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	#2016-0066
Approved by Planning and Zoning:	November 7, 2016
Permission is hereby granted to:	Victory Temple Missionary Baptist Church (VTMBC)
To use the premises located at:	2762 Duke Street
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.

11/7/16
Date

Karl Moritz/AD
Karl Moritz, Director
Department of Planning and Zoning

DATE: November 7, 2016

TO: Alex Dambach, Division Chief
Land Use Regulatory Services, Department of Planning and Zoning

FROM: Sara Brandt-Vorel, Urban Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2016-0066
Administrative Review for a Change of Ownership & Minor Amendment
Use: Parking Reduction
Applicant: Victory Temple Missionary Baptist Church (VTMBC)
Location: 2762 Duke Street
Zone: CG/Commercial General

Request & Background

Special Use Permit #2016-0066 is a request to change ownership of a church from Greater Shiloh Baptist Church to Victory Temple Missionary Baptist Church (VTMBC). Special Use Permit #2016-0066 is also a Minor Amendment request to modify conditions of a parking reduction approved under SUP#2001-0009 as the congregation has reduced in size.

City Council approved SUP#95-0082 in June 1995 to the Center for Employment Training for a commercial school to provide job training and employment. SUP #95-0082 also approved a parking reduction of 132 spaces as the applicant indicated many of the students would be using public transportation to reach the site. In May 2001, City Council approved SUP #2001-0009 for a church with up to 500 congregation members on site, known as the Greater Shiloh Baptist Church. SUP #2001-0009 also included a parking reduction with allowed the church to meet its parking requirements by maintaining 18 on-site parking spaces at all times; maintaining a minimum of 183 off-site parking spaces on Sundays and weekday evenings; and maintaining a minimum of 80 off-site parking spaces on Saturdays.

The church use now operates with 155 seats in the primary sanctuary and an additional 20 seats in overflow seating. Up to four church staff members may be on-site during typical office hours of 8 a.m. – 5 p.m. to take care of administrative church functions. Members of the congregation are present in the evenings and weekends during the following times.

Mondays: 7:30 p.m. – 9 p.m.	Men's choir rehearsal
Tuesdays: 7:30 p.m. – 9 p.m.	Women's choir rehearsal
Wednesdays: 7:30 p.m. – 9:30 p.m.	Bible Study
Thursdays: 7:30 p.m. – 9 p.m.	Ministry meetings
Fridays: 7:30 p.m. – 9 p.m.	Youth activities
Saturdays: 9 a.m. – 4:30 p.m.	Ministry meetings for Deacons, Deaconesses and Ministers, church members and choir practices
Sundays: 9 a.m. – 2 p.m.	Church services and Sunday school

In addition, the church may host up to two special events a month which attract up to 100 individuals. These events are scheduled in advance and advertised to members of the congregation.

The applicant is asking to modify conditions of SUP #2001-0009 related to parking conditions and the use of a shuttle to appropriately size the parking requirements to the current congregation instead of the initially expected congregation of 500 members. Specifically the applicant is requesting amendments to:

- Condition #2: request to reduce the off-street parking requirement;
- Condition #4: request to remove the condition requiring the shuttles to be stored in the parking lot; and
- Condition #5: request to remove the condition prohibiting the loading or unloading of shuttle vehicles in the public right-of-way.

Under the previous SUP #2001-0009 the applicant was required to maintain 18 on-site parking spaces at all times and various off-site parking agreements for Saturdays and Sundays. The applicant's current proposal would preserve the 18 on-site parking spaces and formalize an agreement with the adjacent Burke and Herbert Bank to meet their day to day parking requirements. Special event parking would be reserved, in advance, on an "as-needed" basis at an off-site location.

A SUP inspection in September 2016 revealed violations of SUP Condition 7 as the Church's landscaping was not in good condition. A follow up inspection in October 2016 found the applicant to be in compliance with all SUP conditions. Although in violation of Condition #2, requiring 183 off-site parking spaces, the applicant will be compliant with the approval of this SUP.

Parking

Section 8-200(A)(10) of the Zoning Ordinance requires one parking space for every five seats located in the principal auditorium of a church. As the applicant's primary church auditorium contains 155 seats, the applicant is required to provide 31off-street parking spaces, which is a reduction of 152 parking spaces from the number required under the previous parking reduction.

