions shall not include column widths.
- F-5 Show the drainage divide areas on the grading plan or on a sheet showing reasonable information on topography along with the structures where each sub-area drains.
- F-6 Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns.
- C-1 Flow from downspouts, foundation drains, and sump pumps shall be discharged to the storm sewer outfall as per the requirements of Memorandum to the industry on Downspouts, Foundation Drains, and Sump Pumps, Dated June 18, 2004 that is available on the City of Alexandria's web site. The downspouts and sump pump discharges shall be piped to the storm sewer outfall, where applicable after treating for water quality as per the requirements of Article XIII of Alexandria Zoning Ordinance (AZO).
- C-2 In compliance with the City of Alexandria Zoning Ordinance Article XI, the applicant shall complete a sanitary sewer adequate outfall analysis as per the requirements of Memorandum to Industry No. 02-07 New Sanitary Sewer Connection and Adequate Outfall Analysis dated June 1, 2007.
- C-3 Americans with Disability Act (ADA) ramps shall comply with the requirements of Memorandum to Industry No. 03-07 on Accessible Curb Ramps dated August 2, 2007 with truncated domes on the end of the ramp with contrasting color from the rest of the ramp. A copy of this Memorandum is available on the City of Alexandria website.
- C-4 Solid Waste and Recycling Condition: 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 plan shall show the turning movements of a trash truck and the trash truck shall not back up to collect trash. 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.

- C-5 The applicant shall be responsible to deliver the solid waste, as defined by the City Charter and Code of the City of Alexandria, to the Covanta Energy Waste Facility located at 5301 Eisenhower Avenue. A note to that effect shall be included on the plan. The developer further agrees to stipulate in any future lease or property sales agreement that all tenants and/or property owners shall also comply with this requirement.
- C-6 The applicants will be required to submit a Recycling Implementation Plan form to the Solid Waste Division, as outlined in Article H to Title 5 (Ordinance Number 4438), which requires all commercial properties to recycle.
- C-7 All private streets and alleys shall comply with the City's Minimum Standards for Private Streets and Alleys.
- C-8 Bond for the public improvements must be posted prior to release of the plan.
- C-9 The sewer tap fee must be paid prior to release of the plan.
- C-10 All easements and/or dedications must be recorded prior to release of the plan.
- C-11 Plans and profiles of utilities and roads in public easements and/or public Right of Way must be approved prior to release of the plan.
- C-12 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval.
- C-13 Provide a phased erosion and sediment control plan consistent with grading and construction plan.
- C-14 Per the Memorandum To Industry, dated July 20, 2005, the applicant is advised regarding a requirement that applicants provide as-built sewer data as part of the final as-built process. Upon consultation with engineering firms, it has been determined that initial site survey work and plans will need to be prepared using Virginia State Plane (North Zone) coordinates based on NAD 83 and NAVD 88. Control points/Benchmarks which were used to establish these coordinates should be referenced on the plans. To insure that this requirement is achieved, the applicant is requested to prepare plans in this format including initial site survey work if necessary.

- C-15 A pavement section for Emergency Vehicle Easements (EVE) to support H-20 loading shall be designed using California Bearing Ratio (CBR) determined through geotechnical investigation using Virginia Department of Transportation (VDOT) method (Vaswani Method) and standard material specifications or to the satisfaction of the Director of Transportation and Environmental Services.
- C-16 All pedestrian, traffic, and way finding signage shall be provided in accordance with the *Manual of Uniform Traffic Control Devices* (MUTCD), latest edition to the satisfaction of the Director of T&ES.
- C-17 No overhangs (decks, bays, columns, post or other obstructions) shall protrude into public Right of Ways, public easements, and pedestrian or vehicular travelways unless otherwise permitted by the City Code.
- C-18 All driveway entrances, sidewalks, curbing, etc. in the public ROW or abutting public ROW shall meet City design standards.
- C-19 All sanitary laterals and/or sewers not shown in the easements shall be owned and maintained privately.
- C-20 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. All exterior building mounted loudspeakers are prohibited.
- C-21 All required permits from Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, Virginia Marine Resources must be in place for all project construction and mitigation work prior to release of the final site plan. This includes the state requirement for a VSMP permit for land disturbing activities greater than 2500 SF.

