



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of May 17, 2008

DATE: April 30, 2008

- SUBJECTS:**
- A. U-3081-04-1 USE PERMIT REVIEW of a residence for twelve (12) unrelated individuals; located at 2224 24th Street North (Fellowship Foundation) (RPC #04-028-077).
 - B. U-3083-04-1 USE PERMIT REVIEW of a residence for twelve (12) unrelated individuals; located at 2200 24th Street North (Fellowship Foundation) (RPC #04-028-077).

APPLICANT:

Richard E. Carver, President
Fellowship Foundation, Inc.
4800 Hampton Lane, 9th Floor
Bethesda, Maryland 20814

C.M. RECOMMENDATION:

Renew, subject to all previous conditions, and a review by the County Board in three (3) years (May 2011).

ISSUES: This is a review of two dormitories, each for twelve (12) unrelated individuals, and no issues have been identified.

SUMMARY: In November 2004, the County Board approved use permits for dormitory uses, each for a maximum of 12 residents, in dwelling located at 2224 24th Street North and at 2200 24th Street North. The uses have operated in accordance with the conditions of each use permit approval since their last County Board review in 2006, and without complaints to County agencies. The applicant has established a neighborhood advisory group to address any concerns or issues that might arise. Therefore, it is recommended that the use permits be renewed, subject to all previous conditions, with a County Board review in three (3) years (May 2011).

BACKGROUND: The uses have operated at the subject properties since 1978. The Fellowship Foundation has operated the men's dormitory at 2224 24th Street North and the women's dormitory at 2200 24th Street North since 2007 and 2002 respectively. The residents of the dormitories serve and assist with activities scheduled at the Cedars facility. In 2004, the Zoning

County Manager: _____

Staff: Roberto Ruiz, DCPHD, Planning Division

PLA-4957

Administrator determined a use permit was required for the dormitories and the applicants at the time complied by applying for a use permit. The County Board approved the use permits for each dormitory at its November 2004 meeting.

DISCUSSION:

Since the last review (May 20, 2006):

Use Permit Conditions: The dormitories operate in compliance with use permit conditions.

Community Code Enforcement: Staff reports that the uses are in compliance with the County's codes and that there have been no complaints regarding these uses.

Police Department: The Police Department reported no issues with the use permits.

Fire Marshal's Office: The Fire Marshal's Office has not expressed any issues or concerns regarding the continuation of these uses.

Civic Associations: The dormitories are located in the Woodmont Civic Association. The Woodmont and Maywood Civic Associations received notification of these use permit reviews. The association presidents support the continuation of these uses (see attached).

CONCLUSION: During the review period the uses have operated without complaints to the County and have complied with use permit conditions, including the appointment of two resident liaisons. The liaisons' contact information has been shared with the pertinent civic associations. Therefore, it is recommended that the use permits be renewed, subject to all previous conditions, and with a review by the County Board in three (3) years (May 2011).

PREVIOUS COUNTY BOARD ACTIONS:

November 16, 2004

Approved use permit U-3081-04-1 for a residence for twelve (12) unrelated individuals at 2224 North 24th Street, subject to conditions, with a review by the County Board in six (6) months (May 2005).

Approved use permit U-3083-04-1 for a residence for twelve (12) unrelated individuals at 2200 North 24th Street, subject to conditions, with a review by the County Board in six (6) months (May 2005).

May 7, 2005

Renewed use permit U-3081-04-1 for a residence for twelve (12) unrelated individuals at 2224 North 24th Street, subject to conditions, with an administrative review in six (6) months (November 2005) and a review by the County Board in one (1) year (May 2006).

Renewed use permit U-3083-04-1 for a residence for twelve (12) unrelated individuals at 2200 North 24th Street, subject to conditions, with an administrative review in six (6) months (November 2005) and a review by the County Board in one (1) year (May 2006).

May 20, 2006

Renewed use permit U-3081-04-1 for a residence for twelve (12) unrelated individuals at 2224 North 24th Street, subject to conditions, with an administrative review in one (1) year (May 2007) and a review by the County Board in two (2) years (May 2008).

Renewed use permit U-3083-04-1 for a residence for twelve (12) unrelated individuals at 2200 North 24th Street, subject to conditions, with an administrative review in one (1) year (May 2007) and a review by the County Board in two (2) years (May 2008).

