



***Special Use Permit #2023-00105***  
***112 North Washington Street***  
***The Linder Academy – Upper School***

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<b>Application</b>	<b>General Data</b>	
Public hearing and consideration of a request for a Special Use Permit to operate a private academic school with more than 20 students and for a parking reduction.	<b>Planning Commission Hearing:</b>	March 5, 2024
	<b>City Council Hearing:</b>	March 16, 2024
<b>Address:</b> 112 North Washington Street	<b>Zone:</b>	CD/Commercial downtown
<b>Applicant:</b> Linder Academy – Upper School	<b>Small Area Plan:</b>	Old Town Small Area Plan
<b>Staff Recommendation:</b> APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.		
<b>Staff Reviewers:</b> Mavis Stanfield, mavis.stanfield@alexandriava.gov Ann Horowitz, ann.horowitz@alexandriava.gov		

**PLANNING COMMISSION ACTION, MARCH 5, 2024:**  
On a motion by Vice Chairman McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of SUP #2023-00105, subject to all conditions, code requirements, ordinances, and an amendment to condition #6. The motion carried on a vote of 7-0.

Reason:  
The Planning Commission generally agreed with the staff analysis.

Discussion:  
Commissioner Manor asked if the loading zone for the drop off and pick-up of children could be expanded, since it appeared there could be adequate space. The attorney for the applicant, Mary Catherine Gibbs, responded that the existing loading zone is already quite long and extends beyond the property line.

Commissioner Brown noted that the drop off and pick-up plan may be optimistic, as the only way to travel to the 100 block of N. Columbus is to go travel northbound on N. Columbus Street from King Street. He expressed a preference for conditioning the distance from the school where the leased parking spaces would be located. The Director of the Linder Academy, Kristin Carpenter, responded that it is very important that her employees find parking easily, and that any off-site, leased parking spaces must be conveniently located so the distance would never be far from the school.

Vice Chair McMahon stated her support for the proposal and believes that it is a compatible use for this space, as the activities of the school will not compete with other businesses or residential activity during the day. She supports the parking reduction because there are many off-street parking spaces in the vicinity and the site is proximate to several modes of mass transit. She noted that Condition #3 requires employees to park in the leased spaces and that City staff have the flexibility to change the drop off and pick-up arrangement if issues arise.

Commissioner Lyle supported the application as it is a good adaptive reuse of a building that could have remained vacant for a while. She recommends that the City take a broad view of the types of uses eligible for vacant buildings in the community. She has visited the other Linder Academy location on South Washington and Gibbons Streets and noticed that the drop off and pick-up process is seamless, with parents and teachers efficiently working together.

Chair Macek asked T&ES staff if signs could be posted designating school drop off and pick-up in the existing loading zone, as he has seen in other areas of the City. T&ES staff responded that the City does not typically designate loading spaces for specific uses, such as for a specific store or restaurant, given that the curbside spaces are in the public right-of-way. Staff indicated that signage options would be further investigated prior to the City Council meeting. Vice Chair McMahon suggested that the sign would not have to specify the use but rather the type of loading and the time of day.

Chair Macek also noted that he supports the parking reduction because this is a transit rich area and that the existing retail use had no parking requirement at all.

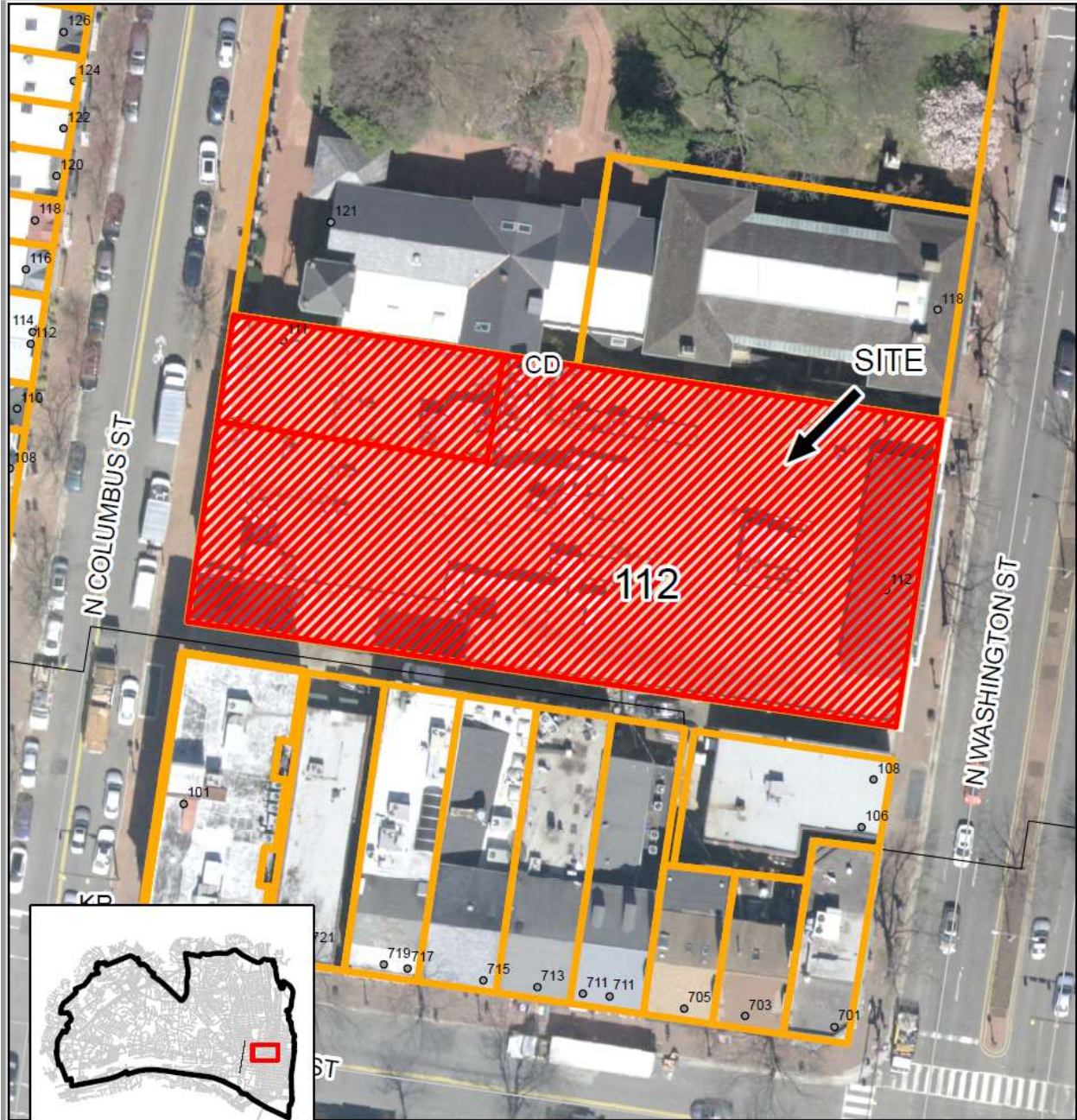
Speakers:

Gregory Powers, 211 North Columbus Street, spoke in opposition. He noted that he attended a school in a similar type of neighborhood and that the students were not good neighbors. He did not believe the drop-off and pick-up plan would work as there is too much traffic in the area and this will intensify the situation.

Tom Osborne, 114 North Columbus Street, spoke in support of the application as it adds to the diversity of uses in the neighborhood, although he had concerns for the safety of children if parking spaces are used that are not within the loading zone. He would like the City to provide a wholistic approach to parking issues in the immediate two block vicinity around North Columbus Street.

Mary Catherine Gibbs, attorney for the applicant, spoke in support of the application and noted that a community meeting was held where the drop off and pick-up plan was discussed, and although some had concerns, she stated that the applicant takes the efficient operation of drop off and pick-up very seriously, just as she has at her Lower School on S. Washington Street. No complaints resulted at this location. where there have been no complaints. Ms. Gibbs added that the conditions allow the applicant and staff to revisit the drop off and pick-up plan if it is not working The school administration also strictly enforces a behavior code for students to ensure that the school is a good neighbor.

Kristin Carpenter, applicant, spoke in support of the application and noted that they have managed to provide drop off and pick-up at their other school in 15 to 20 minutes for 83 students and that that property is much more difficult to navigate than the current application property.



**Special Use Permit #2023-00105**  
**112 North Washington Street**



## I. DISCUSSION

The applicant, Linder Academy, represented by Mary Catherine Gibbs, requests Special Use Permit approval to operate a private academic school for up to 160 middle and high school students at 112 North Washington Street and for a six-space parking reduction.

### SITE DESCRIPTION

The property is comprised of one lot of record with approximately 108 feet of frontage along both North Washington and North Columbus Streets. The lot is 23,000 square feet in size and is developed with a two-story 36,383 square foot building which now houses the Ross Dress for Less retail business. The basement in the building is used by the adjacent Christ Church for a variety of purposes, such as classrooms, a teen center, and a choir room. It is not connected to the existing retail use and will not be altered as part of this proposal. A public alley runs along the building's south side, extending from North Columbus to North Washington Streets. A parking area, consisting of approximately 1,000 square feet, abuts the alley on the North Columbus Street side of the building, as can be seen in Figure 2. The six parking spaces in this area are currently reserved for use by Christ Church.



