

DOCKET ITEM #5

**Special Use Permit #2009-0016**

**25 South Dove Street – King Street Cats, Inc.**

**CONSENT AGENDA ITEM**

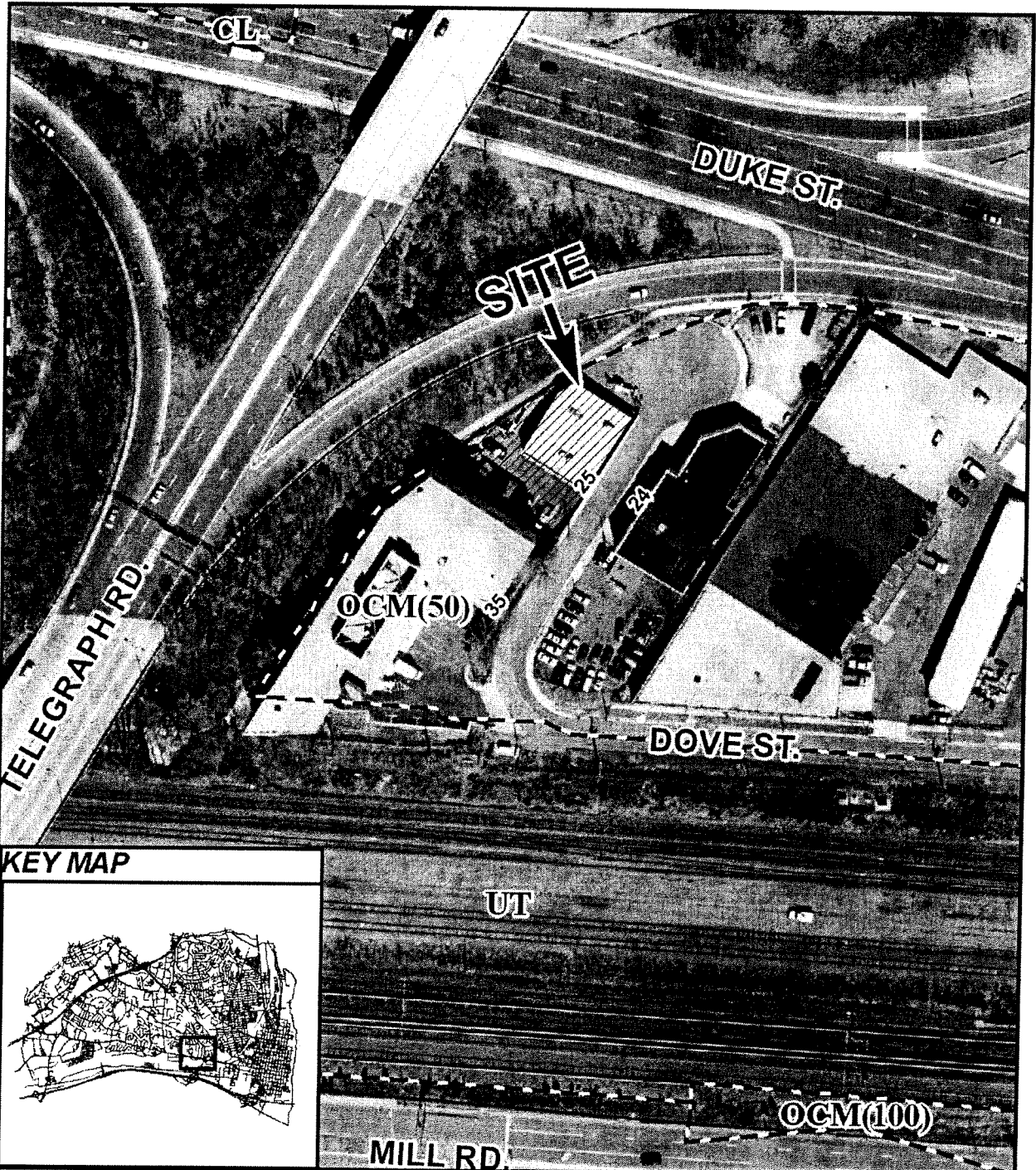
If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Application	General Data	
<b>Request:</b> Consideration of a request to operate an animal shelter.	<b>Planning Commission</b>	
	<b>Hearing:</b>	June 2, 2009
<b>Address:</b> 25 South Dove Street	<b>City Council</b>	
<b>Applicant:</b> King Street Cats by Allie Phillips	<b>Hearing:</b>	June 13, 2009
	<b>Zone:</b>	OCM (50)/Office Commercial Medium (50)
	<b>Small Area Plan:</b>	Taylor Run-Duke Street

