



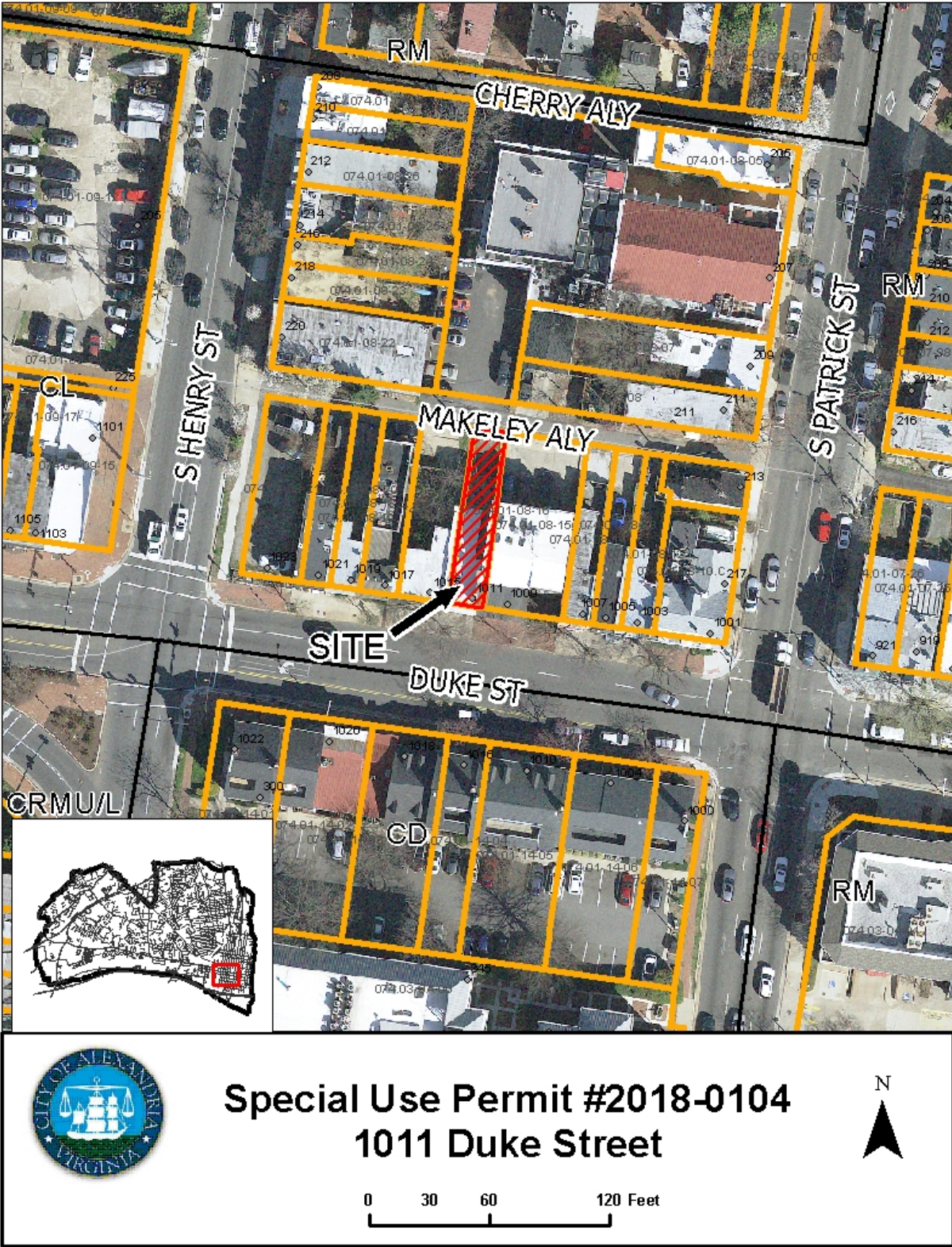
Special Use Permit #2018-0104
1011 Duke Street

Application	General Data	
Request: Consideration of a request for a special use permit for a parking reduction with lot modifications for a commercial to residential use conversion	Planning Commission Hearing:	January 3, 2019
	City Council Hearing:	January 12, 2019
Address: 1011 Duke Street	Zone:	CL / Commercial Low Zone
Applicant: Steven R. Saunders	Small Area Plan:	Old Town Small Area Plan

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewer: Max Ewart, max.ewart@alexandriava.gov

PLANNING COMMISSION ACTION, JANUARY 3, 2019: By unanimous consent, the Planning Commission voted to recommend approval of SUP #2018-0104, as submitted.