To reach the required 31 parking spaces, the church proposes to use their on-site parking lot with 18 spaces. In addition, the church has a long-standing agreement with the adjacent Burke & Herbert Bank to use the bank's surface parking lot with 32 additional parking spaces available after 5 p.m. on weekdays, after 1 p.m. on Saturdays, and all day Sunday's. As the availability of parking spaces at the adjacent bank coincides with the primary hours of activity at the church, the additional spaces at the bank enables the applicant to meet their parking requirement under the Zoning Ordinance.

The church has also established a parking agreement to lease parking spaces, approximately 500 feet from the church, on an "as needed" basis at the medical facility at 2700/2800 Duke Street. These spaces will be leased for special events hosted by the church and arranged a month in advance with the medical facility.

Community Outreach

Public Notice was provided through eNews, via the City's website, and by posting a placard at the site. In addition, the Taylor Run Citizens Association, the Quaker Hill Community Association and the Seminary Walk Condominium Association have been informed of the application. Staff has not received any comments or concerns related to the request that would require a full-hearing review.

Staff Action

Staff supports the request to modify the previous SUP#2001-0009 to allow the applicant to reduce their parking requirements as the church's congregation did not reach the growth and capacity expected. As such, staff finds it appropriate to update parking related conditions to reflect to the current parking needs of the church.

Staff analysis of the ongoing activities at the church found the weekday activity at the church during traditional work hours of 9 a.m. – 5 p.m., with four to five church staff members was comfortably supported by the 18 on-site parking spaces in the parking lot. As parishioner activity at the church started after 7 p.m. during the week and on weekends when the church had access to an additional 32 parking spaces at the Burke & Herbert Bank, staff found the parking arrangement met the needs of the church. In addition, as special events would be scheduled in advance and additional parking could be secured for those events, staff believes the revision to additional off-site parking for an "as-needed" basis was appropriate. As such, staff revised Condition #2 to reflect the updated parking arrangements established by the church.

Staff also deleted Conditions #4 and #5 which had required the church to use a parking shuttle to transport parishioners from a satellite parking lot located across a busy street. This condition had been established with the assumption that higher number of parishioners would create demand for additional off-site parking. Since the development of those conditions the City installed a

traffic light in front of the church which better connected the parking lot to the church with a timed cross-walk for parishioners to use and reduced the effective walking distance for parishioners. In addition, the church capacity did not exceed on-site and more proximate parking, removing the need for the further satellite parking. With no need for the satellite parking lot and the traffic light which creates a safe pedestrian experience, staff deleted Condition #4 which required the shuttle and Condition #5 which prohibited the shuttle from loading and unloading in the public right-of-way. Staff also amended references to the shuttle which was included in Condition #3.

Conditions have been carried forward and, several conditions have been amended and added to reflect modern condition language. Staff amended Conditions #15 and #16 with the applicant's name to reflect the change of ownership of the church.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:

Date: November 7, 2016
Action: Approved

Alex Dambach, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2016-0066

The 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 business or entity in which the applicant has a controlling interest. (P&Z) (SUP #2001-0009)

2. **CONDITION AMENDED BY STAFF:** This parking reduction shall be granted subject to the following requirements:
   - A minimum of 18 on-site parking spaces shall be maintained;
   - The applicant shall maintain a parking arrangement with the adjacent parking lot of Burke and Herbert Bank for evening and weekend parking for church patrons during hours when the bank is closed;
   - The applicant shall maintain an agreement to lease parking spaces at 2700/2800 Duke Street on an "as needed" basis in advance of special events to be hosted at the church; and
   - ~~A minimum of 183 off-site parking spaces shall be provided on Sundays and weekday evenings;~~
   - ~~A minimum of 80 off-site parking spaces shall be maintained on Saturdays; and~~
   - The applicant shall provide proof of lease agreements for parking at the time of SUP inspections. ~~shall submit a copy of the agreements by which it provides off-site parking annually to the Director of Planning and Zoning~~. (P&Z) ~~(SUP #2001-0009)~~

3. **CONDITION AMENDED BY STAFF:** The applicant shall post signs inside the building indicating the location of all off-street parking, inform its congregants about the off-site parking ~~and the shuttle service between the parking lot and the church~~, and shall encourage them to use the off-street parking. (P&Z) ~~(SUP #2001-0009)~~