*Figure 1: View from North Washington*

A mixture of office, restaurant, and retail uses surrounds the subject property, with the Christ Church buildings and cemetery, extending along the property's north side.



*Figure 2: View from North Columbus Street*

City-designated loading zones are located on North Washington and North Columbus Streets; however, the loading zone on North Washington Street is designated for tour buses only, but not between 4 and 6 p.m., Monday through Friday. Farther south from this loading zone on North Washington Street and at the corner of King Street is a Metrobus stop which does not allow for parked vehicles.

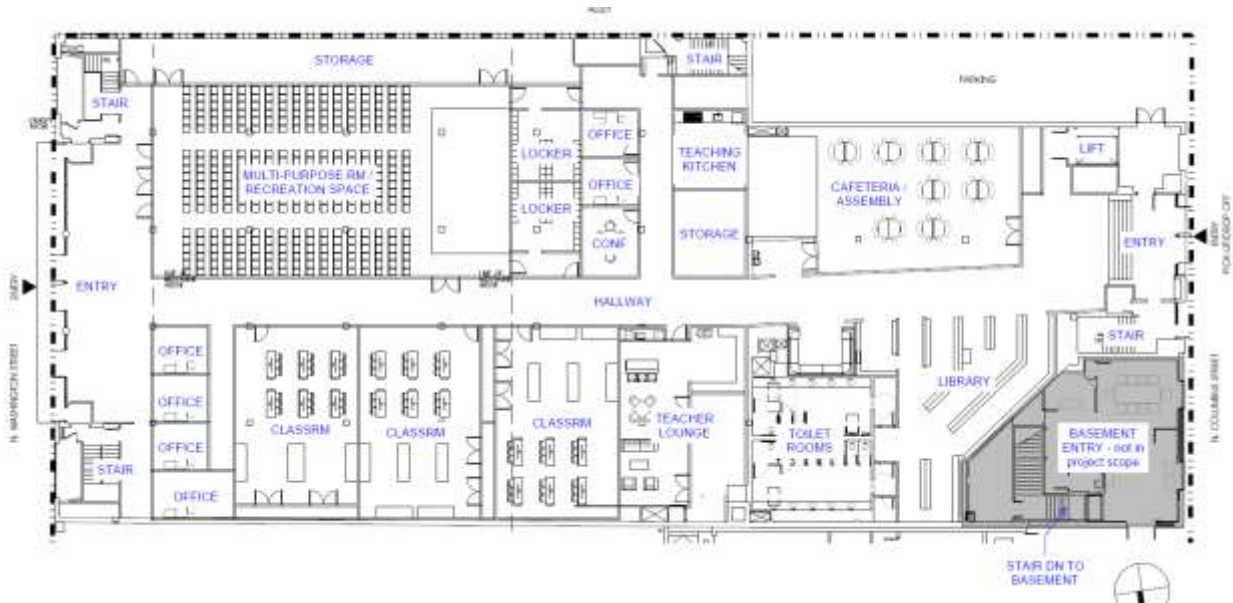
### BACKGROUND

The current concrete, brick and steel building was constructed in 1953 and was owned and operated by JC Penney as a retail business. It appears the Ross Dress for Less began operating at the property in the early 1990s.

Two Code complaints in 2019 regarding trash trucks accessing broken trash containers from the sidewalk were quickly resolved. A Code complaint regarding trash accumulation in August 2023 was also resolved.

PROPOSAL

The Linder Academy, which operates a private academic school for elementary and middle school students at 601, 607, 609 South Washington and 710 Gibbon Streets (SUP #2021-00028), is proposing to operate a private academic school over 20 students at the subject property for up to 160 middle and high school students. The school would operate from 8 a.m. to 4 p.m., Monday through Friday, and would have 14 to 16 teachers and other staff on-site. The following floor plans show how the property is proposed to be used with 16 classrooms and associated learning, counseling, and administrative spaces, including a multi-purpose room, teaching kitchen, cafeteria, teachers' lounge and library. Students would bring their own lunches or have catered lunches.



*Figure 3: Proposed First Floor Layout*

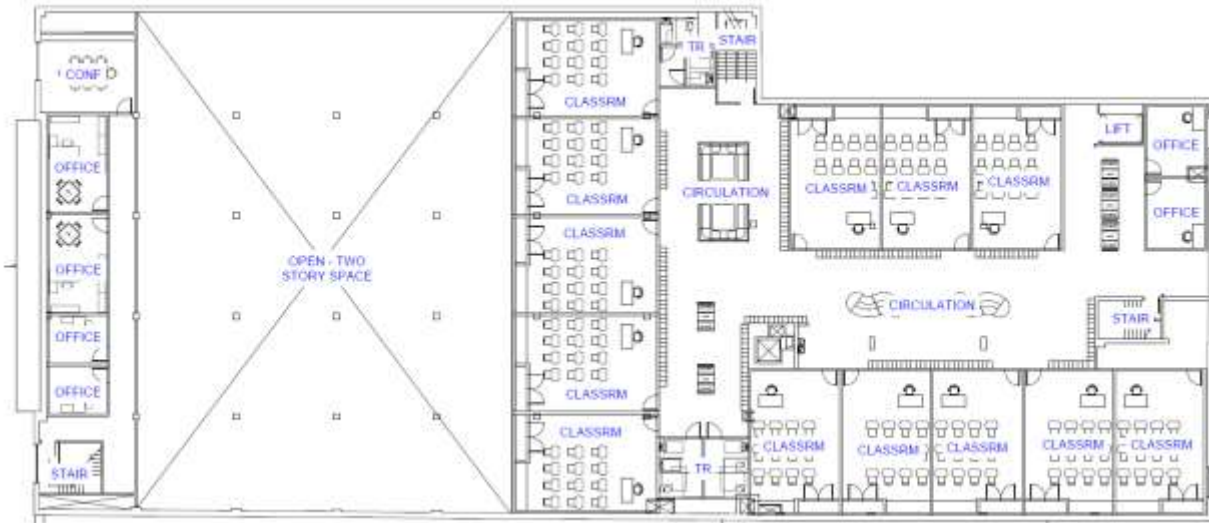
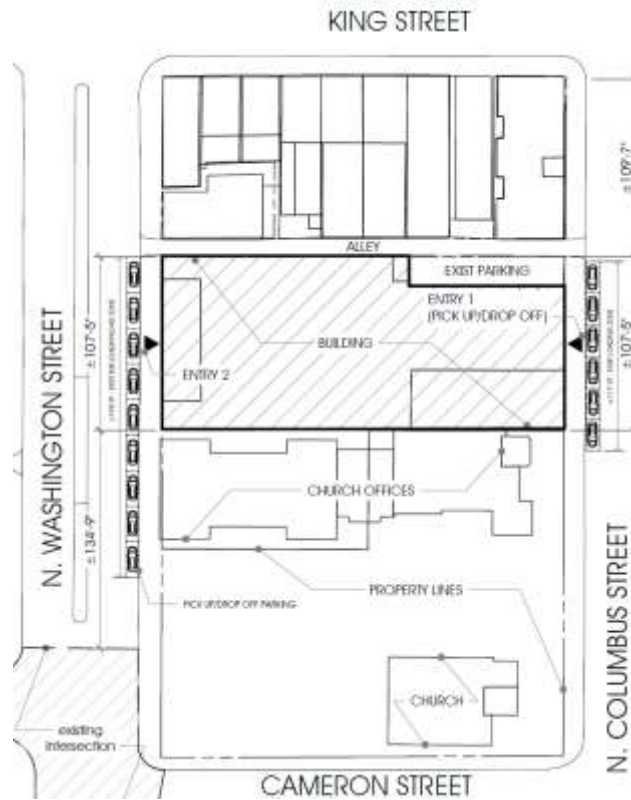


Figure 4: Proposed Second Floor Layout

Noise would be minimal as the students would be in the building for most of the day and trash would be picked up weekly or more frequently as warranted. The applicant has indicated that they would use the multi-purpose room on the first floor for recreational activities and City parks for additional recreational opportunities.

A technical parking reduction of six spaces is also requested given that these spaces are located approximately 700 feet away from the school at the 515 King Street parking garage. The proposed private school would use three of the six spaces off-street spaces on the property and the remaining three would be reserved for Christ Church use.

The applicant originally proposed in its application a pick-up and drop off plan that would take place in the on-street loading zones on North Washington and North Columbus Streets. The applicant anticipated that most of this activity would take place on North Columbus Street, where there is an existing loading zone, but that some morning drop-off would occur on North Washington Street. Students would have walked themselves to and from the school building at drop-off and pick-up.



The applicant provided a graphic in the application indicating where the loading spaces would have been located (Figure 5). Drop-off and pick up was proposed to occur between 8:10 a.m. to 8:25 a.m. in the morning and 3:10 p.m. to 3:25 p.m. in the afternoon.

An estimated 90 vehicles would deliver students to and from the school based on the maximum enrollment of 160 students. To reduce the number of vehicles using the loading zones, the applicant would arrange to bus some students to and from the school by commuter vans and encourage carpooling, walking, and biking.

### PARKING

Pursuant to Section 8-200 (A)(16)(a) of the Zoning Ordinance, a private academic school use located within the City's Enhanced Transit Area is required to provide a minimum of 0.25 spaces and a maximum of 3.0 spaces per 1,000 square feet of gross floor area. The proposed private academic school contains 35,000 square feet of floor area. Therefore, the minimum parking requirement is nine spaces and the maximum parking requirement is 105 spaces.