I. DISCUSSION

The applicant, Steven R. Saunders, represented by Betsy Gorman, requests Special Use Permit approval for a one-space parking reduction with lot modifications to the CL zone residential use area and bulk regulations, pursuant to Sections 4-105(B) and 4-106(A)(2) of the Zoning Ordinance.

The applicant may request a reduction of the two-space parking requirement, according to Section 8(100)(A)(1), through a Special Use Permit review. As the applicant's proposal includes an SUP request, Section 11-416(C) of the Zoning Ordinance allows for a review of the requested lot modifications through the Special Use Permit process, requiring City Council approval. When a Special Use Permit proposal is not part of an applicant's proposal, lot modification requests proceed through a Board of Zoning Appeals (BZA) review.

SITE DESCRIPTION

The subject site is located on one parcel of record with 17 feet of frontage on Duke Street and a depth of approximately 95 feet. It has a lot area of 1,496 square feet. The parcel is developed with a two-story 776 square foot townhouse (Figure 1). The rear parking area is accessible by Makely Alley and includes a brick partition separating the parking area from the rear yard and open space (Figure 2).

Commercial, residential, and office uses surround the lot (Figure 3). Historic homes, consisting primarily of townhouse dwellings, are proximate to the south and east. Commercial properties are located to the west fronting along South Henry Street.

BACKGROUND

The subject property is a two-story structure in the Italianate style, identified by its low sloping roof that sheds as it gets closer to the rear of the structure. The property is present in 1885 Sanborn Maps, and is likely constructed prior to 1877. *Historic Alexandria, VA: Street by Street*, states that the building was constructed in the mid-19th century.



Figure 1



Figure 2

The subject property was converted from residential to commercial use in 1986. The building location on the lot and the lot characteristics complied with the bulk and area regulations for commercial uses in the CL Zone. In addition, the subject property is in the Central Business District where commercial uses are not required to provide parking.

Per tax records, the majority of the structures on the block were used commercially during the mid-1980s and have progressively converted to residential uses over the past 30 years. Most recently, on December 10, 2018, BZA approved a variance to the front yard setback requirement and a commercial to residential conversion of 1015 Duke Street.

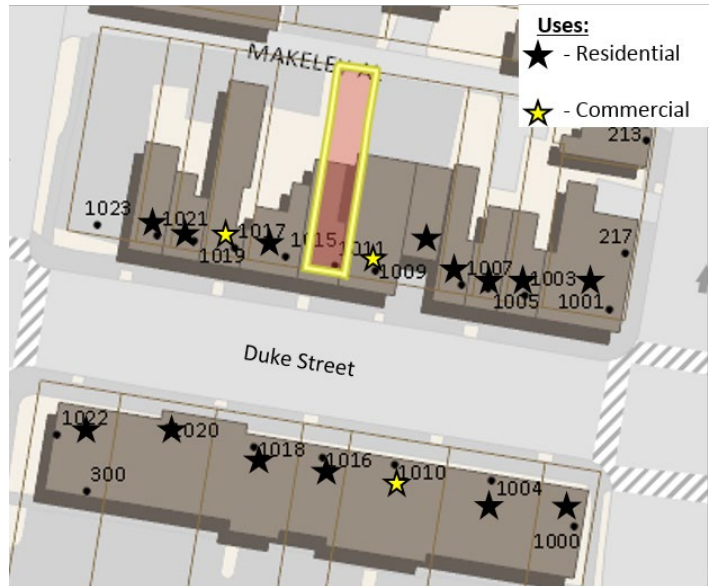


Figure 3

PROPOSAL

The applicant requests a parking reduction from two standard spaces to one standard parking space and one compact parking space. As the building location on the lot and lot characteristics do not meet the lot size, frontage, front yard setback or open space requirements for residential uses in the CL zone, the applicant also requests lot modifications, which may be added to this SUP request for a parking reduction as stated in the Zoning Ordinance.

