

DOCKET ITEM #4
Special Use Permit #2019-00104
1022 Pendleton and 521 North Henry Streets
Rooming house

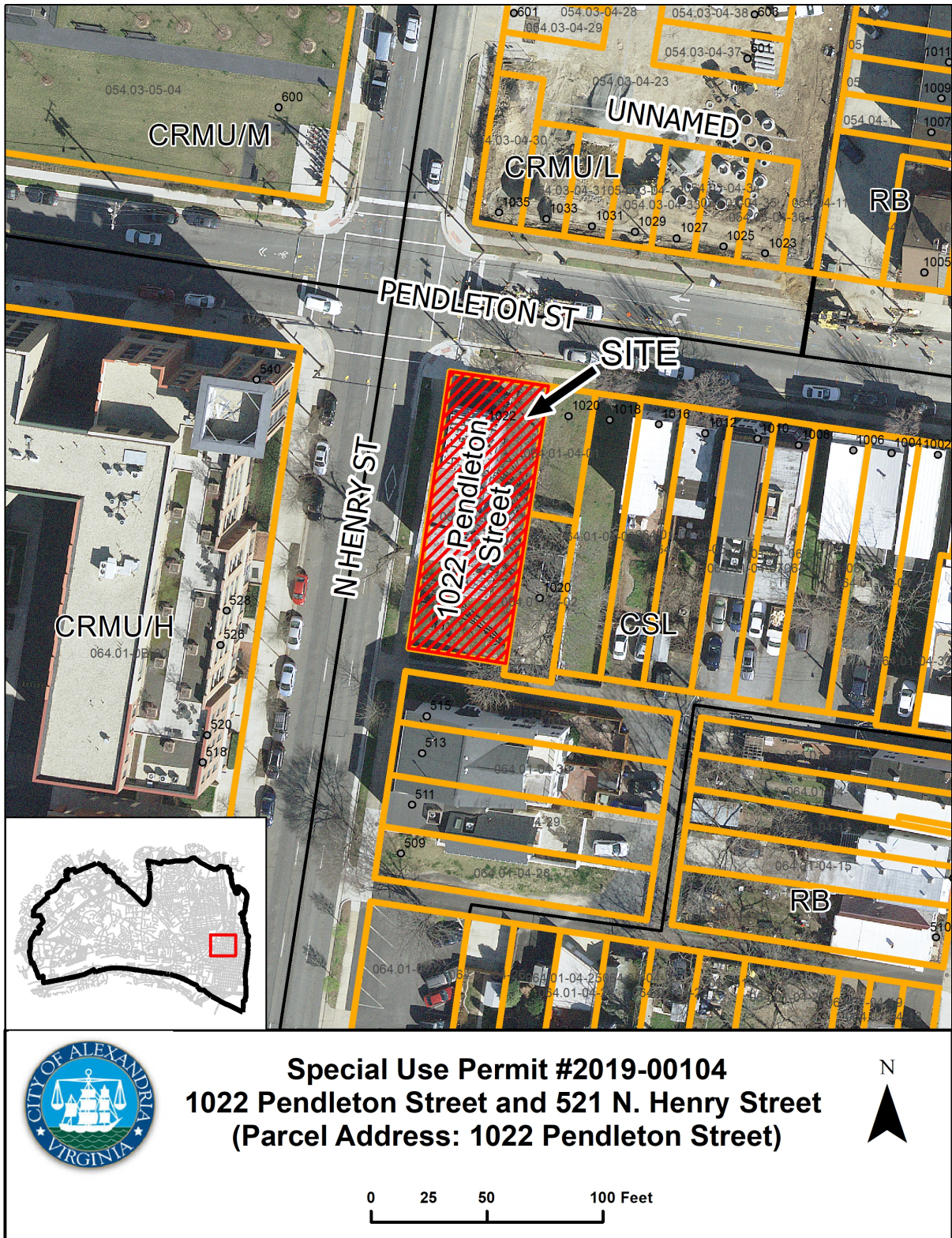
CONSENT AGENDA ITEM

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Application	General Data	
Request: Public Hearing and consideration of a Special Use Permit request for a five-year review and for a change of ownership of a rooming house.	Planning Commission Hearing:	February 4, 2019
	City Council Hearing:	February 22, 2019
Address: 1022 Pendleton and 521 North Henry Streets	Zone:	CSL/Commercial Service Low Zone
Applicant: Janice Howard	Small Area Plan:	Braddock Road Metro Station

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
Ann Horowitz, ann.horowitz@alexandriava.gov



I. REPORT SUMMARY

The applicant, Janice Howard, requests Special Use Permit approval for a five-year review and for a change of ownership of a rooming house. Staff recommends approval with conditions as stated in this report.