The applicant would exceed the minimum number of spaces required by providing a total of 13 off-street parking spaces in two separate locations: A) three spaces in the parking area abutting the alley on the south side of the building on the subject property, and B) 10 leased spaces in the parking garage at 515 King Street. However, because parking at the 515 King Street garage is not located within 300 feet, as required in Section 8-200(C)(5) of the Zoning Ordinance, the applicant must receive SUP approval of a six-space parking reduction to comply with the Zoning Ordinance minimum parking requirement of nine spaces. As the applicant is proposing the use of three on-site spaces and 10 parking spaces off-site at 515 King Street, the minimum parking requirement would be exceeded with approval of a parking reduction.

### ZONING/MASTER PLAN DESIGNATION

Section 4-503(U) allows private academic schools with over 20 students in the CD/Commercial downtown zone with special use permit approval.

The proposed private academic school is also located in the City's Old and Historic District. Any exterior work or signage will require review and approval by the Board of Architectural Review (BAR).

The property is located within the Old Town Small Area Plan. The use is consistent with the land use goals of the plan as amended by the King Street Retail Strategy Plan, which calls for full utilization of upper floors, eliminating unused space and having active uses during much of the day.

## **II. STAFF ANALYSIS**

Staff supports the applicant's request to operate a private academic school over 20 students and for a technical, six-space parking reduction. Although the change to a private academic school replaces a retail establishment, we believe the addition of a school employee, student and parent



population would contribute to an influx of new shoppers and diners to the commercial core. For example, the applicant indicated that they have already tentatively contracted with a nearby restaurant to cater meals for the school one day a week. Where nearby office spaces may have lower occupancy rates in this post-pandemic era, reducing the number of King Street corridor patrons, the private academic school employee, students, and employees could replace the office population loss. Further, urban academic schools benefit the community by providing an easily accessible educational resource that is also walkable from nearby residential neighborhoods.

Staff has carefully reviewed the pick-up and drop off proposal as it represents a feature of the school that has the highest potential for neighborhood impacts. Although the applicant had proposed to use the entrance on North Washington Street for some drop-off in the morning, the applicant agreed to conduct all pick-up and drop-off on North Columbus Street after staff identified that this activity would cause a major conflict with the existing tour bus loading zone and the adjacent metro bus stop at the very busy intersection with King Street. As there is a more limited potential for traffic congestion on North Columbus Street during pick-up and drop off times, staff believes that the loading spaces, in combination with the use of commuter vans and carpools, opportunities to walk and bike, and the availability of mass transit options and other on-street parking are sufficient to accommodate the morning and afternoon transfer of students. Condition #6 lays out a specific pick-up and drop off plan that utilizes the six loading spaces on North Columbus Street. The condition also requires the expansion of the applicant's proposed 15-minute time range for pick-up and drop off to one hour in the morning and the afternoon, which the applicant has agreed to accommodate. The broadened timeframe would reduce the potential for traffic back-up and congestion on North Columbus Street. Condition #6 further notes that the Director of Planning and Zoning would require revisions to the pick-up and drop off plan if traffic impacts result, such as vehicles backing up on North Columbus Street, or if the enrollment exceeds 160.

Staff has provided recommended conditions, similar to other private academic school uses. Recommended condition #4 encourages students, parents, and employees to use alternative forms of transportation such as public transportation and walking and biking. Condition #13 requires that any odors be controlled so as not to bother surrounding users. Condition #10 ensures that deliveries do not happen at night to ensure area residents are not affected by late night noise. Condition #3 requires the applicant's employees to park in the leased spaces at 515 King Street and the three on-site parking spaces or in other available parking garages. Condition #7 requires the applicant to maintain a parking agreement for the 10 spaces at 515 King Street.

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

### **III. RECOMMENDED CONDITIONS**

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has controlling interest. (P&Z)

2. The applicant shall conduct employee and school family training sessions on an ongoing basis, including as part of any employee or school family orientation, to discuss all Special Use Permit provisions and requirements, including the requirements of the pick-up and drop-off plan. (P&Z)
3. The applicant shall require its employees who drive to use off-street parking in the leased spaces at the garage at 515 King Street, the three on-site spaces adjacent to the alley on North Columbus Street or in another available parking garage. (T&ES)
4. The applicant shall encourage its employees, students and parents to use public transportation, walk and bike to and from work/school. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
5. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic promotional material, posting on the school website, and other similar methods. Contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
6. **CONDITION AMENDED BY THE PLANNING COMMISSION:** The applicant shall comply with the drop-off and pick-up plan: parents shall use the six space loading zone in front of the school on North Columbus Street. Drop off and pick-up would occur between 7:30 a.m. to 8:30 a.m. and 3:00 p.m. to 4:00 p.m., respectively. Should the loading zone be occupied, parents may park at on-street spaces in compliance with City regulations. The applicant shall ensure that traffic does not back up or cause traffic circulation issues on North Columbus Street. The applicant shall arrange for ~~commuter~~ minibuses to bring students to and from the school and shall stagger arrival and departure times to alleviate traffic congestion. The Directors of Planning & Zoning and Transportation & Environmental Services reserve the right to revisit the pick-up and drop off plan and may impose amended or additional requirements to ensure pick-up and drop-off facilities are adequate and do not impact traffic circulation. Enrollment of over 160 students will require reevaluation of the pick-up and drop-off plan. ~~(P&Z)~~ ~~(T&ES)~~ (PC)
7. The applicant shall maintain a parking agreement for 10 off-street parking spaces. The applicant shall provide an up-to-date contract upon request. (P&Z)
8. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
9. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
10. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (P&Z)

11. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
12. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
13. The applicant shall control odors, smoke and any other air pollution from the operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the department of transportation and environmental services. (T&ES)
14. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
15. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least once a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
16. The applicant shall apply to the Department of Recreation, Parks and Cultural Activities to establish times and schedules for the use of City parks. (RPCA)
17. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review, as the result of a complaint that rises to the level of a violation of the permit conditions or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

**STAFF:** Tony LaColla, AICP, Division Chief, Land Use Services,  
Department of Planning and Zoning;  
Ann Horowitz, Principal Planner  
Mavis Stanfield, Urban Planner

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**Staff Note:** In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

#### IV. CITY DEPARTMENT COMMENTS

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

##### Transportation & Environmental Services:

- R-1 The applicant shall require its employees who drive to use off-street parking in the leased spaces at the garage at 515 King Street, the three on-site spaces adjacent to the alley on North Columbus Street or in another available parking garage. (T&ES)
- R-2 The applicant shall encourage its employees, students and parents to use public transportation, walk and bike to and from work/school. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
- R-3 The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic promotional material, posting on the school website, and other similar methods. Contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
- R-4 Kitchen equipment shall not be cleaned outside, including floor mats, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES/SWM)R-2 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES/SWM)
- R-5 All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-6 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES/OEQ)
- R-7 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-8 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES/SWM)
- R-9 The applicant shall control odors, smoke and any other air pollution from the operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the department of transportation and environmental services. (T&ES/OEQ)
- R-10 Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate

outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)

- R-11 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least once a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES-DROW)
- C-1 The use must comply with the city's noise ordinance. (T&ES/OEQ)
- C-2 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form. (T&ES-DROW)
- C-3 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-DROW)
- C-4 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES-DROW)

Code Enforcement:

- C-1 Per VCC sec. 1104.1, Site arrival points: At least one accessible route within the site shall be provided from public transportation stops, accessible parking, accessible passenger loading zones, and public streets or sidewalks to the accessible building entrance served. Required ADA parking spaces shall comply with ABLE 1106.1(1)ACCESSIBLE PARKING SPACES

Fire:

- C-1 This facility's occupancy and use classification is Educational. A fire prevention permit is required for this new use. Applicant shall submit for a fire prevention permit application that will result in an inspection by the Fire Marshal's office. Application can be accessed online at: [www.alexandriava.gov/fire-department/the-fire-marshals-office](http://www.alexandriava.gov/fire-department/the-fire-marshals-office).

Health:

No comments received.

Parks and Recreation:

R-1 The applicant shall apply to the Department of Recreation, Parks and Cultural Activities to establish times and schedules for the use of City parks. (RPCA)

Police Department:

No comments received.



# APPLICATION SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** \_\_\_\_\_

**PROPERTY LOCATION:** 112 N. Washington Street

**TAX MAP REFERENCE:** 064.04-07-27 **ZONE:** CD

**APPLICANT:**

Name: Linder Academy - Upper School

Address: 512 Pendleton Street, Alexandria, VA 22314

**PROPOSED USE:** Private School (academic) for 160 middle and/or high school students.

- 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.

Mary Catherine Gibbs, Wire Gill, LLP

Print Name of Applicant or Agent

700 N. Fairfax St., Suite 600

Mailing/Street Address

Alexandria, VA 22314

City and State

Zip Code

Mary Catherine Gill 12/21/23  
Signature Date

703-836-5757 703-548-5443

Telephone #

Fax #

mcgibbs@wiregill.com

Email address

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of See Attached. 112 N. Washington St. I hereby  
(Property Address)


grant the applicant authorization to apply for the Private School, Academic use as  
(use)  
described in this application.

