



DOCKET ITEM #5

**Special Use Permit #2012-0025**

**1220, 1240 and 1250 North Pitt Street – Teeter Toddlers**

Application	General Data	
Consideration of a request to operate an amusement enterprise.	<b>Planning Commission Hearing:</b>	June 5, 2012
	<b>City Council Hearing:</b>	June 16, 2012
<b>Address:</b> 1220, 1240 and 1250 North Pitt Street	<b>Zone:</b>	OC / Office Commercial
<b>Applicant:</b> Elaine E. Gordon DBA Teeter Toddler's Playgroup, LLC	<b>Small Area Plan:</b>	Old Town North

**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:** Nathan Randall [nathan.randall@alexandriava.gov](mailto:nathan.randall@alexandriava.gov)

**PLANNING COMMISSION ACTION, JUNE 5, 2012:** On a motion by Mr. Dunn, seconded by Ms. Fossum, the Planning Commission recommended approval of the request subject to compliance with all applicable codes, ordinances and staff recommendations as amended. The motion passed on a vote of 5 to 0, with Mr. Wagner and Mr. Jennings absent.

**Reason:** The Planning Commission agreed with the staff analysis but added conditions to strengthen the prohibition against using Bellvue Place.

**Speakers:**  
Elaine Gordon, applicant, spoke in favor of the request and stated that she would have a “zero tolerance” policy toward customers and staff to prevent them from using Bellvue Place for any reason.

John Sheiner, representing Pitt Street Station Homeowners Association, spoke in opposition to the request. He expressed concern about child safety and believed that vehicles arriving at the business would negatively impact nearby residences by using privately-owned Bellvue Place for parking, standing, or to access parking spaces.

Timothy Holland, Bellvue Place homeowner, discussed vehicle safety and the potential for accidents resulting from vehicles parking on Bellvue Place.





KEY MAP



**SUP #2012-0025**

**6/5/2012**





## I. DISCUSSION

The applicant, Elaine E. Gordon d/b/a Teeter Toddler's Playgroup LLC, requests Special Use Permit approval to operate an amusement enterprise at 1220, 1240 and 1250 North Pitt Street.

### SITE DESCRIPTION

The subject site is three lots of record, all of which are a part of the Pitt Street Center office building. The combined site has 148 feet of frontage on North Pitt Street, a depth of 290 feet, and a combined lot area of approximately 44,100 square feet (1.01 acres). The properties are improved with one three-story office building, in which several business and professional offices are located, and surface parking lot.



The surrounding area is primarily comprised by residential townhouses and apartments, which are located to the north, south and east. The Parkway office building is located immediately to the west facing Abingdon Street and the George Washington Memorial Parkway. The GenOn power generation facility, which is slated to close, is located about a block away on Bashford Lane.

### BACKGROUND

Site Plan #84-0039 was originally approved with a proffered rezoning for the construction of four office buildings on the site, but only the subject building was actually built. The remaining land was developed with the Pitt Street Station townhouse project in the mid-1990s. City Council approved a Special Use Permit for a commercial school in this building in 1999 which has since closed.

### PROPOSAL

The applicant proposes to operate an indoor playgroup business for young children (ages six months to three years) and their parents, which is considered to be an amusement enterprise use, in an approximately 2,600 square-foot tenant space on the lower level of the building. Children's activities will include singing, book reading, arts and crafts, musical instruments, indoor games, and free play. Up to 30 children and their parents would be present at the site at any one time in either a morning play session or an afternoon session. Each session is approximately three hours long. Snacks will be provided for children. Additional elements of the applicant's proposal are as follows:

<u>Hours of Operation:</u>	8:30 a.m. – 5:30 p.m. Monday – Friday
<u>Number of Attendees:</u>	Up to 30 children, plus parents, at any one time
<u>Number of Employees:</u>	Three employees per session
<u>Alcohol:</u>	No alcohol will be served
<u>Live Entertainment:</u>	No live entertainment will be offered
<u>Noise:</u>	Noise levels will be minimally heard since business is on the lower level and is the only occupant of the floor. Children will be supervised by parents/caregivers.
<u>Trash/Litter:</u>	Office paper, plastic/paper wrappers and other trash and recyclables will be collected once each week

#### PARKING

According to Section 8-200(A)(13) of the Zoning Ordinance, an amusement enterprise use requires one off-street parking space for every 200 square feet of space. An amusement enterprise business with 2,600 square feet of space is therefore required to provide 13 off-street parking spaces. The applicant exceeds this parking requirement with the provision of 15 off-street parking spaces, five of which are located on-site. The remaining 10 parking spaces are located at the Parkway office building on the immediately adjacent parcel to the west.

#### ZONING/MASTER PLAN DESIGNATION

The subject property is located in the OC / Office Commercial zone. Section 4-803(A) of the Zoning Ordinance allows an amusement enterprise in the OC zone only with a Special Use Permit.