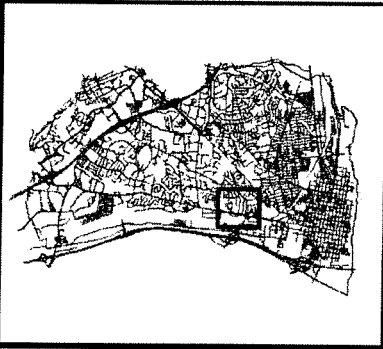
**Staff Recommendation:** APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

**Staff Reviewers:** Eileen Oviatt [eileen.oviatt@alexandriava.gov](mailto:eileen.oviatt@alexandriava.gov)

**PLANNING COMMISSION ACTION:**



KEY MAP



SUP #2009-0016

06/02/09



**I. DISCUSSION**

REQUEST

The applicant, King Street Cats, Inc., requests special use permit approval for the operation of a cat shelter located at 25 S. Dove Street.

SITE DESCRIPTION

The subject property is one lot of record with approximately 115 feet of frontage on Dove Street, 110 feet of depth and a total lot area of 9,256 square feet. The site is developed with an industrial flex mall building. Access to the property is from Dove Street.



The surrounding area is occupied by a mix of industrial uses. Immediately to the north and west is the Duke Street/Telegraph Road interchange. To the south is another industrial flex mall building containing commercial storage units. To the east is an automobile repair business.

BACKGROUND

King Street Cats, Inc. has been operating in Alexandria since 2000, and is currently located in a space at 213 King Street, which is zoned KR/King Street retail. An animal shelter is not a permitted use in the KR zone, therefore King Street Cats, Inc. is proposing to relocate to the subject site.

PROPOSAL

The applicant proposes to operate an animal shelter for cats where they can be housed and receive veterinary care prior to adoption. The facility would be open to the public for adoptions on weekends, with additional scheduled appointments during the week.

Capacity: Approximately 25 cats will be housed in the shelter at a given time. Additional cats are kept in foster care with volunteers.

Hours: Employees and volunteers may work daily between 6:00 a.m. and 11:00 p.m. The facility is open to the public from 12:00 noon and 5:00 p.m. on Saturday and Sunday, and by appointment only.

Number of Patrons: The applicant expects approximately 40 people on site during the open hours on weekends.

Trash/Litter: Trash is collected weekly. Volunteers also monitor the site for any litter.

PARKING

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 600 square feet. Parking for the subject use would be most similar to an industrial use; therefore two spaces would be required under the Zoning Ordinance. The applicant has two assigned parking spaces on the property. In addition, on weekends, when other businesses in the building are typically not open, there is additional parking available.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the OCM(50)/Office Commercial Medium (50) zone. The current and previous uses in the subject building are noncomplying industrial uses. Section 12-302(B) of the Zoning Ordinance allows one noncomplying use to replace another noncomplying use only with a special use permit.

The proposed use is consistent with the Taylor Run/Duke Street Small Area Plan chapter of the Master Plan which designates the property for moderate intensity uses.

**II. STAFF ANALYSIS**

Staff supports the proposed animal shelter for cats. King Street Cats, Inc. has operated in the City for nearly ten years without documented complaints. The applicant has submitted over 30 letters of support for the organization from citizens, volunteers, and members of the business community. The location is separated from residential uses by a major arterial road and highway interchanges, so there will be little or no impact.

Trash Can, Litter and Street Tree Requirements

No street trees are being required in this case because the location is internal to an industrial area. The industrial nature of the area is also the reason that no trash can is being required, although the applicant will have to contribute to the City's Litter Control Fund. These conditions may change as a result of Council's policy discussion on these issues scheduled for June 9.

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

**III. RECOMMENDED 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 animal shelter is open to the public shall be limited to between 12:00 noon and 5:00 p.m., Saturday and Sunday, and by appointment only Monday through Friday. (P&Z)
3. The applicant shall control odors from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
4. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
5. Pet carriers or pet products shall not be cleaned outside, nor shall any residue be washed into the streets, alleys or storm sewers. (T&ES)
6. Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
7. The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
8. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
9. Applicant shall contribute \$575.00 to the Litter Control Fund for the installation of litter receptacles along the public right-of-ways. Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of City Council approval. (T&ES)
10. The applicant shall require its employees who drive to use off-street parking and provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)
11. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
12. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b)

the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions; or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Gwen Wright, Division Chief;  
Eileen Oviatt, Urban Planner.