Name: Noelle York-Simmons  
Please Print

Phone 703 684-0865

Address: 118 N Washington Street  
Alexandria VA 22314

Email: rector@ccalex.org

Signature: 

Date: 19 Dec 2023

- 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: \_\_\_\_\_ 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 three percent.

Kristin Carpenter, 512 Pendleton St., Alexandria VA 22314 - 100%

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## OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

**1. Applicant.** 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 three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

	Name	Address	Percent of Ownership
1.	Linder Academy	512 Pendleton Street, Alexandria, VA 22314	
2.	Kristin Carpenter	(same address)	100% of Linder Academy
3.			

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 112 N Washington St. (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

	Name	Address	Percent of Ownership
1.	Trustees of the Christ Protestant Episcopal Church	118 N. Washington St. Alexandria, VA 22314	100%
2.			
3.			

**3. Business or Financial Relationships.** Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

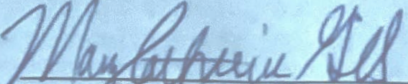
	Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1.	Linder Academy	None	None
2.	Kristin Carpenter	None	None
3.	Trustees of the Christ Protestant Episcopal Church	None	None

**NOTE:** Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

12/21/23  
Date

Mary Catherine Gibbs  
Printed Name

  
Signature

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.)

The Applicant is seeking to expand the number of students it can serve in Alexandria to include a maximum of 160 middle and high school school students at the site of the existing Ross clothing store. Linder Academy currently serves elementary to 8th grade students at their 601 S. Washington St, 607 S. Washington St. and 710 Gibbon St.  
location

Linder Academy is a private school in Alexandria and is looking to expand its footprint in ~~Old Town with this location. Linder Academy currently serves children in grades~~ kindergarten to eighth grade in a small class environment with a hands on learning approach. ~~Most class sizes are 6-9 students per class. A similar small class size~~ approach (12 students per teacher) is anticiated at the 112 N. Washington St. location.

The proposed floor plan (attached) shows 13 classrooms, as well as other associated ~~learning, counseling and administrative spaces, including a multi-purpose room, a~~ teaching kitchen, cafeteria, teachers' lounge and library.

There are three parking spaces on the property along the small alley between the 112 N. Washington property and the buildings fronting on the 700 block of King Street. The ~~access to the three parking spaces is off of N. Columbus Street. The Applicant is seeking off site parking to supplement this limited number of parking spaces and has coordinated with the parking garage at 515 King Street where they can lease 10 spaces on a monthly basis. The parking requirement is a range between 9-105 spaces (the parking requirement is a minimum of .25 spaces per 1000 square feet to 3.0 spaces per 1000 square feet for "Private School, academic" pursuant to Section 8-200(A)(16(c)(vii)). There is a different requirement in the zoning ordinance for other s than private:~~ Elementary requires 1 per 25 classroom seats and High School is 1 per 10 classroom seats. ~~This is a mixture of elementary and high school seats as the proposal is to serve~~ students in 7th through 12th grade.

The entrance to the school will be on both N. Washington Street and N. Columbus Street, however, it is anticipated that most pick up and drop off will take place on the N. Columbus Street side of the property as there is an existing loading and unloading zone there, however, some morning drop off is likely to occur on the N. Washington Street side.

## 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).

Up to 160 students five days a week, 8 a.m. to 4 p.m.

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

14-16 teachers and staff five days a week, 8 a.m. to 4 p.m.

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

Day:  
M-F

Hours:  
8 a.m. to 4 p.m.

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

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

Typical noise of middle to high school children at school. See plan attached.

B. How will the noise be controlled?

The children will attend classes inside for the most part.

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

NA

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9. Please provide information regarding trash and litter generated by the use.

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

Typical type of trash from a school of this size.

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B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

Typical amount of trash for a school of this size

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C. How often will trash be collected?

Weekly or more frequently if needed.

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

All trash will be placed in containers on site. Staff will be responsible for keeping an eye on the public sidewalks around the site to ensure trash has not been dropped outside of the building.

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10. 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:

---

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11. 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:

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12. What methods are proposed to ensure the safety of nearby residents, employees and patrons?  
The School entrances will be locked and access will be controlled by the staff.

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## ALCOHOL SALES

13.

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

Yes       No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

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**PARKING AND ACCESS REQUIREMENTS**

14. A. How many parking spaces of each type are provided for the proposed use:

- 3 Standard spaces
- \_\_\_\_\_ Compact spaces
- \_\_\_\_\_ Handicapped accessible spaces.
- \_\_\_\_\_ Other.

Planning and Zoning Staff Only  Required number of spaces for use per Zoning Ordinance Section 8-200A _____  Does the application meet the requirement? <div style="text-align: center;"> <input type="checkbox"/> Yes   <input type="checkbox"/> No                 </div>
--

B. 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?

10 other spaces leased from the parking garage at 515 King Street.

**PLEASE NOTE:** 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.

C. 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.

**Parking reduction requested; see attached supplemental form**

15. Please provide information regarding loading and unloading facilities for the use:

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

Planning and Zoning Staff Only  Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____  Does the application meet the requirement? <div style="text-align: center;"> <input type="checkbox"/> Yes   <input type="checkbox"/> No                 </div>
---

B. Where are off-street loading facilities located? NA

\_\_\_\_\_

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

NA

\_\_\_\_\_

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

NA

\_\_\_\_\_

16. 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?

Street access is more than adequate.

\_\_\_\_\_

\_\_\_\_\_

## SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building?  Yes  No

Do you propose to construct an addition to the building?  Yes  No

How large will the addition be? \_\_\_\_\_ square feet.

18. What will the total area occupied by the proposed use be?

35000 sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = 35000 sq. ft. (total)

19. The proposed use is located in: (check one)

a stand alone building

a house located in a residential zone

a warehouse

a shopping center. Please provide name of the center: \_\_\_\_\_

an office building. Please provide name of the building: \_\_\_\_\_

other. Please describe: \_\_\_\_\_

**End of Application**



## Department of Planning & Zoning Special Use Permit Application Checklist

### Supplemental application for the following uses:

- Automobile Oriented
- Parking Reduction
- Signs
- Substandard Lot
- Lot modifications requested with SUP use

### Interior Floor Plan

- Include labels to indicate the use of the space (doors, windows, seats, tables, counters, equipment)

### If Applicable

- Plan for outdoor uses

### Contextual site image

- Show subject site, on-site parking area, surrounding buildings, cross streets



# APPLICATION - SUPPLEMENTAL

**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)

Request to provide most of the required parking off site, within a block and a half of the school site at 515 King St, and since that location is more than 300 feet away, it technically cannot count towards the parking requirement, so this parking reduction is being requested.

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---

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

This existing building takes up the entire site, except for the small number of parking spaces provided off the 10 foot alley to the south. The applicant has found an existing parking garage within a .1 mile walk of the site to provide additional parking to satisfy the minimum requirements.

---

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

The small parking provided off of the alley to the south is the only place on site parking could be provided.

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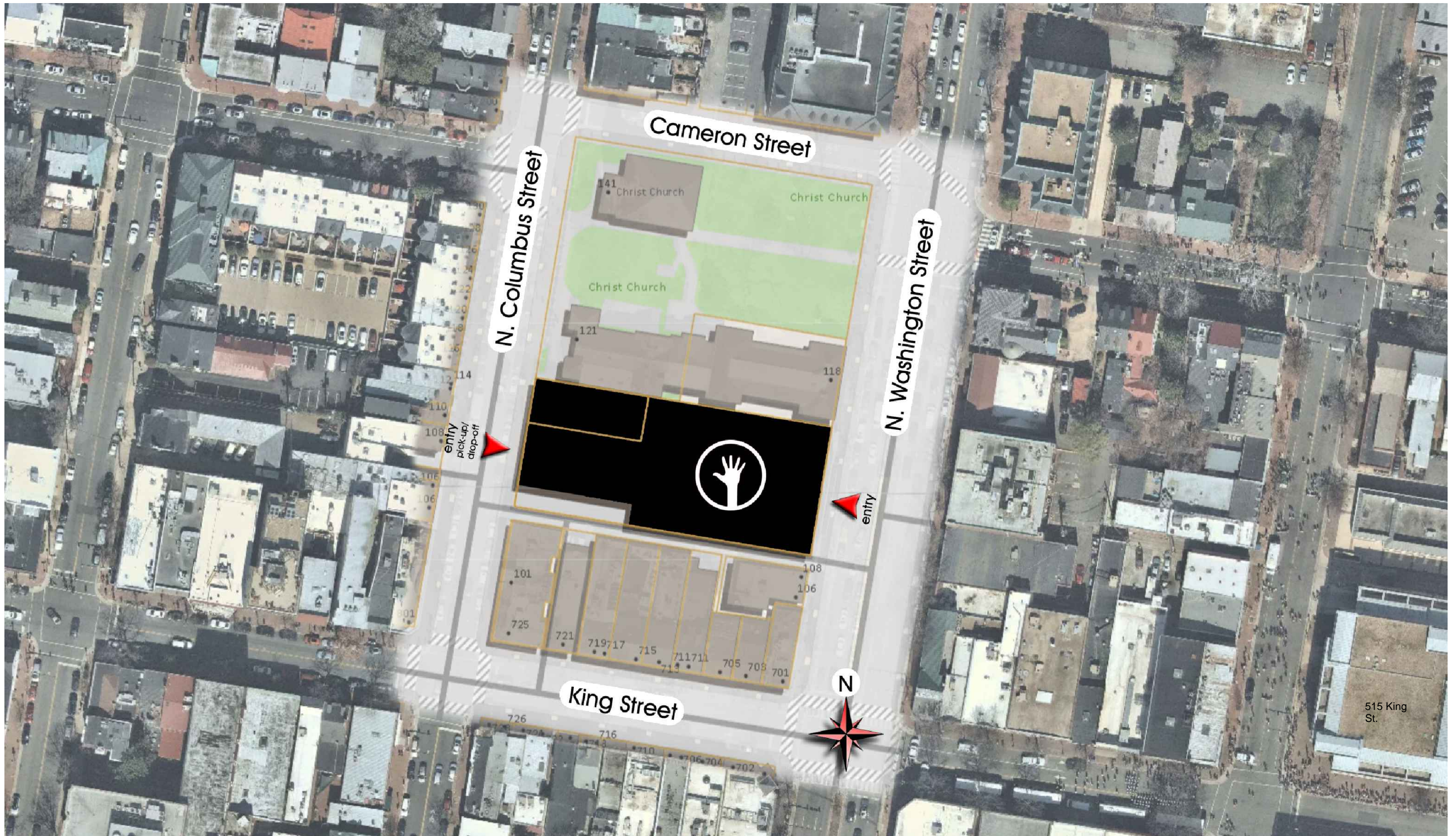
---