Although the subject property was originally constructed as a residential structure, whenever a property owner converts from commercial use to residential use, the new use must come into compliance with the current zoning ordinance regulations either through an SUP or BZA review.

PARKING

Section 8-200(A)(1) of the Zoning Ordinance requires townhouse dwellings to provide two parking spaces for each dwelling unit. Given that one standard parking space is available on-site, the applicant would, therefore, require Special Use Permit approval for a parking reduction for the proposed one compact space.

ZONING

The property is located in the CL, Commercial Low Zone, which allows for a mix of residential and commercial uses. Townhouse dwellings are a permitted use in the CL zone, pursuant to Zoning Ordinance Section 4-102(A.2) of the Zoning Ordinance. Sections 4-105(B) and 4-106(A)(2) outline the area and bulk regulations for residential uses, respectively (Table 1). Section 11-416(C) of the Zoning Ordinance allows for lot modifications, such as lot size, frontage, front yard setback and open space, to be reviewed for requests that include an SUP proposal.

ZONING ANALYSIS

<i>Table 1</i>	Required	1011 Duke St.	Complies
Lot Area	1,980 sq. ft.	1,496 sq. ft.	no
Frontage	18 ft.	17 ft.	no
Front Yard	20 ft.	0.7 ft.	no
Side Yard Setback (south side)	N/A	N/A	N/A
Rear Yard Setback	1:1 and 8 ft. min.	36.3 ft.	yes
Open Space	40% = 598.4 sq. ft.	16.3% = 244 sq. ft.	no

MASTER PLAN DESIGNATION

The subject property is located within the Old Town Small Area Plan. The plan designates this area as a mixture of uses that is predominately residential while being anchored by the King Street and Washington Street commercial corridors. This particular area of the Plan along Duke Street was designated as “Medium Density Residential” in the 1974 Generalized Land Use Plan separating it from the commercial uses along King Street.

II. STAFF ANALYSIS

Staff recommends approval of the parking reduction from two standard spaces to one standard space and for the proposed lot modifications.

Parking impacts are not anticipated as easy access to several mass transit options, such as the King Street metro, bus routes, the King Street Trolley and BikeShare, preclude the need for future homeowners to own more than one vehicle. Further, staff analysis revealed that an adequate turning radius for two vehicles (one standard and one compact) could not be accommodated on Makely Alley and, therefore, the use of the parking area for one standard sized vehicle is supported, excluding the use of the remaining area at the rear of the property for the proposed compact space.

Additionally, approval of the lot modifications for lot area, frontage, front yard and open space is recommended as it allows for the use to return to its original residential use, consistent with the Old Town Small Area Plan goals and with neighborhood trends. Staff has included Condition #1 to ensure that the existing open space is maintained.

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

III. RECOMMENDED CONDITIONS

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

1. The open space shall not be reduced to less than 16.3% of the lot area. (P&Z)

STAFF: Tony LaColla, AICP, Division Chief, Land Use Services
 Ann Horowitz, Principal Planner
 Max Ewart, Urban Planner

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

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

F-1 Staff supports a parking reduction to one standard space due to turning constraints in the adjacent alley.

Code Enforcement:

No comments received.

Fire:

No comments received.

Health:

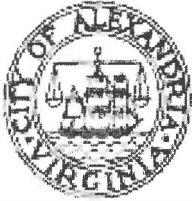
No comments received.

Parks and Recreation:

No comments received.

