

Docket Item #20

DEVELOPMENT SPECIAL USE PERMIT #2002-0006

OLD PRESBYTERIAN MEETING HOUSE

Planning Commission Meeting

September 3, 2002

**ISSUE:** Consideration of a request for a development special use permit, with a site plan, to construct an addition, with modifications, and for reduction of required off-street parking.

**APPLICANT:** Old Presbyterian Meeting House  
by Duncan W. Blair, attorney

**LOCATION:** 323 South Fairfax Street

**ZONE:** RM/Residential

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**PLANNING COMMISSION ACTION, SEPTEMBER 5, 2002:** On a motion by Mr. Komoroske, seconded by Ms. Fossum, the Planning Commission voted to recommend approval of the proposed development special use permit, subject to compliance with all applicable codes, ordinances and all staff recommendations as submitted with an amendment to condition #4. The motion carried on a vote of 6 to 0 to 1; Mr. Dunn abstained.

**Reason:** The Planning Commission agreed with the staff analysis and all of the staff recommendations, amending condition # 4 to encourage the use of off-street parking by visitors and members of the church. The Commission expressed the point that the case is not intended to establish a precedent for mass and scale or parking and that other subsequent applications will be evaluated based upon the merits of each case.

**Speakers:**

Gray Gentil, representing Terra Consultants, expressed concern regarding intensification of the proposed use and a decrease in available parking during weekday evenings.

Seth Heild, resident, spoke in opposition to the proposal and expressed concern that the proposed size and scale of the development will have detrimental impacts on the neighborhood and the underground space and will establish a precedent.

Robert Dunn, resident and member of the church, spoke in support of the application and stated that the church is working to increase on-street parking by eliminating two curb cuts and working with the Parking Board to provide additional on-street parking for the church and residents. He addressed

the issue of intensification, condition # 4-d limits Sunday services to the sanctuary and therefore the underground space will not be an area for expanded Sunday worship services.

Gary Charles, Pastor, spoke in support of the application and was available to answer questions.

David Olinger, representing Old Town Civic Association, expressed concern that although the use is not intended to intensify, they are concerned that use of the facility will be intensified. While they do not object, they urge visitors be directed to utilize off-street parking.

Tom Tuttle, resident and member of the church, spoke in support of the application and expressed concern regarding the potential loss of the mixed-use character of Old Town and the importance a mix of uses such as churches to the neighborhood.

Duncan Blair, represented the applicant.

**PLANNING COMMISSION ACTION, JUNE 4, 2002:** By unanimous consent, the Planning Commission deferred the request.

Reason: The Commission deferred the application as a result of the pending Board of Zoning Appeals application.



**DSUP #2002-0006**

**09/03/02**



**SUMMARY:**

The applicant, Old Presbyterian Meeting House, is requesting approval of a development special use permit with a site plan in order to construct 5,296 additional sq.ft. of building, including 3,204 sq. ft. of underground space, with approval for a parking reduction. Staff is recommending approval.

The major issues raised by the application were the design and massing of the building, including its impact on the open space; and parking. The Board of Architectural Review, staff and residents all recommended to the applicant that the building addition be designed to be subordinate to the existing historic Elliot House building and to retain the area of open space on the corner of Fairfax and Wolfe Streets. Through numerous revisions and refinements, the applicant revised the mass of the addition and relocated the addition to retain the area of open space on the corner. The current plan reflects the revised mass and building location that received conceptual approval by the B.A.R. at their November 2001 meeting. The conceptual approval granted by the B.A.R. is only for the general mass and scale of the building; the final design will require subsequent B.A.R. review and approval.

The second fundamental issue raised by the application is the availability of parking for the proposed addition. The additions require 39 parking spaces, the applicant is proposing that the church parking within the South Royal Street lot be considered as part of the parking reduction. Staff supports the proposed parking reduction, because the uses proposed to occur in the addition (office uses) and the underground space (adult education and meeting space) will not create additional uses (parking demand) during the peak parking demand (Sunday) that do not already occur on the church campus within other buildings. In addition, the applicant has agreed to implement a parking management plan, and the parking within the Royal Street lot will now be required spaces as a condition of approval for the special use permit. With the conditions outlined within the staff report, the spillover parking will be minimized and the church will be able to better serve the needs of its congregation. The proposed parking reduction is discussed in significant detail in the staff report.

STAFF RECOMMENDATION:

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

1. On South Fairfax Street the applicant shall provide a minimum 8 ft. wide brick sidewalk in front of the Elliot House and Meeting House that meets City standards. The design of the sidewalks, including the connection to the existing sidewalk, shall be to the satisfaction of the Directors of T&ES and P&Z. The existing curb cut on Wolfe Street shall be removed and replaced with brick sidewalks as depicted on the preliminary plan. It shall be the responsibility of the applicant to install the improvements prior to a certificate of occupancy for the Elliot House addition. (P&Z)
2. The applicant shall provide a continuous 3.5 ft. tall decorative brick screening wall for the existing surface parking on South Royal Street to the satisfaction of the Director of P&Z. The final design of the brick wall shall be approved by the Board of Architectural Review. The wall shall be installed prior to a certificate of occupancy permit for the Elliot House. (P&Z)
3. Architectural elevations shall be submitted with the final site plan. Each elevation shall indicate the average finished grade line to ensure compliance with all applicable height requirements. The applicant shall continue to provide a 5ft. setback on the western property line. (P&Z)
4. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall provide a parking management plan that outlines mechanisms to maximize the use of the Royal Street parking lot. At a minimum the plan shall provide the following:
  - a. The parking within the Royal Street lot during Sundays shall be tandem parking on Sundays and special events.
  - b. No fewer than 28 parking spaces shall continue to be provided on the South Royal Street lot.
  - c. The applicant shall post signs inside the building indicating the location of the off-street parking of Royal Street, inform its congregants about off-site parking alternatives such as Market Square and encourage them to use off-street parking as a church policy through the use of publications and bulletins.
  - d. The Sunday services shall continue to be held within the sanctuary and shall not occur within the underground space or Elliot House.

- e. 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.
  - f. The applicant shall maintain the South Royal Street lot in good condition.
  - g. It shall be the responsibility of the church employees to monitor and enforce the provisions of the parking management plan.
  - h. The applicant shall inform its visitors and congregation of the availability of off-street parking and shall encourage its use. (P&Z) (PC)
5. At a minimum the applicant shall provide the amount and quality of landscaping depicted on the preliminary plan. In addition, the applicant shall provide the following to the satisfaction of the Director of P&Z.
- a. A tree preservation plan for all street trees on Fairfax and Wolfe Streets that are to be preserved on the site plan. The tree preservation plan shall be submitted to the City Arborist with the submission of the final site plan. The applicant shall perform all necessary enhancements for the street trees such as watering/fertilizer, etc., that are required by the tree preservation plan prior to construction/grading of the site.
  - b. All proposed tree protection details shall be depicted on the final site plan and shall be maintained throughout the construction process.
  - c. The tree preservation methods shall be installed and inspected by the City Arborist prior to any construction, demolition, grading or utility work for the site.
  - d. All landscaping shall be maintained in good condition and replaced as needed.
  - e. Utility lines such as water, storm sewer and electric lines shall be located to minimize impacts on existing and proposed street trees and open space.
  - f. All landscaping shall be maintained in good condition and replaced as needed.
  - g. All plant materials and specifications shall be in accordance with the current and most up to date edition of the American Standard for Nursery Stock (ANSI Z60.1) as produced by the American Association for Nurserymen, Washington, D.C. (P&Z)
6. The applicant shall be allowed to make minor adjustments if the changes do not result in the loss of parking, landscaping or an increase in floor area ratio. (P&Z)
7. 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)

8. The final design of the buildings shall be to the satisfaction of the Old and Historic Alexandria Board of Architecture Review. (P&Z)
9. Any inconsistencies between the various drawings submitted by the applicant shall be reconciled to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (P&Z)
10. Temporary structures for construction shall be permitted, and the period structures are to remain on the site, size and site design for such structures shall be subject to the approval of the Director of P&Z. (P&Z)
11. All utility structures, such as transformers, switch boxes, cable and telephone pedestals, ventilation areas, areaways etc. shall be approved by the Director of P&Z prior to the release of the final site plan. (P&Z)
12. As- built plans for the building shall be submitted by the applicant to the Department of P&Z prior to issuance of a certificate of occupancy permit. (P&Z)
13. The applicant shall attach a copy of the final released site plan to each building permit document application and be responsible for insuring that the building permit drawings are consistent and in compliance with the final released site plan prior to review and approval of the building permit by the Departments of P&Z and T&ES. The applicant shall submit as-built plans for each building to the Department of P&Z prior to issuance of a certificate of occupancy permit. (P&Z)
14. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department regarding a security survey for the existing church building, the Elliot House and the proposed addition to the building. This is to be completed prior to commencement of construction. (Police)
15. The applicant must hire an archaeological contract firm to conduct an Archaeological Evaluation and produce a Resource Management Plan, as described in the *City of Alexandria Archaeological Standards*. A contract firm archaeologist will also monitor ground disturbing activities on the property, stop work and record features/collect artifacts as necessary. (Arch)
16. This property has the potential to contain human burials. If at any time human burials that will be disturbed by the proposed development are discovered on this property, appropriate court orders and state permits must be obtained by the applicant before any burial can be

removed. All excavation activities must cease in the area of the burial(s) until the proper preservation measures have been completed. (Arch)

17. Archaeological investigations are required on the property and all archaeological preservation measures must be completed prior to the commencement of any ground disturbing activities (such as grading, vegetation removal, landscaping, coring, filling, shoring, undergrounding utilities and other excavations as defined in Section 2-151 of the Zoning Ordinance). To confirm that archaeological work has been completed, call Alexandria Archaeology at (703) 838-4399. Possible additional stipulations to be included on the final site plan, the additional requirements will be determined in consultation between the applicant and Alexandria Archaeology. (Arch)
18. The above language from the archeology conditions shall appear in the General Notes of all site plans so that on-site contractors are aware of the requirement. (Arch)
19. A building permit, excavation, clearing or grading shall not occur until final approval and completion of all preservation activities is obtained from Alexandria Archaeology. (Arch)
20. If deemed appropriate by the City Archeologist, an interpretive plaque shall be provided and erected on the property by the applicant. (Arch)
21. Developer to comply with the peak flow requirements of Article XIII of the Alexandria Zoning Ordinance. (T&ES)
22. All stormwater shall be conveyed to a stormwater structure to the satisfaction of the Director of T&ES. (T&ES)
23. Show existing and proposed street lights and site lights. Indicate the type of fixture, and show mounting height, and strength of fixture in Lumens or Watts. Provide manufacturer's specifications for the fixtures. Provide lighting calculations to verify that lighting meets City Standards. (T&ES)
24. The applicant is advised that all stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be sealed by a professional engineer, registered in the Commonwealth of Virginia. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES)
25. Plan must demonstrate to the satisfaction of director of T&ES that adequate stormwater outfall is available to the site or else developer is to design and build any on or off site improvements to discharge to an adequate outfall. (T&ES)



26. Replace existing curb and gutter, sidewalks, and handicap ramps that are in disrepair or broken. (T&ES)
27. Prior to the release of the final site plan, provide a Traffic Control Plan for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, and storage and staging. (T&ES)
28. The stormwater collection system is part of the Potomac River watershed. All stormwater inlets shall be duly marked to the satisfaction of the Director T&ES. (T&ES)
29. Provide drainage map for the area flowing to the chosen BMP, including topographic information and storm drains.(T&ES)
30. The surface appurtenances associated with the on-site structural BMPs shall be marked to the satisfaction of the Director of T&ES to identify them as part of the structural BMP system. (T&ES)
31. For any surface-installed BMPs, i.e. Bio-Retention Filters, Vegetated Swales, etc. employed on site, descriptive signage for the BMP is required to be installed to the satisfaction of the Director T&ES. (T&ES)
32. The stormwater Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design engineer or designated representative. The design engineer shall make a written certification to the City that the BMP(s) are constructed and installed as designed and in accordance with the approved Final Site Plan. In addition, aggregate layers and collector pipes may not be installed unless the design engineer, or representative is present. (T&ES)
33. The Developer shall furnish the owners with an Operation and Maintenance Manual for all Best Management Practices (BMPs) on the project. The manual shall include an explanation of the functions and operations of each BMP and any supporting utilities, catalog cuts on any mechanical or electrical equipment, an schedule of routine maintenance for the BMP(s) and supporting equipment, and a copy of the maintenance agreement with the City. (T&ES)
34. A Certified Land Disturber must be named on the Erosion and Sediment Control plan sheets prior to release of the site plan per requirements of the Virginia Department of Conservation and Recreation guidelines. (T&ES)

35. Remove existing driveway apron on South Royal Street parking lot adjacent to space 14 and replace with city standard sidewalk and curb. (T&ES)
36. Relocate existing driveway entrance on South Royal Street to align with drive aisle to the satisfaction of the Director of T&ES. (T&ES)
37. Provide construction staging plan for the use of public right-of-way. Plan must be approved prior to construction activity. (T&ES)

**Special use permits and modifications requested by the applicant and recommended by staff:**

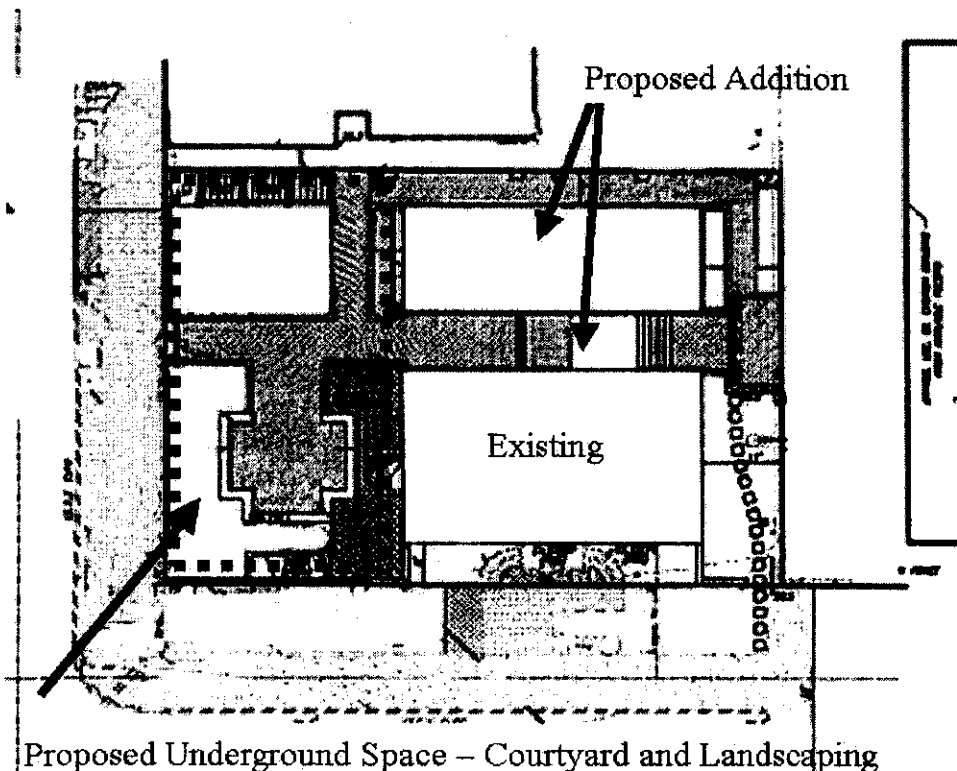
1. Parking reduction.
2. Modification of the front yard setback within the RM zone for the proposed addition.

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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.

**BACKGROUND:**

The applicant, Old Presbyterian Meeting House, is requesting approval to construct a 2 1/2 story 2,092 sq.ft. addition to the existing Elliott House at 323 South Fairfax Street. The proposal also includes renovation of the interior and exterior of the existing house. The site is a rectangular shaped lot that is located at the visually prominent intersection of Wolfe and Fairfax Streets adjacent to the Presbyterian Meeting House sanctuary. The proposed addition will be located on the western portion of the ca. 1844 Elliott House as generally depicted below:



The applicant is also requesting approval to construct a 3,204 sq.ft. below-grade space and courtyard for the southern portion of the property. Because the underground room is below grade, none of the approximately 3,000 sq.ft. is included in the F.A.R. calculations for the site. The proposed addition and underground space and the existing Elliott House will total 8,397 sq.ft.

The Elliot House is only one of the church buildings; the other buildings include the sanctuary, the flounder house (which currently provides the space for limited administrative functions) and an education building which houses the pre-school facilities. The proposed Elliott House additions will be utilized as administrative offices for the church and the underground space will be for a fellowship and meeting area. While these multiple buildings of the church campus are operated by the church, the Elliot House and proposed additions are located on a separate lot than the remainder of the buildings. The lot is 5,569 sq. ft., with frontage on Fairfax and Wolfe Streets. Because the sanctuary and flounder house and remainder of the church buildings and uses predate the zoning requirements (excluding the pre-school) and are located on a separate lot of record the parking requirements for these facilities is "grandfathered." The pre-school special use permit (SUP #97-0003) requires 12 spaces to be provided within the Royal Street lot. The applicant proposes to provide 28 off-street parking spaces on the existing lot on Royal Street, 12 of the spaces are required for the preschool to be considered as part of the parking reduction. The proposed addition and underground space will require a parking reduction of 39 spaces. The parking is discussed in more detail below.

The applicant worked with the Board of Architectural Review, staff and the residents to revise the proposed mass and scale of the proposed addition to be more compatible with the existing historic structure and retain the area of historic open space on the corner of Fairfax and Wolfe streets. The revised architectural elevations have received conceptual approval by the B.A.R. at its November 2001 meeting. The conceptual approval granted by the B.A.R. was only for the general mass and scale of the building, and the final design elements and materials will require subsequent B.A.R. review and approval.

**Zoning:**

A church use is a permitted use within the RM - residential zone. The special use permit is necessary for the proposed parking reduction and development site plan with modifications for the proposed addition.

OLD PRESBYTERIAN MEETING HOUSE		
Property Address:	323 South Fairfax Street	
Total Site Area:	5,569 square feet	
Zone:	RM - Townhouse	
Current Use:	Church -Old Presbyterian Meeting House	
Proposed Use:	Church -Old Presbyterian Meeting House	
	<u>Permitted/Required</u>	<u>Proposed</u>
F.A.R.	1.5 (8,353 sq.ft.)	0.93 (5,193 sq.ft.)
Yards		
Front	Front lot line	34' * (Wolfe Street) N/A (Fairfax Street)
Side	5 ft.	11' north setback 5' west setback
Rear	16 feet with a 1:1 setback ratio	N/A
Height	45 ft.	32 ft.
Open Space	35%	52%
Parking	39 spaces**	0 spaces ***
<p>* Modification requested.</p> <p>** Does not include the 12 spaces required for the existing pre-school.</p> <p>*** The South Royal Street parking lot while not being considered "technical" parking spaces are proposed by the applicant to be considered as part of the parking reduction.</p>		

### **STAFF ANALYSIS:**

The key issues raised by this application are 1) the design and massing of the building, including its impact on the open space; and 2) parking. In addition, it is worth noting that Archaeology staff have indicated that significant archeological resources may be located on this site and affected by the proposed underground addition because the proposed site for the underground space appears to be undisturbed and the historic nature of the site.

