

City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this special use permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit #2013-0016

Approved by Planning and Zoning: August 28, 2013

Permission is hereby granted to: My Father's House Christian Church International
by Lou Whiting, Pastor

to use the premises located at: 4746 Eisenhower Avenue (parcel address 4740
Eisenhower Avenue)

for the following purpose: see attached report

It is the responsibility of the special use permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

8/28/13

Date

Faroll Hamer *KLOM*

Faroll Hamer, Director

Department of Planning and Zoning

DATE: August 22, 2013

TO: Karl Moritz, Deputy Director
Department of Planning and Zoning

FROM: Richard Lawrence, AICP, Urban Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2013-0016
Administrative Review for Shared Parking Agreement
Site Use: Church
Applicant: My Father's House Christian Church International by
Lou Whiting, Pastor
Location: 4746 Eisenhower Avenue (parcel address 4740 Eisenhower
Avenue)
Zone: OCM(100) / Office Commercial Medium (100) zone

Request

Special Use Permit #2013-0016 is a request for shared parking agreement between My Father's Christian Church International located at 4746 Eisenhower Avenue and the Department of Correction Probation and Parole Office at 4740 Eisenhower Avenue. The church is located in a ground-level tenant space in a flex-space distribution warehouse building.

The applicant proposes to operate a church in the approximately 11,800 sq. ft. tenant space. My Father's Christian Church is a not-for-profit organization for religious purposes and has a current membership of about 75 parishioners. The church primarily operates one Sunday service and one bible study on Tuesday evenings. To accommodate current parishioners during Sunday worship services the applicant has entered into a shared parking agreement with the adjacent tenant, Department of Corrections, to utilize their 20 parking spaces on Sundays only. With the shared parking agreement, the applicant will have access to 30 parking spaces on-site to accommodate up to a maximum of 150 patrons. The ten (10) parking spaces as part of the applicants lease will be sufficient to accommodate patrons at the Tuesday bible study which currently has about 25 attendees. Although at least one staff person will on-site at all times the church is open and the church can technically operate around the clock, the applicant does not expect the business to be open to the public 24 hours each day. Additional elements of the applicant's proposal are as follows:

Public Hours of Operation: 7 a.m. – 10 p.m. Monday-Saturday
7:30 p.m. – 8:30 p.m. Tuesday (Bible Study)
9 a.m. – 10 p.m. Sunday (Service from 11am – 2pm)

Number of Patrons: Up to 50 (Monday through Saturday)
Up to 150 (Sundays)

Background

The distribution warehouse building in which the church is located was constructed in the early 1970s. City Council granted SUP#2010-0087 in April 2011 to an applicant for operation of a “doggie day care” business in the adjacent tenant space on the property. The business never opened and the SUP expired in October 2012. Although the subject building has been vacant for many years, three tenants, including the applicant, have recently signed leases to occupy the three spaces. On June 15, 2013 City Council approved SUP#2013-0017 to Whole Dogz for the operation of a pet grooming/training facility including overnight boarding with a parking reduction in the adjacent tenant space at 4748 Eisenhower Ave. Additionally, The Department of Correction Probation and Parole office has recently leased and occupied the tenant space and 4740 Eisenhower Ave.

The applicant’s initial request earlier this year was to operate a church with a day care component utilizing classrooms in the space as the primary day care facility. Given the proximity to the Department of Corrections Office and concerns expressed by the Police Department and City Council about the compatibility of the two uses, the applicant has worked with staff over the following months to address those issues and decided to no longer proceed with the day care facility.

Community Outreach

Public notice was provided through eNews, via the City’s website, and by posting a placard on the site. In addition, the Summers Grove Homeowners Association, Cameron Station Civic Association, and Cameron Station Community Association were sent written notification of the applicant’s original request. Staff has not received comments from residents or adjacent businesses.

Staff Action

Staff supports the applicant’s request for a shared parking agreement between the church and the Department of Corrections Probation and Parole Office (DOC). The request represents the relocation of an existing church in Alexandria that will occupy a tenant space that has been vacant for years.

My Father’s House Christian Church International, currently located at 5412 Eisenhower Avenue, has leased the tenant space at 4746 Eisenhower Avenue to better accommodate the needs of the organization and allow for the future growth of its church membership. The church, which currently has about 75 members, has been operating within the city for about 12 years at various different locations however; this will be the first permanent location for the church. The space has a maximum occupancy load of 497 people. While the applicant doesn’t expect membership to grow to that maximum in the near future it will provide adequate room for the current membership and can accommodate for growth should that occur.

According to Section 8-200(A)(9), churches must provide one off-street parking space for each five seats in the principal auditorium or one space for each ten classrooms seats or whichever is greater. With this request, the applicant is seeking to accommodate up to

150 patrons for their Sunday Services. The 10 spaces granted with the applicants lease would allow up to 50 patrons. The shared parking agreement with the Department of Corrections for 20 spaces would accommodate an additional 100 patrons and satisfy this requirement providing a total of 30 parking spaces in the surface lot in front of the building.