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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.

#### IV. CITY DEPARTMENT COMMENTS

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

##### Transportation & Environmental Services:

- R-1 The applicant shall control odors from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.
- R-2 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.
- R-3 Pet carriers or pet products shall not be cleaned outside, nor shall any residue be washed into the streets, alleys or storm sewers.
- R-4 Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am.
- R-5 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132.
- R-6 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public.
- R-7 Applicant shall contribute \$575.00 to the Litter Control Fund for the installation of litter receptacles along the public right-of-ways. Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of City Council approval.
- R-8 The applicant shall require its employees who drive to use off-street parking and provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees.
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99).
- C-2 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.

Code Enforcement:

F-1 No Comment

Health Department:

F-1 No Comment

Parks and Recreation:

F-1 The subject property is located internal to an industrial area where street trees are not present. (RP&CA)

C-1 Property owner shall control weeds along public sidewalks, curb lines and within tree wells which are within 12 feet of the owners front property line. (City Ord. No. 2698, 6/12/82, Sec. 2; Ord. No. 2878, 11/12/83, Sec. 1)

Police Department:

R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.

R-2 The Police Department has no objections.





# APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2009-0016

PROPERTY LOCATION: 25 South Dove St.

TAX MAP REFERENCE: 72.02.01-03 ZONE: DCM

**APPLICANT:**

Name: King Street Cats, Inc.

Address: 213 King St.

PROPOSED USE: housing cat welfare organization

**THE UNDERSIGNED**, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 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 staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

**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 IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Allie Phillips, J.D. [Signature] 3.24.09  
Print Name of Applicant or Agent Signature Date

213 King St. 517-281-3009 none  
Mailing/Street Address Telephone # Fax #

Alexandria VA 22314 contact@kingstreetcats.org  
City and State Zip Code Email address

ACTION-PLANNING COMMISSION:	DATE:
ACTION-CITY COUNCIL:	DATE:

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 25 DOVE STREET, I hereby  
(Property Address)

grant the applicant authorization to apply for the SPECIAL USE PERMIT FOR use as  
(use) CAT RESCUE SHELTER  
described in this application.

Name: DOVE STREET HOLDINGS LLC Phone 703 932 4157

Please Print  
Address: 25 S. DOVE ST ALEX VA 22314 Email: C-MEUSHAW@HOTMAIL.COM

Signature: [Signature] Date: 3/18/09  
PANIMEN

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

Required floor plan and plot/site plan attached.

Requesting a waiver. See attached written request.

2. The applicant is the (check one):

Owner

Contract Purchaser

Lessee or

Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

CAREY L. MEUSHAW

ARTHUR C. MEUSHAW III

25 S DOVE ST

ALEXANDRIA, VA 22314



Sep 2009-0014

King Street Cats Inc. (KSC) has been incorporated since January 2003 as a 501(c)(3) nonprofit organization, but has existed since 2000. Throughout the years, KSC has aided the Alexandria community by rescuing housing and re-homing approximately 250 cats per year. On average we have 25 cats in our care center and additional cats in foster care with volunteers. This service has reduced the overpopulation burden of the Alexandria Animal Shelter. All of our cats and kittens are sterilized prior to adoption and receive full veterinary care before adoption. We are a true no-kill free-roaming cat care center and we are the only cat-exclusive welfare organization serving Alexandria. We specialize in helping difficult-to-adopt cats, such as elderly, timid, and sibling pair cats, such cats which would have difficulty being in a traditional shelter setting.

In addition to adoption services, KSC also provides education and outreach to Alexandria and the surrounding communities. Our services primarily consist of educating others about animal cruelty prevention and proper cat care, including resolving behavioral issues that often result in cats being surrendered to shelters or abandoned outdoors. Our goal of education is to prevent any cat from losing its home and reduce animal abuse. Through our phone service, we take calls daily from individuals seeking advice on cat issues, from individuals wishing to bring their cat to us for re-homing, or from people who found a stray or kitten that needs a safe shelter. KSC has recently started providing cat food at no cost to individuals who are financially struggling and wish to keep their cat, and we have increased our ability to board former KSC-cats at our facility while their family has extensive travel or has temporarily lost their job/home.