### **Building Massing and Design**

The Board of Architectural Review, staff and residents all recommended to the applicant that the building addition be designed to be subordinate to the existing historic Elliot House building and to retain the area of open space on the corner of Fairfax and Wolfe Streets. Through numerous revisions and refinements, the applicant revised the mass of the addition and relocated the addition to retain the area of open space on the corner. The current plan reflects the revised mass and building location that received conceptual approval by the B.A.R. at their November 2001 meeting. The conceptual approval granted by the B.A.R. is only for the general mass and scale of the building; the final design will require subsequent B.A.R. review and approval.

Staff supports the design of the building as approved by the B.A.R. Staff believes the proposed addition, as now designed, successfully defers to the historic Elliott House building. In addition, it maintains the corner Fairfax and Wolfe Streets as open space that will continue to be visually accessible for the neighborhood. The additional landscaping will further minimize the visibility of the addition from the street.

### **Front Yard Setback Modification**

The applicant is requesting approval of a front yard setback modification on Wolfe Street for the proposed addition. Because the site is a corner lot, both the frontage on Fairfax and Wolfe Streets are considered front yards. The front yard setback requirement within the RM zone is the front building line. Therefore, the proposed addition that is setback 34 ft. from Wolfe Street requires approval of a front yard setback modification. The additional setback was requested by the B.A.R., staff and residents to retain the area of open space on the corner and enable the building to be subordinate to the existing historic structure. Staff recommends approval of the front yard setback modification.

### **Site Improvements/Public Benefit**

To provide screening for the parking lot and enhance the streetscape staff is recommending that the applicant provide a decorative brick screening wall for the surface parking lot, a brick sidewalk. Staff believes that the proposed screening for the parking lot will minimize the visibility of the parking for the adjoining residential uses and from South Royal Street. In addition, staff is recommending brick sidewalks on Fairfax Street in front of the Elliot House and Meeting House to be more compatible with the existing historic buildings and streetscape. Staff is also recommending closure of two curb cuts that will improve the pedestrian circulation and result in a gain of two additional on-street parking spaces. Staff believes that the proposed streetscape, open space and screening conditions will provide public benefit for the neighborhood.

### **Parking**

The second fundamental issue raised by the application is the availability of parking for the proposed addition. The additions require 39 parking spaces, while the church cannot provide additional parking, the existing non-required spaces within the South Royal Street lot are proposed by the applicant to be considered as part of the parking reduction. The proposed 28 spaces are located on the Royal Street lot, 12 of the parking spaces on the Royal Street lot are allocated to the church's preschool use under their approved special use permit. No other parking is technically required for the church, as it was constructed prior to the zoning ordinance requirements for parking. If the church were built today, it would require 90 parking spaces.

In order to evaluate the parking demand for the proposed addition, staff believes it is necessary to understand the current uses of the church and the uses proposed within the addition and underground space as discussed below.

### **Proposed Use:**

The applicant has stated that the restoration of the Elliot House will enable the church to relocate many of its accessory church uses such as office space for the church staff, adult education and fellowship from the overcrowded flounder house and existing Elliot House to provide office space for church employees within the addition and the underground space for a more appropriate space for adult education that already occurs on the campus. The additions will also provide handicap accessible restrooms, and archival display of artifacts on the first floor parlors of the Elliott House.

The Elliot House space is proposed to be used during weekday business hours less than 10 times a year - primarily for funeral receptions following a memorial service in the sanctuary. Once a week on Wednesday evenings from October through April, the Elliot House meeting space would be used by as many as 80 people for services and fellowship until approximately 8:00 PM. There is also a series of smaller meetings that will likely continue to be approximately 20 meetings (approximately 10 people/meeting) per month on Monday through Thursday.

There are 1,100 members of the church, which include 182 families, 272 adult members and 80 children and a staff of 16. During the week the church staff work between the hours of 9:00 am to 5:00 pm. There are two Sunday services between Labor Day and Memorial Day: an 8:30 am service with an attendance of 80 -100 and an 11:00 service with an attendance of 350-400. During the summer months, there is an average attendance between 300-350 people. In addition to the two worship services (except during summer months), there is one session of adult education (between the two services) with an average attendance between 150 - 200 members. The classes currently occur in the education and flounder buildings.

In addition to the meetings and services, a preschool class operates in the education building from September to June, Monday through Friday 9:00 am to 12:00 noon, with extended days for a limited number of students until 1:30 pm. The school operates under a special use permit (SUP#97-0003) with the maximum enrollment of 80 students.

**Parking Analysis:**

Under the Zoning Ordinance, the proposed Elliot House addition requires 39 spaces. This number does not include a requirement for the pre-Elliot House parking buildings which are “grandfathered” as to parking, or the availability of the 28 space (including the 12 spaces for the pre-school) at the existing church parking lot on South Royal Street. The lot is located beyond the 300 ft. distance necessary to meet the locational criteria for required spaces, but staff believes should be considered as one justification for the parking reduction.

To evaluate the parking, staff requested that the applicant prepare a parking survey of the adjoining streets and the South Royal Street parking lot. The applicant hired a parking consultant (Gorove/Slade survey dated April 25, 2002 ) to prepare a parking survey that evaluated the availability of parking within two blocks of the site and the existing parking lot on South Royal Street on weekdays and weekends. A summary of the parking survey is as follows:

- 15 spaces of the 28 spaces are available in the Royal Street parking lot during the week (12:00-7:00 PM). The church employees park in the parking lot during the week, the employees use stickers to identify their vehicles. The parking lot was full during Sunday services 9:00 - 11:30 AM.
- 95 on-street spaces are available during the weekday morning/afternoon. (12:00 -2:00 PM)
- 75 on-street spaces are available during the weekday evenings. (4:00 - 7:00 PM)
- 6 on-street spaces are available during Sunday mornings. (9:00 - 11:30 AM)

The availability for the on-street parking (within two blocks) ranges from a high of 95 spaces during the weekday mornings to 6 spaces on Sunday morning. The parking restrictions surrounding the site are 2 hour parking limits for non-residents. The parking study indicates that during the peak parking demand (Sunday 9:00 - 11:30 AM) there is a very limited supply of available on-street parking spaces. However, it is the contention of the applicant, and staff concurs, that although a significant building addition is being proposed, the intensity of the use is not expanding. Therefore, uses such as adult education that already occur on the campus will continue in the underground room as they are not new uses, but rather uses in a new space. Moreover, because the site is a church, the parking demand will be high on Sunday and possibly a few hours on other days during the week as the church holds its meetings and events, but not consistently high throughout the week as would be expected for a residential use.



The applicant has informal parking agreements with many of the nearby uses including Safeway and the Departmental Progressive Club for Sundays. In addition, the applicant is pursuing parking agreements with uses such as Lyles Crouch. It is the intent of the recommendation to approve the parking reduction that the applicant continues to maintain a comparable level of off-site parking through formal or informal agreements.

Staff is recommending approval of the proposed parking reduction because of the combination of the following:

- The proposed addition will not provide additional services or uses that will occur during the peak hours. The use of the proposed addition will be offices for employees that typically will not be used during the peak parking demand of Sunday.
- The proposed underground space will typically be utilized for adult education classes on Sunday that already occur within the various buildings, such as the auditorium or flounder house.
- The worship services will continue to occur in the sanctuary and will not occur in the proposed addition or underground space.
- The existing 28 spaces on the Royal Street lot will be required to remain as available parking spaces as part of the parking reduction conditions.
- The applicant has agreed to eliminate two curb cuts that will result in a gain of two additional on-street parking spaces.
- The informal parking agreements that the Church has with many of the adjoining uses.
- The numbers of members (approximately 125) that live within walking distance from the church.
- The agreement of the applicant to implement a parking management plan that will contain a variety of mechanisms to encourage parking on off-street locations, the Royal Street lot and Market Square.

As part of its analysis, staff recognizes the importance of the existing 28 space parking lot on South Royal Street. In addition to the parking reduction staff also supports the provision of parking in excess of 300 ft. to be considered as part of the parking reduction. While the spaces do not meet the technical definition of required parking spaces, the distance (450 ft.) is well within what is considered a reasonable walking distance; and staff believes the lot will continue to be used by members of the church on Sunday and employees of the church during the week. While the existing parking lot does not meet the minimum drive aisle width requirements for parking areas, staff is not recommending changes because the parking lot configuration is existing and the width of the Royal Street lot does not permit a different configuration. However, staff is recommending that the applicant provide screening for the existing off-site parking area to minimize the impacts that the parking lot has on the adjoining residential uses and the street.

**Archaeology**

As previously discussed , Archaeology staff believes that the site for the proposed addition and underground space because this portion of the site appears to be undisturbed and due to the historic nature of the site. Therefore a recommendation of approval is that the applicant hire an archaeological firm to perform an archaeological evaluation and produce a resource management plan to identify and evaluate potential archeological remains. A recommendation of approval is that all archaeological preservation measures must be completed prior to the commencement of any ground disturbance. In addition to archeological resources there is also the belief that due to the adjoining cemetery, the site has the potential to contain human burials. If at any time human burials that will be disturbed by the proposed development are discovered on this property, appropriate court orders and state permits must be obtained by the applicant before any burial can be removed, which would require excavation activities must cease in the area of the burial(s) until the proper preservation measures have been completed.

**Conclusion:**

Staff recommends **approval** of the proposed development special use permit for the parking reduction and the development site plan. The combination of providing the additional landscaping, brick sidewalk on Fairfax Street, closure of the curb cuts on Wolfe and Royal Street and provision of a brick screening wall for the parking lot on Wolfe Street will provide considerable public benefit for the neighborhood. Staff believes that the staff conditions regarding parking, screening and streetscape improvements will enable the church to be compatible with the neighborhood while also enabling the church to continue to be an important cultural, architectural and historical component of the City.

**STAFF:** Eileen Fogarty, Director, Department of Planning and Zoning;  
Kimberley Johnson, Chief, Development;  
Jeffrey Farner, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Planning & Zoning:

- F-1. Sec. 7-202(A)(7) of the zoning ordinance restricts open stairs to reduce the width of a required side or rear yard to less than 5 feet. Basement stairs are proposed to the west side property line. Relocate stairs to comply with the 5 feet requirement or request the modification,

Transportation & Environmental Services:

- C- 1 Bond for the public improvements must be posted prior to release of the plan.
- C- 2 The sewer tap fee must be paid prior to release of the plan.
- C- 3 All easements and/or dedications must be recorded prior to release of the plan.
- C- 4 Plans and profiles of utilities and roads in public easements and/or public right-of-way must be approved prior to release of the plan.
- C- 5 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval.
- C- 6 All utilities serving this site to be underground.
- C- 7 Provide site lighting plan that meets minimum city standards.
- C- 8 Plan shall comply with the Chesapeake Bay Preservation Act in accordance with Article XIII of the City's zoning ordinance for storm water quality control.
- C- 9 Provide a phased erosion and sediment control plan consistent with grading and construction per Code Section 5-4-1.

Office of Housing:

No Comment.

Code Enforcement:

- C-1 Revise General note #1 to reference 1996 Code.
- C-2 Provide handicapped parking spaces in accordance with Chapter 11 of the Virginia Uniform Statewide Building Code (VUSBC).
- C-3 This facility is required to be equipped with a fire protection sprinkler system. Show the required Fire Department connection for this system on the site plan. This connection shall be within 100 feet of the nearest fire hydrant.
- C-4 A soils report will be required at the time of building permit submission.
- C-5 A fire flow analysis prepared by a licensed engineer shall be submitted to this office for review and approval prior to the release of the site plan.
- C-6 This project requires a building permit. Four sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia shall accompany the permit application.
- C-7 This complex will be a mixed use group facility and as such shall be designed to comply with VUSBC section 313.

Health Department:

No Comment.

Historic Alexandria (Archaeology):

- F-1. This property is very significant historically in containing a house built by Charles Unruh in 1844 and being adjacent to the Presbyterian Meeting house and Cemetery property immediately to the north. There is the possibility that archaeological remains from the eighteenth and nineteenth centuries as well as human burials may be present. (Arch)

Parks & Recreation (Arborist):

No Comment.

Virginia American Water Company:

- F-1 Water service is available for domestic use and fire protection
- F-2 There are no new water facilities shown on the site plan, if any are required, please show them.
- F-3 The existing 6" water main in South Fairfax Street is shown incorrectly. The actual location of the 6" main is two feet west of the centerline of South Fairfax Street.

OF

APPLICATION for  
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN  
DSUP # 2002-0006

PROJECT NAME: OLD PRESBYTERIAN MEETING HOUSE

PROPERTY LOCATION: 323 South Fairfax Street, Alexandria, Virginia

TAX MAP REFERENCE: 74.04 06 21

ZONE: RM/Townhouse Zone

APPLICANT Name: Old Presbyterian Meeting House, a local congregation of the  
Presbyterian Church (USA)

Address: 316 South Royal Street, Alexandria, Virginia 22314

PROPERTY OWNER Name: The Trustees of the Old Presbyterian Meeting House

Address: 316 South Royal Street, Alexandria, Virginia 22314

SUMMARY OF PROPOSAL: Development Special Use Permit with Site Plan to construct an addition to the Church's building at 323 South Fairfax Street and a request for reduction of required parking to permit use of off-site parking facility in excess of three hundred feet (300') of the Church's property.

MODIFICATIONS REQUESTED: Front yard setback requirement of RM/Townhouse zone regulations §3-1106(A)(1) of the City of Alexandria Zoning Ordinance, 1992, as amended ("Ordinance").

SUP's REQUESTED: Special Use Permit pursuant to §8-100(A)(4) of the Ordinance to reduce required parking and to permit use of the twenty-eight (28) parking space surface parking facility in excess of three hundred feet (300') from Church's property as required by §8-200(C)(4).

THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of the 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 to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his knowledge and belief.

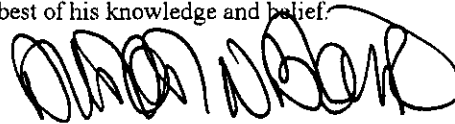
Land, Clark, Carroll, Mendelson & Blair, P.C.

By: Duncan W. Blair, Esquire

Print Name of Applicant or Agent

112 South Alfred Street, Suite 300

Mailing/Street Address



Signature

Email: dblair@landclark.com

(703) 836-1000

Telephone #

(703) 549-3335

Fax #

Alexandria, Virginia 22314

City and State

Zip Code

February 26, 2002

Date

===== DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY =====

Application Received: \_\_\_\_\_

Received Plans for Completeness: \_\_\_\_\_

Fee Paid & Date: \$ \_\_\_\_\_

Received Plans for Preliminary: \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

Old Presbyterian Meeting House

Development Special Use Permit with Site Plan (DSUP) # 2002-0006

All applicants must complete this form.

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is the (check one):

☒ Owner      ☐ Contract Purchaser

☐ Lessee      ☐ Other: \_\_\_\_\_

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 ten percent.

**The Old Presbyterian Meeting House ("OPMH") is a local congregation of the Presbyterian Church (USA)**

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

2. 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, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. If not appropriate to the request, delete pages 4-7.  
(Attach additional sheets if necessary)

The Old Presbyterian Meeting House ("OPMH"), a local congregation of the Presbyterian Church (USA), is requesting approval of a Development Special Use Permit with Site Plan to construct an addition to the existing church building, known as Elliot House, at 323 South Fairfax Street, in the Old and Historic District of Alexandria, Virginia ("Property"). The proposed addition will consist of approximately 2,092 square feet of above grade floor area and 3,204 square feet of below grade floor area. As part of the project, OPMH is restoring and renovating the Elliot House and its grounds. The space in the restored Elliot House will allow OPMH to reallocate and relocate many of the accessory church uses from the overcrowded Flounder Building for use as handicap accessible church office space for the Church's staff, handicap accessible restrooms, library and Archival display areas in public parlors and for additional space for education and fellowship. The accessory church uses to be located in the restored Elliot House are currently located in the Main Sanctuary constructed in 1775, the Flounder House constructed in 1789 and Westminster Hall Education Building constructed in the 1960's.

On November 20, 2001, the Old and Historic District Board of Architectural Review (BAR Cases 2001-0015, 2001-0016 and 2001-0017) unanimously granted Conceptual Design Approval for the project.

The OPMH is an active, community-involved downtown urban congregation with a rich history and mission consisting of approximately 1100 active members under the leadership of the Reverend Doctor Gary W. Charles. A full description of the life, mission and ministries of OPMH can be found at [www.opmh.org](http://www.opmh.org). The OPMH has been in existence since 1772 when the congregation was first recognized by the Donegal Presbytery and the provision of its first Pastor William Thom (1772-73), the Church's buildings have been on the Property since the main sanctuary was constructed in 1775. The OPMH has been an integral part of the Old Town Alexandria community as a place of worship, education and fellowship with currently more than 182 households ( 272 adult members and 80 children) living in the downtown 22314 Zip Code area as well as a community preschool for young children and a meeting place for church and community groups, including among others, Alcoholics Anonymous.



Development Special Use Permit with Site Plan (DSUP) # 2002-0006

In order to restore Elliot House and construct the addition, OPMH is requesting, in addition to the Board of Architectural Review Conceptual Approvals, a Development Special Use Permit with Site Plan and modification from the RM/Townhouse zone classification as well as a Special Use Permit requesting a parking reduction.

**Zone Modification:** The OPMH is requesting a modification of the front yard set back requirements of Section 3-1106 (A)(1) of the Ordinance to permit the proposed addition to align with the existing building constructed on the Property. The existing building does not meet the requirements of Section 3-1106 (A)(1) of the Ordinance which, since the adoption of the Ordinance in 1992, requires that the front building line of buildings on RM zoned property to be same as the front lot line. As such, the existing building is a noncomplying structure under Section 12-108 et. seq. of the Ordinance, and addition or enlargement to such building must comply with the current code. The modification permits the addition to be sited in accordance with the Conceptual Approval by the Old and Historic District Board of Architectural Review and the desire of the Old Town community and the Staff of Planning and Zoning to preserve corner open space.

**Special Use Permits:** OPMH is requesting a special use permit to permit a reduction of the required parking as determined by the Department of Planning and Zoning. The parking required is for thirty-nine (39) parking spaces, thirty (30) spaces for the below grade meeting space and nine (9) spaces for the new Church office space. In addition, the preschool is required to have eight (8) parking spaces during school hours pursuant to its special use permit. Thus, the total OPMH required parking is forty-seven (47) spaces.

The parking reduction consists of two (2) separate components: (i) authority to include in satisfaction to its parking requirements the Church's existing surface parking lot at 419-425 South Royal Street striped to accommodate twenty-eight (28) parking spaces with the capacity to stack and additional twelve (12) automobiles, and (ii) to permit a reduction of the nineteen (19) required parking spaces from the required forty-seven (47) that can not be accommodated in striped spaces on the Church's surface parking lot. Note: the eight (8) preschool required spaces are only required during the school year and during school hours. The South Royal Street parking lot meets the Church's parking demand during daytime hours, and with the continued unstructured ecumenical reciprocal sharing of parking facilities between OPMH and the St. Mary's Parish, evening parking demand is also met. It is only during Sunday worship services and other services, including weddings and funerals, that parking demands exceed available nearby off-street capacity. With the continued unstructured ecumenical reciprocal sharing of parking facilities on weekday evenings, it is only during Sunday worship services and other services, including weddings and funerals, that parking demands exceed available nearby off-street capacity. Note: As part of the Board of Architectural Review process, the curb cut providing access to the a garage on the Property was required to be closed resulting in the creation of one (1) new public on-street parking space.

