



DOCKET ITEM #2
Special Use Permit #2018-0080
300 N. Fayette Street
(Parcel Address: 1201 Queen Street)
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	
Public hearing and consideration of a Special Use Permit request to operate a rooming house.	Planning Commission Hearing:	February 2, 2021
	City Council Hearing:	February 20, 2021
Address: 300 N. Fayette Street (Parcel Address: 1201 Queen Street Street)	Zone:	CL / Commercial Low
Applicant: Hazel Barksdale	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: Marlo Ford, marlo.ford@alexandriava.gov
Ann Horowitz, ann.horowitz@alexandriava.gov



PROJECT LOCATION MAP

I. DISCUSSION

The applicant, Hazel Barksdale, requests a Special Use Permit for a rooming house at 300 N. Fayette Street, which has operated at this address for several decades.

SITE DESCRIPTION

The subject site is one lot of record and is developed with a two-story mixed used building. The subject property contains 1,467 square feet of lot area, 25.81 feet of lot width and frontage facing N. Fayette Street and 50.00 feet of lot width facing Queen Street. According to Real Estate Assessment records, the structure was constructed in 1920. The lot contains one 2,392 square foot, two-story building. The rooming house occupies approximately 1,400 square feet of space on the second floor above a personal service use facing N. Fayette Street and an office space which faces Queen Street.

A mix of residential, religious institution and commercial uses surrounds the subject building. Single family dwellings abut the rooming house to the north and west.



Figure 1: The subject rooming house occupies the second floor of the building.

BACKGROUND

The subject property located at the northwest corner of North Fayette Street and Queen Street. The property was zoned “C” residential upon the adoption of the Revised Zoning Map on May 23,

1939. Upon the adoption of the Third Revised Map on December 1951, the property was zoned “RB” which is a residential use zone. In the 1951 Zoning Ordinance, per Section 7(a)(1), rooming houses, boarding houses and tourist homes were permitted uses and only commercial uses that were licensed by the Commonwealth of Virginia such as architects, accountants, ministers were permitted. When the Zoning Ordinance changed again in 1963, it indicated that the nonconforming first floor commercial uses had to be discontinued unless they conformed to the Zoning Ordinance requirements by obtaining a special use permit to authorize continuing non-conforming uses.

On October 24, 1978, City Council approved Special Use Permit #1211 for a change of non-conforming uses on the first floor and noted the existence of apartments/a rooming house on the second floor as a continued nonconforming use. In the special use permit staff report, it identified, that prior to 1978, the first floor of the building had various commercial uses with residential units on the second floor and had been used as such 30 year prior to the submission of the SUP.

On February 4, 1992, Planning Commission dismissed Special Use Permit #1211-A for the continuation of a non-conforming commercial use on the first floor. The applicant had submitted the SUP under the provision of Ordinance #3395 to continue the used beyond the termination date of December 28, 1991. The reason being that the property was to be rezoned in the June 1992 revised ordinance from “RB” residential to “CL” commercial low which allowed the first-floor commercial uses by-right. Through the many zone designation changes over the years, however, the rooming house was never recognized as requiring SUP approval. The applicant, therefore, was directed to submit this application.

There have been no Code or Zoning violations in the last several years, prior to SUP submittal. Recent Code inspections of the rooming house for this SUP application have been completed and revealed several code violations which included: repairing the defective and loose exterior upper landing, railing, stairs; repairing the railing post for the interior stairs; providing proper ventilation for the cooking facilities; replacing all defective smoke detectors and extinguishers; addressing peeling and chipping paint; and ensuring the operation of all windows so that they are easy to open and will stay in position by window hardware and are weather tight.

A recent Code inspection revealed that the applicant has diligently corrected most issues. Due to legal proceeding related to an eviction, a remaining one bedroom can now have work completed. In addition, there is an issue regarding one bathroom in another room and wall repair under the stairs. The applicant has been made aware and is correcting the necessary work which is expected to be completed prior to the Planning Commission hearing.

