

Docket Item # 8
SPECIAL USE PERMIT #2003-0113

Planning Commission Meeting
February 3, 2004

ISSUE: Consideration of a request for a special use permit to operate an overnight and day care facility for dogs and for a parking reduction.

APPLICANT: K&B Management, LLC
By Paul J. Haire

LOCATION: 2000 Jefferson Davis Highway

ZONE: CSL/Commercial Service Low Zone

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the permit conditions found in Section III of this report.

I. DISCUSSION:

REQUEST

The applicant, K&B Management, LLC, requests special use permit approval for the operation of a dog kennel located at 2000 Jefferson Davis Highway. This industrial noncomplying use is allowed only with a special use permit.

SITE DESCRIPTION

The subject property is one lot of record with approximately 231 feet of frontage on Jefferson Davis Highway, 51 feet of depth along Howell Avenue and 77 feet along Windsor Avenue, and a total lot area of 15,160 square feet. The site is developed with a two story 11,270 square foot commercial/industrial building and a parking lot. The building is divided into four interior tenant spaces; the proposed use will occupy the southernmost space which includes 4,600 square feet. All parking is located at the front of the building along Jefferson Davis Highway. Although the parking lot is currently not striped, the applicant anticipates that approximately 13 spaces can be accommodated on site for the entire building. There are three curbcuts that provide access to the property.

SURROUNDING USES

Residential properties are located south and west of the subject site. A florist business is situated to the north and the Potomac Yard occupies the area east of Jefferson Davis Highway. The adjacent tenant space within the subject building was recently approved to operate as the private/fraternal club "Stepping Stones," (SUP#2003-0106).

PROJECT DESCRIPTION

The applicant proposes to operate a facility for dogs providing overnight accommodation, day care, retail sales of pet supplies, grooming, training, pet transportation to and from the facility, pet medical care for non-veterinary personnel, and off-site canine care. The applicant provided the following information on the specific aspects of the operation:

- Capacity: The facility will have space for a total of approximately 60 dogs at any one time, although only approximately 40 dogs are anticipated for overnight care.
- Hours: The facility will be open to the public between 6:30 a.m. and 6:30 p.m. Monday through Saturday. The overnight boarding is proposed to be in operation 24 hours a day, 365 days a year.
- Employees: Three staff persons will be present between 6:30 a.m. and 6:30 p.m. Two staff persons will be present from 6:30 p.m. to 10:00 p.m., and one staff person will be present from 10:00 p.m. to 6:30 a.m. There will also be staff that conduct off-site services, such as dog walking and overnight sitting who

may occasionally visit the facility to conduct business.

- Patron Visits:** The applicant anticipates approximately 50 cars visiting the site during peak hours, between 6:30 a.m. and 9:30 a.m. when dogs will be dropped off for daytime care and between 4:30 p.m. and 6:30 p.m. when dogs will be picked up.
- Noise:** Dogs are proposed to remain indoors, except when taken to area dog parks. The building is made out of cinder block construction, and the applicant does not expect noise from dogs to be heard outside the building. According to the applicant, noise was not an issue when the building was occupied by prior tenants who had loud machinery such as saws, lathes, and printing presses.
- Odors:** The applicant proposes to install an air purification system for the interior, and any remaining odors will be vented to the Route 1 side of the building. Plans for these systems were not submitted with the application, but will be required as part of the building plan submission.
- Trash:** The applicant anticipates minimal paper, trash and canine excrement. Paper trash will be placed in rolling carts similar to those provided by the City to residents. The dumpster is located at the front of the building, and trash will be picked up weekly. Excrement will be flushed into the sewer system.
- Litter:** The applicant does not expect litter to be generated from the business. However, the building will be patrolled for litter regularly.
- Safety:** Dogs will be kept inside behind at least two doors to ensure that none escape.
- Dog Walking:** According to the applicant, employees walking dogs outdoors will strictly adhere to all regulations regarding curbing, cleaning up, and maintaining the allowable ratio of dogs to handlers. Dogs will be walked to the Simpson dog park, the animal hospital if necessary, and through the neighborhood. The dog exercise area at the WO&D at Randolph is also in the near vicinity and could be used by the dogs.