Code Enforcement:

- R-1 An automatic sprinkler system is recommended. The applicant has elected not to provide an automatic sprinkler system for the proposed use.
- C-1 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. Acknowledged by applicant.
- C-2 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property. Acknowledged by applicant.
- C-3 A soils report must be submitted with the building permit application. Acknowledged by applicant.

- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC). Acknowledged by applicant.
- C-5 Additions and alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC). Acknowledged by applicant.
- C-6 Additions and alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics. Acknowledged by applicant.
- C-7 Construction permits are required for this project. Plans shall accompany the permit application that fully details the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems. Acknowledged by applicant.
- C-8 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. Acknowledged by applicant.
- C-9 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. Provided on Sheet AS101, condition met.
- C-10 A soils report must be submitted with the building permit application. Acknowledged by applicant.
- C-11 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 116.1. Acknowledged by applicant.
- C-12 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. (USBC 704.5) Acknowledged by applicant.
- C-13 Rooftop anchorage/installation details must be submitted (USBC 109.1). Acknowledged by applicant.
- C-14 Structural calculations are required to verify the ability of the existing roof to support the additional weight of the A/C unit. Acknowledged by applicant.

- C-15 This structure contains mixed use groups [E- Educational and I-4 Institutional], and is subject to the mixed use and occupancy requirements of USBC 508. The applicant has agreed to comply with USBC 308.5.2.
- C-16 The new handrails must comply with USBC for a minimum/maximum height of 30 to 34 inches. The ends must extend 12" beyond the top and bottom risers. The handgrip position must not be more than 2-1/4" in cross-sectional dimension, or the shape must provide an equivalent gripping surface. The handgrip portion must have a smooth surface with no sharp corners. The space between the wall and handrail must not be less than 1-1/2". Acknowledged by applicant.
- C-17 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided. Will comply.
- C-18 Toilet Rooms for Persons with Disabilities:
(a) Water closet heights must comply with USBC 1109.2.2
(b) Door hardware must comply with USBC 1109.13 Acknowledged by applicant.
- C-19 Toilet Facilities for Persons with Disabilities: Larger, detailed, dimensioned drawings are required to clarify space layout and mounting heights of affected accessories. Information on door hardware for the toilet stall is required (USBC 1109.2.2). Acknowledged by applicant.
- C-20 Guardrail height and openings must comply with USBC 1012.2 and 1012.3. Acknowledged by applicant.
- C-21 A fire evacuation plan shall be submitted and approved by the Fire Official at least 30 days prior to the beginning of occupancy of the proposed expansion. The applicant agrees to submit the fire evacuation plan at least 30 days prior to the beginning of occupancy of the proposed expansion.
- C-22 The applicant shall provide a knox box system for access to the entire building.

Police

- R-1 A security survey is to be completed for construction trailers that are placed on the site. This is to be completed as soon as the trailers are placed on site by calling the Community Relations Unit at 703- 838-4520.
- R-2 The applicant shall provide a photometric plan for the parking area located under the addition.

It is recommended that the applicant meet the lighting standard set by Transportation & Environmental Services. The Alexandria Lighting Standard set by T&ES for "office" parking area and walkway uniformity is 1.0 footcandle minimum maintained.

The lighting should be consistently uniformed throughout the parking lot and on the periphery. Illumination should fall throughout the parking area, along the walkway, along the building edge and building entrances.

- R-3 It is recommended that the applicant install a CCTV system in the new addition stairwell area.
- R-4 It is recommended that "security latch guards" are installed on all perimeter doors to prevent prying of locks.