PROPOSAL

The applicant, Hazel Barksdale, requests Special Use Permit approval for a rooming house. The applicant is the new owner of the building where the rooming house is located. As the SUP holder, she would be responsible for adhering to the conditions of this SUP, should it be approved. There are four bedrooms each with their own bathroom, a common area that consists of a kitchen facility and a washer/dryer area. Leases typically run four months to a year, though some tenants stay for longer terms.

PARKING

Per Section 8-200(A)(3) of the Zoning Ordinance, a rooming house is required to provide one parking space for every four guest rooms. No parking spaces exist on the lot. Section 8-200(F)(1) waives the parking requirement given that the building was constructed prior to June 25, 1963.

ZONING/MASTER PLAN DESIGNATION

The property is located within the CL/Commercial Low zone. Section 4-103 (N) of the Zoning Ordinance allows a rooming house use in the CL zone by Special Use Permit approval. Rooming houses are subject to the criteria established in Section 7-1900 of the Zoning Ordinance that include conditions on how such a business must operate.

The property is located within the Braddock Road Metro Station Small Area Plan, which designates the site for uses consistent with the CL zone. It is also located in the Braddock Metro Neighborhood Plan area which designates the site for continued mixed use. The subject site is within the Parker-Gray Historic District.

II. STAFF ANALYSIS

Staff supports the applicant's request to operate a rooming house at this location. The use is appropriate in this location as it has proven to be compatible with the mixed-use neighborhood for least 42 years when it was recognized in the 1978 staff report for continuing non-conforming first floor uses. The rooming house has contributed to the availability of affordable housing in the City for several years. Support of this request represents the retention of existing market-affordable housing.

Furthermore, the use has not generated Zoning or Code complaints from neighboring properties for several years and the operation has not created a public nuisance. The continued use would not intensify existing conditions on the site in terms of trash, noise or parking.

Conditions are included to ensure Zoning Ordinance and Code compliance and to limit environmental impacts of the use.

Subject to the conditions contained in this report, staff recommends approval of the applicant's request.

III. RECOMMENDED CONDITION

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

1. The special use permit shall be granted to the applicant only or to any business entity in which the applicant has a controlling interest. (P&Z)
2. The rooming house shall contain the number of guest rooms in compliance with the Zoning Ordinance and Code requirements. (P&Z)
3. The applicant or a designee shall act as the operator/manager. (P&Z)
4. The applicant shall be responsible for the peace and good order of the premises. (P&Z)
5. 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)
6. The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
7. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
8. 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 P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
9. The applicant shall control odors, smoke and any other air pollutants from 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 & Environmental Services. (T&ES)
10. 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)
11. Special Use Permit #2020-00080 shall be docketed for review by City Council within five years or will expire on February 19, 2026. (P&Z)
12. 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 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: Marlo J.W. Ford, AICP, Planner III, Land Use Services
Ann Horowitz, Principal Planner, Land Use Services
Tony LaColla, AICP, Land Use Services, Division Chief

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 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-2 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 P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
- R-3 The applicant shall control odors, smoke and any other air pollutants from 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 & Environmental Services. (T&ES)
- R4 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-5 The use must comply with the city's noise ordinance. No amplified sound shall be audible at the property line. (T&ES)
- 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:

C-1 A building permit and plan review are required prior to the start of construction.

Fire:

No comments or concerns.

Recreation, Parks & Cultural Activities

No comments

Housing

F-1 Housing staff notes that boarding/rooming houses are important providers of deeply affordable housing for some of the City's most economically vulnerable residents. The rent charged at the subject property (reported to be \$650/month/person) is substantially equivalent to rent affordable to a 1-person household with an income at 30% of the area median income (\$26,500 in 2020).