Development Special Use Permit with Site Plan (DSUP) # 2002-0006

With the exception of the Special Use Permit requiring eight (8) parking spaces for the preschool, OPMH is not subject to a zoning requirement to provide parking, since OPMH predates the City's Zoning Ordinance and is grandfathered with respect to City zoning requirements.

The expansion of the Church use into 323 South Fairfax does not increase the parking demand for the OPMH as no increase in the number of Church staff is anticipated or proposed nor are there any proposed significant changes to the Church's schedule or program. The building project simply provides more accessory office space, fellowship education space for the congregation and allows for existing overcrowded, handicap inaccessible conditions of the Flounder Building to be reallocated, separated and relocated into facilities that meet the needs of this vibrant, active downtown urban church as it continues its mission and ministries begun in 1772.

3. How many patrons, clients, pupils and other such users do you expect?  
Specify time period (i.e., day, hour, or shift).

There are approximately one thousand one hundred (1100) members of the OPMH, which includes approximately one hundred eighty-two (182) families (272 adult members and 80 children) living in the 22314 zip code area and a staff of sixteen (16). See Attachment A for a list of staff members and their responsibilities, the current location and the proposed location upon completion of the project. OPMH, like all churches, have a somewhat fluid membership with the current membership being consistent with the higher levels of membership over the Church's history. There are two (2) Sunday worship services between Labor Day and Memorial Day, an 8:30 a.m. service with a current average attendance of between 80-100 and an 11:00 a.m. service with a current average attendance of between 350-400. During the summer months, there is only a 10:00 a.m. service with the current average attendance of 300-350. In addition to the two (2) worship services (except during the summer months), there is one (1) session of adult education between the two (2) services with an average attendance between 150-200 members with classes in the Education and Flounder House Building. Unlike some churches, the OPMH does not nor does it contemplate ever having adult education classes during worship services.

In addition to Sunday worship services and education programs, there are Sunday night youth fellowship meetings and night time meetings of Church committees and community uses, small study groups, weekly family fellowship dinners as well as uses of the Church for weddings and funerals.

The Meeting House Cooperative Preschools operates in the Education building from September to June, Monday through Friday, 9:00 a.m. to 12:00 noon, with two extended days for a limited number of students until 1:30 p.m. The school operates under its own City of Alexandria Special Use Permit.

The Church staff of sixteen (16) people work between the hours of 9:00 a.m. to 5:00 p.m.

Development Special Use Permit with Site Plan (DSUP) # 2002-0006

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

**See response to Question 3.**

5. Describe the proposed hours and days of operation of the proposed use:

Day	Hours	Day	Hours
-----	-------	-----	-------

**See response to Question 3.**

6. Describe any potential noise emanating from the proposed use:

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

**It is not anticipated that noise levels from mechanical equipment and patrons or the noise levels currently emanating from the Church's property and buildings will exceed the City of Alexandria permitted levels. The new mechanical equipment proposed for 323 South Fairfax Street has been placed on the roof as part of the addition and concealed from view.**

- B. How will the noise from patrons be controlled?

**It is not anticipated that measures, other than those currently in place, will be required.**

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

**No change from current practices and operations.**

8. Provide information regarding trash and litter generated by the use:

- A. What type of trash and garbage will be generated by the use?

**No change from current practices and operations.**

- B. How much trash and garbage will be generated by the use?

**No change from current practices and operations.**

- C. How often will trash be collected?

**No change from current practices and operations.**

Development Special Use Permit with Site Plan (DSUP) # 2002-0006

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

**No change from current practices and operations.**

9. 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:

10. 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:

11. What methods are proposed to ensure the safety of residents, employees and patrons?

**No change from current practices and operations.**

#### ALCOHOL SALES

12. Will the proposed use include the sale of beer, wine, or mixed drinks?

☐ Yes. ☒ No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

Development Special Use Permit with Site Plan (DSUP) # 2002-0006

**PARKING AND ACCESS REQUIREMENTS**

13. Provide information regarding the availability of off-street parking:

- A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

**The Department of Planning and Zoning determined that the parking requirement for the Project is thirty-nine (39) parking spaces. This is in addition to the ninety (90) grandfathered parking spaces and eight (8) spaces required by the Preschool's Special Use Permit.**

- B. How many parking spaces of each type are provided for the proposed use:

28	Standard spaces
0	Compact spaces
0	Handicapped accessible spaces.
12	Other - stacked in parking aisle during worship services.
—	
40	Total spaces

- C. Where is required parking located? (*check one*)      ☐ on-site    ☒ off-site.\*

**\*The parking facility is more than three hundred feet (300') from the Church's property and cannot be counted in satisfaction of the parking requirement.**

If the required parking will be located off-site, where will it be located:

**The Church's existing surface parking lot at 415-423 South Royal Street with twenty-eight (28) not-required spaces.**

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.

**Development Special Use Permit with Site Plan (DSUP) # 2002-0006**

- D. 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.

**See attached.**

14. Provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance?

**None.**

- B. How many loading spaces are available for the use?

**None.**

- C. Where are off-street loading facilities located?

**Not Applicable.**

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

**Not Applicable.**

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

**Not Applicable.**

15. 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?

**The Property is adequately served and no new street improvements are required.**

DSUP 2002-0006

# **Space Utilization Plan – Elliot House (EH) and Flounder House** (Space shown in square feet)

<u>Needed Space*</u>		<u>Current Status</u>	<u>Elliot &amp; Flounder House Proposal</u>
<u>Universal (wheelchair) accessibility</u>			
Access to offices, toilets, meeting spaces		Almost none	Access to all new/renov spaces**
<u>Offices</u>	<u>Square feet</u>		
Senior Pastor	300	250***	260 with private storage & restroom
Associate Pastor	250	250***	150 with nearby storage
Associate Pastor	250	No office	150 with nearby storage
Minister of Music	250	Desk in hallway	150 with increased music storage
Christian Educator	150	120 shared office	100
Youth Professional	150	80	80
Church Administrator	150	80	80
Asso Community Ministries	150	80	80
Assistant Bookkeeper	100	Desk in hallway	60 maybe shared
Program Assistant	100	Desk in pass-thru	60 maybe shared
Secretary 1	80	Desk in pass-thru	60 shared
Secretary 2	80	No space	60 shared
Buildings Supervisor	80	Desk only	Being studied
Facilities Manager	80	Desk only	Being studied
Sextons (2) locked storage	20	None	Small storage locker
<u>Class/Meeting Space</u>			
Large class/meet space (2)	1800	Only Fellowship H now	New 1800 underground by EH
Med class/meet space (3)	400	1 space, not accessible	2 accessible Flounder spaces***
Kitchen for new space	250	-	180 in EH underground
<u>Support Space/Other</u>			
Accessible restrooms for sanctuary		None	EH via its north entrance
Restrooms for offices & classrooms		Extremely limited	More fixtures, all accessible
Counseling room		None	EH upper floor
Reception for brides, grieving families		None	EH north parlor
Library		Inadequate	EH south parlor
Archival storage and display		Almost none	Much improved
General storage		Inadequate	Modestly improved
<u>Unachievable needs</u>			
Choir rehearsal room			
Chapel/meditation room			
Dedicated space for youth activities and other key functions (All meeting spaces must be multi-function.)			

\*Space needs assessment initially was developed through a staff and congregational survey (Jan-Apr 2000), then scaled back and modified by the Facilities Design Task Force.

\*\*Wheelchair access from addition to Elliot top floor not achievable because of reduced height of the addition.

\*\*\*These two Flounder offices will remain in tact: one for the Facilities Manager and sextons (no office now) and one for research, archives, or other occasional use. All other Flounder offices will disappear as their space is converted into two badly needed 400 square foot class/meeting spaces – primarily for use only on Sunday.

August 29, 2001

## **PARKING REDUCTION SUPPLEMENTAL APPLICATION**

Supplemental information to be completed by applicants requesting special use permit approval of a reduction in the required parking pursuant to section 8-100(A)(4) or (5).

1. Describe the requested parking reduction. (e.g. number of spaces, stacked parking, size, off-site location)

**OPMH is requesting a special use permit to permit a reduction of the required parking as determined by the Department of Planning and Zoning. The parking required is for thirty-nine (39) parking spaces, thirty (30) spaces for the below grade meeting space and nine (9) spaces for the new church office space. In addition, the preschool is required to have eight (8) parking spaces during school hours pursuant to its special use permit. Thus, the total OPMH required parking is forty-seven (47) spaces.**

**The parking reduction consists of two (2) separate components: (i) authority to include in satisfaction to its parking requirements the Church's existing surface parking lot at 419-425 South Royal Street striped to accommodate twenty-eight (28) parking spaces with the capacity to stack and additional twelve (12) automobiles, and (ii) to permit a reduction of the nineteen (19) required parking spaces from the required forty-seven (47) that can not be accommodated in striped spaces on the Church's surface parking lot. Note: the eight (8) preschool required spaces are only required during the school year and during school hours. The parking lot meets the Church's parking demand during daytime hours, and with the continued unstructured ecumenical reciprocal sharing of parking facilities between OPMH and the St. Mary's Parish, evening parking demand is also met. It is only during Sunday worship services and other services, including weddings and funerals, that parking demands exceed available nearby off-street capacity. Note: As part of the Board of Architectural Review process, the curb cut providing access to the garage on the Property was required to be closed resulting in the creation of one (1) new public on-street parking space.**

**With the exception of the Special Use Permit requiring eight (8) parking spaces for the preschool, OPMH is not subject to a zoning requirement to provide parking, since OPMH predates the City's Zoning Ordinance and is grandfathered with respect to City zoning requirements.**

**The expansion of the Church use into 323 South Fairfax does not increase the parking demand for the OPMH, as no increase in the number of Church staff is anticipated or proposed, nor are there any proposed significant changes to the Church's schedule or program. The building project simply provides more accessory office space, fellowship education space for the congregation and allows existing overcrowded, handicap inaccessible conditions of the Flounder Building to be reallocated, separated and relocated into facilities that meet the needs of this vibrant, active downtown urban church as it continues its mission and ministries begun in 1772.**



2. Provide a statement of justification for the proposed parking reduction.

The OPMH is a two hundred thirty (230) year old downtown urban church with an active and engaged congregation. Its buildings are the location of worship, education and fellowship for the community. OPMH's mission and ministries go beyond its buildings to activities such as Habitat for Humanity, Northern Virginia Aid Ministry, Carpenter's Shelter and the Alexandria Tutoring Consortium are only a few of the organizations supported by OPMH. As a downtown urban church, OPMH must rely upon existing parking facilities and arrangements, as the area around the church has changed over its history and available parking has diminished and increased demand has been generated through the growth of the community. It is unrealistic to assume that any downtown church can meet the City's zoning parking requirements, and to do so creates an unreasonable and unnecessary burden and restriction on OPMH and its members.

3. Why is it not feasible to provide the required parking?

The Property is located in the fully developed downtown urban Old Town area, where little if any land is available for surface parking, and the Property is too small for structured on-site parking and surface parking adjacent to the proposed project or on other adjacent Church property is neither possible or desirable.

The Property is zoned RM/Townhouse zone and is located in the Old and Historic Alexandria District; as such, parking facilities for both required and non-required spaces can only be accessed from an alley or interior court. There is no alley or interior court which provides access to the Property. Therefore, as a technical issue, even if there was available land for on-site parking and even if it were desirable to dedicate the land for parking, it is technically not permitted under the Ordinance.

4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces? ☐ Yes. ☒ No.
5. If the requested reduction is for more than five parking spaces, the applicant must submit a Parking Management Plan which identifies the location and number of parking spaces both on-site and off-site, the availability of on-street parking, any proposed methods of mitigating negative affects of the parking reduction.

See attached Parking Management Plan.

6. The applicant must also demonstrate that the reduction in parking will not have a negative impact on the surrounding neighborhood.

**The requested parking reduction will not have a negative impact on the current parking conditions in the neighborhood surrounding the OPMH. The parking reduction is technical in nature, as it effectively recognizes the status quo. That is because the ninety (90) spaces required under the Code are grandfathered, the current requirement for the project is a component of that ninety (90) space requirement and is intended to meet the peak Sunday morning worship service demand. The parking reduction has no effect on peak demand. In fact if approved, the special use permit will require that the Church dedicate for parking the Royal Street lot as required parking. The project goal is to provide an accessible and comfortable working environment for the Church staff and a comfortable educational, meeting fellowship space for its members. It is not intended to be a springboard to new growth and programs.**

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## Parking Management Plan

**Background:** The Old Presbyterian Meeting House ("OPMH"), established in 1772, is an active local congregation of the Presbyterian Church (USA) with a membership of approximately one thousand one hundred (1100) and a staff of sixteen (16).

The OPMH owns six (6) City of Alexandria tax parcels of land, three (3) located in the 400 block of South Royal Street improved by a surface parking lot striped for twenty-eight (28) cars and three (3) lots of land located in the block bounded by the 300 blocks of South Fairfax, Wolfe, South Royal and Duke Streets in the downtown Old and Historic Alexandria District. The Church's property is improved by the Main Sanctuary, the Flounder House, Westminster Hall Education building and the Elliot House.

The OPMH is located in Residential Parking District One (1) and all adjacent on-street parking is subject to daytime and evening parking restrictions. On-street parking is generally available during daytime and evening hours, with the exception of weekends.

Additionally, the St. Mary's Parish owns three (3) surface parking facilities in the immediate area which for years have been made available for use by the OPMH through unstructured ecumenical reciprocal sharing when not in conflict with St. Mary's Church needs or other commitments for their use. These lots are used primarily in the evenings and for special services. Lastly, the OPMH has developed over the years informal parking arrangements for a limited number of spaces. These arrangements like the St. Mary's arrangement are unstructured and based on goodwill and cooperation.

**Strategy:** The OPMH created a Parking Task Force to review the existing parking conditions, to consider ways of finding additional parking and to develop methods of managing the demand for parking. The Task Force recognized that there were few, if any, opportunities to create additional off-street parking spaces in order to provide parking for the Sunday worship services, having identified those services as the periods of greatest parking demand and usage by OPMH members. The following Task Force recommendations form the basis of the plan:

1. Encourage members who live within walking distance to walk to worship services and Church activities.
2. Encourage ride-sharing and transit use to worship services and Church activities.

3. Maintain existing parking arrangements with St. Mary's Church and other local businesses and organizations and encourage their use.
4. Investigate new opportunities for shared use of parking facilities, i.e. Lyles Crouch School.
5. Although there are no public garages within a three block radius of the OPMH, encourage the use of public pay parking.
6. Publish reminders in OPMH of the availability of public garages, especially for weddings.
7. Continue to evaluate parking needs and demand through ongoing internal processes.

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March 22, 2002

Ms. Emily A. Baker, P.E. City Engineer  
Transportation & Environmental Services  
301 King Street  
City Hall Room 4130  
Alexandria, VA 22314

Old Presbyterian Meeting House  
323 S Fairfax St  
DSUP #2002-0006

jcf

RE: Alexandria Zoning Ordinance Sect. 13-117 (B) Waiver  
of Water Quality Volume Requirement.  
#323 South Fairfax Street  
TM# 74.04-06-21

Dear Ms. Baker:

On behalf of our client, Old Presbyterian Meeting House, we are requesting a partial waiver of the Best Management Practices (BMP's) on the above referenced site.

This existing parcel contains 5,569 sq. ft. (0.1278 ac.) in the RM zone of the historic district of Old Town. Currently the site consists of a residential dwelling that faces South Fairfax Street and a detached garage that has access from Wolfe Street. The rest of the site consists of open space and vegetation. The existing impervious area is 2,710 sq. ft. (0.0622 ac.). The existing dwelling will remain with a proposed rear addition and basement. The existing garage will be removed and a landscaped plaza area is proposed over the proposed below grade basement. The proposed impervious area will be 4,078 sq. ft. (0.0936 ac.) for the site. This is an increase in impervious area of 1368 sq. ft. (0.0314 ac.). Completed worksheets from the Alexandria Supplement to the BMP Handbook are attached. The site currently surface drains into the right-of-way into a combined sewer where it is piped to the Alexandria Sanitation Authority treatment plant or discharges into the Potomac River. The proposed stormwater management (SWM) system onsite will consist of a stormwater detention pipe with control structure and a bio-retention facility adjacent to the existing and proposed building. The drainage area to the bio-retention filter is 2,210 sq. ft. or approximately 40% of the total site area. The size of the bio-retention filter is sized according to the proposed impervious area on site and meets the total site water quality volume requirement. The overall scheme of the SWM system has been designed to save the existing dwelling and two large shade trees, one 24" tree to the north of the dwelling and one 36" tree in front of the dwelling. These site conditions made it difficult to design a SWM system to control all of the impervious area on site. The uncontrolled areas will consist of the areas around

the existing and proposed buildings to include the proposed landscape planters, walks and plaza area.

The proposed water quality improvements will remove a substantial amount of pollutants providing partial treatment to fulfill City requirements. This waiver is being requested because the City Ordinance requires that runoff from all impervious surfaces be treated by a BMP. We feel that providing a BMP to capture all impervious runoff is impractical and burdensome because the location of a SWM system to capture all of the impervious areas would require excavation on the north side of the property where the two existing mature trees would have to be removed. We feel that the alternative design shown preserving the existing mature trees and building will benefit the public more than the conventional method. For these reasons, we feel a partial waiver of BMP's is approvable and justifiable.

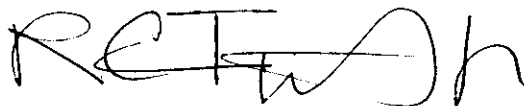
Please feel free to contact this office with questions or comments. We appreciate your consideration of this request.

Respectfully Submitted,  
R.C. Fields, Jr., & Associates, P.C.