**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.



December 19, 2023

Illustrative Site Plan

no scale

Linder Academy 2.0

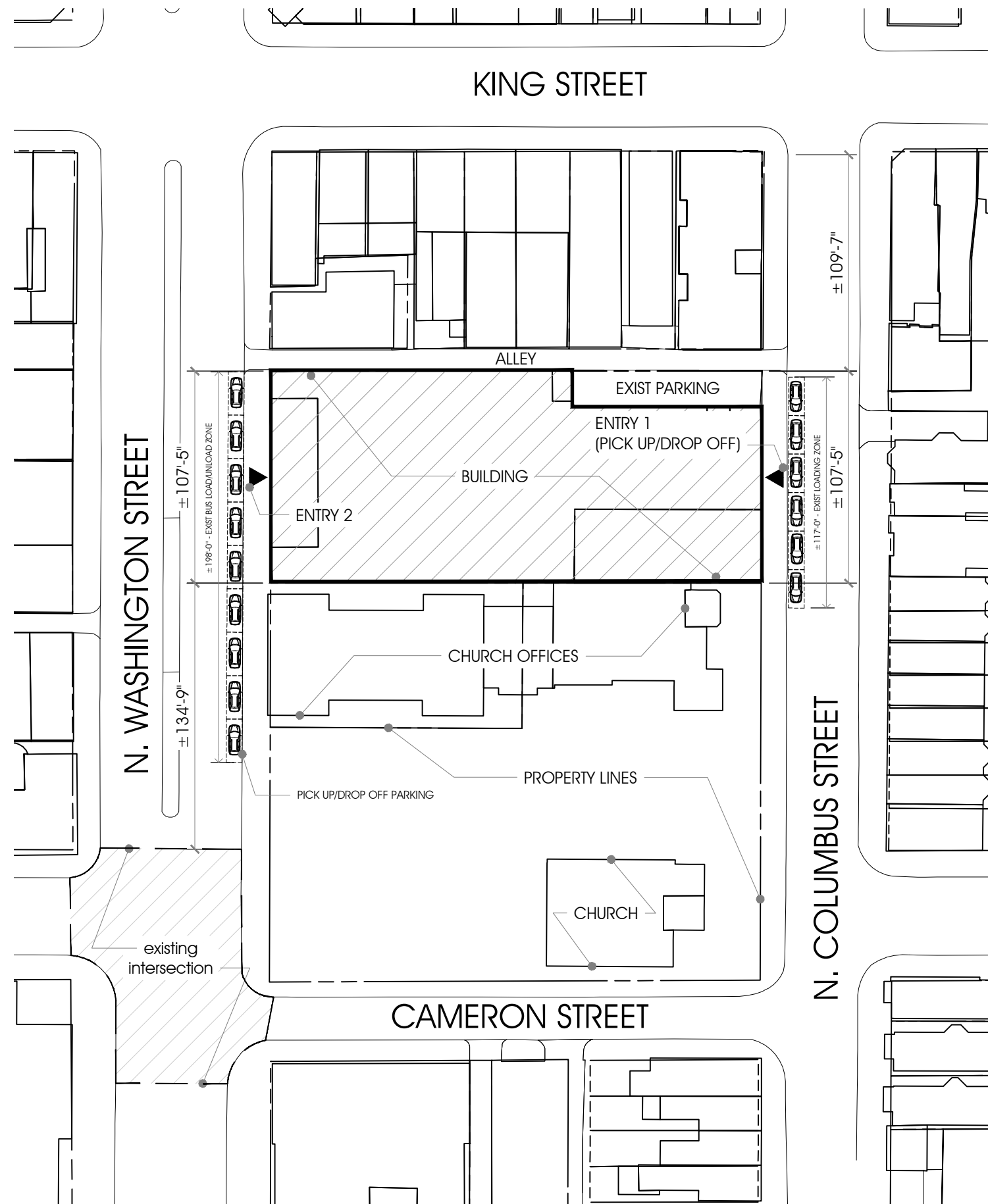
23054



VIEW FROM WASHINGTON



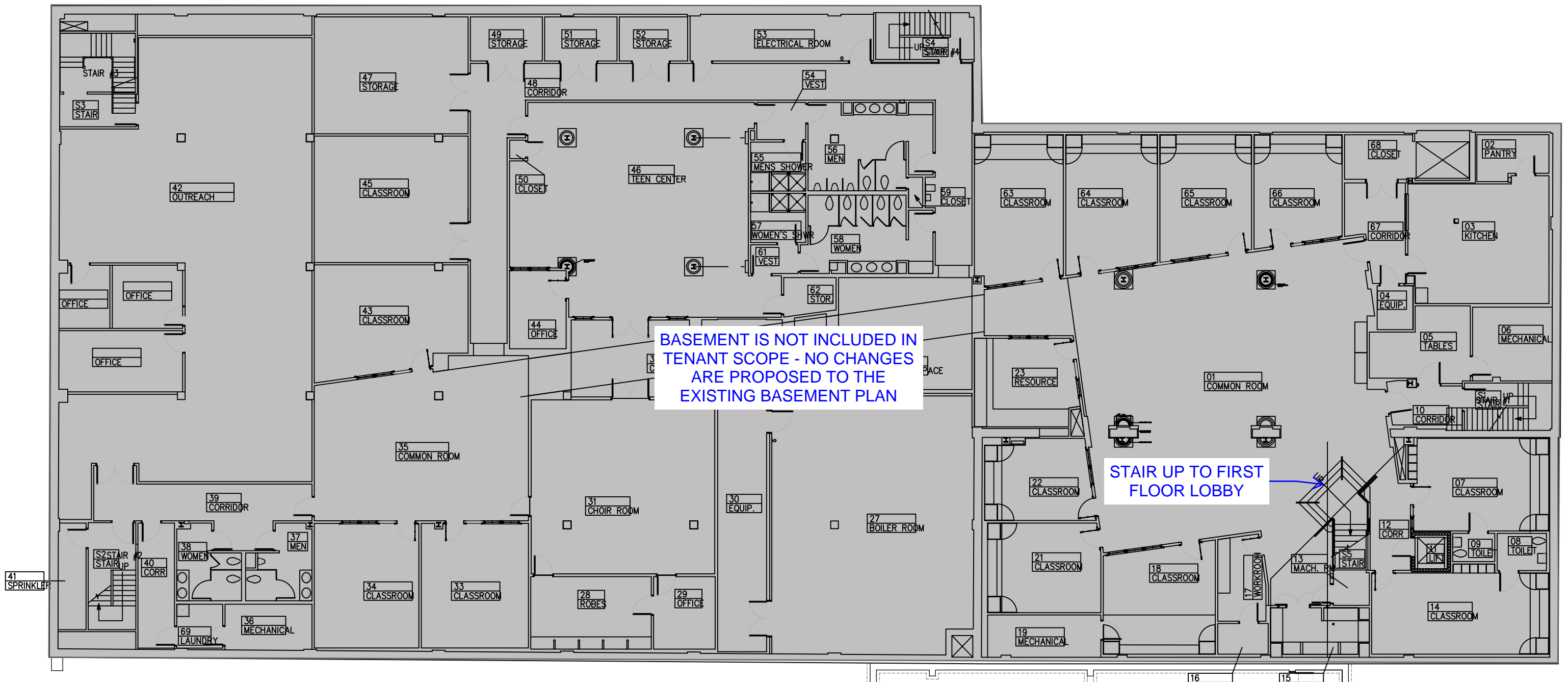
VIEW FROM WASHINGTON/CAMERON INTERSECTION

