

DATE: December 9, 2010

TO: Barbara Ross, Deputy Director
Department of Planning and Zoning

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2010-0076
Administrative Review for Minor Amendment
Site Use: Home for the Elderly
Applicant: Fountains at Washington House
Location: 5100 Fillmore Avenue
Zone: RC / High-Density Residential

Request

Special Use Permit #2010-0076 is a minor amendment request to increase the hours of operation for the accessory health and fitness center at the Fountains at Washington House, a home for the elderly. Currently the health and fitness center is approved to be open from 8:00am to 5:00pm Monday through Friday only. The applicant wishes to add Saturday hours, also from 8:00am to 5:00pm. No other changes to the operation of the use are proposed.

Background

A home for the elderly, with accessory uses including infirmary beds and outpatient care, has been operating at this location since at least 1970, when City Council approved SUP#803 for the use. In the 1970s, City Council approved three SUP amendments to increase the number of patients and residents at the home. The most recent approval for the site was on May 16, 1998, when City Council approved SUP#98-0033 to add the health and fitness center as an accessory use to the site.

Staff inspected the premises as part of its routine inspection program in early September 2010 and found one violation of the conditions of the existing SUP regarding the hours of operation for the health and fitness center, which is the subject of the current request. Staff has not received any complaints that would require staff to docket the Special Use Permit for public hearing.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. Staff has not received any comments from residents or adjacent businesses that would require staff to docket the Special Use Permit for public hearing.

Staff Action

Staff does not object to the proposed minor amendment request. Although the request technically constitutes an increase greater than two additional hours of operation, staff finds that it is consistent with Section 11-511(2)(b) of the Zoning Ordinance regarding eligible minor amendment requests since it will not change the character of the overall use nor increase its overall intensity. Furthermore, the fitness center is an accessory use within an approved facility which is already open and operating on Saturdays during the hours applied for now. This highly technical request does not change the intensity of the use whatsoever.

Despite the applicant having officially applied for it, no change of ownership approval is necessary as a part of this request because the standard condition regarding the Special Use Permit being issued to the applicant only was not included in the previous SUP approval. Staff now adds this standard condition to this approval, however, and any future changes in ownership of the business will require a change of ownership Special Use Permit request.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: December 10, 2010
Action: Approved



Barbara Ross, Deputy Director

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

CONDITIONS OF SPECIAL USE PERMIT #2010-0077

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

1. **CONDITION AMENDED BY STAFF:** The number of living units shall be limited to no more than 201 units. (~~SUP #852-B~~)
2. The infirmary shall be limited to no more than a total of 74 beds. (SUP #1111)
3. **CONDITION AMENDED BY STAFF:** The accessory uses enumerated in paragraph six of ~~this~~ the staff report for SUP#852B shall be limited to use by occupants of the building and their guests. (~~SUP #852-B~~)
4. **CONDITION AMENDED BY STAFF:** Residents and patients located at the home for the elderly shall ~~The occupancy of the building~~ be limited to persons 55 years of age or older. (~~SUP #852-B~~)
5. **CONDITION AMENDED BY STAFF:** The applicant shall maintain ~~provide~~ additional plant material (trees and shrubs) in the ~~proposed~~ painted islands as well as those grass areas created by the new addition and parking arrangement as ~~per~~ included in the attached sketch Exhibit A of SUP#1111. (~~SUP #1111~~)
6. **CONDITION AMENDED BY STAFF:** The hours of operation of the senior fitness center shall be limited to 8:00 a.m. to 5:00 p.m. Monday through ~~Friday~~ Saturday only. (P&Z) (~~SUP#98-0033~~)
7. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The applicant shall restripe the parking lots to provide a total of 126 parking spaces.~~ (P&Z) (~~SUP#98-0033~~)
8. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~Existing trees shall be properly protected, consistent with the Landscape Guidelines, during any work to reconfigure or restripe the parking lot.~~ (P&Z) (~~SUP#98-0033~~)
9. **CONDITION AMENDED BY STAFF:** The applicant shall contact the ~~Crime Prevention~~ Community Relations Unit of the Alexandria Police Department for a security survey for the ~~house business and robbery readiness training for all employees.~~ (Police) (~~SUP#98-0033~~)
10. Lighting in the parking lot shall be maintained at a minimum of 2.0 foot candles. (Police) (SUP#98-0033)
11. All lighting shall be directed downward and shall be screened at the sides to avoid glare on the street and on adjacent residential uses to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP#98-0033)

12. **CONDITION ADDED BY STAFF:** The Special Use Permit shall be granted to the applicant or to any corporation in which the applicant has a controlling interest only. (P&Z)
13. **CONDITION ADDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
14. **CONDITION ADDED BY STAFF:** The applicant shall require its fitness center employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for all employees. (T&ES)
15. **CONDITION ADDED BY STAFF:** 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)
16. **CONDITION ADDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as a 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)