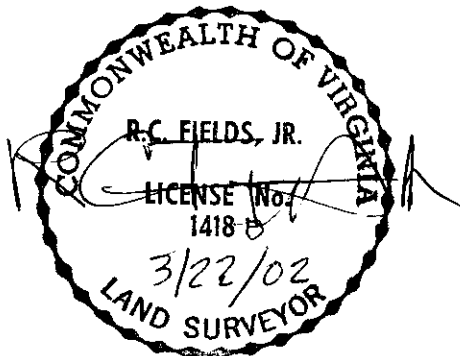


Paul Wilder  
Project Design Engineer

Certified by:



R.C. Fields, Jr., L.S.  
President



PAW/lt

J:\2001\0123\Docs\BMPWaiverReq.doc

ALEXANDRIA, VIRGINIA  
PHOSPHOROUS  
LOADING COMPUTATIONS

WORKSHEET B: REDEVELOPMENT

1. Compile site-specific data.

	PRE-DEVELOPMENT	POST-DEVELOPMENT
A*	- <u>0.13</u> acres	- <u>0.13</u> acres
I <sub>a</sub> structures	- _____ acres	- _____ acres
parking lot	- _____ acres	- _____ acres
roadway	- _____ acres	- _____ acres
other	- <u>0.06</u> acres	- <u>0.09</u> acres
	- _____ acres	- _____ acres
	- _____ acres	- _____ acres
Total I <sub>a</sub>	- <u>0.06</u> acres	- <u>0.09</u> acres
I = (total I <sub>a</sub> /A) x 100		
	- <u>46</u> percent expressed in whole numbers	- <u>69</u> percent expressed in whole numbers
R <sub>v</sub> = 0.05 + (0.009 x I)		
	- <u>0.46</u> unitless	- <u>0.67</u> unitless
C: I ≥ 20 = 1.08mg/l I < 20 = 0.26mg/l		
	- <u>1.08</u> mg/l	- <u>1.08</u> mg/l
*A is the total area of the site		
** I <sub>a</sub> is the total impervious cover on the site		

2. Calculate the pre-development load (L<sub>pre</sub>)

$$\begin{aligned}
 L_{pre} &= 8.16 \times R_{v-pre} \times C \times A \\
 &= 8.16 \times \underline{0.46} \times \underline{1.08} \times \underline{0.13} \\
 &= \underline{0.53} \text{ pounds per year}
 \end{aligned}$$

ALEXANDRIA, VIRGINIA  
PHOSPHOROUS  
LOADING COMPUTATIONS

WORKSHEET B: REDEVELOPMENT

3. Calculate the post-development load ( $L_{\text{post}}$ )

$$\begin{aligned} L_{\text{post}} &= 8.16 \times R_{\text{V-post}} \times C \times A \\ &= 8.16 \times \underline{0.67} \times \underline{1.08} \times \underline{0.13} \\ &= \underline{0.77} \text{ pounds per year} \end{aligned}$$

4. Calculate the pollutant removal requirement (RR).

$$\begin{aligned} \text{RR} &= L_{\text{post}} - (0.9 \times L_{\text{pre}}) & \% \text{RR} &= (\text{RR} / L_{\text{post}}) \times 100 \\ &= \underline{0.77} - (0.9 \times \underline{0.53}) & &= (\underline{0.29} / \underline{0.77}) \times 100 \\ &= \underline{0.29} \text{ pounds per year} & &= \underline{38} \% \end{aligned}$$



ALEXANDRIA, VIRGINIA  
PHOSPHOROUS  
LOADING COMPUTATIONS

WORKSHEET C: COMPLIANCE

Select BMP options using screening tools and list them below. Then calculate the load removed for each option. DO NOT LIST BMPs IN SERIES HERE.

Selected Option	Removal* Efficiency x (% 100)	Fraction of CBPA Drainage Area Served (expressed in decimal form) x	$L_{post}$ (lbs/yr) -	Load Removed (lbs/yr)
BIO-RETENTION	0.50	0.40	0.77	0.15
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

0.15 lbs./yr. < 0.29 lbs./yr. MINIMUM REQUIRED. SEE WAIVER REQUEST.

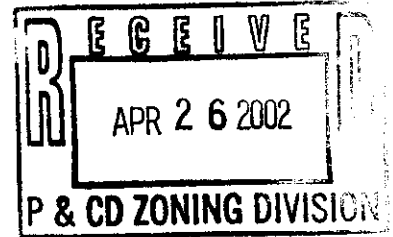
\*For conventional BMPs, see Section IIa of the Northern Virginia BMP Handbook (NVBMPHB) published by the Northern Virginia Planning District Commission or Chapter 1 of the Alexandria Supplement to the NVBMPHB. For non-conventional BMPs, see Section IV, Chapter 1 of the Alexandria Supplement.



**GOROVE/SLADE ASSOCIATES, Inc.**

Suite 700 / 1140 Connecticut Ave. NW / Washington, DC 20036

Phone: (202) 296-8625  
Fax: (202) 785-1276  
Toll Free: (888) 212-4242



April 25, 2002

Jeffrey Farner  
City of Alexandria  
Department of Planning and Zoning  
City Hall  
301 King Street, Room 2100  
Alexandria, VA 22313

Dear Jeff,

At the request of the city staff, Gorove/Slade Associates has conducted a parking study in the area surrounding the Old Presbyterian Meeting House (OPMH) in the Old Town section of Alexandria, Virginia. The purpose of this study was to evaluate the existing parking conditions within two blocks of OPMH on Duke Street, Royal Street, Fairfax Street and Wolf Street as well as to provide a review of the availability of parking on weekdays and during weekend services. The study also evaluated the proposed construction of an addition to one of the church buildings in terms of potential changes to the existing parking availability.

### **Existing Conditions**

The following summarizes the review of the existing parking supply and demand analysis:

- Weekend parking occupancy was collected on Sunday April 14th from 9:00 am to 11:30 am;
- Weekday parking occupancy was collected on Tuesday April 17th for midday and evening operations;

<b>Average Parking Availability (Spaces)</b>			
	Weekday 12:00 – 2:00 PM	Weekday 4:00 – 7:00 PM	Weekend 9:00 - 11:30 AM
OPMH Lot	15	15	0
Duke Street	15	10	1
Royal Street	40	35	2
Fairfax Street	20	15	2
Wolfe Street	20	15	1

Note: Availability taken while services were in session where applicable

The parking was evaluated during three time periods as described below:

1. *Weekday Daytime Parking:* As the table shows approximately 15 spaces were available on the church's surface parking facility at South Royal Street for daytime parking. This represents that there is adequate off street parking for the existing staff at the church in their lot. The church staff utilizes OPMH stickers on their vehicles. The Church polices this parking area by ensuring that only OPMH Church staff are parked in the area, thereby ensuring that adequate parking is available off street for the staff. As the table shows, several on street parking spaces were available. This area of Old Town falls within a residential parking district and therefore the on street parking has a time limit for non residents assuring a turnover of on street parking for use by both residents and non residents.
2. *Weekday Evening Parking:* As the table shows approximately 15 spaces were open during the weekday evening in the OPMH lot. This represents adequate off street parking in the church designated lot. In addition to the OPMH lot, there are several lots in the area, including the St. Mary's lot, that provide for shared parking use among the church's in the area. As the table shows, several on street parking spaces were available. This area of Old Town falls within a residential parking district and therefore the on street parking has a time limit for non residents assuring a turnover of on street parking for use by both residents and non residents.
3. *Weekend Morning Services:* The weekend observations showed that parking was difficult to come by in the immediate area surrounding the church. This is a result of activity at all of the churches in the area. The OPMH lot is typically full and is operated as stacked parking. As the table shows, several on street parking spaces were available. In the area, St Mary's church is the primary parking driver for demand. St. Mary's has two lots and during Sunday services places a high demand on these lots as well as the available on street parking.

The OPMH has established an ongoing Parking Task Force. The goal of the task force is to review the existing parking conditions, consider ways of finding additional parking and to develop methods of managing the demand for parking.

### **Future Conditions**

The proposed project involves the construction of an addition to the existing church building known as the Elliot House at 323 South Fairfax Street. The proposed addition will consist of approximately 2,029 square feet of above grade floor area and 3,204 square feet of below grade floor area. The Elliot House is bound by Fairfax Street to the East, Duke Street to the North,

Jeffrey Farner  
April 25, 2002  
Page 3

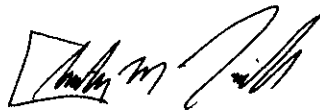
Royal Street to the west, and Wolf Street to the South. The purpose of this project is to provide adequate staff facilities and provide more flexibility for the existing church functions.

The Church use of 323 South Fairfax does not increase the parking demand for the OPMH. There will be no increase in the number of Church staff or any significant changes to the Church's schedule or program. The church is over 230 years old and has a congregation that is already well established. The project in itself is not a catalyst to increase parking demand.

### **Conclusions**

We have evaluated both the existing and future parking conditions in the area surrounding the Old Presbyterian Meeting House Church. The studies evaluated weekday and weekend parking in the vicinity of the church. The results of the studies indicate that during the weekday midday and evening parking was available; however on the weekend, at times it was difficult to find an available parking space. In the area, St Mary's church is the primary parking driver for demand. The proposed expansion of the church will not increase the number of employees or services and therefore will not result in a change from the existing parking conditions.

Sincerely,



Christopher M. Tacinelli, P.E.  
Principle Associate

Cc: Matt Poe, AIA  
Duncan Blair

Moore Poe Architects  
Land, Clark, Carroll, Mendelson & Blair



DESIGN: P.W.  
CHECK: A.L.  
SCALE: N/A  
DATE: FEB. 25, 2002  
SHEET 1 OF 1  
FILE: 11-1-1

THERE ARE NO TIDE WETLANDS, TIDE SHORES, WETLANDY SHORES, FLOODPLAINS, CONNECTED TIDE WETLANDS, ISOLATED WETLANDS, AND/OR SHORELINE/PUNCTURED SOILS OR BUFFER ZONE ASSOCIATED WITH SHACKS, STAGING OR WETLANDS LOCATED ON THE SITE. FURTHER, THERE ARE NO WETLAND FEATURES RELEVANT FOR THE DEVELOPMENT PROJECT. ADDITIONALLY, THERE ARE NO OTHER UNDESIRABLE SHORELINE TYPES OR AREAS OF SOIL OR OVERFLOW CONFINEMENT ON THE SITE.

[illegible]

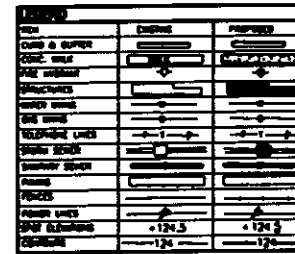
ALL THESE RECORDS CONCERNING THIS CASE BE CLASSIFIED IN ACCORDANCE WITH STATE  
WILL REQUIREMENTS. CONTACT JOE PUMPER AND CHRISTOPHER VAN DE ALLENHOUT  
WHEN COMPLETED AT 703-525-4440 EXT. 216.

1. A DETAILED DESIGN AND SYSTEM CONTROL PLAN WILL BE PROVIDED AND SUBMITTED WITH THE FINAL PLAN FOR THE DEVELOPMENT. ALL MATERIALS AND MANUFACTURING PACKAGES WILL BE CONSTRUCTED AND MANUFACTURED IN ACCORDANCE WITH THE DESIGN STANDARDS AND SPECIFICATIONS OF THE VARIOUS REGULATIONS IN 49-101-00 (DESIGN AND SYSTEM CONTROL STANDARDS) AND DEFERENCE WILL BE MADE TO A REVENUE.

2. FURNISH THE PROTECTION FOR THE LARGE HOLES ON ROOF AND RAFTER SYSTEM TO PREVENT DAMAGE TO THE TRUSS OR CEILING/ROOF STRUCTURE. THE HOLE PROTECTION SHOULD CONSIST OF 2" x 4" BOARD PLACES PERPENDICULARLY AROUND THE HOLES 8 INCHES ON CENTER, TO A MINIMUM HEIGHT OF 3 FEET, AND WELD IN PLACE OF CEILING. A STRIP WILL BE PROVIDED ON FINAL PLAN.

3. THE FURNITURE TO BE INSTALLED AS SPECIFIED IN THE CITY OF ALBUQUERQUE LANDSCAPE OVERLAPLAK SPECIFICALLY, 4" x 4" PANELS INSTALLED IN THE GROUND 3 FT. ON CENTER WITH THE 1" x 6" BATTENS PLACED HORIZONTALLY, PANEL TO PANEL.

A TRAFFIC CONTROL PLAN OUTLINES PROPOSED CONTROLS TO TRAFFIC ALONG, AND  
CLEARANCE, CONSTRUCTION METHODS, TRAIL, STOPS, AND IMPACT AND SHOWS THE  
CONSTRUCTION AND THE CAR THROUGH PLANS TO CONSTRUCT OF CONSTRUCTION.

[illegible]

**APPROVED**

SPECIAL AGENT IN CHARGE \_\_\_\_\_

(Signature of Agent in Charge)

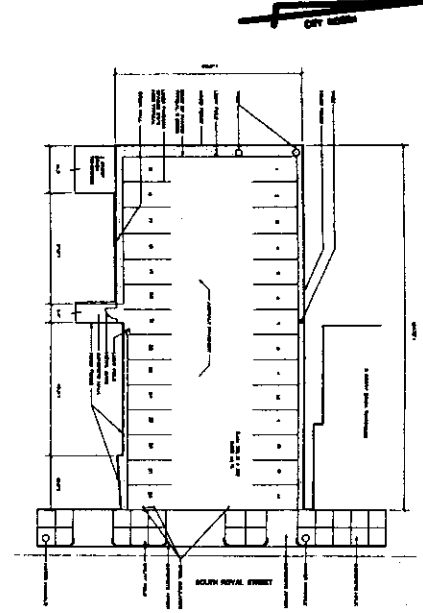
\_\_\_\_\_  
Special Agent in Charge & Confidential Informant  
THE AGENT IS \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

DATE APPROVED \_\_\_\_\_

\_\_\_\_\_  
Special Agent \_\_\_\_\_ (SEE LAST PAGE) \_\_\_\_\_

**SUBJECT:** [REDACTED] b6  
[REDACTED] b7C



**OFFICE PARKING LOT LAYOUT**  
SCALE: 1"=30'

NOTE: EXISTING PAVING LOT PLAN SHOWN FROM INFORMATION PROVIDED BY  
SHIMLEY/PAWNER & ASSOC., P.C. 116 22. LEX STREET, ALEXANDRIA, VA 22314

**RCF** **INTERNATIONAL ASSOCIATES**  
A CORPORATION  
LAW SUITE 100 • 500 PLAZA  
718 Jefferson Street  
Alexandria, Virginia 22314 (703) 546-6422



DEVELOPMENT SPECIAL USE PERMIT/WHITE PLAN  
ON THE PROPERTY LOCATED AT  
**#323 SOUTH FARFAX STREET**  
(OLD PRESBYTERIAN MEETING HOUSE)  
CITY OF ALEXANDRIA, VIRGINIA

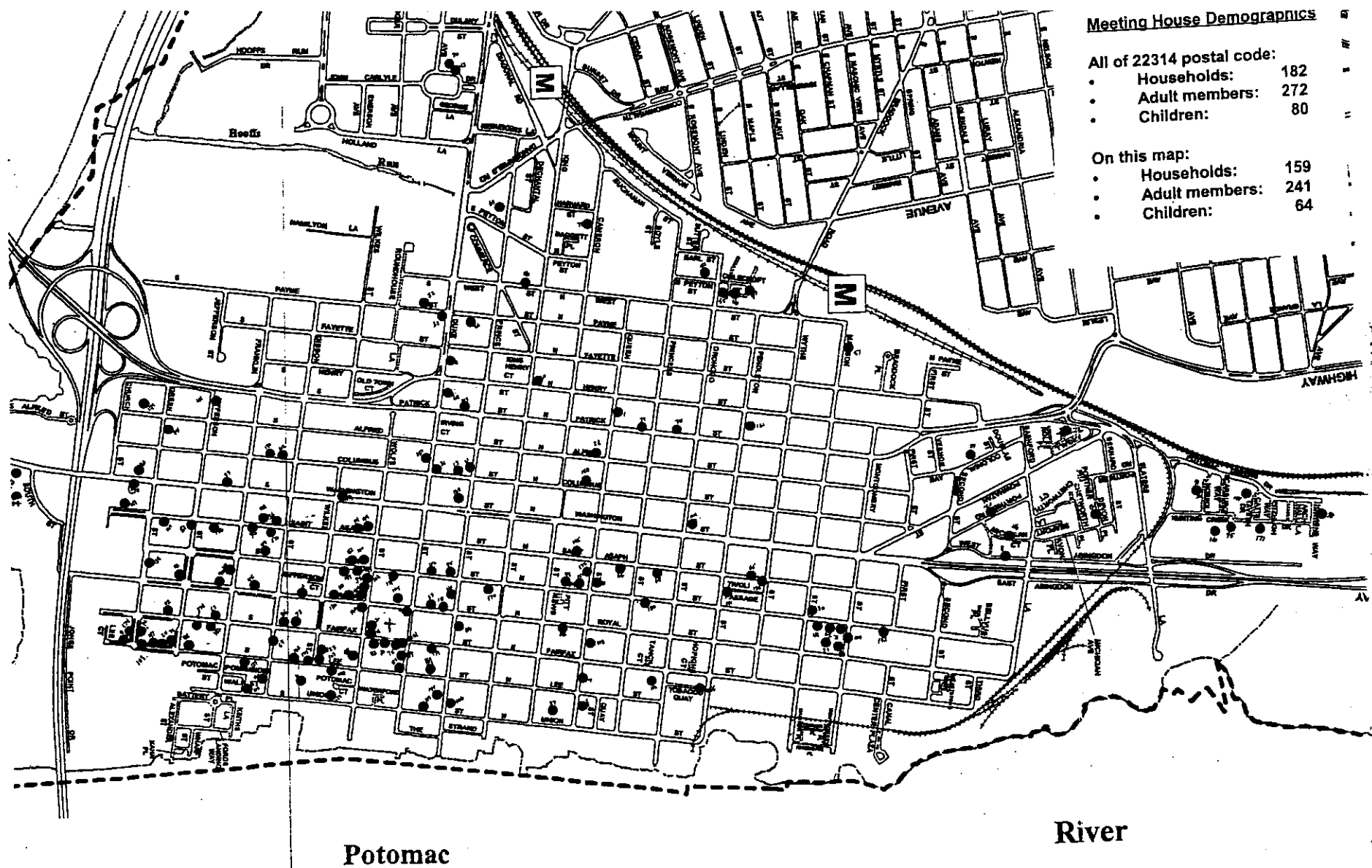
DATE	REVISION
1/11/01	1

DESIGN: P.A.W.  
 DRAWING: ALL  
 SCALE: 1" = 10"  
 DATE: FEB 23, 2002

SHEET      OF       
 FILE:      AND







# **Meeting House Demographics**

All of 22314 postal code:

- Households: 182
- Adult members: 272
- Children: 80

On this map:

- Households: 159
- Adult members: 241
- Children: 64

**LAND, CLARK, CARROLL, MENDELSON & BLAIR, P.C.**

*Attorneys & Counsellors at Law*

**524 KING STREET  
ALEXANDRIA, VA 22314**

H. CARTER LAND, III  
JAMES C. CLARK  
F. ANDREW CARROLL, III  
RICHARD S. MENDELSON  
DUNCAN W. BLAIR

.....  
(703) 836-1000

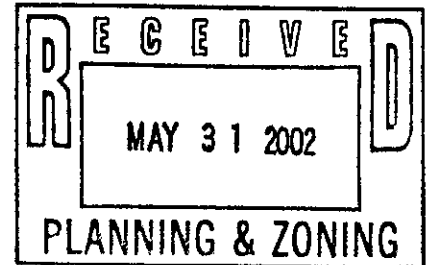
FACSIMILE  
(703) 549-3335

MAILING ADDRESS:  
P.O. BOX 19888  
ALEXANDRIA, VIRGINIA 22320-0888

May 30, 2002

**Deliver by Hand**

Ms. Eileen P. Fogarty  
Director, Department of Planning & Zoning  
301 King Street, Room 2100  
Alexandria, Virginia 22314



**In re: Docket Item #17 - Planning Commission Public Hearing  
June 4, 2002 - Development Special Use Permit #2002-0006  
Old Presbyterian Meeting House, 323 South Fairfax Street,  
Alexandria, Virginia**

Dear Ms. Fogarty:

I am writing on behalf of our client The Old Presbyterian Meeting House, a local congregation of the Presbyterian Church (USA) in connection with the Staff Report prepared for the above-referenced matter. In particular, I am writing to confirm that the Department of Transportation and Environmental Services after consultation with your staff has agreed to eliminate the requirement to provide two (2) handicapped spaces on the South Royal Street parking lot. As such, Condition #38 is no longer required and can be deleted as a condition.