Archaeology

- F-1 Civil War period maps indicate that a structure was present in the vicinity of this project during the mid-19th century. The current project involves only limited ground disturbance, and the conditions above should be sufficient to insure that important information about the past is not lost as a result of this development.
- F-2 The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- F-3 The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology. (Archaeology)

**APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2008-0016**

PROJECT NAME: St. Anthony's Day School

PROPERTY LOCATION: 321 First Street
55.01-03-11, 55.01-03-12

TAX MAP REFERENCE: 55.01-03-13 **ZONE:** _____

APPLICANT Name: BMK Architects for Patricia Hall Choiniere

Address: 209 Commerce Street Alexandria, VA 22314

PROPERTY OWNER Name: Hall and Associates, LLC (Patricia Hall Choiniere)

Address: 4211 Stonehaven Way Fredericksburg, VA 22408

SUMMARY OF PROPOSAL: An addition to St. Anthony's Day School that includes covered parking, a new classroom, a new multi-purpose room, toilet rooms and a play deck.

MODIFICATIONS REQUESTED: _____

SUP's REQUESTED: Parking Reduction, FAR

THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of the 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 to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his knowledge and belief.

H. (Skip) Maginniss (applicant)
Print Name of Applicant or Agent


Signature

209 Commerce Street
Mailing/Street Address

703-548-0460 703-549-3324
Telephone # *Fax #*

Alexandria, VA 22314
City and State *Zip Code*

September 23, 2008
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____
Fee Paid & Date: \$ _____

Received Plans for Completeness: _____
Received Plans for Preliminary: _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

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Development Special Use Permit with Site Plan (DSUP) # 2008-0016

All applicants must complete this form.

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is the *(check one)*:

Owner Contract Purchaser

Lessee Other: Architect

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

Patricia Hall Choiniere (owner)

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

2. 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, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. If not appropriate to the request, delete pages 4-7.
(Attach additional sheets if necessary)

~~St. Anthony's Day School is located at 321 First Street between Royal and Fairfax Streets, directly across from Montgomery Park. The existing building is a two story masonry building with an asphalt parking lot located on the east side of the property. An office building and townhouses are located to the west of the property, a dry cleaning business is located to the east, and office buildings are located directly to the north.~~

The proposed development is located on the portion of the property that is currently a parking lot. The addition maintains parking on the ground level with an enclosed addition on the upper level. The upper level addition will house a multi-purpose room, a classroom, toilet rooms and an outdoor play deck. The addition will allow the school to add 15 more children to its school population.

Development Special Use Permit with Site Plan (DSUP) # _____

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

With the addition, it is expected that the school will have approximately 115 students.

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

Twenty-six staff members are employed at St. Anthony's.

5. Describe the proposed hours and days of operation of the proposed use:

Day	Hours	Day	Hours
<u>Monday</u>	<u>7:00 am to 6:00pm</u>	<u>Friday</u>	<u>7:00 am to 6:00pm</u>
<u>Tuesday</u>	<u>7:00 am to 6:00pm</u>	<u>Saturday</u>	<u>none</u>
<u>Wednesday</u>	<u>7:00 am to 6:00pm</u>	<u>Sunday</u>	<u>none</u>

Thursday 7:00 am to 6:00pm *a maintenance employee works weekdays from 5pm to 10pm.
**once a month there is a Parent Board meeting from 6pm to 7pm, usually on Thursdays.

6. Describe any potential noise emanating from the proposed use:

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

The noise level from the mechanical equipment will be minimal.
A play deck is proposed on the second level, children will be outside for part of the day.

B. How will the noise from patrons be controlled?

The noise from the children will be minimal. The noise will be limited to the hours of operation (7am to 6pm).

7. Describe any potential odors emanating from the proposed use and plans to control them:

Odors will be contained.

8. Provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

Office paper, boxes, recyclable materials, diapers.

B. How much trash and garbage will be generated by the use?

Approximately 12/14 (thirteen gallon) plastic bags are thrown out daily.