4. **CONDITION DELETED BY STAFF:** ~~The applicant shall store the shuttle vehicles in the parking lot located behind the building when not in use. (P&Z) (SUP #2001-0009)~~

5. **CONDITION DELETED BY STAFF:** ~~No loading or unloading of shuttle vehicles shall occur on the public right of way. (P&Z) (SUP #2001-0009)~~

6. **CONDITION DELETED AND REPLACED BY CONDITIONS #17 & #18:** ~~The applicant shall encourage its congregants and staff to use mass transit when traveling to and from the church, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (SUP #2001-0009)~~

7. **CONDITION AMENDED BY STAFF:** The applicant shall ~~submit~~ maintain a landscaping plan to include, at a minimum, the following elements: two street trees along Duke Street in front of the church, shrubs in the landscaping bed adjacent to the building and in front of the existing handicap ramp, at least two street trees along Witter Street, and a screen parking hedge to buffer the on-site parking spaces ~~to the satisfaction of the Director of Planning and Zoning. The applicant shall submit the plan within 60 days of approval and shall install the landscaping during the next planting season.~~ The applicant shall be responsible for maintaining the landscaping in good condition. (P&Z) ~~(SUP #2001-0009)~~

8. **CONDITION AMENDED BY STAFF:** The applicant shall ~~repair~~ maintain the on-site parking lots and maintain them in good condition. (P&Z) (SUP #2001-0009)

9. **CONDITION AMENDED BY STAFF:** No freestanding sign shall be installed on the Duke Street frontage. A pedestrian-oriented, ground-mounted (monument) sign of approximately 21 square feet may be installed on Witter Drive ~~to the satisfaction of the Director of Planning and Zoning~~. (P&Z) ~~(SUP #2001-0009)~~

10. **CONDITION SATISFIED AND DELETED:** ~~The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey for the building to be completed before the applicant renovates the building. (Police) (SUP #2001-0009)~~

11. **CONDITION AMENDED BY STAFF:** No amplified sound equipment is allowed outside the church building, and ~~N~~no amplified sound shall be audible at the property lines. (P&Z) ~~(SUP #2001-0009)~~

12. The applicant shall provide an off duty police officer to direct traffic, control parking, and to prohibit standing vehicles on the public right-of-way. (P&Z) (SUP #2001-0009)

13. **CONDITION AMENDED 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 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) ~~(SUP #2001-0009)~~

14. The applicant shall take steps to ensure that there is no stopping, standing, loading, unloading or parking on Duke Street. (P&Z) (SUP #2001-0009)

15. **CONDITION DELETED BY STAFF:** ~~Maximum occupancy of the Greater Shiloh Baptist Church shall not exceed 380 persons at any one time. In the event the amount of parking available for use by the church should increase of decrease from that which exists at the time of this approval, the maximum occupancy of the church shall be adjusted upward or downward, provided that in no event shall more than 500 persons be permitted on the site at any one time. (P&Z) (SUP #2001-0009)~~

16. **CONDITION AMENDED BY STAFF:** All evening activities occurring at the ~~Greater Shiloh Baptist Church~~ Victory Temple Missionary Baptist Church shall not commence prior to 5:00 p.m. ~~7:00 p.m.~~. (P&Z) (SUP #2001-0009)

17. **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (P&Z)

18. **CONDITION ADDED BY STAFF:** The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (P&Z)

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

11. **CONDITION AMENDED BY STAFF:** No amplified sound equipment is allowed outside the church building, and ~~N~~no amplified sound shall be audible at the property lines. (T&ES)(SUP#2001-00009)

City Code Requirements:

C-1 Applicant must comply with the City of Alexandria Noise Control Code, Chapter 11, Section 5, which sets the maximum permissible noise level as measured at the property line. (T&ES) (SUP2001-00009)

C-2 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)

Fire Department:

F-1 A new fire prevention permit shall be obtained by the new owner. No comments or concerns related to the parking.

Code Enforcement:

No comments received.

Health Department:

F-1 No comments or concerns.

Recreation, Parks and Cultural Activities:

No comments received.

Police Department:

No comments received.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2016-0066. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the church at 2762 Duke Street.

William Dennis Turner
Applicant – Signature

11-8-16
Date

WILLIAM DENNIS TURNER
Applicant – Printed

11-8-16
Date