I am also writing to confirm that Condition #4(d) is to be interpreted that there shall not be concurrent Sunday worship services in both the Sanctuary and the proposed Elliot House underground meeting space. This Condition does not preclude worship services in the Elliot House or the proposed underground space at any time other than when Sunday worship services are being conducted in the Sanctuary. If this is inconsistent with your understanding of the intent of the Condition, please advise.

Further, it is our understanding that the references to the parking garages in both Condition #12 and #14 are in error and the Condition should be read without the following words "and parking garage" in the first line of Condition #12 and in the fifth line of Condition #14.

Ms. Eileen P. Fogarty  
May 30, 2002  
Page 2

Lastly, I am forwarding for use and knowledge a copy of the most recent report of the Old Presbyterian Meeting House's Parking Task Force. If you have any questions concerning this report, please do not hesitate to call.

Very truly yours,



Duncan W. Blair

DWB:bart

Enclosure

cc: Rev. Dr. Gary W. Charles  
Robert Dunn, Esquire  
Matt Poe

U:\Barbara\Fogarty\OPMH053002.wpd

OPMH Parking Task force  
Report to the Facilities Design Task Force:  
May 9, 2002  
Brooks Barwell  
Helen McNeil  
Nana Stalker  
Matt Ries  
Jim Beall

The OPMH Parking Task Force was formed to examine parking issues at the church in a good faith effort to address our neighbors' concerns. We met several times and considered ways to find additional parking in Old Town for use by OPMH members, and methods to manage (and reduce) the demand for parking.

A. We identified several potential additional parking locations:

1. Standard Parking manages the garage on the 100 block of Pitt St. (under La Madeline and the Courthouse) and the garage under Market Square. The Pitt St. garage opens at 8:30 AM on Sunday because of an agreement between Standard Parking and St. Paul's Church. They will not open the Market Square garage any earlier than 10 AM on Sunday. Regular rates on Sundays are \$1/1 hr. and \$2 max. There are about 300 spaces at the Pitt St. garage and apparently plenty of room on Sunday morning. St. Pauls parishoners get a sticker to put on their windshield from the parking garage office. This gives them a rate of \$1 for Sunday morning, no matter how long they stay. Mr. Malhi at Standard Parking (703-549-3237) stated that our members could simply get a sticker from the office if we wanted to - he doesn't seem concerned with differentiating between churches.

2. The parking garage at 225 South Union (corner of Duke St.) "opens" at 11:00 AM on Sunday. (The garage is open all the time, but an attendant doesn't arrive until 11.) They charge a flat fee of \$5 all day on Sunday. We suggested an arrangement similar to Standard Parking (\$1 Sunday AM parking) but the cost of having an attendant for the extra hours at reduced rates wouldn't be profitable for the garage. The garage is usually filled by 12:00 on Sunday and our cars (leaving around 12:30) would cut into the spaces that are usually sold by noon. However, the Owner would consider an arrangement of pre-paying for a number of spaces, if we could vacate by 12:30 or so. For example, he would consider offering 25 spaces on the 3rd floor of the garage for a pre-payment of \$1.50 per spot. The pre-payment wouldn't require him to have an attendant on duty. There are 29 spaces total on the 3rd floor of the garage.

CONTACT: Negus (NAY-goose) Solomon, Solo Parking Inc., 225 S. Union St (ph: 703-548-8389, cell: 703-786-3486, fax: 703-548-8386

3. It appears that up to five parking spaces could be made available in front of the Safeway on South Royal. These spaces are currently signed "No parking between signs." We recommend the church request the City's Traffic and Parking Commission to designate these spaces to allow parking on Sundays from 8 am to 1 pm.

4. We contacted Alexandria City public Schools regarding possible use of Lyles Crouch School parking lot on Sundays, but have not yet had any response. We continue to pursue this option.

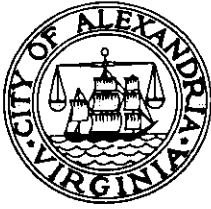
5. There is a need for handicap accessible or valet parking for church members and guests who are elderly or disabled. We will continue to study this and determine ways to meet this need.

6. Finally, we discussed the feasibility of remote parking (such as the City remote lot at Jones Point Park, recently relocated to Hunting Towers.) Although such remote lots could significantly increase available parking, they would require the church to purchase or lease a second van to provide shuttle service.

B. We also discussed possible ways to reduce the church members' impact on street parking in Old Town. These include:

1. Encouraging use of available off street parking, particularly at off peak hours. (For example, the St. Mary's lot south of the Education Building can usually be used for evening meetings. Although this lot is currently closed for construction, we will encourage members to use it once construction concludes.)
2. Encouraging members to share rides or use transit, if possible.
3. Encouraging members to use pay lots. Many members may be willing to pay \$1 or \$1.50 per week on their own for parking that is more convenient.
4. We recommend OPMH regularly include a notice in the newsletter or bulletin, reminding members and visitors of the available parking options and asking them to walk to church or use off street parking whenever possible.

C. Although there are no solutions to the Planning Department's request to provide sufficient parking spaces for the church, the recommendations outlined above provide multiple methods to ease the impact of church member and guests on parking in the surrounding areas. Many OPMH members and guests live within walking distance of the church, and many regularly walk to church. We also allow our neighbors use of the church lot during the week, providing overflow parking for non members. It should also be noted that churches put a very limited demand on parking capacity, in comparison to commercial uses in Old Town.



City of Alexandria, Virginia  
Department of Planning & Zoning

## MEMORANDUM

DATE: JUNE 3, 2002

TO: PLANNING COMMISSION

FROM: EILEEN FOGARTY, PLANNING & ZONING DIRECTOR

SUBJECT: OLD PRESBYTERIAN MEETING HOUSE  
DSUP # 2002 -0006

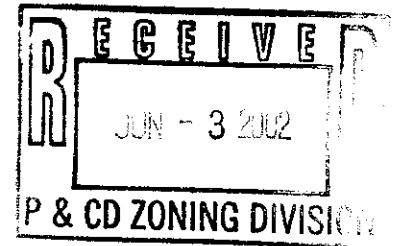
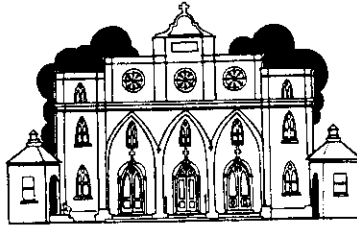
The purpose of this memo is to provide the Planning Commission with additional information regarding the parking requirements for the Old Presbyterian Meeting House.

As discussed with the staff report, the existing education building, flounder house, and sanctuary are "grandfathered" with respect to parking. Section 8-200 (F)(1) of the Zoning Ordinance specifically exempts all structures and uses predating June 26, 1963 from providing off-street parking: *"no off street parking need be provided for land actually in use on June 26, 1963, for structures or buildings partially or fully constructed as of that date, or for structures or buildings for which a final site plan had been approved or a building permit had been applied for on that date..."* The date of construction for the education building (1957), flounder house (18th century) and the sanctuary (19th century) all predate 1963, and therefore no parking is required to be provided under the Zoning Ordinance for any of these church uses.

Parking is, however, required to be provided for the nursery school operating on the church property pursuant to a special use permit approval for the specific nursery school use. The nursery use was first approved by the City in 1972 (SUP #869) for 50 children and was increased to 80 children in 1992 (SUP #869-A). In 1997 the nursery school received an amended special use permit approval (SUP #97-003) to extend the hours of operation of the nursery to 9:00 a.m. - 1:30 p.m. This most recent SUP approval specifies that 12 off-street parking spaces are to be provided for the nursery school use. These 12 spaces are the only parking required for any uses occurring on the church property.

Therefore, as a technical matter, of the 28 spaces currently provided by the church on its Royal Street lot, only 12 are required for existing church use (the nursery school), and the remaining 16 spaces are technically available to offset the parking requirement for the proposed addition.

C: Duncan Blair, Esq.

**SAINT PAUL'S EPISCOPAL CHURCH**

228 South Pitt Street • Alexandria, Virginia 22314  
703 • 549 • 3312 • [www.stpaulsepis.com](http://www.stpaulsepis.com)

The Reverend Oran E. Warder  
RECTOR

May 30, 2002

Alexandria City Council  
301 King Street  
Alexandria, Virginia 22314

Dear Members of the City Council,

RE: Old Presbyterian Meeting House pending applications

I am writing on behalf of myself as rector of St. Paul's and on behalf of the St. Paul's vestry to express our support for the Old Presbyterian Meeting House applications before the Alexandria Planning Commission and City Council to permit the renovation and expansion of their property at 323 South Fairfax Street, next door to their sanctuary.

It is our understanding that the City's Department of Planning and Zoning has determined that, in addition to its grandfathered parking rights, the Meeting House must provide parking based on the use of the proposed addition to their facility. We further understand that the Alexandria Planning Commission will hold a public hearing on the Meeting House's application for a Development Special Use Permit and for a reduction in the required parking on June 4, 2002 and that the City Council will hold public hearings on the applications on June 15, 2002.

We urge that the addition be approved and a reduction in the required parking spaces for this addition be granted. Like St. Paul's, the Meeting House is involved in various ministries that serve the neediest Alexandria citizens. This addition to the Meeting House facility can only enhance their ability to contribute to this vital community based assistance.

Sincerely,

Oran E. Warder

#17. DSUP 2002-0006

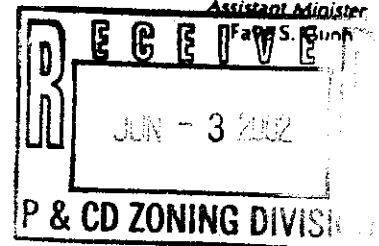
sent cm #53  
to CC, Planning  
PF 6/15/02

# Alfred Street Baptist Church (First Baptist Church)

JOHN O. PETERSON  
Senior Minister

Jacqueline H. Lewis  
Administrative Assistant

May 30, 2002



Mayor Kerry J. Donley  
Members of City Council  
City Hall  
301 King Street  
Alexandria, Virginia 22314

Dear Mayor Donley and City Council Members:

I have learned that the Old Presbyterian Meeting House (OPMH) is seeking to renovate and expand their property and they are confronted with the old, old Alexandria problem of not having enough parking for the requirements in Old Town. This is a perennial problem, particularly for churches. I am writing this letter in support of the Old Presbyterian Meeting House being granted a Development Special Use Permit (DSUP) with site plan to permit the construction of the addition with a reduction of the required parking. I am sure that this new addition and the people associated with OPMH bring so much to the city and to Old Town that it far outweighs any inconvenience that may be caused with the new addition.

As a sister church to OPMH we strongly support their request at this time. If you have any questions please feel free to call me.

Because of Calvary,

John O. Peterson  
Pastor

JOP/srm



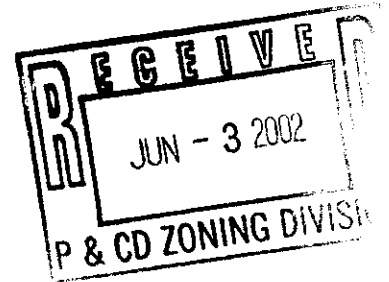




GRACE EPISCOPAL CHURCH

#17. DSUP 2002-0006  
Sent to CC, CM, Planning  
#53

6/15/02 PF



May 30, 2002

Mayor Kerry J. Donley  
Members of Alexandria City Council  
301 King Street  
Alexandria, VA 22314

Dear Mayor Donley and Council Members,

I am writing to support the renovation and expansion of the Old Presbyterian Meeting House property at 323 South Fairfax Street. The proposal will strengthen an already strong ministry of one of our city's most historic, downtown churches.

If the Council has to grant a Special Use Permit, I fully support the Church's request. Parking requirements and needs will always be challenging for churches in the city.

Thank you for your consideration.

Faithfully,

The Rev. Robert H. Malm, Rector



310 South Fairfax Street  
Alexandria, VA 22314  
(703) 549-5814

VIA FACSIMILE

Alexandria Planning Commission  
City Hall  
Alexandria, VA 22314  
Attn: Linda Ritter

**Re: Docket Item No. 17 -- Special Use Permit for  
Old Presbyterian Meeting House**

Dear Members of the Alexandria Planning Commission:

I write regarding Docket Item No. 17 scheduled for consideration at tonight's June 4, 2002 Planning Commission Meeting. The Old Presbyterian Meeting House seeks further approval of a special use permit, No. 2002-0006. Should the Commission take public comment this evening, please accept this letter. I am unable to attend in person.

This letter addresses the proposed underground construction. The city's materials refer to this as "3,024 sq. feet of underground space." (page 3). The city also notes that "[t]he applicant is also requesting approval to construct a 3,024 sq. ft. below-grade space and courtyard for the southern portion of the property. Because the underground room is below grade, none of the approximately 3,000 sq. ft. is included in the F.A.R. calculations for the site." (page 10). Aside from noting that the underground construction raises issues relating to human and / or archaeological remains, the available staff report appears silent on what appears to me, as a layperson, to be a radical and unwise idea.

I am unsure why the proposed functional loss of open space is not an issue of more significance and concern to the City and to the Commission. My understanding of the situation, after listening to applicant's agents several times over the past year or so, is as follows:

- To dig up and make the underground room, all existing trees and shrubs on that part of the property will have to be killed and removed.
- The creation of the room will cause the corner of South Fairfax and Wolfe to be forever unable to support large (read: normal size) shade trees. Rather, the open space will only be able to support small shrubs on top of the subterranean room. The open space will remain open in the technical sense, but it will really be just faux open space, since only baby foliage can be supported by the minimal soil resting above the roof of the underground structure.

This does not seem like a good idea, especially if this idea were to become a City-wide trend. Consequently, I have two questions that I have been unable to resolve by reading the available paperwork about this underground proposal.

First, if the Commission approves the underground construction facet of the applicant's proposal, won't everyone in the City (homeowners and businesses alike) be allowed to do it? I see no objective criteria that limit or cabin this novel method of squeezing more living space out of an historic property, once this method, as proposed by this applicant, is approved.

Second, if the theory is that this applicant is entitled to some narrow exception, what is that exception, and what exactly has this applicant proven that would justify entitlement to it?

Thank you for your attention to these comments.

Respectfully submitted,



Adam Wilson

310 S. Fairfax Street

Comments to the Planning Commission  
June 4, 2002

Mr. Chairman, I realize that the application of the DSUP of the OPMH is stayed and cannot be substantively addressed.

With your permission, however, I would like a moment of the commission's time, on behalf of the OPMH, to address procedure and its inequity in this case.

The appeal to the BZA resulting in the stay states that it is appealing a staff determination of May 24, 2002 regarding parking requirements. In our opinion, that is an inaccurate date. The staff's determination regarding required parking and grandfathered rights were stated in its report to the BAR in September 2001. The numbers have not significantly changed since that time.

Any party who disagrees and who was proceeding in good faith could have appealed this determination months ago and the issue would have been long resolved one way or the other.

We can only conclude that the appeal by Mr. Anderson and Mr. Delaney, on behalf of HAF, coming one day before the scheduled hearing is an attempt to delay proceedings unnecessarily and to prevent the Old Presbyterian Meeting House from having a public hearing on the merits of this application in a timely manner.

Clearly, we will not be heard now until the fall, which by then will be a full two years after we initiated discussions with the city staff about this project. Regrettably, we will not be heard tonight, but we will be back and we will be heard. We look forward to addressing the merits of our application with you at that time. Mr. Chairman, thank you for your time and for this courtesy.

Docket Item #'s 15 & 16  
BAR CASE #2001-0016  
BAR CASE #2001-0017

BAR Meeting  
September 5, 2001

**ISSUE:** Consideration of addition and alterations and waiver of the vision  
clearance requirement

**APPLICANT:** Old Presbyterian Meeting House

**LOCATION:** 323 South Fairfax Street

**ZONE:** RM Residential

---



BAR2001-017

9/5/01





**Figure 1** View of the corner of South Fairfax and Wolfe Streets showing open space at the corner and the tree that Staff believes should be preserved.

The restudy should incorporate design elements and plant material that provide an historically appropriate context for the adjoining 19<sup>th</sup> century Elliot House. To provide screening for the addition the plantings should, at a minimum, include a large shade tree preferably planted within an at-grade planter and additional groundcover and ornamental trees. In addition, the location and design of the stairwell for the lower level meeting space requires restudy to minimize its presence from the street and also to permit additional screening on the southwestern portion of the site.

#### *Impact on Adjacent Neighbors*

Although the applicant has not submitted a shadow study, it is clear that the proposed addition will adversely impact the availability of sunlight for portions of the day for the adjoining townhouse to the west in addition to the large wall created by the proposed addition. However, because the lot is a "grandfathered" lot (lot of record prior to 1953), the side yard setback requirement is only five feet. If this were not a grandfathered lot, the setback requirement for an institutional use adjacent to the residential lot would be twenty-five feet. Although the solar impacts upon the adjoining townhouse are less than ideal, the setback complies with the minimum requirements of the Zoning Ordinance.

#### *Parking Reduction/Intensification of Use*

A fundamental planning issue raised by the proposed expansion of the Elliot House is the parking reduction that will be required for the proposed 2,380 square foot addition and renovation of

the existing Elliot House (2,073 square foot) that will consist of office space and meeting areas. Based upon the size of the addition and conversion of the existing Elliot House space approximately 30-35 on-site parking spaces are required by the Zoning Ordinance. The configuration of the site and the required open space do not permit practical locations for on-site parking spaces. In addition, provision of on-site parking would be contrary to fundamental urban design principles, would be incompatible with the existing character of the historic Elliot House setting and would require a curb cut.

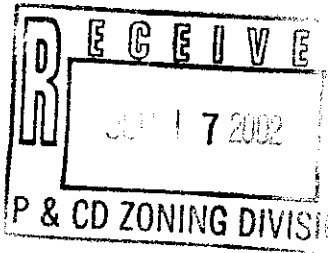
Therefore, the proposed addition and expansion will require approval of a special use permit by City Council for a parking reduction for the required parking spaces. The proposed parking reduction is in addition to the current deficiency of parking for the existing church, school and office uses that are currently "grandfathered", because they predate the current parking requirements of the Zoning Ordinance. The church currently has a 28-space surface parking lot on Royal Street that is utilized for existing church functions, although it is outside the maximum 300 feet distance that is recognized by the Zoning Ordinance for churches. Although the lot cannot be considered for the technical requirement of required parking, the availability of the lot will be considered in the evaluation of the parking reduction.