C. How often will trash be collected?

Ordinary trash is picked up by Potomac Diposal Service three times a week. Recyclable trash is picked up once a week by the same service.

D. How will you prevent littering on the property, streets and nearby properties?

The school maintains a clean building and grounds. A maintenance employee takes care of the trash and landscaping around the building. We do not foresee litter being a greater issue with the addition to the existing building.

9. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

10. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

Cleaning products will be kept on site in locked cupboards or

in the locked Maintenance Room.

11. What methods are proposed to ensure the safety of residents, employees and patrons?

Lighting will be positioned around the building to illuminate
the parking lot and sidewalks.

ALCOHOL SALES

12. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes. No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

13. Provide information regarding the availability of off-street parking:

- A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

16 parking spaces are required

- B. How many parking spaces of each type are provided for the proposed use:

 Standard spaces

 7 Compact spaces

1 Handicapped accessible spaces.

_____ Other.

- C. Where is required parking located? (*check one*) on-site off-site.

If the required parking will be located off-site, where will it be located: Parking will be located at the property behind the school at N. Fairfax Street.

United Way has also offered to lease parking spaces.

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

14. Provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? 1 loading space

- B. How many loading spaces are available for the use? 0

- C. Where are off-street loading facilities located? _____

Off-street temporary loading area can occur in the alley or in the parking aisle. Currently, the delivery trucks park either in the street or in the alley.

- D. During what hours of the day do you expect loading/unloading operations to occur?

The caterer unloads at approximately 11:15 every weekday. School supply deliveries and UPS make deliveries throughout the day.

- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

School supply deliveries occur about once a week. The caterer comes every day at about 11:15am. Occasionally, UPS will make a delivery.

Development Special Use Permit with Site Plan (DSUP) # 2008-0016

15. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

We will remove one curb cut (located in front of the handicapped ramp) from the street.

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SCANNED

SUP # 2008-0073



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)

With the proposed addition, the school will have a total of eight classrooms; therefore, sixteen parking spaces will be required. ~~Eight sub-standard parking spaces will fit on the property, however the eight other parking spaces will need to be located elsewhere. Therefore, we are requesting a parking reduction of eight spaces and for the eight spaces located on the property to be compact spaces.~~

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

St. Anthony's property currently has an SUP for a parking reduction (98-0113). The site is narrow and will not accommodate perpendicular parking spaces, therefore only parallel parking spaces can be located on the property. The owner has contracts with neighboring office buildings for the lease of additional parking spaces.

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

The small size of the property limits the parking options. As mentioned above, there is not adequate width for perpendicular parking spaces and therefore parallel parking has to be used. The employees of the school are on three different shifts, thus, it is impossible to have stacked parking as an option.

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

Yes. No.
By one space

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.

+38

Jill McClure

From: Amy Scott [amys@crhooff.com]
Sent: Friday, August 01, 2008 12:38 PM
To: howable@verizon.net
Subject: [Fwd: 1020 N. Fairfax St Parking lot]

----- Original Message -----
Subject: 1020 N. Fairfax St Parking lot
Date: Wed, 23 Jul 2008 15:19:45 -0400
From: Amy Scott <amys@crhooff.com>
Organization: Charles R. Hooff, Inc.
To: howable@verizon.net

Pat Hall:

As of today July 23, 2008, we have 12 parking spaces available at the parking lot located at 1020 N. Fairfax Street for Saint Anthony's Day School. Monthly parking fee per space is \$65.00. Parking and availability are month to month.

Thanks
Amy E. S. Lattanzio



Date: July 28, 2008

Ms. Patricia L. Hall
Hall & Associates, LLC
4211 Stonehaven Way
Fredericksburg, Virginia 22408

Dear Ms. Hall

This letter serves as an agreement between Hall & Associates, LLC D/b/s St. Anthony's Day School, located at 321 First Street, Alexandria, Virginia 22314 and United Way of America (UWA), with its offices located at 701 North Fairfax Street, Alexandria, Virginia.