Police Department:

No comments received.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # _____

PROPERTY LOCATION: 1011 Duke Street, Alexandria, Virginia 22314

TAX MAP REFERENCE: 074.01-08-16 **ZONE:** CL

APPLICANT:

Name: Steven R. Saunders

Address: 1015 Duke Street, Alexandria, Virginia 22314

PROPOSED USE: residential use requiring approval for parking reduction for 1 compact space

☒ **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.

Betsy Gorman

Print Name of Applicant or Agent

c/o Long & Foster, 400 King Street

Mailing/Street Address

Alexandria, VA

City and State

22314

Zip Code

[Signature]
Signature

10/18/18

Date

7038614825

Telephone #

Fax #

betsy@gormangroup.net

Email address

ACTION-PLANNING COMMISSION: _____ **DATE:** _____

ACTION-CITY COUNCIL: _____ **DATE:** _____

SUP # _____

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 1011 Duke Street, Alexandria, Virginia 22314, I hereby
(Property Address)
grant the applicant authorization to apply for the residential use as
(use)
described in this application.

Name: Steven R. Saunders

Phone: 703-994-9861

Please Print
Address: 1015 Duke Street, Alexandria, VA

Email: steve@saunderscompany.com

Signature: Steven R. Saunders

Date: 10/19/18

- 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.

Steven R. Saunders (individual), 100%

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. Steven R. Saunders	1015 Duhest, Alex VA	100
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 1015 Duke Street, Alexandria, Virginia 22314 (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. Steven R. Saunders	1015 Duhest, Alex VA	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. Steven R. Saunders	none	none
2.		
3.		

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.

10/19/18
Date

Betsy Gorman
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.

authorized agent not being compensated.

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.)

1011 Duke Street is a historic property (built in 1870 per City records) that is zoned CL
and, to the best of the owner's knowledge, was used as a residence from its
construction until 1986 when it was converted to Commercial Office use. In the 1980s
when the use of 1011 Duke Street was converted to Commercial Office, the
predominate use of properties on the block was commercial. That
usage has changed over the past 30 years and now the vast majority of properties on
the block (8 out of 10) are currently zoned CL with residential use. Only one property
on the block is still a commercial venture. The lot characteristics of 1011 Duke St. are
deficient for residential use in the the following ways: lot area, lot width/frontage, front
yard set back and open space. For purposes of this application, the property doesn't
meet the requirement for 2 standard parking spaces. The property does accommodate
1 standard parking space and 1 compact parking space. The owner is requesting
parking reduction for 1 compact parking space so the property may be used as a
residence.

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).

none, residential use

B. How many employees, staff and other personnel do you expect?

Specify time period (i.e., day, hour, or shift).

none, residential use

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

Day:

residential use

Hours:

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

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

none

B. How will the noise be controlled?

n/a

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

none

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 residential trash

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

typical residential trash

- C. How often will trash be collected?

once a week

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

n/a

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:

- 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:

- 12.** What methods are proposed to ensure the safety of nearby residents, employees and patrons?
n/a

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.

PARKING AND ACCESS REQUIREMENTS

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

1 _____ Standard spaces
 1 _____ 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?

☐ Yes ☐ No

- 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?

n/a

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?

☐ Yes ☐ No

- B. Where are off-street loading facilities located? _____
n/a
- C. During what hours of the day do you expect loading/unloading operations to occur?
n/a
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
n/a

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 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?

1496 sq. ft. (existing) + 0 sq. ft. (addition if any) = 1496 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: row house

End of Application

1011 Duke Street, Alexandria, VA 22314



Front of
1011
Duke
Street-
red row
house
on right



Parking
in rear





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)

Parking reduction for 1 compact space.

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

Property is a historic row house that provides side by side parking in the rear. Width of lot is 17 ft. and is 1 ft short of accommodating 2 standard side by side parking spaces. Width of lot easily accommodates 1 standard parking space and 1 compact space.

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

Lot width only accomodates 1 standard parking space and one compact parking space.

Lot only accomodates side by side parking.

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.