To evaluate the proposed parking modification and intensification of the use on the site, Staff has requested additional information regarding the number of existing parking spaces, the proposed uses and the utilization of the existing space to determine the parking demand and any potential overlap of parking demand for the various uses that include preschool, church, office and meeting uses. It is the applicant's assertion that the uses that will occur within the meeting space and addition will typically not occur during the peak parking demand time of Sunday mornings, and that existing on-street parking spaces and spaces within the existing surface lot can be utilized along with occasional use of the adjoining St. Mary's surface parking lot. In addition, the applicant has stated that the proposed office use and addition to the Elliot House are simply transferring existing uses for the church to a different location rather than an intensification of the existing use. Staff has requested additional information to verify these claims and confirm that the expansion will not be intensifying the current use. While these are plausible arguments, a more comprehensive analysis of the parking modification and intensification issue for the proposed addition remains to be done.

#### *Curb Cut*

The applicant intends to retain the existing curb cut on Wolfe Street that previously allowed vehicular access to the garage. As proposed, there will be a gate and a hard surface area immediately beyond the curb cut to accommodate service trucks. However, Staff believes that from both an historic and aesthetic as well as a parking and pedestrian viewpoint, the curb cut should be removed. First, Staff believes the closure of the existing curb cut is essential to gain one additional on-street parking/loading space which can be utilized by both the public and the church throughout the day. In addition, it has been the policy of Staff to require closure of curb cuts where possible to increase available on-street parking and also to improve the pedestrian circulation pattern and streetscape. Finally, closure of the curb cut will allow an additional area





DSUP 2002-0006 to CC, CM, Planning  
#53  
future

CHRIST CHURCH

June 12, 2002

Mayor Kerry J. Donley  
and Members of City Council  
City Hall  
301 King Street  
Alexandria, VA 22314

**RE: Expansion and Renovation of  
Old Presbyterian Meeting House  
323 South Fairfax Street**

Dear Mayor Donley and Members of City Council,

Please accept this correspondence in support of permission for the renovation and expansion of the Old Presbyterian Meeting House at 323 South Fairfax Street.

As a downtown urban Church, the Meeting House does not have the land or the ability to acquire the land to provide the required parking. They own a lot with 28 spaces in the 400 block of South Royal, which is used for staff parking during the week and congregational parking on Sundays; in addition, they have informal parking arrangements for Sunday or after-hour use.

The Meeting House is conscientiously working toward fulfilling their ministry, which includes serving the City's neediest citizens. As you may know, Christ Church, which provide similar outreach programs, recently expanded its campus and manages the parking for staff, parishioners, and visitors effectively.

Thank you for considering this vital renovation and expansion for the Old Presbyterian Meeting House, its staff, parishioners, tourist, and the citizens of the City of Alexandria.

Sincerely,

Pierce W. Klemmt,  
Rector



64  
118 North Washington Street • Alexandria, Virginia 22314  
703/549-1450 • FAX 703/683-2677

DSUP 2002-0006

**LAND, CLARK, CARROLL, MENDELSON & BLAIR, P.C.**

*Attorneys & Counsellors at Law*

**524 KING STREET  
ALEXANDRIA, VA 22314**

**COPY**

H. CARTER LAND, III  
JAMES C. CLARK  
F. ANDREW CARROLL, III  
RICHARD S. MENDELSON  
DUNCAN W. BLAIR

.....  
(703) 836-1000

FACSIMILE  
(703) 549-3335

MAILING ADDRESS:  
P.O. BOX 19888  
ALEXANDRIA, VIRGINIA 22320-0888

July 12, 2002

Ignacio B. Pessoa, Esquire  
City Attorney  
City of Alexandria  
301 King Street, Room 1300  
Alexandria, Virginia 22314

**In re: The Old Presbyterian Meeting House  
323 South Fairfax Street, Alexandria, Virginia**

Dear Ignacio:

On June 4, 2002 I wrote to you to confirming our conversation that during the pendency of William G. Anderson's and The Historic Alexandria Foundation's Board of Zoning Appeals appeal that the running of the limitation on the validity on the Old Historic Alexandria District Board of Architectural Review approvals and BAR cases 2001-0015, 2001-0016, and 2001-0017 granted on November 2, 2001 would be tolled during the automatic stay. The Anderson appeal was filed on June 3, 2002 and was resolved on Thursday July 11, 2002. According to my calculations the appeal was pending for 38 days. Absent an appeal to the Circuit Court the validity of the above referenced Board of Architectural Review approvals would be enlarged by 38 days.

I would appreciate evidencing your concurrence with this calculation by acknowledging this letter in the space provided below. If you have any questions concerning this, please don't hesitate to call.

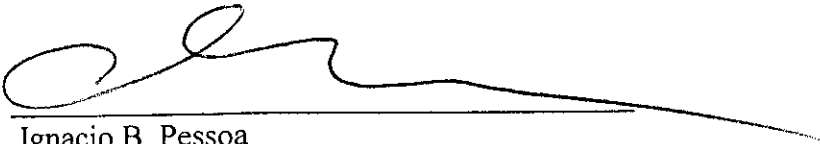
Very truly yours,



Duncan W. Blair

Ignacio B. Pessoa, Esquire  
City Attorney  
City of Alexandria  
July 12, 2002  
Page 2

Seen and agreed:

A handwritten signature in black ink, consisting of a large, stylized 'I' followed by a long, horizontal, slightly wavy line that tapers off to the right.

Ignacio B. Pessoa  
City Attorney

DWB:ect

cc: Rev. Dr. Gary D. Charles  
Robert Dunn, Esquire  
Matthew Poe  
Eileen Fogerty  
Barbara Ross

c:\MyFiles\Backup\wp{wp} bkl

66

DSUP 2002-0006

**LAND, CLARK, CARROLL, MENDELSON & BLAIR, P.C.**

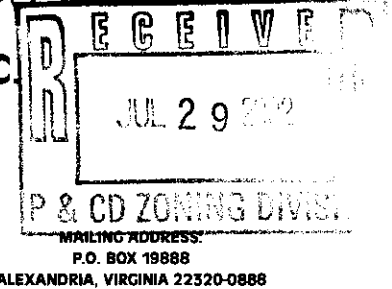
*Attorneys & Counsellors at Law*

**524 KING STREET  
ALEXANDRIA, VA 22314**

H. CARTER LAND, III  
JAMES C. CLARK  
F. ANDREW CARROLL, III  
RICHARD S. MENDELSON  
DUNCAN W. BLAIR

.....  
(703) 836-1000

FACSIMILE  
(703) 549-3335



July 22, 2002

Mr. Jeffrey C. Farner  
Urban Planner  
Department of Planning & Zoning  
301 King Street, City Hall  
Alexandria, Virginia 22314

**In re: Old Presbyterian Meeting House**

Dear Jeffrey:

I enclose a copy of a letter dated July 16, 2002 from A. Brooks Barwell, Member of the Old Presbyterian Meeting House Parking Task Force to Richard Baier advising him of an opportunity to create additional parking spaces on the 500 Block of South Royal Street and requesting that the matter be considered by his Department and the Parking and Traffic Board.

Additionally, I enclose a copy of a letter dated June 14, 2002 from Georgia D. Brown of the Alexandria City Public School System advising Rev. Gary Charles, Pastor, that the Old Presbyterian Meeting House request to be able to use the Lyles Crouch School parking facility cannot be granted.

As you can see, the Parking Task Force remains an active body and is pro-active in its efforts to locate and identify additional parking sources for the OPMH congregation.

If you have any questions, please do not hesitate to call.

Very truly yours,

Duncan W. Blair

**Enclosures**

cc: Rev. Dr. Gary W. Charles  
Mr. Matthew Poe  
Robert Dunn, Esquire



THE REV. DR. GARY W. CHARLES  
*Senior Pastor*

THE REV. LISA D. KENKEREMATH  
*Associate Pastor  
for Congregational Care  
and Evangelism*

THE REV. ANN E. HERLIN  
*Associate Pastor  
for Mission  
and Adult Education*

DR. WAYNE N. EARNEST  
*Minister of Music*

DR. MELISSA KIRKPATRICK  
*Educator for Children  
and Their Families*

MS. CHARLOTTE E. NANCE  
*Educator for Youth*

MRS. JEANNETTE D. SMALLING  
*Associate for Community Ministries*

THE REV. DR. WILLIAM R. SENDEL  
*Pastor Emeritus*

July 16, 2002

Rich Baier, Director  
Department of Transportation and  
Environmental Services  
City Hall  
301 King Street  
Alexandria, VA 22314

Dear Mr. Baier:

I am writing on behalf of the Parking Task Force of the Old Presbyterian Meeting House. The Parking Task Force was formed in December 2001 to address parking issues related to the renovation and preservation of the Elliot House adjacent to the Meeting House sanctuary.

Over the past months, we have investigated many alternatives to provide increased parking options for members of our congregation. I am writing to specifically address an opportunity for parking two blocks from the Meeting House along South Royal Street. At the southeast corner of South Royal Street and Wilkes Street, street parking is currently prohibited from the corner south along Royal Street to a point in front of the Safeway store at 500 South Royal Street. Continuing south from that point, street parking is permitted. Parking is currently prohibited at that corner 24 hours a day, 7 days a week. It is not designated as a loading zone for Safeway delivery trucks or any other specific parking limitations.

In the middle of this no-parking zone, there is a driveway leading to the Safeway loading dock. Members of the Meeting House Parking Task Force have discussed the possibility of parking on this corner with the Manager of the Safeway store, Ray Glover. Mr. Glover informed us that the no-parking zone is not required for loading trucks and is in no way restricted due to Safeway store requirements; he has no opposition to allowing parking at this location. There is a DASH bus stop sign along the no-parking zone, but we have noted that DASH bus stops do not necessarily require no-parking zones in other residential parts of the city.

316 South Royal Street  
Alexandria, VA 22314-3716

Phone: 703-549-6670

Fax: 703-549-9425

E-mail: [opmh@opmh.org](mailto:opmh@opmh.org)

[www.opmh.org](http://www.opmh.org)

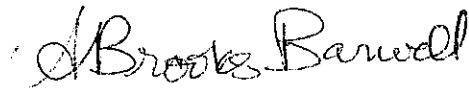
*The Old Presbyterian Meeting House is a congregation of the Presbyterian Church (USA)*

We request that the Traffic and Parking Board consider allowing parking at this corner. By our estimation, two parking spots can be created south of the corner and north of the Safeway driveway and three parking spots can be created south of the Safeway driveway. These spots would then be available not only to members of the Old Presbyterian Meeting House, but also to other churches in the area, to nearby organizations, local residents and Safeway customers.

Even if there is some rationale for prohibiting parking most of the time, we request the Board allow parking on Sundays from 8:00 a.m. to 2:00 p.m., when parking demands are greatest. There is precedent for such hours along King Street in front of the First Baptist Church.

We appreciate your consideration in this matter. If you have any further questions, please feel free to contact James Beall, the Chair of the Parking Task Force, who can be contacted at 703/684-2700; his e-mail is [jbeall@hntb.com](mailto:jbeall@hntb.com).

Sincerely,

A handwritten signature in cursive script that reads "A. Brooks Barwell".

A. Brooks Barwell, Member  
Old Presbyterian Meeting House Parking  
Task Force

cc: Duncan Blair, Esq.  
Mr. Ray Glover, Manager, Safeway

Learning to Live • Loving to Learn



Alexandria City Public Schools

June 14, 2002

100 N. Beauregard Street  
Alexandria, Virginia 22311

Telephone: (703) 824-6600

Facsimile: (703) 824-6699

DD: (703) 824-6666

[www.acps.k12.va.us](http://www.acps.k12.va.us)

Rev. Gary Charles, Pastor  
Old Presbyterian Meeting House  
316 South Royal Street  
Alexandria, VA 22314

Dear Rev. Charles:

It is with regret that I inform you that we cannot accommodate your request to use the parking lot at Lyles-Crouch Elementary School on Sundays (all year). We currently have a Church that holds its Worship Services at Lyles-Crouch each Sunday at the same time you requested.

Again, I am sorry we are unable to grant this request.

Sincerely,

A handwritten signature in cursive script that reads 'Georgia D. Brown'.

Georgia D. Brown  
Community Services Manager

GDB/jb

President of Schools  
Debra L. Perry

School Board

Chairman  
Mark R. Eaton

Vice Chairman  
Susan J. Johnson

Members  
Sally Ann Baynard

Linda D. Cheatham

Mary M. Danforth

J. Rodger Digilio

Dan D. Goldhaber

Stephen J. Kenealy

Mark O. Wilkoff

**LAND, CLARK, CARROLL, MENDELSON & BLAIR, P.C.**

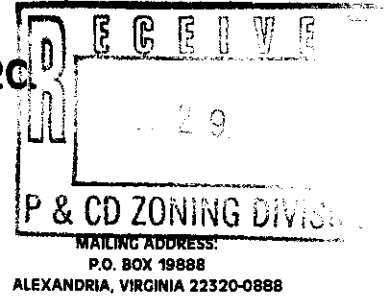
*Attorneys & Counsellors at Law*

**524 KING STREET  
ALEXANDRIA, VA 22314**

H. CARTER LAND, III  
JAMES C. CLARK  
F. ANDREW CARROLL, III  
RICHARD S. MENDELSON  
DUNCAN W. BLAIR

(703) 836-1000

FACSIMILE  
(703) 549-3335



July 23, 2002

Robert Dunn, Esquire  
Dunn, Curcio, Keating & Bracken  
221 So. Alfred Street  
P.O. Box 117  
Alexandria, Virginia 22314

**In re: The Old Presbyterian Meeting House  
323 South Fairfax Street, Alexandria, Virginia**

Dear Rob:

On Monday, July 22, 2002 I received from Ignacio B. Pessoa, Esquire, an acknowledged copy of my July 12, 2002 letter concerning the running of the limitations on the validity of the BAR approvals during the pendency of Mr. Anderson's and the Historic Alexandria Foundation's Board of Zoning Appeals appeal. The validity of the existing BAR approvals has, pursuant to this agreement, been extended for thirty-eight (38) days, the period of time during which the BZA appeals were pending.

If you have any questions concerning this or if you desire the original letter, please advise.

Very truly yours,

Duncan W. Blair

DWB:ejf  
Enclosure

cc: Rev. Dr. Gary W. Charles  
Matthew Poe  
Eileen Fogarty  
Barbara Ross  
Jeffrey Farner  
Bill Spack



**LAND, CLARK, CARROLL, MENDELSON & BLAIR, P.C.**

*Attorneys & Counsellors at Law*

**524 KING STREET  
ALEXANDRIA, VA 22314**

H. CARTER LAND, III  
JAMES C. CLARK  
F. ANDREW CARROLL, III  
RICHARD S. MENDELSON  
DUNCAN W. BLAIR

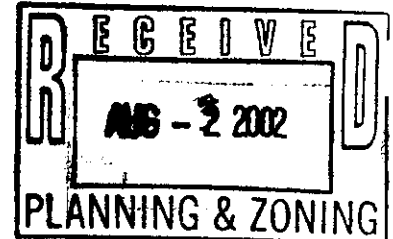
.....  
(703) 836-1000

FACSIMILE  
(703) 549-3335

MAILING ADDRESS:  
P.O. BOX 19888  
ALEXANDRIA, VIRGINIA 22320-0888

July 31, 2002

Mr. Jeffrey C. Farner  
Urban Planner  
Department of Planning & Zoning  
301 King Street, City Hall  
Alexandria, Virginia 22314



**In re: Old Presbyterian Meeting House**

Dear Jeffrey:

I enclose copies of four letters of support of the Old Presbyterian Meeting House's pending Special Use Permit application. These letters were filed prior to the June Public Hearing. These letters should be attached to the Staff Report for the September Public Hearing. The enclosed letters of support are from Pierce W. Klemmt, Rector of Christ Episcopal Church; Robert H. Malm, Rector of Grace Episcopal Church; John O. Peterson, Pastor, Alfred Street Baptist Church; and Oran E. Warder, Rector St. Paul's Episcopal Church.

If you have any questions or require further information, please don't hesitate to call.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Duncan W. Blair".

Duncan W. Blair

**Enclosures**

cc: Rev. Dr. Gary W. Charles  
Mr. Matthew Poe  
Robert Dunn, Esquire

*Sent to CC, CM, Planning**future**DSUP 2002-0006*

CITY OF ALEXANDRIA

June 12, 2002

Mayor Kerry J. Donley  
and Members of City Council  
City Hall  
301 King Street  
Alexandria, VA 22314

**RE: Expansion and Renovation of  
Old Presbyterian Meeting House  
323 South Fairfax Street**

Dear Mayor Donley and Members of City Council,

Please accept this correspondence in support of permission for the renovation and expansion of the Old Presbyterian Meeting House at 323 South Fairfax Street.

As a downtown urban Church, the Meeting House does not have the land or the ability to acquire the land to provide the required parking. They own a lot with 28 spaces in the 400 block of South Royal, which is used for staff parking during the week and congregational parking on Sundays; in addition, they have informal parking arrangements for Sunday or after-hour use.

The Meeting House is conscientiously working toward fulfilling their ministry, which includes serving the City's neediest citizens. As you may know, Christ Church, which provide similar outreach programs, recently expanded its campus and manages the parking for staff, parishioners, and visitors effectively.

Thank you for considering this vital renovation and expansion for the Old Presbyterian Meeting House, its staff, parishioners, tourist, and the citizens of the City of Alexandria.

Sincerely,

*Pierce W. Klemmt*  
Pierce W. Klemmt,  
Rector





GRACE EPISCOPAL CHURCH

Sent to CC, CM, Planning

6/15/02 PF

DSUP 2002-0006

May 30, 2002

Mayor Kerry J. Donley  
Members of Alexandria City Council  
301 King Street  
Alexandria, VA 22314

Dear Mayor Donley and Council Members,

I am writing to support the renovation and expansion of the Old Presbyterian Meeting House property at 323 South Fairfax Street. The proposal will strengthen an already strong ministry of one of our city's most historic, downtown churches.

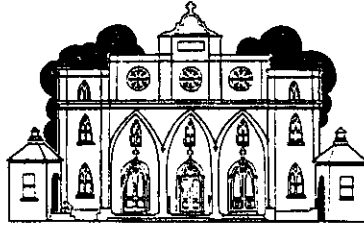
If the Council has to grant a Special Use Permit, I fully support the Church's request. Parking requirements and needs will always be challenging for churches in the city.

Thank you for your consideration.

Faithfully,

The Rev. Robert H. Malm, Rector





**SAINT PAUL'S EPISCOPAL CHURCH**

228 South Pitt Street • Alexandria, Virginia 22314  
703 • 549 • 3312 • [www.stpaulsepis.com](http://www.stpaulsepis.com)

The Reverend Oran E. Warder  
RECTOR

*Sent to CC, CM, Planning*

*6/15/02 PF*

*DSUP 2002-0006*

May 30, 2002

The Honorable Kerry J. Donley  
301 King Street  
Alexandria, Virginia 22314

Dear Major Donley,

RE: Old Presbyterian Meeting House pending applications

I am writing on behalf of myself as rector of St. Paul's and on behalf of the St. Paul's vestry to express our support for the Old Presbyterian Meeting House applications before the Alexandria Planning Commission and City Council to permit the renovation and expansion of their property at 323 South Fairfax Street, next door to their sanctuary.

It is our understanding that the City's Department of Planning and Zoning has determined that, in addition to its grandfathered parking rights, the Meeting House must provide parking based on the use of the proposed addition to their facility. We further understand that the Alexandria Planning Commission will hold a public hearing on the Meeting House's application for a Development Special Use Permit and for a reduction in the required parking on June 4, 2002 and that the City Council will hold public hearings on the applications on June 15, 2002.