UWA agrees to lease to Hall & Associates, LLC Thirteen (13) parking spaces in the parking facility located at 701 North Fairfax Street at a rate of Eighty Five and 00/100 dollars (\$85.00) per month per parking space. The monthly fee of One Thousand One Hundred Five and 00/100 dollars (\$1,105.00) is due and payable on or before the 1st day of the month, beginning November 1, 2008. A deposit of One Thousand One Hundred Five and 00/100 dollars (\$1,105.00) is due with signing of this contract. Thereafter Hall & Associates, LLC will send payments as scheduled to be received by United Way of America the 1st of each succeeding month.

The term of this agreement shall be for a period of one year, twelve consecutive months commencing on November 1, 2008 and expiring on October 31, 2009.

The option to extend this agreement must be received sixty (60) days prior to the expiration date.

United Way of America or Hall & Associates, LLC may terminate this agreement at anytime with a sixty (60) day written notice.
Entrance by vehicle into the parking facility is through the garage doors

located on Madison Street (see attached site plan). When on foot, Hall & Associates, LLC staff shall enter and exit the parking facility by means of an exit door next to the garage double doors at the north side of the parking facility.

Access to the parking facility is controlled by means of a passkey. Each passkey will be issued to a specific Hall & Associates, LLC employee and is personal to that Hall & Associates, LLC employee. No one other than a Hall & Associates, LLC employee is authorized to either utilize a passkey or the UWA parking facility.

Other than as described above, no Hall & Associates, LLC employee is authorized to enter UWA premises. Any unauthorized entry into UWA premises or unauthorized use of a passkey either by a Hall & Associates, LLC employee or individual who may have gained access by means of a passkey issued to a Hall & Associates, LLC employee may result in immediate termination of this agreement.

In the event that a passkey is lost or stolen, Ed Campbell, UWA Director of Facility Management, shall be notified immediately. Replacement passkey will be issued at a charge of \$15.00 per key. UWA is not responsible for any loss, damage, theft, or injury to any Hall & Associates, LLC employee or property of a Hall & Associates, LLC, or to any individual or his/her property who gained access by means of a passkey issued to a Hall & Associates, LLC employee. Hall & Associates, LLC shall be responsible for any damage or injury sustained by UWA, its employees and/or agents and their property caused by any Hall & Associates, LLC employee or individual gaining access by means of a passkey issued to a Hall & Associates, LLC employee.

Please indicate your agreement by signing and returning both copies of this letter for that purpose.

Joe Haggerty
Chief Operating Officer
United Way of America

Patricia L. Hall
Owner
Hall & Associates, LLC



November 14, 2008

Dear Members of the Alexandria City Planning Commission,

Due to back surgery on November 24th, I am not able to attend the December 2nd meeting. I would like to be there in person, but hope you will accept this letter instead.

Hall & Associates is an LLC registered in the State of Virginia. The members are Patricia L. Hall and Carole Hall Humphrey. In 1998, Hall & Associates received a small business loan from Burke & Herbert Bank to begin an early education center in a former warehouse located in Old Town North. The school, named St. Anthony's, after my late husband, has never accepted any funds from federal or State sources. It is totally self supporting. Currently, we have 92 children enrolled, more than half of whom come from Alexandria City. The rest live just over the border in Fairfax County. In 2003, Hall & Associates paid back its small business loan. In 2005, we purchased the property at 321 First St. and assumed a mortgage debt of 1.5 million dollars payable over a 25 year period.

St. Anthony's Day School has grown over the years from seven to 26 employees, the majority of whom are low and middle income residents of the City of Alexandria. In addition to competitive salaries, employees receive free health insurance, disability insurance, we contribute to their 401K's, and we pay for courses required for staff to get their college degrees and working permits. Neither Carole Humphrey nor I receive any remuneration from St. Anthony's. Our work is entirely voluntary.