SITE DESCRIPTION

The subject property is one rectangular lot of record located on the southeast corner of Pendleton Street and Henry Street. The lot has approximately 43 feet of frontage on Pendleton Street, approximately 120 feet of frontage on North Henry Street, approximately 120 feet of depth and approximately 5,200 square feet of lot area (Figure 1).

A mix of single-family detached dwellings, townhouses and multi-family dwellings with commercial ground floor uses surround the subject lot. The Monarch, a four-story multi-family development with a Starbucks, UFC Gym and several medical offices on the ground floor, is located to the West, across North Henry Street. Townhouses and detached single-family homes represent the housing stock to the north, east and south.



Figure 1: Subject site

Additionally, the Charles Houston Recreation Center is located two blocks to the northeast and the Braddock Road Metro station is located approximately one quarter of a mile away to the northwest.

BACKGROUND

In 1917, John Wesley Jackson purchased the subject property to operate as a bakery and rooming house and function as his family residence. It has continually operated as a rooming house by Mr. Jackson or one of his descendants since that time. The Victorian-style structure historically served members of the African American community who were unable to find segregated lodging during the Jim Crow and Civil Rights Movement eras. Oral histories include testimonials that African American artists performing at the nearby Elks Lodge would reside here when in Alexandria. If listed in the state and federal



Figure 2: Subject site, late 1920s

historic property registers, the commercially-used structure would be eligible for state and federal historic rehabilitation tax credits for renovation purposes.

In December 1987, City Council amended the Zoning Ordinance requiring all new rooming houses to obtain Special Use Permit approval. The Zoning Ordinance amendment required existing rooming houses to acquire an SUP by June 30, 1992. In 1991, City Council approved SUP #2485 for a rooming house at the subject site to comply with City requirements. On June 15, 1996, City Council approved SUP #96-0058 for a five-year review of SUP #2485, as required in the Zoning Ordinance.

On an August 14, 2019 routine inspection, zoning inspectors issued a warning for violating Condition #1 of SUP #96-0058, requiring any new owners of the rooming house to apply for a change of ownership Special Use Permit. As a result, the applicant submitted an SUP application for the change of ownership and for the five-year SUP review.

PROPOSAL

The applicant, building owner, and granddaughter of John Wesley Jackson, Janice Howard, requests a five-year review of the rooming house SUP which regulates the 4,000 square foot rooming house at 1022 Pendleton Street. Eight residents live at the residential property, consisting of eight bedrooms, two bathrooms and a common area dedicated for group activities. At the point of this request, none of the tenant's own cars.

The SUP review also includes a request for a change of ownership from Corinne J. Dixon to Janice Howard.

PARKING

According to Section 8-200(A)(3) of the Zoning Ordinance, a rooming house is required to provide one parking space for every four guest rooms. The eight guest rooms would require the applicant to provide two parking spaces. Two parking spaces are located at the rear of the property and are accessed from an alley.

ZONING/ MASTER PLAN DESIGNATION

The subject property is located in the CSL/Commercial Service Low Zone which permits rooming houses with Special Use Permit approval only pursuant to Section 4-303(Z) of the Zoning Ordinance. Rooming houses are subject to the criteria established in Section 7-1900 of the Zoning Ordinance that include conditions on how such businesses must operate. According to Section 7-1400, City Council must review rooming house SUPs every five years. Though a change of ownership could be technically approved by staff through an administrative process, this request has been combined with this required full-hearing SUP five-year review.

The lot is also located within the Braddock Road Metro Station Small Area Plan that designates it for low-density commercial uses, such as a rooming house. The lot is also located in the Braddock Road Metro Neighborhood Plan area, which is an overlay plan within the small area plan. The

neighborhood plan supports residential use at the subject site to enhance the residential vitality of the mixed-use corridor.