Staff does not object to the shared parking agreement as requested. The shared parking agreement with the DOC will allow the applicant to have access to 20 additional parking spaces on-site for use on Sundays accommodating up to 150 patrons. Given that the offices for the DOC are closed on weekends and will thus not be using the spaces at that time, this arrangement presents a good use of resources. Additionally, public bus transportation is also available for patrons along Eisenhower Avenue.

Staff has also discussed with the applicant and property owner parking issues that may be associated with all three businesses using the surface parking lot in the front of the building at one time. The site is served by 43 parking spaces (2 are handicap parking spaces and 3 were designated as tandem parking with the approval Whole Dogz, SUP#2013-0017). Given that three establishments are planning to use the parking lot and that the drive aisle is narrow and only allows for one-way traffic, staff was concerned about the potential for traffic tie-ups during peak pick-up/drop-off times of the dog day care. Staff discussed the issue with the property owner, who reports that the issue is addressed in the leases for both establishments, which prohibit the pick-up/drop-off of dogs or persons within the parking lot drive aisle. Staff has reinforced this stipulation in Condition #5.

Staff does not anticipate any potential negative impacts on the surrounding neighborhood, such as odors or noise, produced by church. Low to moderate noises from patrons and musical equipment inside the church including microphones, speakers, and musical instruments are anticipated for Sunday church services and will be controlled by a soundboard. Staff has also conditioned that no amplified sound should be audible from the property line. Additionally, the site is surrounded by industrial and commercial uses with no residential uses located immediately adjacent to the site. The proposal was discussed with the property owner and with representatives from Whole Dogz and the Department of Corrections, who have not expressed any concerns. The expected interior layout of the church includes a hallway along the side closest to the dog day care, providing an internal buffer. Most of its activities to be associated with the operation of Whole Dogz are expected to be oriented away from that side of the tenant space as to not adversely affect the applicant. The dogs will only be located on the second level overnight and will be moved back downstairs during the day. Whole Dogz also intends to install soundproofing to further reduce the potential for noise impacts between them and the applicant.

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

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: 8-28-13

Action:


Karl Moritz, Deputy Director

- Attachments: 1) Special Use Permit Conditions
2) City Department Comments
3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2013-0016

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. The maximum number of patrons that may be present on-site at any one time shall be 50 Monday through Saturday and 150 on Sundays. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. The applicant shall conduct staff training sessions on an ongoing basis, including as part of any employee orientation, to discuss all Special Use Permit provisions and requirements. (P&Z)
5. No pick-up/drop-off shall occur within the drive aisle of the parking lot in front of the business. (P&Z)
6. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z)
7. All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
8. The applicant shall control odors, smoke and any other air pollution 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)
9. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
10. 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 twice 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)
11. The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare

- media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)
12. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
 13. 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; 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)

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services

- F - 1 The applicant has submitted parking agreements with the Virginia Probation and Parole Office, who share portions of the exiting on-site parking lot with the applicant for use on Sundays. Since the Parole Office is closed during the weekends, Transportation staff believes this additional on-site and off-site parking, when combined with the existing 10 spaces the applicant is providing, will be sufficient to accommodate the approximately 150 parishioners expected for Sunday services. (T&ES)
- R - 1 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
- R - 2 The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. (T&ES)
- R - 3 Deliveries, loading and unloading activities shall not occur between the hours of 11:00 pm and 7:00 am. (T&ES)
- R - 4 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 twice 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)

Code Enforcement

- F-1 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Acting Plan Review Supervisor at ken.granata@alexandriava.gov or 703-746-4193.
- C-1 Building and trades permits are required for this project. Five sets of *construction documents* sealed by a *Registered Design Professional* that fully detail the construction as well as layout and schematics of the mechanical, electrical, and plumbing systems shall accompany the permit application(s).
- C-2 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).

- C-3 Alteration to a building/structure shall comply with the Uniform Statewide Building Code (USBC).
- C-4 Before a building permit can be issued on any proposed future alterations, a certification is required from the owner or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos.
- C-5 The developer shall provide a building code analysis with the following building code data on the plan: a) use group; b) number of stories; c) type of construction; d) total floor area per floor/tenant; e) fire protection plan; occupant load for the Gymnasium. (Depending on occupant load, more than 2 exits may be required).
- C-6 A Certificate of Occupancy shall be obtained prior to any occupancy of the building or portion thereof.
- C-7 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.
- C-8 Toilet Facilities for Persons with Disabilities: Larger, detailed, dimensioned drawings are required to clarify space layout and mounting heights of affected accessories. Information on door hardware for the toilet stall is required (USBC 1109.2.2).

Police Department

- F-1 No objection to the shared parking agreement.

Health

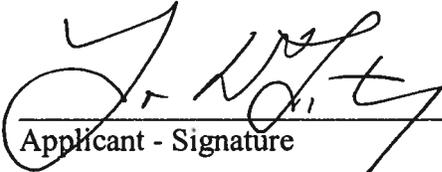
- F-1 No comments

Parks and Recreation

- F-1 No comments received

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2013-0016. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the church at 4746 Eisenhower Avenue.


Applicant - Signature

8-28-13
Date

Louis B. Whiting
Applicant - Printed

8-28-13
Date