We are asking you to approve our request to expand the facilities at 321 First St. with an addition that will allow our licensed capacity to increase from 100 to 120 children. For several years we have had a waitlist that far exceeds our classroom capacity. In addition, we do not currently have an outside area where infants from 6 weeks to 16 months can safely play. Your favorable consideration of our application will allow us to add one additional classroom, a large multipurpose room and a terrace for infants. In addition, we will be able to use our current multipurpose room as a classroom, thus giving us capacity to accept two additional classes of children from Alexandria working families.

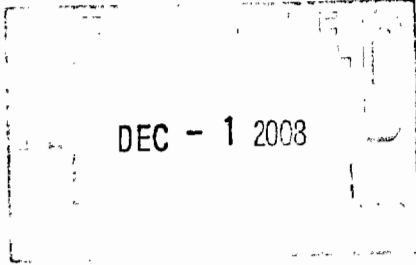
One of our main goals is to encourage our students and their families to serve the Alexandria community. The children make visits in small groups to the Anna B. Rose and Ladrey Houses to bring smiles to the residents on holidays. Parents organize food drives at Thanksgiving and Easter to supply low income families in Alexandria City with holiday meals. We have organized a scholarship fund to pay for the education of several Alexandria City children whose parents cannot afford to pay tuition. The children are proud of Montgomery Park and take care to keep it clean as they go about playing with neighborhood children who do not attend our school. The Old Town North Association gives full support to our proposal.

Thank you for taking the time to read this letter and review our application. I count on your support.

Sincerely,

Patricia Hall Choiniere

Old Town North Community Partnership
300 Montgomery Street
Alexandria, Virginia 22314
Fax (703) 836-8091
www.oldtownnorth.org
Tax ID#54-1839038



November 25, 2008

Mr. Faroll Hamer, Director
Planning & Zoning
City of Alexandria
301 King Street Suite 2100
Alexandria, Virginia 2231

Dear Mr. Hamer:

The Old Town North Community Partnership is in support of St. Anthony's Day School's application.

We feel the School provides a valuable service to people who live and work in our neighborhood. The School has always been a good neighbor, taking care of their property. The expansion will improve the appearance of the current surface parking on their property.

Quality childcare is hard to come by, and the expansion will make new childcare slots available as well as increase the services to those who are already there

We hope you will consider these points when determining the request of St. Anthony's.

Sincerely,

Bruce Machanic
Bruce Machanic
Treasurer

APPLICATION for
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN
DSUP # 2008-0016

PROJECT NAME: St. Anthony's Day School

PROPERTY LOCATION: 321 First Street

55.01-03-11, 55.01-03-12

TAX MAP REFERENCE: 55.01-03-13 ZONE: _____

APPLICANT Name: BMK Architects for Patricia Hall Choiniere

Address: 209 Commerce Street Alexandria, VA 22314

PROPERTY OWNER Name: Hall and Associates, LLC (Patricia Hall Choiniere)

Address: 4211 Stonehaven Way Fredericksburg, VA 22408

SUMMARY OF PROPOSAL: An addition to St. Anthony's Day School that includes covered parking, a new classroom, a new multi-purpose room, toilet rooms and a play deck.

MODIFICATIONS REQUESTED: _____

SUP's REQUESTED: Parking Reduction, FAR

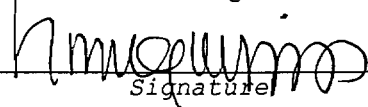
THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of the Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his knowledge and belief.

H. (Skip) Maginniss (applicant)

Print Name of Applicant or Agent


Signature

209 Commerce Street

Mailing/Street Address

703-548-0460

Telephone #

703-549-3324

Fax #

Alexandria, VA 22314

City and State Zip Code

September 23, 2008

Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: _____

Received Plans for Completeness: _____

Fee Paid & Date: \$ _____

Received Plans for Preliminary: _____

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ACTION - PLANNING COMMISSION: Recommended Approval 7-0 12-2-08

ACTION - CITY COUNCIL: CC approved PC recommendation 7-0 12/13/08

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