The proposed use is consistent with the Old Town North Small Area Plan chapter of the Master Plan which designates the property for commercial use.

## **II. STAFF ANALYSIS**

Staff does not object to the applicant's request. Although residential uses are located in close proximity, the proposal does not represent a more typical amusement enterprise use such as a movie theater or other entertainment venue. The use is oriented toward children and will be small, with a maximum attendance of 30 children. The hours of operation are limited to typical business hours of 8:30 a.m. to 5:30 p.m. Monday through Friday. Other than children's snacks, no other food service is expected and no alcohol will be served. Perhaps most significant of all, the activities planned at the site, such as singing and arts and crafts, are indoors and are low-intensity. The use, which shares some similarities to a day care center except that parents will accompany children to the site, therefore presents a very low potential for impacts on the surrounding neighborhood.



Parking was an initial point of concern for staff given that the applicant originally proposed only five off-street parking spaces in connection with the use. However, the applicant has agreed to provide 10 additional parking spaces at the Parkway Center office building located immediately next-door, bringing the total number of parking spaces available for customers and employees to 15. Staff believes that this number of parking spaces is appropriate here and has required it in Condition #15. Some additional parking beyond the Zoning Ordinance requirement means less likelihood of impacts on residential streets, although some parents will bring more than one child and some portion of customers will walk to the site from nearby residential areas.

Staff has also heard concern from a resident at the adjacent Pitt Street Station townhouse community that customers might attempt to park along Bellvue Place, a private street, which could impact residential parking and block driveways. In response to this concern, Condition #17 has been included in this report to specifically prohibit the business's staff or customers from parking in this location.

In conclusion, staff believes that this use is appropriate in this location and will be a positive addition to the increasing need for child-oriented uses in the City. Subject to the conditions contained in Section III of this report, staff recommends approval of the Special Use Permit request.

### 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 maximum number of attendees at the site at any one time shall be 30. (P&Z)
3. The hours of operation at the business shall be limited to between 8:30 a.m. and 5:30 p.m. Monday through Friday. (P&Z)
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
5. No live entertainment shall be allowed at the amusement enterprise. (P&Z)
6. No alcohol consumption shall be permitted at the amusement enterprise. (P&Z)
7. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
8. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)

9. The applicant shall control cooking odors, smoke and any other air pollution 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)
10. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
11. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
12. 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)
13. All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
14. The applicant shall require its 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 employees. (T&ES)
15. The applicant shall maintain an up-to-date parking agreement which provides at least 15 parking spaces for customers and employees to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (P&Z)(T&ES)
16. The applicant shall post information on its website and on a sign at the front of the business directing patrons to the location of off-street parking to the satisfaction of the Director of Planning and Zoning. (P&Z)
17. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall prohibit customers and staff at all times from parking on any vehicular use of Bellevue Place at all times. (P&Z)(PC)
18. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-746-1920 regarding a security survey for the business and a robbery readiness program for all employees. (P&Z)
19. **CONDITION AMENDED BY PLANNING COMMISSION:** The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for ~~one year~~ six months, 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)(PC)

STAFF: Barbara Ross, Deputy Director, Department of Planning and Zoning;  
Nathan Randall, 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 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.(T&ES)
- R-2 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-3 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).
- R-4 The applicant shall require its 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 employees. (T&ES)
- R-5 The applicant shall maintain an up-to-date parking agreement in order to comply with the Zoning Ordinance parking requirements to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (T&ES)
- 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. (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99).

In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form. (T&ES)

##### Code Enforcement:

- F-1 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Acting Plan Review Supervisor at [ken.granata@alexandriava.gov](mailto:ken.granata@alexandriava.gov) or 703-746-4193.



- C-1 The proposed use is a change in use group classification; a new Certificate of Occupancy is required.
- C-2 Building and trades permits are required for this project. Six sets of *construction documents* prepared by a licensed architect or professional engineer shall accompany the permit application. Construction documents shall fully detail the construction as well as layout and schematics of the mechanical, electrical, and plumbing systems shall accompany the permit application(s).
- C-3 Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit for a change of use. The plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use. The applicant shall include a building code analysis with the following building code data on the plans: a) use group; b) number of stories; c) type of construction; d) floor area per floor; e) fire protection plan f) total occupancy load g) means of egress h) accessibility requirements
- C-4 Alteration to a building/structure shall comply with the Uniform Statewide Building Code (USBC).
- C-5 Any proposed future alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Before a building permit can be issued on any proposed future alterations, a certification is required from the owner or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos.
- C-7 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.
- C-8 Toilet Rooms for Persons with Disabilities:
  - (a) Water closet heights must comply with USBC 1109.2.2
  - (b) Door hardware must comply with USBC 1109.13
- C-9 Electrical wiring methods and other electrical requirements must comply with NFPA 70, 2008.

Health:

- F-1 An Alexandria Health Department Permit is required for all regulated facilities. A permit shall be obtained prior to operation, and is not transferable between one individual or location to another.