II. STAFF ANALYSIS

Staff supports the applicant's request to continue a rooming house at this location and for the change in ownership. The rooming house has contributed to the availability of affordable housing in the City for over 100 years and the applicant is committed to continuing the family operation, taking over for her mother. Further, the use has not impacted the neighborhood quality of life as it has not been the source of Zoning or Code complaints violations for several years.

Staff has amended Condition #1 to reflect present day language that grants the SUP to specific applicants. Conditions #2 to 6 have been added to reflect rooming house requirements as stated in the Zoning Ordinance.

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. **CONDITION AMENDED BY STAFF:** The special use permit shall be granted to ~~Corrine J. Dixon only for as long as the rooming house is operated by Corrine J. Dixon~~ the applicant only or to any business entity in which the applicant has a controlling interest. (P&Z) (SUP #2485)
2. **CONDITION ADDED BY STAFF:** The rooming house shall contain the number of guest rooms as required in the Zoning Ordinance. (P&Z)
3. **CONDITION ADDED BY STAFF:** The applicant shall be responsible for the physical maintenance of the property and for the peace and good order of the premises.
4. **CONDITION ADDED BY STAFF:** The applicant shall submit to annual inspections of the premises, to be scheduled by City staff for the purpose of assuring that the rooming house is in conformance with the conditions of this permit and with the USBC and the Fire Code. (P&Z)
5. **CONDITION ADDED BY STAFF:** The applicant or a designee shall act as the operator/manager. (P&Z)
6. **CONDITION ADDED BY STAFF:** Special Use Permit #2019-0104 shall be docketed for review by City Council within five years or will expire on February 21, 2025. (P&Z)

7. **CONDITION ADDED BY STAFF:** 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 a 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
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:

- C-1 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, for information about completing this form. (T&ES)
- C-2 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)
- C-3 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)

Code Enforcement:

No comments or concerns

Fire:

No comments or concerns

Health:

No comments received

Recreation, Parks & Cultural Activities:

No comments received

Police Department:

- F-1 Ensure that the address continues to be properly posted on the outside of the building.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # _____

PROPERTY LOCATION: 1022 Belmont St

☒ TAX MAP REFERENCE: 64.01 ☒ ZONE: CSL

APPLICANT:

Name: Janice L Howard

Address: 2207 Fort Ward Pl. Alexandria VA 22304

PROPOSED USE: roominghouse change of ownership
and five year review

☒ **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.

☒ JANICE LEE HOWARD Janice L Howard
Print Name of Applicant or Agent Signature Date

2207 Fort Ward Pl 703 906 4703
Mailing/Street Address Telephone # Fax #

Alexandria VA 22304 JANICE HOWARD@COMCAST.NET
City and State Zip Code Email address

ACTION-PLANNING COMMISSION: _____ DATE: _____

ACTION-CITY COUNCIL: _____ DATE: _____

SUP # _____

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 1022 Penikese + 521 N. Henry, I hereby
(Property Address)
grant the applicant authorization to apply for the rooming house use as
(use)
described in this application.

Name Corinne J. Dyer, LLC

Phone 703 906 4703

Please Print

Address: 2207 Fort Ward Place

Email: JAMIE@HWARD@COMCAST.NET

Alexandria VA 22304

Signature: Jamie L. Howard, Owner

Date: 11/8/2019

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.

N/A Jamie Howard 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.	JANICE HOWARD		
2.			
3.	JANICE HOWARD	2207 Fort Ward Pl.	100 %

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (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.	JANICE HOWARD		
2.			
3.	JANICE HOWARD	2207 Fort Ward Pl.	100 %

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 required 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 indicate 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.	JANICE HOWARD	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.

11/19/2019 JANICE HOWARD
Date Printed Name

JANICE HOWARD
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.)

521 North Henry Street, also known as 1022 Pendleton St, Alexandria, VA, is a rooming house serving the Alexandria community over 100 years. The rooming house has eight guest rooms and a common area that the residents use for group activities, TV and games. However, most of the residents have TV in their own rooms. Some of the residents have lived on the premises over fifty years with social security as their primary means of income. The Rooming House serves the low income community based on individuals who don't have the income to meet the average rental requirements for residents in the Alexandria area. There is no parking on the property. None of the residents

have vehicles, so public transportation is immediately available in the area. there is a large kitchen on the premises, however most residents have their own refrigerator and usually eat in their own room or eat out.