PARKING

There are no parking requirements specified for a dog facility and overnight kennel in the zoning ordinance. However, overnight kenneling is identified as an industrial use in the ordinance. Industrial uses, other than long term storage, have a parking requirement of 1.1 spaces for every 400 square feet. Staff found that the parking impacts for the subject use would be most similar to an industrial use, and has used the industrial requirement to conclude that 13 spaces would be required

under the zoning ordinance. The applicant intends to designate five parking spaces on the premises for use by the canine center, eight parking spaces short of the requirement. Therefore, the applicant requests a parking reduction of eight spaces.

The applicant justifies the parking reduction by stating that patron visits will be staggered during peak times, with patrons on site for less than five to ten minutes. Peak hours for patron visits are anticipated to be in the morning between 6:30 a.m. and 9:30 a.m. when patrons are dropping off their dogs for care, and in the afternoons between 4:30 p.m. and 6:30 p.m. when patrons are picking up their dogs.

NEIGHBORHOOD

The Del Ray Land Use Committee met and informed staff that it supports the application, with conditions regarding the applicant encouraging employees to use public transportation and installing landscaping and dumpster screening.

ZONING

The subject property is located in the CSL/Commercial Service Low zone. The space was previously occupied by an industrial print shop, a noncomplying use. According to Section 12-302 (B)(2) of the zoning ordinance, a noncomplying use may be changed to another noncomplying use only with a special use permit. In this case, the applicant requests to change from the previous industrial printing facility to a canine kenneling facility, a use only allowed in the I/Industrial zone.

MASTER PLAN

The proposed use is Potomac West Small Area Plan chapter of the Master Plan, which designates the property for commercial low use.

II. STAFF ANALYSIS:

Staff does not object to the proposed canine facility providing overnight kenneling and dog day care at 2000 Jefferson Davis Highway. The dog facility will provide a service that does not currently exist in the area to neighborhood dog owners. Staff finds that it is a creative use of an old industrial building that could be difficult to retrofit for other types of uses. In addition, there are few locations available in the city for such uses which the city has an interest in providing for its citizens.

Staff is concerned about the request for a parking reduction. Although the applicant states that patron visits will most likely be staggered during peak hours, the applicant anticipates approximately 50 patron trips during these hours, which could create a congested situation, particularly since there are no on-street parking spaces in front of the business to absorb potential overflow. Any overflow parking will likely go into the neighborhood, probably along Howell Avenue which is also limited because it has parking on only one side of the street. In addition, of the five spaces proposed to be

designated for the use, employees who drive will also be using the parking, reducing the number of spaces actually available for patron use.

On the other hand, any use occupying this tenant space will have a similar parking requirement, and create the potential for some parking congestion. Compared to a retail or personal service use that would have a higher number of employees and more frequent patron visits throughout the day, the subject use creates less of a parking impact. The applicant also proposes to offer an off-site pick up and drop-off service which will reduce the number of patron vehicles visiting the site during peak hours. In addition, the applicant has identified strategies that will reduce the likelihood of a parking problem at this location, including that employees will use public transportation or bicycles, that patrons dropping off will not be on the premises long and staff will go to the parking lot to retrieve dogs if necessary, and that clients will be offered the option to have dogs picked up from their homes. Therefore, staff is willing to try the parking arrangement as proposed by the applicant, and has included a condition recommending strategies similar to those proposed by the applicant. In addition, staff recommends a one year review to ensure that parking does not become a problem.

Staff is also concerned about the overall appearance of the old industrial building, which is not landscaped and does not have striped parking spaces. Therefore, staff recommends that the applicant provide and maintain landscaping and stripe the parking lot. Staff also recommends that the five parking spaces for use by the applicant be designated by paint or signs. Similar conditions were also imposed on the recently approved SUP for the fraternal organization “Stepping Stones” to be located in the same building. Finally, staff recommends that the dumpster located at the front of the building be screened.

With these conditions, staff recommends approval of the special use permit.