We urge that the addition be approved and a reduction in the required parking spaces for this addition be granted. Like St. Paul's, the Meeting House is involved in various ministries that serve the neediest Alexandria citizens. This addition to the Meeting House facility can only enhance their ability to contribute to this vital community based assistance.

Sincerely,

Oran E. Warder



*75*

"SHINE AS A LIGHT IN THE WORLD TO THE GLORY OF GOD"

Alfred Street Baptist Church  
(First Baptist Church)

JOHN O. PETERSON  
Senior Minister

Jacqueline H. Lewis  
Administrative Assistant

May 30, 2002

Assistant Minister  
Faye S. Gunn

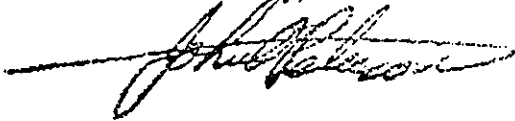
Mayor Kerry J. Donley  
Members of City Council  
City Hall  
301 King Street  
Alexandria, Virginia 22314

Dear Mayor Donley and City Council Members:

I have learned that the Old Presbyterian Meeting House (OPMH) is seeking to renovate and expand their property and they are confronted with the old, old Alexandria problem of not having enough parking for the requirements in Old Town. This is a perennial problem, particularly for churches. I am writing this letter in support of the Old Presbyterian Meeting House being granted a Development Special Use Permit (DSUP) with site plan to permit the construction of the addition with a reduction of the required parking. I am sure that this new addition and the people associated with OPMH bring so much to the city and to Old Town that it far outweighs any inconvenience that may be caused with the new addition.

As a sister church to OPMH we strongly support their request at this time. If you have any questions please feel free to call me.

Because of Calvary,



John O. Peterson  
Pastor

JOP/srm



sent cm,  
to CC, Blanning  
PF 6/15/02  
DSUP 2002-0006



Jeffrey Farner

08/27/02 06:34 PM

To: Linda Ritter/Alex@Alex  
cc:  
Subject: opmh

Linda:

Please make copy for PC - Old Presbyterian Meeting House.

dblair@landclark.com



dblair@landclark.com

08/27/2002 06:14 PM

To: Jeffrey Farner@Alex  
cc: rdunn@dunncurcio.com @ INTERNET  
Subject: [Fwd: Fruits of the Parking Task Force]

Jeff: I hope you will share this with the Planning Commission. Please advise. DWB

Received: by brap-10.cais.net (mbox vir21051)

X-From\_: pallen@dunncurcio.com Tue Aug 27 12:08:04 2002

Received: from mx2.cais.net (mx2.cais.net [205.252.14.7])

Received: from netserver.dunncurcio.com (mail.dunncurcio.com [65.213.225.242])

Subject: Fruits of the Parking Task Force

MIME-Version: 1.0

Content-Type: text/plain;

Date: Tue, 27 Aug 2002 12:05:19 -0400

Message-ID: <F4B8E8523EF6614CA91262D63801DDF505A0FF@netserver.dunncurcio.com>

X-MimeOLE: Produced By Microsoft Exchange V6.0.5762.3

content-class: urn:content-classes:message

X-MS-Has-Attach: X-MS-TNEF-Correlator: Thread-Topic: Fruits of the Parking Task Force

Thread-Index: AcJN44pHu1BjpK+jSV+j4wmkbYbmzA==

From: "Peggy Allen" <pallen@dunncurcio.com>

To: <dblair@landclark.com>

Content-Transfer-Encoding: 8bit

X-MIME-Autoconverted: from quoted-printable to 8bit by brap-1.cais.net id g7RG83R00341

X-Mozilla-Status2: 00000000

Dear Duncan:

As part of its effort to find more parking options for Sunday mornings, the Task Force on July 16, 2002, wrote the Director of T&ES regarding 4 to 5 spaces on the east side of the 500 block of South Royal Street (the Safeway block). I have been tracking the request with Bob Garbacz of T&ES. Mr. Garbacz advises me that the matter should be on the docket of the Traffic and Parking Board on Monday, September 23. Although the staff report is not yet prepared, he was of the opinion that he did not anticipate a problem and that our request to allow parking on Sunday mornings will be recommended by the staff. If there is no opposition from the Safeway (which we do not anticipate) or the neighborhood, then the request would be approved. If the request is approved, of course, we will immediately publicize the availability of the spaces to the Congregation.

If we are successful in getting these 4-5 spaces, then net effect of our efforts will be an addition of 6-7 spaces with the give-up of one of the curb cuts for the parking lot and the give-up of the curb cut at the current garage location on Wolf Street.

Call if you have any questions.

Rob Dunn

*City of Alexandria, Virginia*

## MEMORANDUM

DATE: AUGUST 23, 2002

TO: CHAIRMAN AND MEMBERS,  
ALEXANDRIA PLANNING COMMISSION

FROM: EILEEN FOGARTY, DIRECTOR *Eileen Fogarty*  
DEPARTMENT OF PLANNING AND ZONING

SUBJECT: OLD PRESBYTERIAN MEETING HOUSE  
DSUP # 2002-0006

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At the June 4, 2002, Planning Commission hearing, this application was deferred by the Planning Commission as a result of an appeal to the Board of Zoning Appeals. The appeal challenged the opinion of the Director of Planning & Zoning that the pre-Elliot house church facilities were "grandfathered" as to the parking requirements under Section 8-200(F). At the July 11, 2002, Board of Zoning Appeals meeting, the Board unanimously upheld the decision of the Director. The Board of Zoning Appeals staff report is attached.

Although not related to the appeal, an issue has been raised regarding whether a parking reduction special use permit may allow church parking beyond 300 feet of the church property. Section 8-200(C)(4) permits church parking to be located within 300 feet of a church lot, if a special use permit is approved. The Director has determined that the applicant can seek relief from the parking required for the Elliot House addition under a parking reduction special use permit authorized by Section 8-100 (A) (4). Section 8-200 (C)(4) permits required parking to be located up to 300 feet away from the church property. Section 8-100(A)(4) permits, under a more stringent standard, the total abolition of the parking requirement for churches as well as other uses. The two avenues of relief are not inconsistent, and there is no reason a church cannot apply under either provision.

Docket Item #5  
BZA CASE #2002-0051

Board of Zoning Appeals  
July 11, 2002

**ADDRESS:** 323 South Fairfax Street

**ZONE:** RM, Residential

**APPLICANTS:** William G. Anderson  
Historic Alexandria Foundation, by Thayer D. Delaney.

**ISSUE:** Appeal from decision of Director of Planning and Zoning regarding required parking for the existing uses of the Old Presbyterian Meeting House.

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#### SUMMARY OF APPEAL

This case concerns the application of the city's parking regulations, and specifically the grandfathering language that has been part of the zoning ordinance since 1963, to the existing uses at the Old Presbyterian Meeting House. The Director has determined that, except for a 12 parking space requirement applied to the preschool there, the other church buildings and uses are "grandfathered" as to parking. The issue comes up in the context of the church's effort to expand by adding new space, including an addition to the Elliot House. In conjunction with the new space, the church has filed an application for a parking reduction which is awaiting decision by the Planning Commission and City Council. The issue of the appropriateness of the Elliot House addition, the amount of parking required for the new space, and the wisdom of approving the parking reduction request are not before the Board. The only issue before the Board is whether the parking for the preexisting church uses are grandfathered, as determined by the Director.

#### STANDARD OF REVIEW: DEFERENCE TO THE DIRECTOR

The City Charter and Zoning Ordinance delegate to the director the authority and responsibility to administer and enforce the Zoning Ordinance. Under settled principles of administrative law, the interpretation given a legislative enactment by public officials charged with its administration and enforcement is entitled to be given weight by the courts. Payton v. Williams, 206 Va. 595, 145 S.E.2d 147 (1965). In Virginia, it is settled law that a presumption of correctness attaches to the actions of state and local officials. Hladys v. Commonwealth, 235 Va. 145, 366 S.E.2d 98 (1988). Thus, the director's determination as to an interpretation under the zoning ordinance is entitled to substantial deference. A court reviewing the determination need not, to sustain it, conclude that it is the only permissible determination, but merely that it is a reasonable one. A reviewing court may



not properly substitute its judgment for the determination made by the administrator. See Secretary of Labor v. Cannelton Industries, 867 F.2d 1432 (D.C.Cir. 1989).

A similar, deferential standard of review is applied by the City Attorney's Office when asked for an opinion concerning an interpretation or determination of the Zoning Ordinance made by the director. In the view of the City Attorney's Office, when reviewing an administrative interpretation or decision, the Board of Zoning Appeals stands in the same relationship to the director as a reviewing court. Thus, the City Attorney's Office has stated that the same deferential standard of review is applicable here, and that, under the statutory scheme, the director's determination is entitled to deference, both by this Board and a reviewing court. Opinion to the Chairman and Members of the Board of Zoning Appeals, April 12, 1989, pp. 2-3, attached hereto as Exhibit 1

### **BACKGROUND: DEVELOPMENT ON THE CHURCH SITE**

#### Early Development

The Old Presbyterian Meeting House is located at 313 South Fairfax Street, but its land extends west to South Royal Street, and now, with the addition of the Elliot House, south to Wolfe Street. The main church building is its sanctuary which faces South Fairfax Street. Originally constructed ca. 1775, the church was struck by lightning and burned in July 1835. The two story, Federal style brick sanctuary at the site was reconstructed over the original foundations in 1836-1837. A two story brick flounder house originally constructed in 1787 as the church manse is located behind the sanctuary, close to South Royal Street. Since at least 1949, the flounder house has been used for church office and meeting space. The church campus includes an 18<sup>th</sup> century cemetery that contains the Tomb of the Unknown Soldier of the Revolutionary War. (See Exhibit 2, a site graphic identifying the buildings on the property. )

#### Twentieth Century Buildings

From approximately 1886 until 1949, the church was largely unused, except for ceremonial functions. In 1949 it was reopened by congregants from the Second Presbyterian Church which had become extremely overcrowded following the influx of new families into Alexandria after World War II. The meeting house building was "colonialized" and reestablished to operating condition in 1950 by Walter Macomber, then the resident architect at Mount Vernon and formerly the resident architect for the Colonial Williamsburg Foundation.

In 1956-1957, a three story church education building was constructed facing South Royal Street. The building required a variance from the BZA because it was built without the requisite side yard on its south side. A plot plan and building permit were also approved. (See Exhibit 3, the education building approvals.) The educational building has consistently been used for church school and meeting uses, including a preschool for which a series of special use permits have been approved and amended over time. (See Exhibit 4, SUP #97-0003.) The building has also been the subject of a series of BAR approvals over the last 15 years, including for windows, handicapped access and sky lights.

In 1957, the church acquired two residential lots a block away at 421-427 South Royal Street and constructed a surface parking lot which still exists today. The creation of a parking lot in a residential zone required a special use permit which was approved by City Council. See Exhibit 5.

In 1975, a small storage building was constructed west of the flounder building and next to South Royal Street, with zoning and building approvals.

### The Elliot House

The Elliot House is a two story, wood frame Greek Revival residence built in 1844, and located immediately adjacent to the sanctuary at 323 South Fairfax Street. It was deeded to the church in the 1970's, with a life estate for family members, and the church took possession of the home in 1999. A masonry garage built ca. 1940 faces Wolfe Street on the Elliot House lot. The church's plan is to expand the Elliot House building by rebuilding what had been a gallery along its back and by excavating the site and building new floor space below grade. The small garage building will be removed and an outdoor garden and plaza area will be created to the south of the existing house. The Elliot House will be used for office and meeting space for the church.

As part of the Elliot House expansion project, several city approvals have been required. First, the partial demolition, expansion and alterations to the building have required BAR approval, and that effort has resulted in five BAR hearings, and several design changes to the original plans. While the initial proposals raised areas of concern for staff, including parking as discussed in the early BAR staff reports, staff believes these issues have been addressed by the church. The current proposal has received BAR approval of the demolition work involved in the new construction, as well as conceptual approval from the BAR for the alterations. Final BAR design approval will also be required.

In addition, the construction and site work require approval of a site plan. Finally, the new space requires parking under the zoning ordinance. Because the church cannot provide parking consistent with those requirements, it has requested a parking reduction special use permit, and that case plus the site plan approval (DSUP #2002-0006) was scheduled for hearing before the Planning Commission and City Council in June. This BZA appeal was filed prior to the Planning Commission hearing. Therefore, action on that request has been stayed; it will proceed in September if this appeal is denied. (See Exhibit 6 for staff's report to Planning Commission.)

### **EARLY PARKING REGULATIONS**

The first zoning ordinance for the City of Alexandria was adopted in 1923 and included only one page of text. A parking requirement first appeared in a 1939 amendment and applied only to apartments, requiring one parking space for each apartment or family unit. Other than that one rule, there were no parking requirements prior to the 1951 zoning ordinance, which was the first to include a set of parking requirements covering residential, commercial and industrial uses (See Exhibit 7). A significant amendment to the 1951 parking regulations was adopted on June 25, 1963,

(Exhibit 8) and then amended periodically, leading to the comprehensive zoning ordinance update in 1992 and the current parking requirements. (Exhibit 9).

#### Grandfather provisions

This appeal questions the application of the grandfathering provisions related to off-street parking for the church uses that predate the proposed Elliot House additions. As applies to the pre-Elliot House buildings on the church site, the relevant parking requirements would be found in the 1951, 1963, and 1992 ordinances. The 1951 ordinance, in Article V, Sec. 2, (see Exhibit 7) provides:

(a) For all buildings or structures erected, altered, or occupied for any of the uses listed below, offstreet parking facilities, consisting of not less than 200 square feet per vehicle exclusive of driveways and aisles, shall be provided in the number of spaces as listed below; *provided that these requirements shall not apply to any building or structure used for any of the purposes listed below prior to the enactment of this section unless there is an increase in floor area exceeding 33% of the existing floor area on the effective date of this section. (Emphasis added.)*

The 1951 parking regulations required parking for the following uses, if they were built after 1951: churches (1 space per each 10 seats); schools (1 space for each 25 students). However, the 1951 ordinance, as part of the RM zone regulations, also provides:

(g) Offstreet parking. The provisions of Article V [parking] shall apply only where it is physically possible to provide adequate access to parking areas; provided that where an unbroken area amounting to at least 50% of a standard city block shall be undeveloped, an alley at least 16 feet wide accessible to the street shall be provided.

In 1963 the City adopted a major revision to the 1951 parking regulations. The new parking regulations were more comprehensive, covering many more uses and aspects of parking than had been included in the 1951 provisions. The 1963 adoption was controversial and was considered at numerous Planning Commission and Council hearings. As part of the regulations, the provisions became more specific about grandfathering, essentially granting an amnesty to those buildings and uses established prior to the 1963 amendment. In 1963, what had been Article V, Sec. 2 in the 1951 ordinance (quoted above) was revised at Sec 42-27(1) as follows:

(1) No land shall be used, and no structure or building shall be erected, changed in use or altered unless the off-street parking space required by this article is provided; *provided, that off-street parking space need not be provided for land, structures of buildings actually used and operated or buildings under construction or buildings for which the final site plan has been approved or the building permit applied for on June 25, 1963, unless, after June 25, 1963, such land, structures or buildings are enlarged, altered or changed in use, in which case, the provisions of this article shall apply to such change in use, addition or alteration; provided further, that the provisions of this section shall not apply to alterations of existing single- or two-family residences or conversion of existing buildings to such uses in cases where lot size or configuration will not reasonably permit off-street parking to be provided. (Emphasis added.)*

This same 1963 exemption language is found at section 8-200 (F)(1) of today's zoning ordinance:

Sec. 8-200 (F) *Prior existing buildings and structures.*

- (1) Notwithstanding the provisions of section 8-100 [the general rule is that parking is required] and except as provided in section 8-200 (F)(3) below [for expansions], *no off-street parking need be provided for land actually in use on June 25, 1963*, for structures or buildings partially or fully constructed as of that date, or for structures or buildings for which a final site plan had been approved or a building permit had been applied for on that date, ... (emphasis added.)

### THE DIRECTOR'S DETERMINATION

Based on the above provisions, the Director determined that there was no parking requirement attached to the pre-Elliot House uses at the church site, except for a 12 space requirement for the church preschool. On April 12, 1997, City Council approved SUP # 97-0003, which was an amendment of the prior preschool special use permit. It specifically required that 12 parking spaces be provided to support the preschool use. (See Exhibit 4.) Other than that requirement, the Director found that each of the buildings and uses on the site predate the 1963 ordinance. Therefore, the Director determined that they have been grandfathered as to parking. Staff adopted this analysis in its staff report to the Planning Commission and City Council. (See Exhibit 7, at p. 14.)

The appellants take issue with the Director's analysis, stating that "The applicant's [Old Presbyterian Meeting House] property was subject to a pre-existing development condition requiring off-street parking which is being proposed to satisfy in part the off-street parking for the project which is the subject of DSUP #2002-0006. These spaces are being double-counted." Staff has met with the appellants, who assert that there was a parking requirement imposed on the church for the construction of the education building when it was constructed, and that the South Royal Street parking lot was the method by which the church complied with that parking requirement. Second, appellants do not read the 1963 grandfathering language to erase a parking requirement imposed prior to 1963. Under the appellants' analysis, a parking requirement imposed in 1957 for the education building survived the grandfathering language adopted in 1963. It continues today with the consequence that the calculation of the parking reduction now required for the Elliot House additions is greater than has been stated by the applicant.

### PARKING ANALYSIS

The Director's statements with regard to parking requirements at the Old Presbyterian Meeting House are based on 40 years of consistent application of the 1963 grandfathering language, a portion of the zoning ordinance staff uses frequently in its work. There is nothing unique in the application of that grandfathering language to this case, although given the age and importance of the church, and the number of buildings on the site, there was more than the typical documentary research to review.

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81 83

### No Prior Parking Requirement

Staff's research of the city records with regard to the buildings and prior approvals on the property, and its review of the early parking regulations in the prior zoning ordinances, leads staff to the conclusion that there was no prior parking requirement imposed on the church. The sanctuary and flounder house obviously predate the adoption of any zoning in the city. The first parking regulations that might have applied, adopted in 1951, were made expressly applicable only to buildings that came after its adoption. Therefore, the sanctuary and flounder house cannot be said now to have been subject to a parking requirement.

The two twentieth century buildings, the small shed and the education building, were built after the 1951 ordinance was adopted. However, a shed did not have a parking requirement then and does not have one now because it is a use accessory to principal uses, and it is the principal use that carries the parking requirement. In this case, the shed is associated with two 18<sup>th</sup> century buildings, which are clearly grandfathered as to parking.

As to the education building, it is unclear whether the city imposed a parking requirement at the time of its construction. There is a note on the face of the building plans in the form of a general Planning Director stamp, which states:

"APPROVAL RECOMMENDED subject to obtaining Certificate of Occupancy.  
Complies with zoning requirements. (Date/Signature) The parking area must be  
improved for off street parking for .....see plans." (See Exhibit 3)

No plans related to this church are attached to the building permit in the city records, except for the building plans related to the education building itself which do not show parking. In addition, the language of the stamped note does not indicate clearly that parking spaces were required or, if they were, the number of spaces so required. Rather, the stamp seems to state that parking, if there is any, must be *improved* properly, for example, with gravel or other hard surface. Other than the one ambiguous note on the building plan, there is no indication in any official city record of a parking requirement for the education building.