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # SUP2020-00080

PROPERTY LOCATION: 1201 Queen Street/300 N Fayette Street

TAX MAP REFERENCE: 64.03- 03-16 **ZONE:** CL

APPLICANT:

Name: Hazel Barksdale

Address: 1201 Queen/400 N. Fayette, Alex. Virginia 22314

PROPOSED USE: Continuation of an existing roominghouse use above existing commercial use

☒ **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.

Hazel Barksdale

Print Name of Applicant or Agent

311 East Oak Street

Mailing/Street Address

Alexandria, Virginia 22301

City and State

Zip Code

Hazel Barksdale 10-21-2020

Signature

Date

301.237.5191

Telephone #

Fax #

kdiggs24S@yahoo.com

Email address

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

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

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 1201 Queen Street/300 N. Fayette Street, I hereby
 (Property Address)
 grant the applicant authorization to apply for the continuation of a rooming house use as
 (use)
 described in this application.

Name: Hazel Barksdale Phone: 301.231.5191
 Please Print
 Address: 314 East Oak St Alexandria Va 22301 Email: kdiggs24S@yahoo.com
 Signature: Hazel Barksdale Date: 10-21-2020

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

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.	Hazel Barksdale	311 E. Oak Street; Alexandria, Va. 22301	80%
2.	Shakita Diggs	3676 Westdale Ct.; Waldorf, MD 20601	20%
3.			

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 1201 Queen/400 N. Fayette, Alex. 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.	Hazel Barksdale	311 E. Oak Street; Alexandria, Va. 22301	80%
2.	Shakita Diggs	3676 Westdale Ct.; Waldorf, MD 20601	20%
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.	Hazel Barksdale	N/A	N/A
2.	Shakita Diggs	N/A	N/A
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.

10-28-2020 HAZEL BARKSDALE Hazel Barksdale
 Date Printed Name Signature

SUP # _____

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.)

[illegible]

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).

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

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

Day:

Hours:

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

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

B. How will the noise be controlled?

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

- 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)

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

- C. How often will trash be collected?

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

- 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?

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:

_____ 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? _____

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? _____

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

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

- 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?

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?

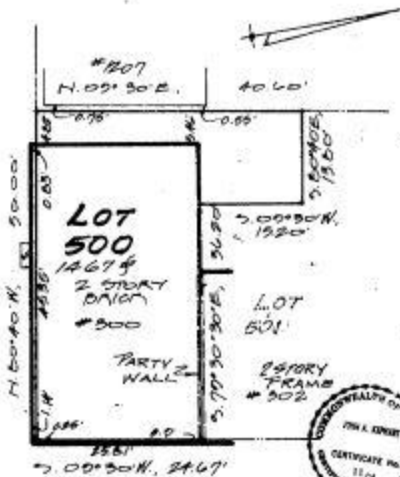
_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = _____ sq. ft. (total)