III. PERMIT CONDITIONS:

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

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. The hours during which the facility is open to the public shall be limited to between 6:30 a.m. and 6:30 p.m. daily. Overnight canine kenneling facilities are permitted. (P&Z)

3. Five designated parking spaces shall be provided on site, and shall be marked with signs or paint. Parking spaces may be compact in size, and may be tandem if the interior spaces are used by employees. (P&Z)
4. The applicant shall provide a parking schematic for the area in front of the building with space locations, size and backup aisle satisfactory to the Directors of T&ES and P&Z. (P&Z) (T&ES)
5. The applicant shall stripe the on-site parking lot pursuant to the approved parking schematic, and designate those spaces allocated to the canine facility with appropriate enforcement language with respect to towing and citing of vehicles for unlawful use. (P&Z)
6. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey and robbery awareness program for all employees. (P&Z)
7. The applicant shall install and thereafter maintain in good condition landscaping to beautify the site and reduce the appearance of asphalt, which shall be to the satisfaction of the Directors of Planning and Zoning and the Department of Recreation, Parks, and Cultural Services. (P&Z)
8. Lighting on the property shall be to the satisfaction of the Department of Transportation and Environmental Services in consultation with the Chief of Police. (P&Z)
9. The applicant shall conduct staff training sessions on an ongoing basis, including as part of any employee orientation, to discuss all special use permit provisions and requirements. (P&Z)
10. The applicant shall encourage its staff and members to use mass transit or to car pool when traveling to and from the facility, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and the advertising of car pooling opportunities. (P&Z)
11. The applicant shall screen the dumpster to the satisfaction of the Director of Planning and Zoning. (P&Z)
12. The applicant shall implement a parking management plan to prevent vehicular stacking and congestion in the parking lot and surrounding neighborhood to include, but not limited to, the following strategies:

- A) Encouraging staff to use public transportation or bicycles (as discussed in condition #10);
 - B) Posting a 15 minute maximum time limit for customer parking, and providing information to customers regarding enforcement language with respect to towing and unlawful use;
 - C) Offering a service to pick up and drop off dogs at their place of origin. (P&Z)(T&ES)
13. The applicant shall comply with the guidelines for dog handlers in dog exercise areas found in the Master Plan for Dog Exercise Areas and Fenced Dog Parks. (Recreation, Parks and Cultural Activities)
14. The Director of Planning and Zoning shall review the special use permit one year after the use is operational and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Valerie Peterson, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- F-1 Availability of on street parking in the neighborhood of this facility is very limited.
- F-2 T&ES believes that some clients may park along the Crescent Properties access road on the east side of J.D. Hwy. while doing business. Although the Howell Avenue intersection is signalized and has pedestrian controls T&ES still has concerns regarding client safety when crossing Route #1.
- R-1 Provide a parking schematic for the area in front of the building with space locations, size and backup aisle satisfactory to the Directors of T&ES and P&Z.
- R-2 The applicant shall implement a parking management plan to prevent vehicular stacking and congestion in the parking lot and surrounding neighborhood to include, but not limited to, the following strategies:
 - A) Encouraging staff to use public transportation or bicycles;
 - B) Posting a 15 minute maximum time limit for customer parking, and providing information to customers regarding enforcement language with respect to towing and unlawful use;
 - C) Offering a service to pick up and drop off dogs at their place of origin.

Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

- C-3 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

Health Department:

- F-1 No comments.

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Crime Prevention Unit Of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.

The following recommendation related to site lighting has not been included as a condition; rather, staff has recommended that the applicant maintain lighting to the satisfaction of the Director of T&ES in consultation with the Chief of Police, which will likely result in lower lighting levels than recommended by the Police.

- R-3 Lighting for the parking lot is to be a minimum of 2.0 foot candles minimum maintained.

Recreation, Parks and Cultural Activities

- R-1 The applicant shall comply with the guidelines for dog handlers in dog exercise areas found in the Master Plan for Dog Exercise Areas and Fenced Dog Parks.

Animal Welfare League of Alexandria

- C-1 The applicant is required to comply with the Virginia Department of Agriculture and Consumer Services Division of Animal Industry Services laws regarding Animal Care, Control, Property and Protection Laws of Virginia regarding Boarding Establishments (Article 3.1).