Approved Conditions:

U-3081-04-1

1. The dwelling shall meet the requirements of the Community Code Enforcement Office, the Environmental Health Bureau, and the Fire Department, including securing the required assembly permit as specified by the Fire Marshal's Office.
2. The applicant agrees to facilitate the establishment of a neighborhood advisory committee to address neighborhood issues and concerns pertaining to the dormitory use. The Committee shall at a minimum include a representative from each of the use permit houses (2224 24th Street North and 2200 24th Street North), a member of the Fellowship Foundation management, one (1) adjacent neighbor unaffiliated with the Cedars, two (2) community-wide representatives designated by the County Manager or his designee and two (2) Woodmont Civic Association members unaffiliated with the Cedars. The applicant agrees to provide the names of the residents in each of the dormitories to the neighborhood advisory group participants. The applicants agrees to submit, to the County Manager or his designee, documentation of efforts made to establish the neighborhood advisory committee within three (3) months of the County Board approval of the use permit (February 2005).
3. The applicant agrees to identify a person who shall be a resident and who shall serve as liaison between the subject use and the neighborhood. The resident liaison shall be empowered to address any concerns identified as emanating from the dormitory. The name and telephone number of the resident liaison shall be shared with the Zoning Administrator, the nearby residents, the Woodmont Civic Association, and any interested residents who request the information, prior to the issuance of the Certificate of Occupancy for a dormitory use.
4. The applicant agrees to comply with all state and local laws and regulations not expressly modified by the County Board's action in this use permit and shall obtain all necessary permits for any work on or improvements to this property. The applicant agrees to endeavor to ensure that all residents in the dormitory shall abide by all state and local laws.
5. The applicant agrees to limit the residential occupancy of the dormitory (Ivanwald) to 12 persons, including staff, at any given time.
6. The applicant agrees to limit the number of vehicles on the site to no more than three (3) at any given time. That applicant further agrees that only three (3) occupants shall be permitted to bring vehicles and that none of the other nine (9) remaining occupants of the dormitory shall bring vehicles and park them on-site or off-site. All vehicles shall be registered in Arlington County within 30 days of the owner or operator first residing in the dormitory.

7. The applicant agrees to perform criminal background checks on all prospective candidates for acceptance into the dormitory, prior to the person's residence in the dormitory. The applicant further agrees to maintain a copy of all documents generated or otherwise related to the criminal background checks, including, by way of illustration and not limitation, the results of such checks, for a period of two years after any resident has left the dormitory, and to make those documents available to the Zoning Administrator upon two business days' notice, in order to verify compliance with this condition. The details of any information provided to the Zoning Administrator can not be shared with any other person without the prior approval of the Fellowship Foundation. Any criminal activity, as defined by the Arlington County Police Department, by a member of either house shall immediately result in the County Board review of this use permit.

U-3083-04-1

1. The dwelling shall meet the requirements of the Community Code Enforcement Office, the Environmental Health Bureau, and the Fire Department, including securing the required assembly permit as specified by the Fire Marshal's Office.
2. The applicant agrees to facilitate the establishment of a neighborhood advisory committee to address neighborhood issues and concerns pertaining to the dormitory use. The Committee shall at a minimum include a representative from each of the use permit houses (2224 24th Street North and 2200 24th Street North), a member of the Fellowship Foundation management, one (1) adjacent neighbor unaffiliated with the Cedars, two (2) community-wide representatives designated by the County Manager or his designee and two (2) Woodmont Civic Association members unaffiliated with the Cedars. The applicant agrees to provide the names of the residents in each of the dormitories to the neighborhood advisory group participants. The applicants agrees to submit, to the County Manager or his designee, documentation of efforts made to establish the neighborhood advisory committee within three (3) months of the County Board approval of the use permit (February 2005).
3. The applicant agrees to identify a person who shall be a resident and who shall serve as liaison between the subject uses and the neighborhood. The resident liaison shall be empowered to address any concerns identified as emanating from the dormitories. The name and telephone number of the resident liaison shall be shared with the Zoning Administrator, the nearby residents, the Woodmont Civic Association, and any interested residents who request the information, prior to the issuance of the Certificate of Occupancy for a dormitory use.
4. The applicant agrees to comply with all state and local laws and regulations not expressly modified by the County Board's action in this use permit and shall obtain all necessary permits for any work on or improvements to this property. The applicant shall endeavor to ensure that all residents in the dormitory shall abide by all state and local laws.
5. The applicant agrees to limit the residential occupancy of the dormitory (Potomac Point) to 12 persons, including staff, at any given time.

6. The applicant agrees to limit the number of vehicles on the site to no more than three (3) at any given time. That applicant further agrees that only three (3) occupants shall be permitted to bring vehicles and that none of the other nine (9) remaining occupants of the dormitory shall bring vehicles and park them on-site or off-site. All vehicles shall be registered in Arlington County within 30 days of owner or operator first residing in the dormitory.
7. The applicant agrees to remove the kitchen located in the basement of the women's dormitory located at 2200 24th Street North prior to the issuance of a Certificate of Occupancy.
8. The applicant agrees to perform criminal background checks on all prospective candidates for acceptance into the dormitory, prior to the person's residence in the dormitory. The applicant further agrees to maintain a copy of all documents generated or otherwise related to the criminal background checks, including, by way of illustration and not limitation, the results of such checks, for a period of two years after any resident has left the dormitory, and to make those documents available to the Zoning Administrator upon two business days' notice, in order to verify compliance with this condition. The details of any information provided to the Zoning Administrator can not be shared with any other person without the prior approval of the Fellowship Foundation. Any criminal activity, as defined by the Arlington County Police Department, by a member of either house shall immediately result in the County Board review of this use permit.