KSC is far more than an animal shelter and is not comparable to one. What distinguishes us are the following: (1) We are a private organization that is solely run by volunteers and is 100% donor-funded. We do not have any employees and do not receive any government funds. (2) We are not an open-admission organization and take in homeless, abused and abandoned cats when space permits. (3) We are a shelter where cats safely roam free (and only are temporarily caged for medical or behavioral issues). (4) We do not euthanize any cat unless it is fatally ill beyond veterinary repair and is deemed humane for the cat. (5) We contractually require that our adopted cats be returned to us in the event that the adopter cannot keep the pet, and we provide continuing help to adopters in the months and years after the adoption. (6) We follow-up on all adoptions at three different times to insure the cat is adjusting well. All of those services differentiate KSC from many animal shelters and is why KSC is more appropriately a cat welfare organization.

In our current location at 213 King Street, KSC has never received a complaint and has received overwhelming support from neighboring stores and residents. When visitors come to Old Town Alexandria, particularly in the Spring and Summer, they pay a visit to our facility and commend us on a clean facility and our good work. We continually receive praise that we have the cat-friendliest cats in the area because our cats live together and learn to co-exist. KSC has been a staple in Old Town Alexandria since 2000 and through this application we are hoping to continue our service to Alexandria.

**USE CHARACTERISTICS**

4. The proposed special use permit request is for (check one):

- a new use requiring a special use permit,
- an expansion or change to an existing use without a special use permit,
- an expansion or change to an existing use with a special use permit,
- other. Please describe: \_\_\_\_\_

5. Please describe the capacity of the proposed use:

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

Approximately 40 people during open hours on weekends (noon-5:00pm)

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

We have approx. 100 volunteers of which 5-20 may work daily between 6:00am-11:00pm

6. Please describe the proposed hours and days of operation of the proposed use:

Day: Saturday + Sunday

Hours: 12:00 pm - 5:00 pm

Monday - Friday

By appointment

7. Please describe any potential noise emanating from the proposed use.

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

none

B. How will the noise be controlled?

NOT applicable, the residents cats do not create notable noise.

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

none, we clean our facility once a day & spot clean throughout the day so as not to have any cat odor to minimize odors within the building & from leaving the building

9. Please provide information regarding trash and litter generated by the use.

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

Regular trash removal once per week consisting of paper, used cat litter & paper products

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

Approximately 10 large bags per week.

C. How often will trash be collected?

once a week, or removed daily by volunteers.

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

We will have minimal traffic resulting in litter & will remove any litter found.

10. 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:

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11. 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:

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

NOT applicable

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**ALCOHOL SALES**

13.

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

Yes  No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

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**PARKING AND ACCESS REQUIREMENTS**

14. A. How many parking spaces of each type are provided for the proposed use:

At least 2 Standard spaces (1 space per 600 sq.ft)  
\_\_\_\_\_ Compact spaces  
\_\_\_\_\_ Handicapped accessible spaces.  
\_\_\_\_\_ Other.

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A \_\_\_\_\_

Does the application meet the requirement?  
 Yes  No

B. Where is required parking located? (check one)  
 on-site  
 off-site

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

\_\_\_\_\_

**PLEASE NOTE:** 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.

C. 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.

Parking reduction requested; see attached supplemental form

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are available for the use? not applicable

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 \_\_\_\_\_

Does the application meet the requirement?  
 Yes  No



B. Where are off-street loading facilities located? parking lot used for occasional large deliveries

C. During what hours of the day do you expect loading/unloading operations to occur?  
Will attempt to schedule to minimize impact of other businesses.

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
Large delivery occurs approximately twice a year.

16. 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?

Adequate

**SITE CHARACTERISTICS**

17. Will the proposed uses be located in an existing building?  Yes  No

Do you propose to construct an addition to the building?  Yes  No

How large will the addition be? \_\_\_\_\_ square feet.

18. What will the total area occupied by the proposed use be?

800 sq. ft. (existing) + 0 sq. ft. (addition if any) = 800 sq. ft. (total)

19. The proposed use is located in: (check one)

- a stand alone building (2 other tenants)
- a house located in a residential zone
- a warehouse
- a shopping center. Please provide name of the center: \_\_\_\_\_
- an office building. Please provide name of the building: \_\_\_\_\_
- other. Please describe: \_\_\_\_\_

End of Application

# 25 DOVE STREET ALEXANDRIA, VA 22314

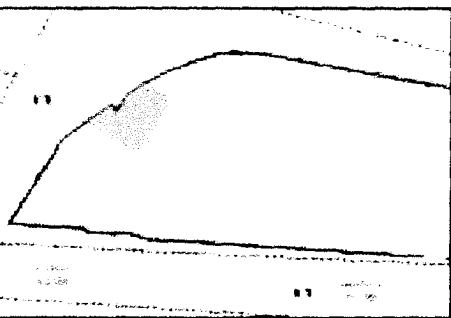
City of Alexandria

Date Created: 3/23/2009



- Legend for Property Map
- Property Boundary
  - City Boundary
  - Address Points
  - Neighborhood
  - Water
  - Highway
  - Road Label
  - POI Label
  - Road Construction
  - Point
  - Line
  - Polygon
  - Building
  - Park
  - City of Alexandria