- 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

QUEEN STREET



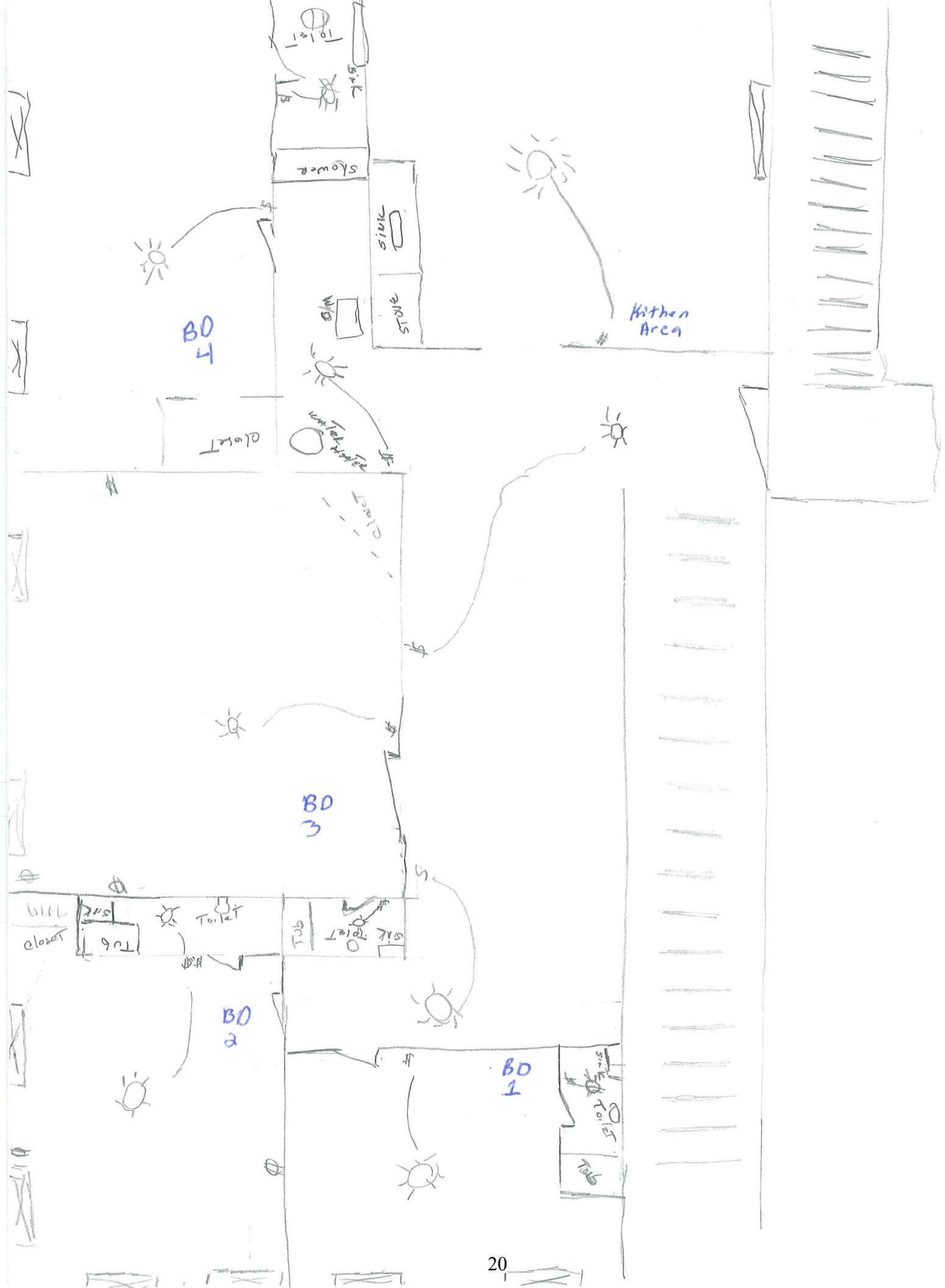
NORTH PAYETTE ST.

HOUSE LOCATION SURVEY

ALEXANDRIA, VIRGINIA

LOT 500	SUBDIVISION FEDORA U. LUCAS	
SCALE 1"=10'	COPELAND AND KEPHART CIVIL ENGINEERING AND LAND SURVEYING 810 NORTHPOWERS STREET ALEXANDRIA, VIRGINIA 22304	DATE <u>DEC 21, 1995</u> CERTIFIED CORRECT <i>[Signature]</i> REGISTERED LAND SURVEYOR
COURT STAFFORD CITY COOPER T. HARRIS		

5 1211



1. Hall way 125^{SF}
Down STAIRS
2. Hall way 140^{SF}
up STAIR 12 BY 7
3. Bed room (2) $12 \times 16 = 196$ ^{SF}
 ~~$12 \times 13 = 156$ ^{SF}~~
4. Bed room (3) $17 \times 12 = 204$ ^{SF}
5. Bed room (1) $11 \times 12 = 132$ ^{SF}
6. Bed room (4) $19 \times 13 = 247$ ^{SF}
7. Kitchen $6 \times 8 = 48$ ^{SF}
8. Hallway by Kitchen $10 \times 6 = 60$ ^{SF}