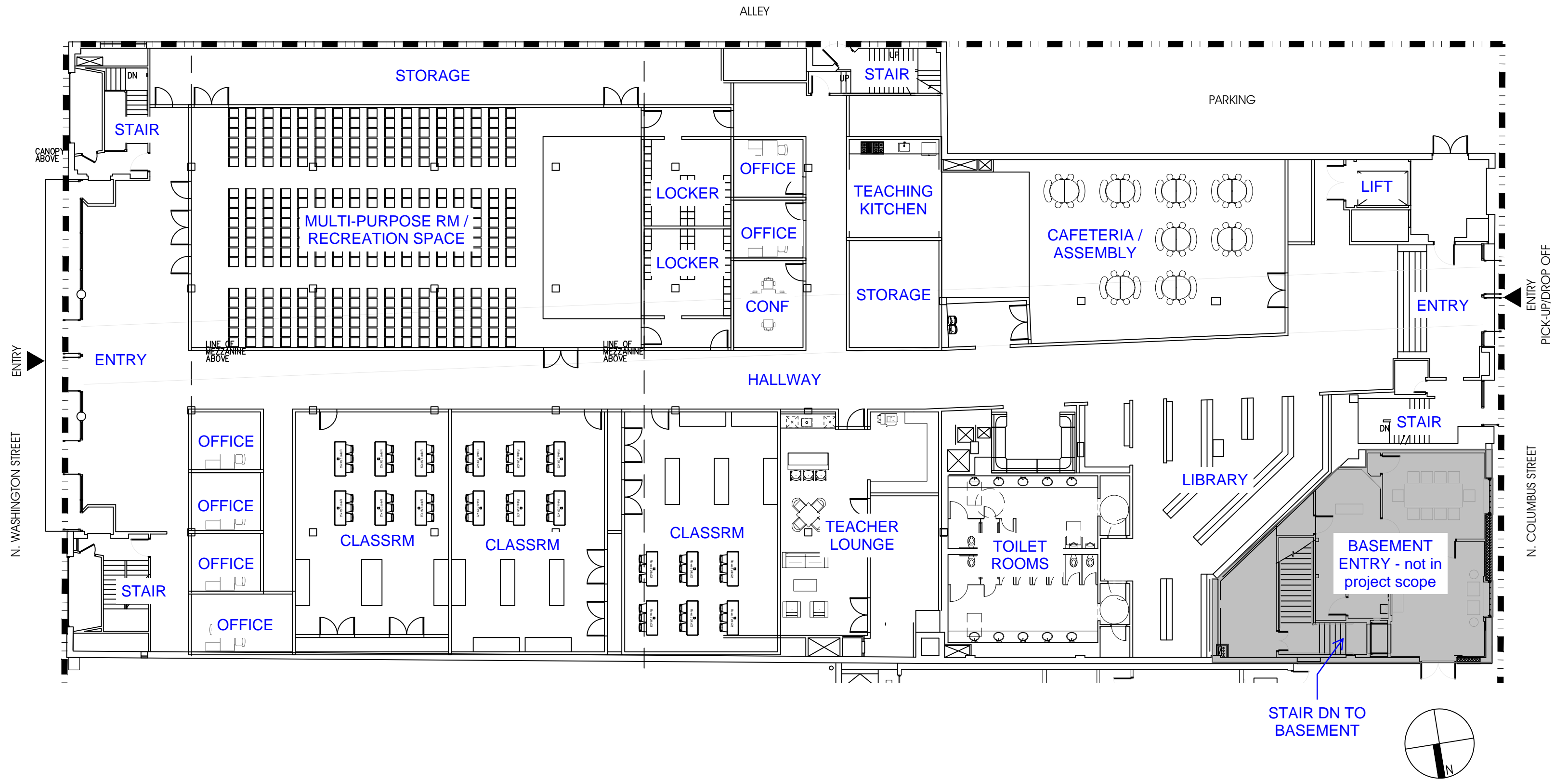


VIEW FROM COLUMBUS/KING INTERSECTION



VIEW FROM COLUMBUS WITH ALLEY ON FAR RIGHT

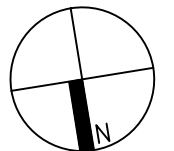
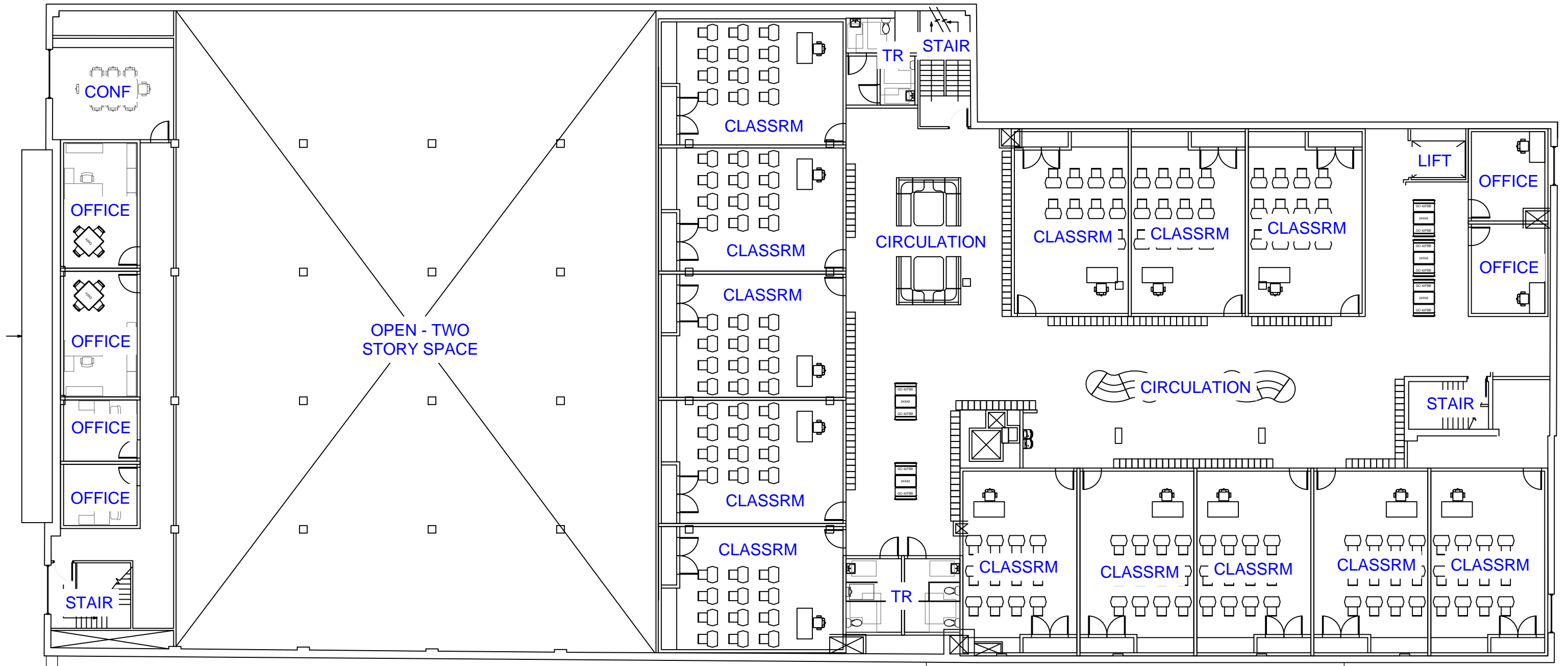




December 19, 2023

First Floor Prelim Plan  
 Linder Academy 2.0  
 23054

1/16"=1'-0"



**From:** Mary Catherine Gibbs <[mcgibbs@wiregill.com](mailto:mcgibbs@wiregill.com)>  
**Sent:** Friday, January 5, 2024 4:30 PM  
**To:** Kristin Carpenter <[kristincarpenter@thelinderacademy.com](mailto:kristincarpenter@thelinderacademy.com)>; Ann Horowitz <[ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)>  
**Cc:** Antoine D Pierce <[antoine.pierce@alexandriava.gov](mailto:antoine.pierce@alexandriava.gov)>; Mavis E Stanfield <[mavis.stanfield@alexandriava.gov](mailto:mavis.stanfield@alexandriava.gov)>  
**Subject:** RE: 112 N. Washington St. (SUP2023-00105) Letter of Incompleteness

Thanks for sharing those number, Kristin.

Also, attached is a depiction of the number of cars that can be accommodated on either street for pick up and drop off. Please let us know if you have any questions.

Thanks, Mary Catherine

Wire Gill, LLP  
[mcgibbs@wiregill.com](mailto:mcgibbs@wiregill.com)  
700 N. Fairfax St., Suite 600  
Alexandria, VA 22314  
(703) 836-5757 (office)  
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(703) 835-1922 (mobile)

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**From:** Kristin Carpenter <[kristincarpenter@thelinderacademy.com](mailto:kristincarpenter@thelinderacademy.com)>  
**Sent:** Friday, January 5, 2024 4:22 PM  
**To:** Ann Horowitz <[ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)>  
**Cc:** Antoine D Pierce <[antoine.pierce@alexandriava.gov](mailto:antoine.pierce@alexandriava.gov)>; Mary Catherine Gibbs <[mcgibbs@wiregill.com](mailto:mcgibbs@wiregill.com)>; Mavis E Stanfield <[mavis.stanfield@alexandriava.gov](mailto:mavis.stanfield@alexandriava.gov)>  
**Subject:** Re: 112 N. Washington St. (SUP2023-00105) Letter of Incompleteness

I'll chime in to make sure we meet the deadline. At our current program of 75 students we have 45 vehicles at pickup and drop off. I would thus expect for 160 for there to be 90 vehicles, one of which would be a 25 passenger bus.