City of Alexandria GIS Department  
 1111 King Street, Alexandria, VA 22304  
 (703) 683-2700  
 www.alexandriagis.com



◆ **MCENEARNEY** ◆  
 COMMERCIAL

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 Alexandria, VA 22314  
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 rsada@mceneaney.com

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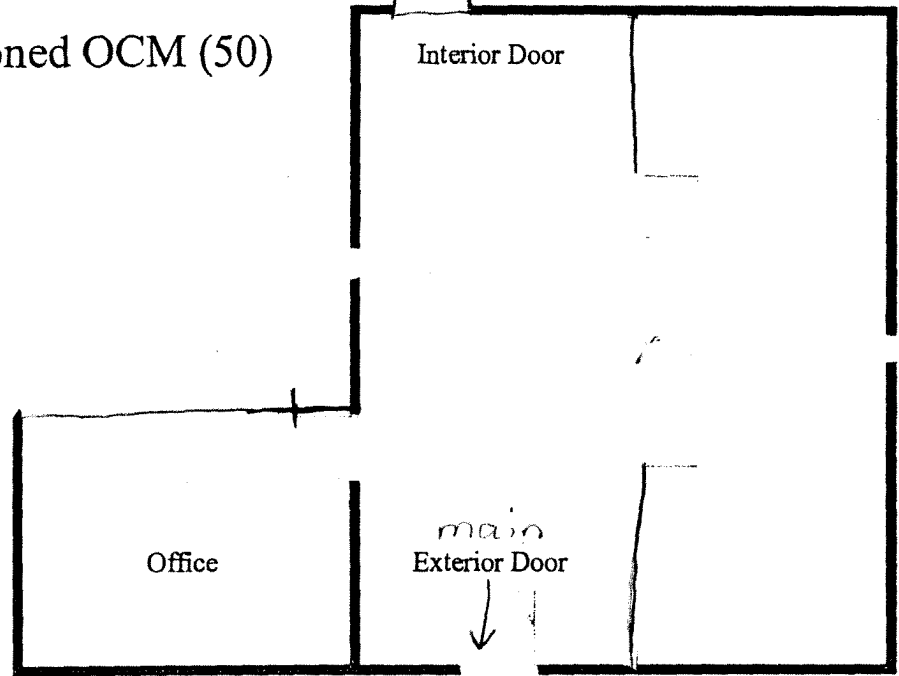
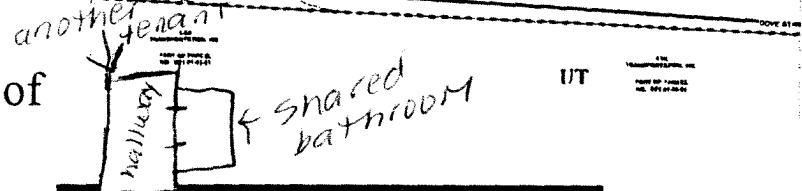
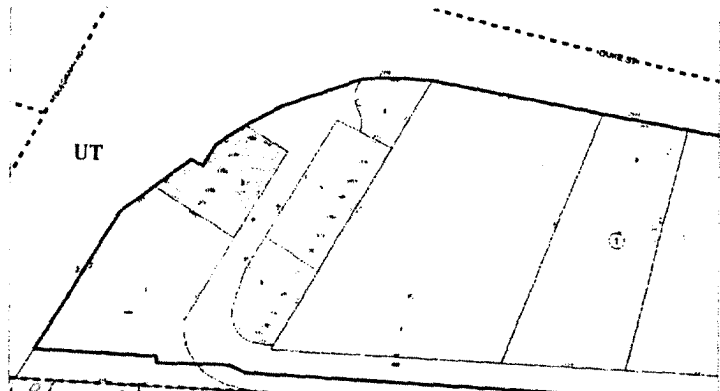
# 25 DOVE STREET ALEXANDRIA, VA 22314

Extremely Convenient  
Alexandria Location  
(Right off Telegraph Road and  
Capitol Beltway)

Free Parking

Flex Space  
Ideal for Many Types of  
Businesses

Zoned OCM (50)



This drawing is representative of a potential layout and is not to scale.



**Rick Sada**  
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