Furthermore, staff finds it difficult to construe the 1951 ordinance to apply a clear parking requirement to the education building, because it is part of the grandfathered overall church use. In addition, Article V, Sec. 2 (b) of the 1951 ordinance provided that, as to required parking, it had to be provided on the site in question, on an immediately contiguous site, or on one across an alley from the site. For Old Town, the 1951 ordinance recognized the fact that there was little land for parking; section (g) of the 1951 RM zone provisions provide that if a site does not have land for parking then parking will not be required.

The church never did provide parking on its own site or on a contiguous one, although it did build a parking lot a block away at the same time that the education building was being constructed. The appellants evidently take the coincident purchase and construction of parking at this site on South Royal Street as proof that the parking there was *required by the city*, but staff cannot draw that

connection. The site does not meet the locational criteria for parking. The SUP permitting construction of the parking lot is completely silent regarding its being required to meet a parking requirement. And the applicable RM zone regulations excuse even required parking if the subject property cannot accommodate it.

Finally, the South Royal Street lot is large enough for 28-30 parking spaces, far more than any parking requirement the city could have legally required. It is conceivable that the city would have considered the education building an expansion of the existing church use and applied a parking requirement to the expansion. In that case, assuming the building was considered a school under the 1951 parking requirements, then based on the building plans which show eight classrooms and an assumption that 25 students would have been in each one, there would have been a requirement of eight parking spaces, far fewer than provided on the South Royal Street lot.

For all of these reasons, the Director found no evidence of a parking requirement for the education building. The more likely explanation for the construction of the parking lot was that the church was in a growth period and created parking not because of a requirement but for its own convenience.

#### Grandfathering Provisions

However, a definitive conclusion about whether a parking requirement applied in 1957 when the education building was built is not pertinent to the Director's analysis of the parking status at the church today because the language of the 1963 ordinance is very clear. It states plainly that the parking regulations adopted in 1963 apply only to buildings, structures and uses that are created after 1963. Today's grandfathering language mirrors the 1963 provisions and expressly states: "*no off-street parking need be provided for land actually in use on June 25, 1963.*"

The Director reads those words to apply and excuse any parking for all of the pre-Elliot House buildings at the church, because they were in use prior to 1963. The appellants' somehow read the language not to exempt previously required parking. According to the appellants, the words "need not provide" do not excuse prior requirements, only future ones, or perhaps prior uses for which no requirement was imposed. In any event, the Director cannot agree because to do so would be contrary to the Director's long established interpretation, which construes the 1963 language as a blanket exemption from parking requirements. More importantly, the plain language of the code provision does not support any other interpretation.

Consistent with that interpretation, even if there had been a parking requirement applied by the City to the Old Presbyterian Meeting House education building in 1957, it would not have been applicable after 1963. Therefore the Director found that, other than a 12 parking space requirement for the church preschool, other church uses predating the Elliot House addition were grandfathered as to parking requirements.

Historically, the church's only parking has been the 28 spaces located at the lot at 421-427 South Royal Street. Established in 1957, the church uses that parking for its employees and others who visit the facility, and it contains the 12 spaces necessary to meet the parking requirement for the

preschool. That lot is beyond the 300 feet distance permitted by special use permit for offsite church parking. Therefore, the church has requested a parking reduction for the full 39 parking spaces required for the Elliot House additions. In analyzing the parking reduction application, staff discusses the fact that there are the 16 parking lot spaces not required for the preschool which are available for church parking. Although as a technical matter, the 16 available spaces are beyond the 300 feet distance allowed in today's ordinance for off site church parking, staff took that parking into consideration as a practical matter when assessing whether any parking was available for the church.<sup>1</sup>

Finally, staff notes that the issue before the Board will not have a fundamental effect on the decision pending before the Planning Commission and Council. Even if there had been an eight space parking requirement applied in 1957 for the classrooms in the education building, and even if that requirement survived the grandfathering language of 1963, then the only consequence would be that the pending application would be a request for a slightly larger parking reduction. At the policy level, that difference does not affect the basic facts surrounding this use and its parking situation: the church has very limited parking. It has always had very limited parking. With the Elliot House addition, there will still be very little parking. The question before City Council is whether the city should permit a church with very limited parking to expand, when the expansion may have an impact on neighboring residential areas. That policy issue remains the same regardless of this Board's decision about grandfathered parking.

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<sup>1</sup> Staff's calculation of the parking requirement for the Elliot House addition is set out in its staff report. (See Exhibit 7, p. 14) Based on the floor space being added to the church there is a 39 parking space requirement. The applicant's parking reduction application requests a reduction of all 39 spaces. (See Exhibit 7, p.31.) If the 16 spaces in the church's South Royal Street lot are considered available, then only a parking reduction of 23 spaces is necessary; if they are not taken into consideration, and they technically are beyond the 300 foot distance permitted for church parking, then a reduction of 39 spaces is required.

Although not related to this appeal, an issue has been raised regarding whether a parking reduction special use permit may allow church parking beyond 300 feet of the church property. Section 8-200 (C)(4) now permits church parking to be located within 300 feet of a church lot, if a special use permit is approved. The director has determined that the applicant can also seek relief from the parking required for the Elliot House addition under a parking reduction special use permit authorized by Section 8-200 (A)(4). Section 8-200 (C)(4) permits required parking for a church to be located up to 300 feet away from the church property. Section 8-200(A)(4) permits, under a more stringent standard, the total abolition of the parking requirement for churches, as well as other uses. The two avenues of relief are not inconsistent, and there is no reason that a church cannot apply under either provision.

The parking reduction mechanism allows consideration of the fact that there are some parking spaces a block away, even though the spaces may not be considered as meeting the parking requirement. As an example, in this case there is a 39 space requirement. There is no parking on the site or within 300 feet of the church. The church therefore has requested, by parking reduction special use permit, that it be permitted to add the Elliot House space without the 39 parking spaces. That policy question will be decided by the Planning Commission and City Council as part of the special use permit review.

## CONCLUSION

The Director believes that the question of grandfathering is clear, given the express language of the 1963 amendment to the zoning ordinance designed specifically to exempt prior uses from parking requirements. Unless the Board can find that the Director's decision was without a reasonable basis to support it, the Board should uphold that decision and allow the Old Presbyterian Meeting House case to proceed to the Planning Commission and City Council.

STAFF: Barbara Ross, Deputy Director; Peter Leiberg, Principal Planner; Jeffrey Farner, Urban Planner III, Department of Planning and Zoning



#20. DSUP 2002-0006  
as submitted at 9.3.02  
PC mdy.

Final Draft

## MEMORANDUM

TO: Board of Appeals/Planning Commission  
FROM: K. Gray Gentil Jr. ASLA, AICP  
DATE: August 24, 2002  
RE: Old Presbyterian Meeting House  
Special Use Permit #2002-0006  
Case BZA2002-0051

I have been hired by the Historic Alexandria Foundation to review parking issues related to the subject application and appeal case. Primarily it was a request to review the appropriateness of OPMH's request for a parking reduction as part of an 8,397 square foot improvement of the existing facility. My analysis used official records documenting the process supplied by the HAF and site visits to review the existing neighborhood conditions.

TERRA Consultants Inc., provides design and management services for most land development project types. Specialities are development feasibility, landscape architecture, planning and expert testimony. Clients include other consultants, land developers, citizen groups and government agencies. My firm is located in Annapolis, Maryland and I have more than 24 years of professional experience. Current projects include parking and development analysis for the State Highway Administration on 10 properties for the MD 2 expansion; expert testimony on behalf of the developer in a District Court case versus a homeowner's association and consultation for a citizen group in opposition to a large project in Annapolis.

It is my professional opinion that the merits of a request for reduction in parking have not been addressed adequately by the applicant nor in the review by the Planning & Zoning Department. In conclusion, there is not adequate information for the Planning Commission to approve or deny this request. The basis for my opinion is the following concerns or issues

The parking study by Gorove Slade Associates, Inc. is a statement of parking spaces available over certain periods in the surrounding neighborhood.

- A) It does not specifically address the issue of potential impacts by the intensification of use. It states that 15 spaces were available in the lot during the weekday and evenings and none on Sunday. However, the code requirement is 39 new spaces for the additions according to Planning and Zoning staff. Twelve of the spaces in the lot are already allocated to the school by prior special use permit approval.
- (B) The mention of the residential parking district regulations as a mitigator of the possible conflict between the church expansion and the neighborhood for spaces is not substantiated.
- (C) Parking counts were taken for a two-block area; however, the point of origin is not specified. Is it the OPMH entry on South Royal Street, the OPMH entry on South Fairfax or both? Where you set the point of origin is important as the pool of parking spaces naturally rises as you move away from downtown.
- (D) Scheduling of parking availability studies can alter the conclusions about possible impacts. I believe that the use of weekdays 12 to 2 and 4 to 7 does not adequately address the potential for a conflict in parking space use. This is primarily a residential neighborhood and it is reasonable to assume many residents are at work during those periods. Also, except for the OPMH school, there does not appear to be significant current or proposed use for site during these times but most likely in the evenings. The primary period of conflict would appear to be the Sunday service times and weekday evenings when people return home from work. My analysis during the day of August 20 indicated a significant reduction in space availability at about 8 PM. In the immediate vicinity of the proposed use, available spaces for a two-block area were 4 on South Fairfax and 8 on Wolfe. With people typically on vacation in August, this availability may be greater at this time.
- (E) The study indicates that the existing parking lot is full for the Sunday services. It fails to note that they are using stacking in the drive aisle. My inspections indicated 5 spaces over capacity on August 24 and 9 spaces over on August 31. Again, this is an August count and the count may be higher during the year.

The OPMH Parking Management Plan does not adequately address the issue of possible parking conflicts with the neighborhood.

It is mostly a list of goals and possibilities, a continuance of status quo. These goals would appear appropriate for the continuance of the existing use, but do not require specific or enforceable actions related to the intensification of the site. Formalization and clarification of parking arrangements with various groups such as St. Mary's and Lyles Crouch School should be reasonable requirements. There appears to be no means to monitor or enforce an effective implementation of the management plan.

The renovation of the existing above grade Elliot House may require additional parking not addressed in the special use application.

Elliot House was deeded to the church in the 1970's and retained its residential use until the church took possession in 1999. At that time of use change, the parking requirements for that building changed and the existing church use expanded. According to old section 42-27(a) and current section 8-100 (A)(1) no building will be changed in use or altered unless off street parking is provided.

The staff report indicates the proposed improvements total 8,397 sf, with 3,204 sf being new below grade space and there being a 2,092 sf addition. Staff refers to the additions as requiring 39 parking spaces. However, there remains about 3,101 sf that appears to be the old Elliot House which was not part of the separate and grandfathered original church site. It is not clear if off street parking is being addressed for the renovation area.

There is insufficient information to verify the applicant's opinion that the parking problems will occur only on Sundays and during special events.

Modernization of existing facilities and uses is important, but 8,397 sf of newly accessible space provides a natural opportunity for unchecked future expansion of use. Plans call for the use of Elliot House to include once a week meeting of up to 80 people and 20 meetings a month of 10 people each. The first meeting would be held until 8 PM which appears to be a time of possible conflicts with the residents for parking space availability.

In summary, the same standard of review should be applicable to a church intensifying the use of a site as would be applicable to a private developer of a similar size property. The current information available related to possible impacts is not adequate to make a decision as to the appropriateness of granting a reduction in parking.

**PARKING AVAILABILITY STUDY**  
 PREPARED BY: TERRA CONSULTANTS INC. 8/18/02, 8/20/02  
 FOR: HISTORIC ALEXANDRIA FOUNDATION

STREET	TUESDAY 11:30 - 12:15	TUESDAY 12:15 - 1:00	TUESDAY 5:45 - 6:30	TUESDAY 7:45 - 8:30	SUNDAY 9:45 - 10:30	SUNDAY 11:00 - 11:30
S. FAIRFAX	17	17	9	4	4	5
S. ROYAL	18	10	29	22	0	10
OPMH LOT	17	18	25	24	(-5)*	13
WOLFE	26	19	31	9	1	5
DUKE	6	5	15	3	1	2
LEE	8	10	8	6	1	7

**NOTES**

POINT OF ORIGIN IS ABOUT THE ELLIOT HOUSE DOOR (OR THE INTERSECTION OF WOLFE AND FAIRFAX) WITH A TWO BLOCK WALKING SURVEY AREA IN EACH DIRECTION .  
 THIS WILL INCLUDE:

- 4 BLOCKS OF S. FAIRFAX
- 2 BLOCKS OF DUKE
- 2 BLOCKS OF S. ROYAL
- 4 BLOCKS OF WOLFE
- 2 BLOCKS OF S. LEE

\* OPMH LOT IS OVER CAPACITY WITH DOUBLE STACKING IN DRIVE AISLE.  
 STUDY COMPLETED DURING MONTH OF AUGUST WHICH IS TYPICALLY A VACATION MONTH.  
 THERE IS ONLY A 10 AM SUNDAY SERVICE IN THE SUMMER

TOTAL P.06  
 P.06  
 TOTAL P.07

96%

418 768 8823

703 525 2207 P.07/07

DEHN, KLINNET & KURIMIN

11 00 00 10 00

#20. DSUP 2002-0006  
OLD PRESBYTERIAN MEETING HOUSE  
(submitted at 9-3-02 PC mtg)

SAINT MARY'S CATHOLIC CHURCH  
310 DUKE STREET  
ALEXANDRIA, VIRGINIA 22314

September 3, 2002

City of Alexandria  
Planning Commission  
Alexandria, VA 22314

Dear Commissioners,

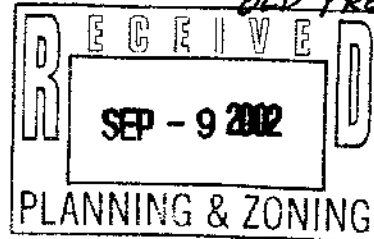
I am writing on behalf of St. Mary's Church in regards to the expansion of the Old Presbyterian Meeting House into the house located near the corner of Fairfax and Wolfe Streets. As a neighbor of the OPMH, we certainly support their efforts to accommodate their parishioners, being very aware of our own need to do the same. We realize there will be a necessary reduction in parking availability and believe this would be warranted under the circumstances. We think the granting of this reduction is a worthy request as the OPMH and the many services they provide make them a valuable part of the life of our city and the wider community.

Thank you in advance for your consideration of their request and our small effort here to support them.

Sincerely yours,



Rev. Dennis W. Kleinmann  
Administrator



  
Habitat for  
Humanity  
of Northern  
Virginia

September 5, 2002

28  
9.14.02

Mr. Eric Wagner  
Chairman, Planning Commission  
City Hall  
Alexandria, VA 22314

Dear Mr. Wagner:

A long term partner with Habitat for Humanity of Northern Virginia (HFHNV), Old Presbyterian Meeting House, has recently acquired the property at 318 Royal Street and is planning to expand their church program to that site. Since 1990 OPMH has provided funds and volunteers to build three Habitat homes in Old Town. These houses are home to hard working parents and their children who would not otherwise be able to own a home in our community.

Please accept this letter in support of their request to expand their program. OPMH members have served on the HFHNV board of directors and many congregants continue to be significant financial contributors and volunteers. Expansion of the OPMH program serves the needs of not only the disadvantaged in Alexandria but the whole Northern Virginia community as well.

We are proud that our name is connected with OPMH. They are a leading partner in all of our efforts to raise awareness and build homes in Northern Virginia.

Sincerely,

A handwritten signature in cursive script that reads "Helen S. McIlvaine".

Helen S. McIlvaine  
Executive Director

28

APPLICATION for  
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN  
DSUP # 2002-0006

PROJECT NAME: OLD PRESBYTERIAN MEETING HOUSE

PROPERTY LOCATION: 323 South Fairfax Street, Alexandria, Virginia

TAX MAP REFERENCE: 74.04 06 21      ZONE: RM/Townhouse Zone

APPLICANT Name: Old Presbyterian Meeting House, a local congregation of the  
Presbyterian Church (USA)

Address: 316 South Royal Street, Alexandria, Virginia 22314

PROPERTY OWNER Name: The Trustees of the Old Presbyterian Meeting House

Address: 316 South Royal Street, Alexandria, Virginia 22314

SUMMARY OF PROPOSAL: Development Special Use Permit with Site Plan to construct an addition to the Church's building at 323 South Fairfax Street and a request for reduction of required parking to permit use of off-site parking facility in excess of three hundred feet (300') of the Church's property.

MODIFICATIONS REQUESTED: Front yard setback requirement of RM/Townhouse zone regulations §3-1106(A)(1) of the City of Alexandria Zoning Ordinance, 1992, as amended ("Ordinance").

SUP's REQUESTED: Special Use Permit pursuant to §8-100(A)(4) of the Ordinance to reduce required parking and to permit use of the twenty-eight (28) parking space surface parking facility in excess of three hundred feet (300') from Church's property as required by §8-200(C)(4).

THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of the 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 to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his knowledge and belief.

Land, Clark, Carroll, Mendelson & Blair, P.C.

By: Duncan W. Blair, Esquire

Print Name of Applicant or Agent

112 South Alfred Street, Suite 300

Mailing/Street Address



Signature

Email: dblair@landclark.com

(703) 836-1000

Telephone #

(703) 549-3335

Fax #

Alexandria, Virginia      22314

City and State

Zip Code

February 26, 2002

Date

**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**

Application Received: \_\_\_\_\_

Received Plans for Completeness: \_\_\_\_\_

Fee Paid & Date: \$ \_\_\_\_\_

Received Plans for Preliminary: \_\_\_\_\_

ACTION - PLANNING COMMISSION: 9/5/02      RECOMMEND APPROVAL 6-0-1

ACTION - CITY COUNCIL: 9/14/02PH--CC approved the Planning Commission recommendation.



# SPEAKER'S FORM

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK  
BEFORE YOU SPEAK ON A DOCKET ITEM.**

DOCKET ITEM NO. 26

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: DUNCAN W BLAIR
2. ADDRESS: 524 King St
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF?  
the congregation of the old Presbyterian Meeting  
house
4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR: ☒ AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY,  
LOBBYIST, CIVIC INTEREST, ETC.):  
attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE  
COUNCIL? YES ☒ NO ☐

This form shall be kept as a part of the Permanent Record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of 5 minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the City Clerk.

Additional time, not to exceed 15 minutes, may be obtained with the consent of the majority of the Council present, provided that notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at Public Hearing Meetings, and not at Regular Meetings. Public Hearing Meetings are usually held on the Saturday following the second Tuesday in each month; Regular Meetings are regularly held on the Second and Fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item can be waived by a majority vote of Council members present, but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at Public Hearing Meetings. The Mayor may grant permission to a person, who is unable to participate in public discussion at a Public Hearing Meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

## Guidelines for the Public Discussion Period

- All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- No speaker will be allowed more than 5 minutes, and that time may be reduced by the Mayor or presiding member.
- If more than 6 speakers are signed up or if more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30-minute public discussion period.
- If speakers seeking to address Council on the same subject cannot agree on a particular order or method that they would like the speakers to be called, the speakers shall be called in the chronological order of their request forms' submission.
- Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.