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: change of ownership & 5 year review

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).

max 8

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

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

James H. Huns / manager continually
property owner & 1st of Clear Creek

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

Day:

7 days

Hours:

24 hours

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

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

There are 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: *N/A*

There are 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)

Normal residential trash for a group of 8. We have trash bins

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

Trash Bins

- C. How often will trash be collected?

Normal trash collection once a week

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

Owner/Landlord retains individuals to keep the property clean

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:

N/A

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?

We have locks on front door and all rooms

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.

SUP # _____

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?

☐ 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?

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? N/A

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?

_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = _____ sq. ft. (total)

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

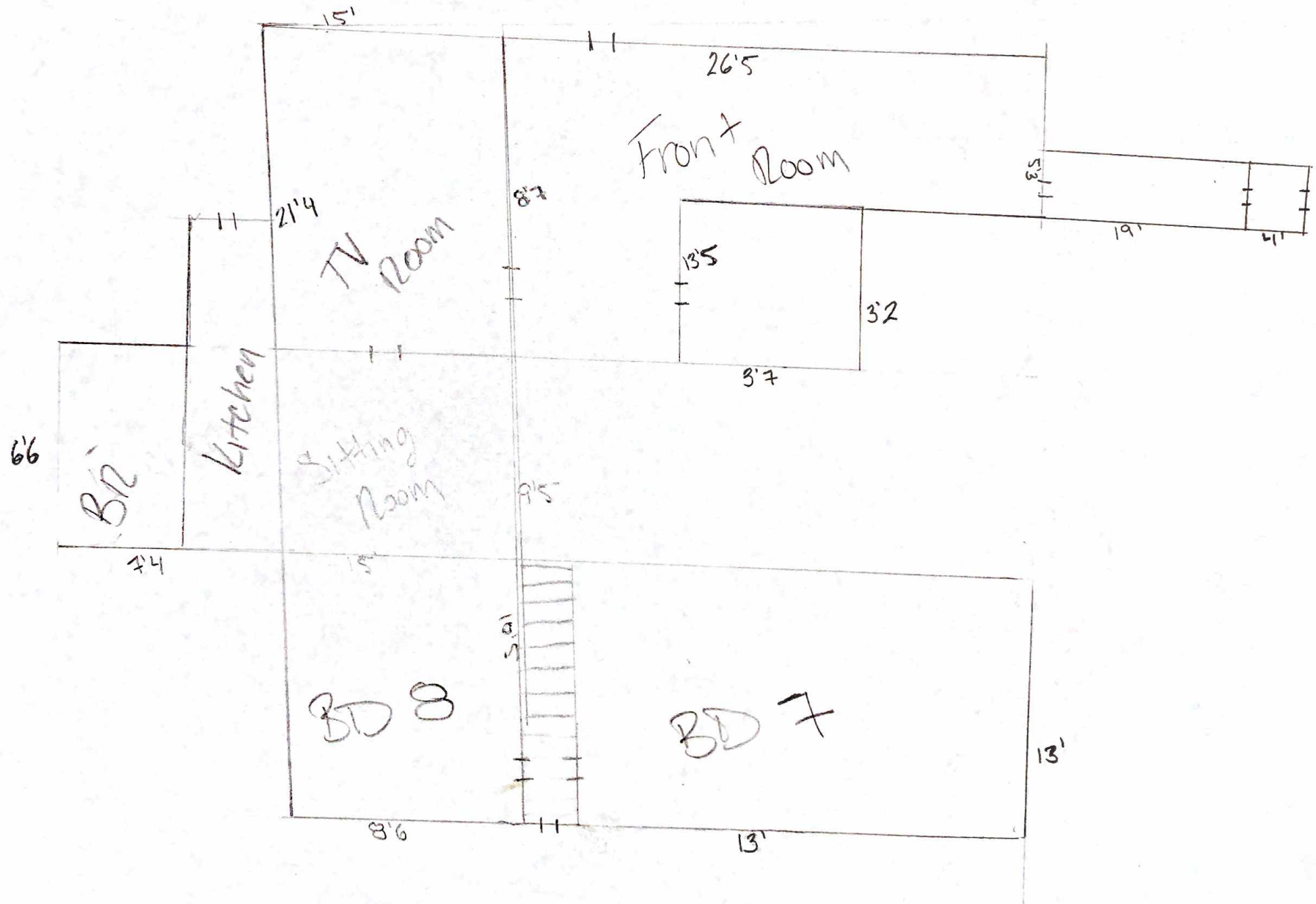
- ☒ a stand alone building
- ☐ a house located in a residential zone
- ☐ a warehouse
- ☐ a shopping center. Please provide name of the center: _____
- ☐ an office building. Please provide name of the building: _____
- ☐ other. Please describe: _____