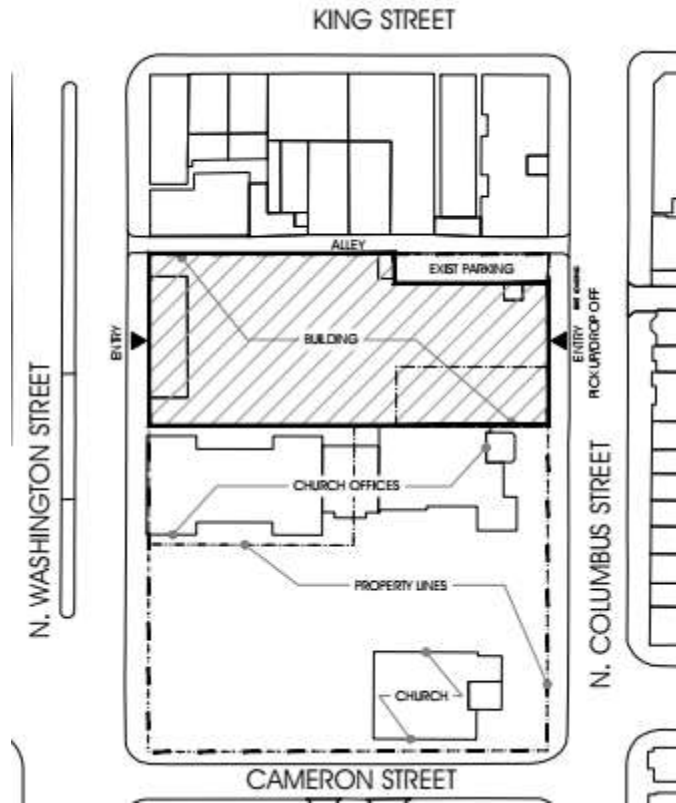
Kristin Carpenter  
Head of School  
The Linder Academy  
[www.thelinderacademy.com](http://www.thelinderacademy.com)  
225.266.7866 cell

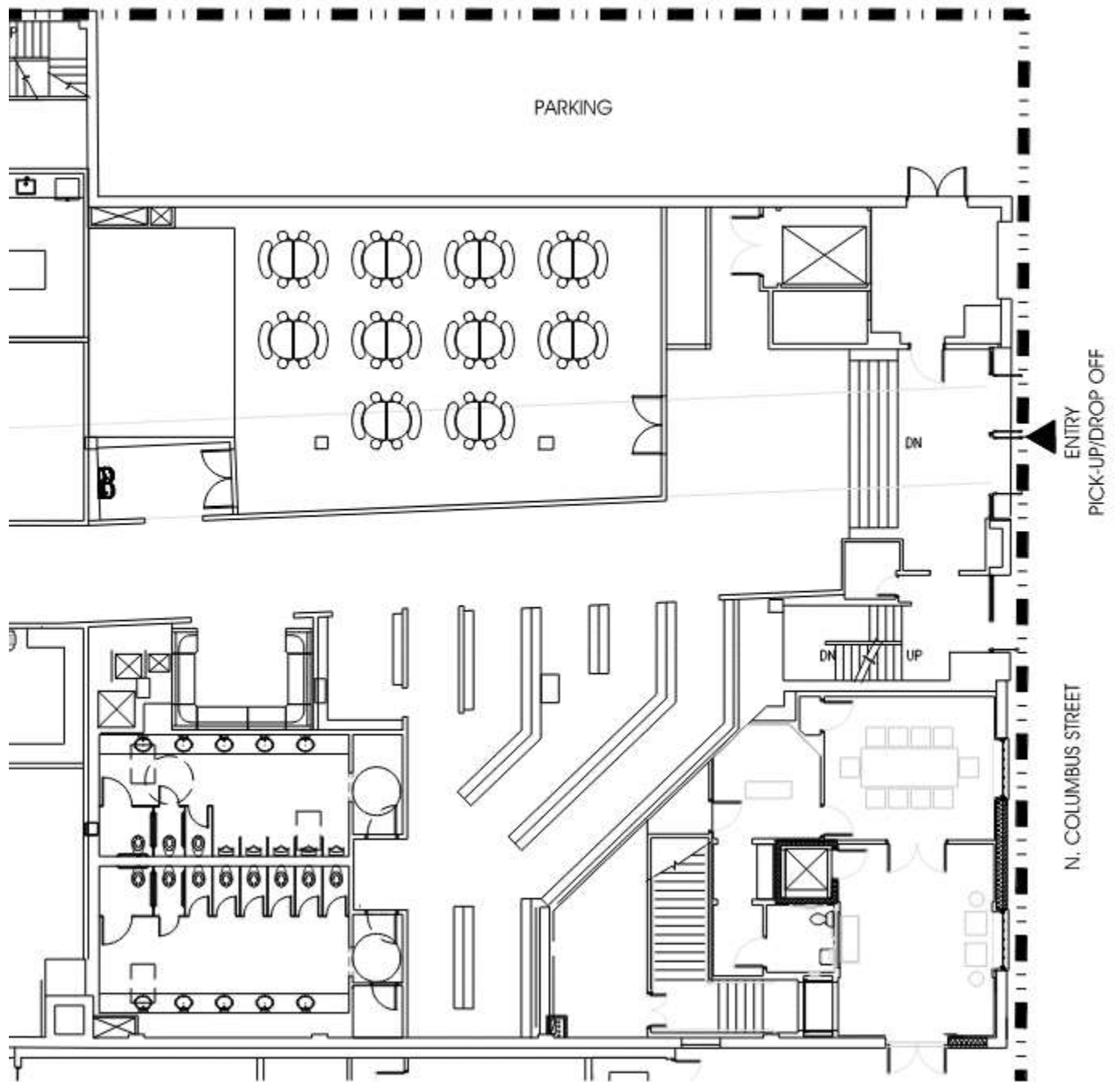
**From:** Mary Catherine Gibbs <[mcgibbs@wiregill.com](mailto:mcgibbs@wiregill.com)>  
**Sent:** Friday, January 5, 2024 9:41 AM  
**To:** Ann Horowitz <[ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)>; Antoine D Pierce <[antoine.pierce@alexandriava.gov](mailto:antoine.pierce@alexandriava.gov)>; Kristin Carpenter <[kristincarpenter@thelinderacademy.com](mailto:kristincarpenter@thelinderacademy.com)>  
**Cc:** Mike Ernst <[mernst@rustorling.com](mailto:mernst@rustorling.com)>; Tony LaColla <[anthony.lacolla@alexandriava.gov](mailto:anthony.lacolla@alexandriava.gov)>; Mavis E Stanfield <[mavis.stanfield@alexandriava.gov](mailto:mavis.stanfield@alexandriava.gov)>  
**Subject:** FW: 112 N. Washington St. (SUP2023-00105) Letter of Incompleteness  
**Sensitivity:** Confidential

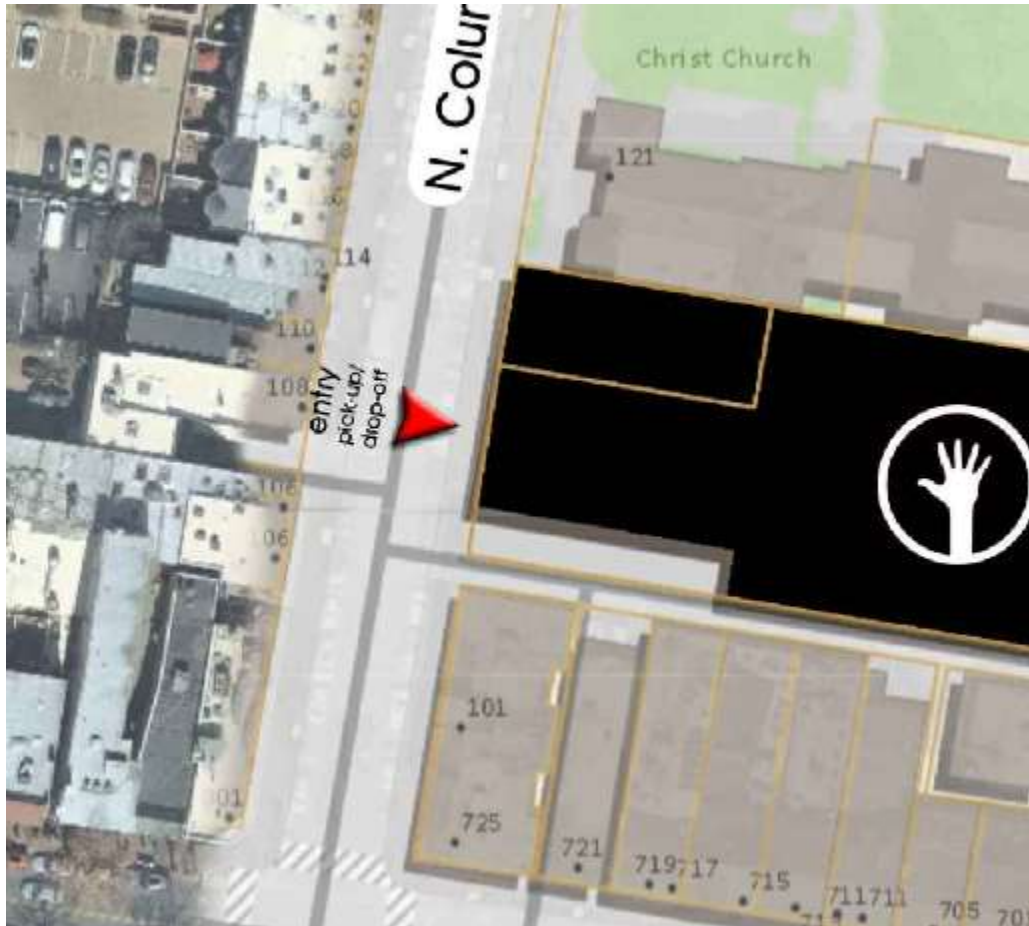
Ann, please see Linder Academy's follow up responses in blue below to the questions in the January 3<sup>rd</sup> letter received from Staff:

1. The details for pick up and drop off:
  - a. The number of students picked up and dropped off each day – The application is for up to 160 students at full occupancy but the likelihood is at the proposed opening in September 2025, there will likely be 55 students. Linder is open to having a bus from Arlington like they did at their other location, the size is likely a 25 passenger bus (a regular school bus is 75).
  - b. How they are accessing the site (e.g. private vehicle, school bus) – Private vehicle at this point, and walking/biking. Linder currently has a LOT of families that carpool, as well as some that use a group van service, so those would likely be similarly utilized here.
  - c. Times of day for pick up and drop off –Likely 8:10-8:25am like currently at the S. Washington location, and then 3:10-3:25pm pickup.
  - d. A map showing the areas proposed for pick up and drop off. – the following areas below were shown in the materials submitted with the application. In addition, Linder is happy to also use the N. Washington Street entrance for drop off in the morning, if the City would like alternative locations.









Please let us know if you have any additional questions.

Thanks, Mary Catherine

Wire Gill, LLP

[mcgibbs@wiregill.com](mailto:mcgibbs@wiregill.com)

[700 N. Fairfax St., Suite 600](#)

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authorized representative(s), we request that you notify us of the error immediately at (703)836-5757 and ask for instructions concerning its proper disposition.

**From:** Ann Horowitz <[ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)>

**Sent:** Wednesday, January 3, 2024 3:58 PM

**To:** Mary Catherine Gibbs <[mcgibbs@wiregill.com](mailto:mcgibbs@wiregill.com)>; Antoine D Pierce <[antoine.pierce@alexandriava.gov](mailto:antoine.pierce@alexandriava.gov)>; [kristincarpenter@thelinderacademy.com](mailto:kristincarpenter@thelinderacademy.com); Mike Ernst <[mernst@rustorling.com](mailto:mernst@rustorling.com)>

**Cc:** Tony LaColla <[anthony.lacolla@alexandriava.gov](mailto:anthony.lacolla@alexandriava.gov)>; Mavis E Stanfield <[mavis.stanfield@alexandriava.gov](mailto:mavis.stanfield@alexandriava.gov)>

**Subject:** RE: 112 N. Washington St. (SUP2023-00105) Letter of Incompleteness

**Sensitivity:** Confidential

Hi Mary Catherine,

Although you mentioned potential areas for a pick up and drop off plan, specifics would be great. Answers to the following questions could be provided in an email and we will supplement the application with this information. Do you think all 160 of the students would be picked up and dropped off at the site in personal vehicles? Or would the school provide a bus or buses as I believe they may use at the S. Washington site. If buses are planned, what is the size? What are the hours for morning drop off and for afternoon pick up? How many parking spaces are requested for use for pick up and drop off and on what streets?

Thanks again.

Ann

**From:** Mary Catherine Gibbs <[mcgibbs@wiregill.com](mailto:mcgibbs@wiregill.com)>  
**Sent:** Wednesday, January 3, 2024 3:17 PM  
**To:** Antoine D Pierce <[antoine.pierce@alexandriava.gov](mailto:antoine.pierce@alexandriava.gov)>; [kristincarpenter@thelinderacademy.com](mailto:kristincarpenter@thelinderacademy.com);  
Mike Ernst <[mernst@rubusstorling.com](mailto:mernst@rubusstorling.com)>  
**Cc:** Ann Horowitz <[ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)>; Tony LaColla <[anthony.lacolla@alexandriava.gov](mailto:anthony.lacolla@alexandriava.gov)>;  
Mavis E Stanfield <[mavis.stanfield@alexandriava.gov](mailto:mavis.stanfield@alexandriava.gov)>  
**Subject:** RE: 112 N. Washington St. (SUP2023-00105) Letter of Incompleteness  
**Sensitivity:** Confidential

Antonio, thanks for your letter. I'm happy to help answer your questions. A number of them are answered in the materials. Let me know if you'd like to set up a quick call to discuss what you need to be supplemented.

Thanks, Mary Catherine

Wire Gill, LLP

[mcgibbs@wiregill.com](mailto:mcgibbs@wiregill.com)

[700 N. Fairfax St., Suite 600](#)

[Alexandria, VA 22314](#)

(703) 836-5757 (office)

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(703) 835-1922 (mobile)

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**From:** Antoine D Pierce <[antoine.pierce@alexandriava.gov](mailto:antoine.pierce@alexandriava.gov)>  
**Sent:** Wednesday, January 3, 2024 2:51 PM  
**To:** Mary Catherine Gibbs <[mcgibbs@wiregill.com](mailto:mcgibbs@wiregill.com)>; [kristincarpenter@thelinderacademy.com](mailto:kristincarpenter@thelinderacademy.com)  
**Cc:** Ann Horowitz <[ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)>; Tony LaColla <[anthony.lacolla@alexandriava.gov](mailto:anthony.lacolla@alexandriava.gov)>;  
Mavis E Stanfield <[mavis.stanfield@alexandriava.gov](mailto:mavis.stanfield@alexandriava.gov)>  
**Subject:** 112 N. Washington St. (SUP2023-00105) Letter of Incompleteness  
**Sensitivity:** Confidential

Good afternoon,

Attached to this email you will find a letter of incompleteness regarding a Special Use Permit application, which was submitted to the City of Alexandria's Department of Planning and Zoning.

Upon evaluation of the application, it was deemed incomplete. Please read the attached document for more information regarding additional minimum information and materials required to complete the application.

Please let us know if you have any questions or concerns.

Regards,

Antoine Pierce, MPA  
Boards and Commissions Unit Supervisor  
Department of Planning & Zoning  
[301 King Street, Room 2100](#)  
[Alexandria, VA 22314](#)  
703.746.4666 – Main  
703.746.3810 – Desk  
[antoine.pierce@alexandriava.gov](mailto:antoine.pierce@alexandriava.gov)

***Please Join Us for a Virtual Community Meeting  
To Discuss the  
Application for the Linder Academy Upper School  
At 112 N. Washington St. (current Ross site)***

*Linder Academy invites you to a Virtual Community Meeting to discuss their plans  
for a new Upper School at 112 N. Washington St.*

***Wednesday, February 21, 2024  
7:00 PM***

***Register in advance for this webinar:***

***[https://us06web.zoom.us/webinar/register/WN\\_eyJGbi04P4OKK9JdlBIcDXvg](https://us06web.zoom.us/webinar/register/WN_eyJGbi04P4OKK9JdlBIcDXvg)***

***After registering, you will receive a confirmation email containing information about joining the webinar.***



112 N. Washington St.

***Project Contact:***

***Mary Catherine Gibbs at [mcgibbs@wiregill.com](mailto:mcgibbs@wiregill.com) or (703)836-5757***

# City of Alexandria, Virginia

---

## MEMORANDUM

DATE: MARCH 1, 2024

TO: CHAIR NATHAN MACEK  
AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL W. MORITZ, DIRECTOR  
DEPARTMENT OF PLANNING & ZONING

SUBJECT: DOCKET ITEM #8 – SUP #2023-00105  
112 NORTH WASHINGTON STREET  
LINDER ACADEMY

---

This memorandum outlines a change to Condition #6 that Chair Macek requested to more accurately reflect the small nature of the buses that would serve the school.

6. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall comply with the drop-off and pick-up plan: parents shall use the six space loading zone in front of the school on North Columbus Street. Drop off and pick-up would occur between 7:30 a.m. to 8:30 a.m. and 3:00 p.m. to 4:00 p.m., respectively. Should the loading zone be occupied, parents may park at on-street spaces in compliance with City regulations. The applicant shall ensure that traffic does not back up or cause traffic circulation issues on North Columbus Street. The applicant shall arrange for ~~commuter~~-minibuses to bring students to and from the school and shall stagger arrival and departure times to alleviate traffic congestion. The Directors of Planning & Zoning and Transportation & Environmental Services reserve the right to revisit the pick-up and drop off plan and may impose amended or additional requirements to ensure pick-up and drop-off facilities are adequate and do not impact traffic circulation. Enrollment of over 160 students will require reevaluation of the pick-up and drop-off plan. ~~(P&Z) (T&ES) (PC)~~

Staff continues to recommend approval of SUP #2023-00105 with the amendment to Condition #6.