End of Application

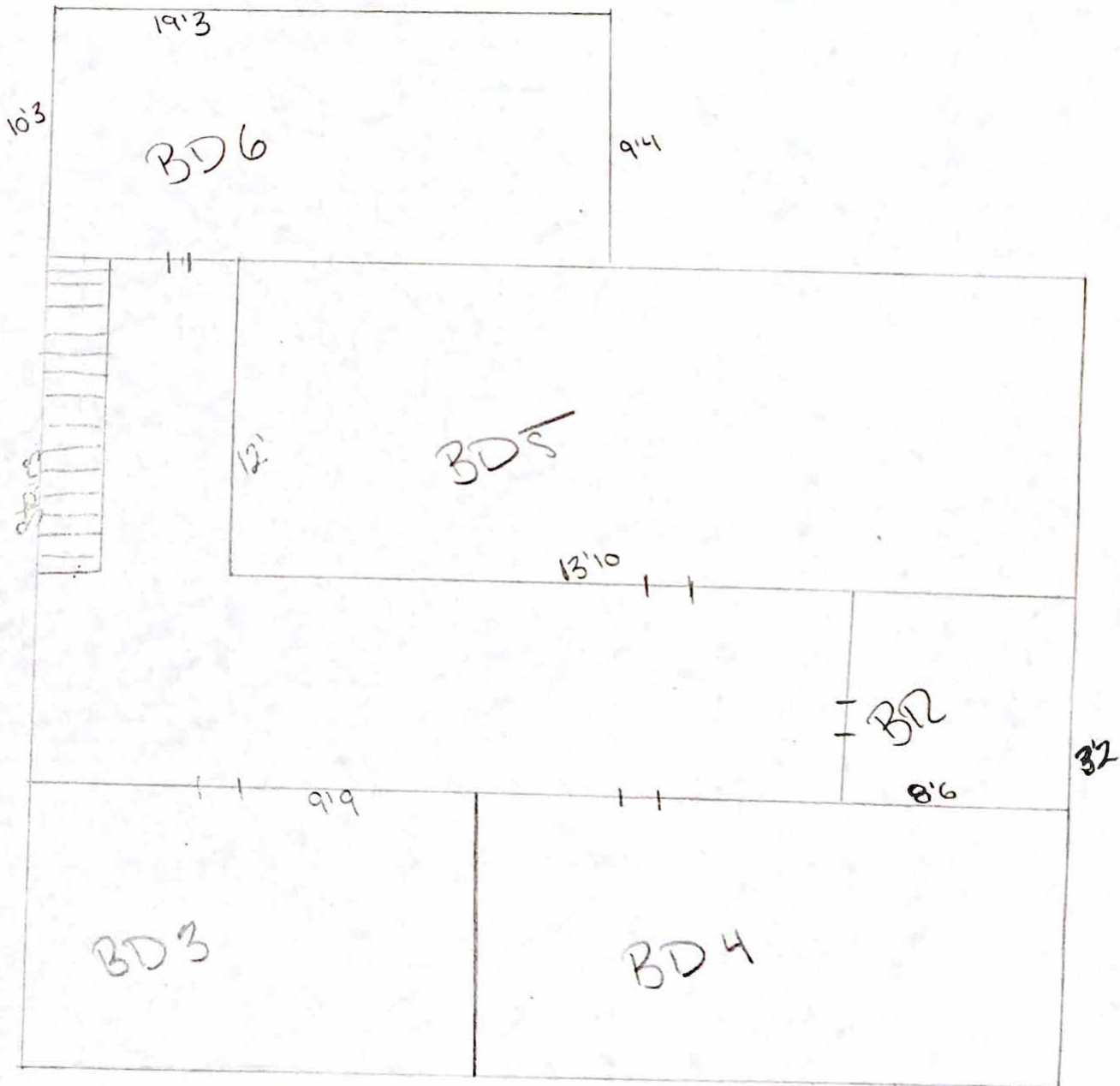


521 N. HENRY STREET

Floor 1

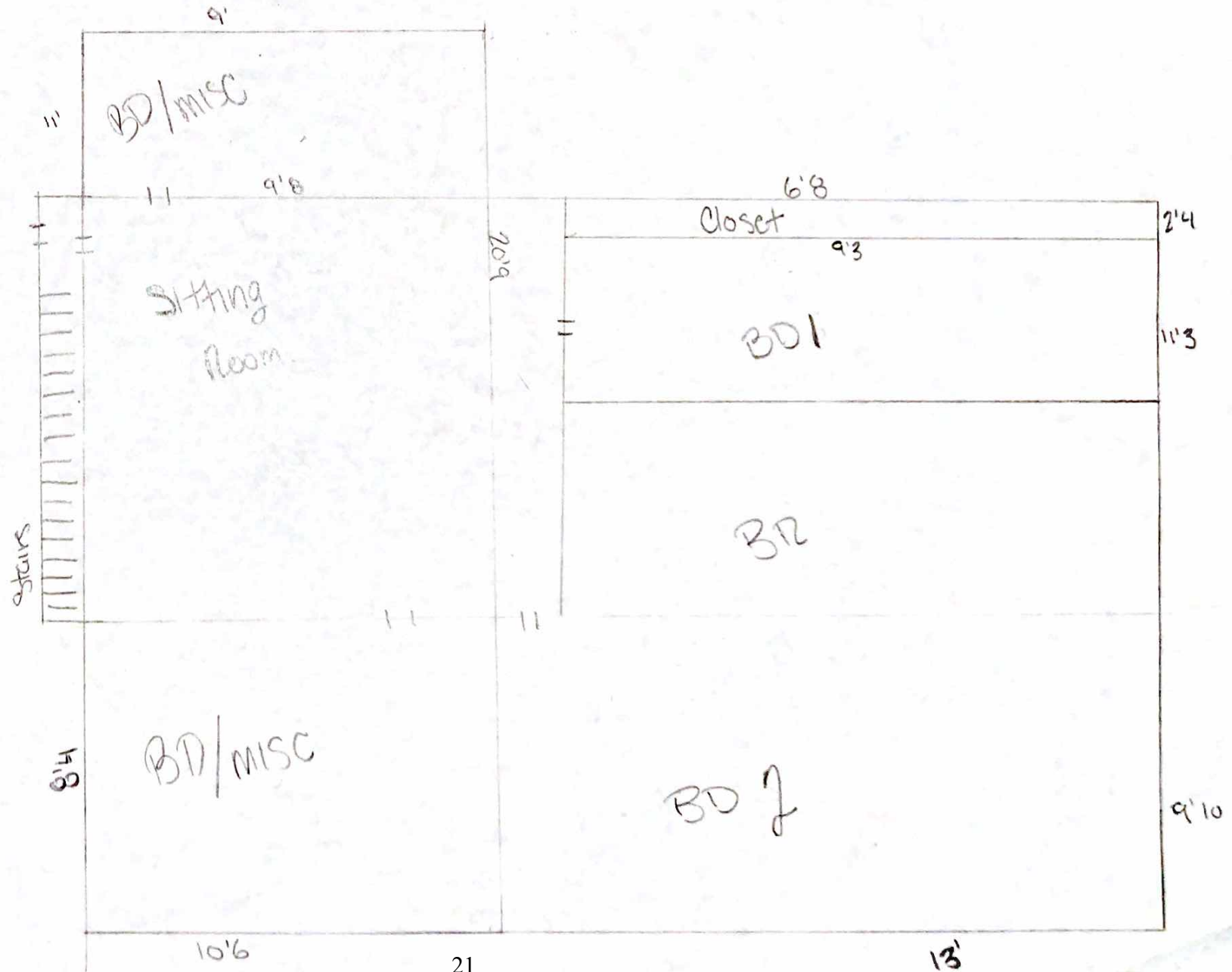


521 N. HENRY STREET Floor 2



521 N. HENRY STREET

Floor 2



521 N. HENRY STREET Basement.

