

Docket Item #18
SPECIAL USE PERMIT #2002-0068

Planning Commission Meeting
October 1, 2002

ISSUE: Consideration of a request for a special use permit to operate a yoga studio (commercial school).

APPLICANT: Valerie Ianieri

LOCATION: 210 North Lee Street

ZONE: CD/Commercial Downtown

PLANNING COMMISSION ACTION, OCTOBER 1, 2002: On a motion by Ms. Fossum, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations and to amend Condition #2 . The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

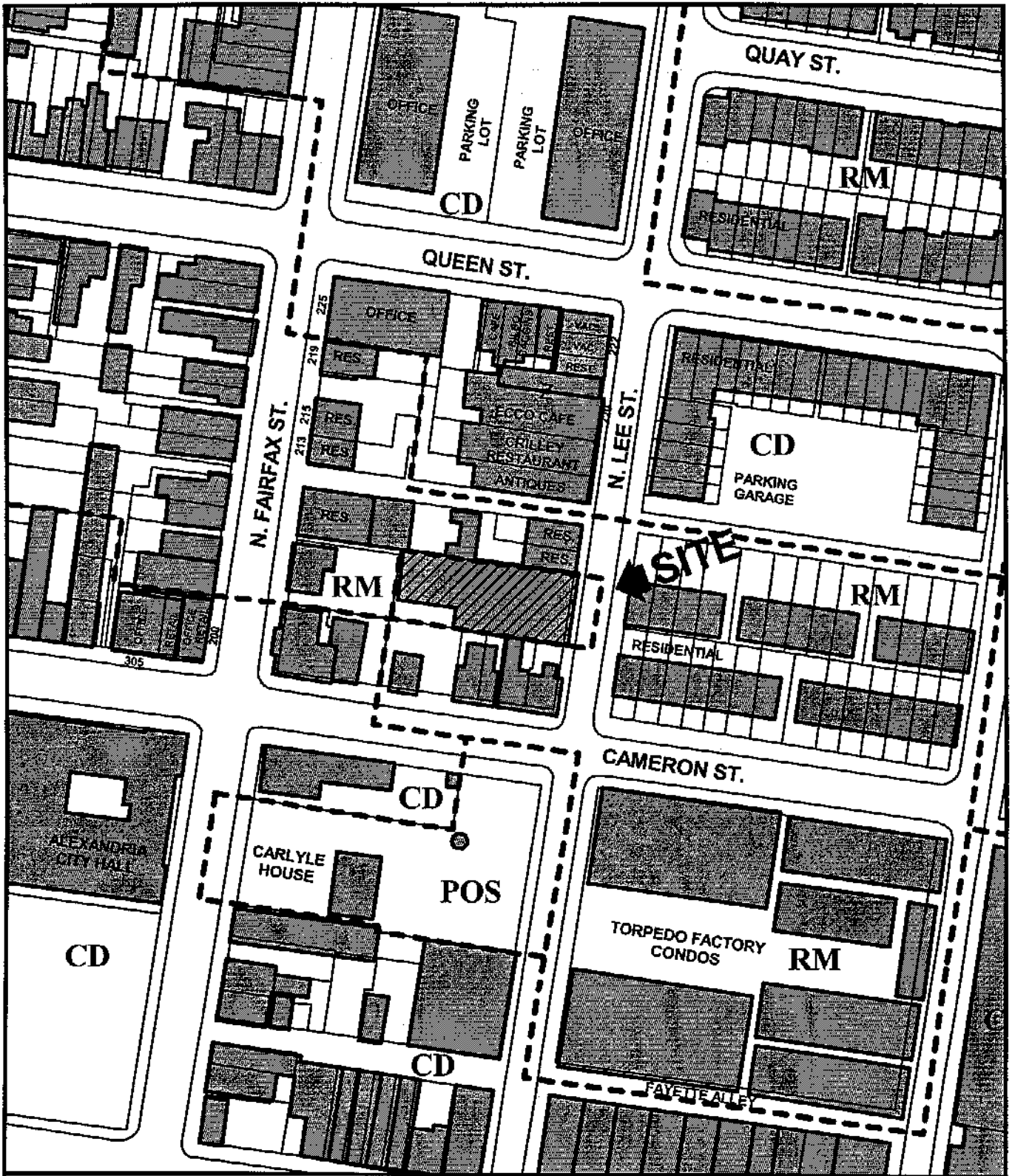
Speakers:

Valerie Ianieri, the applicant, spoke in support of the application and requested that condition #2 be amended to extend the hours from 6:00 a.m. to 7:00 p.m. daily to 6:00 a.m. to 9:00 p.m. daily in order to give some flexibility as to the evening class times.

Staff did not object to the change in hours.

PLANNING COMMISSION ACTION, SEPTEMBER 3, 2002: The Planning Commission noted the deferral of the request.

Reason: The applicant failed to comply with the requirements for legal notice.



SUP #2002-0068

10/01/02



STAFF RECOMMENDATION:

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 business or entity in which the applicant has a controlling interest. (P&Z)
2. **CONDITION AMENDED BY PLANNING COMMISSION:** The hours of operation shall be restricted to between 6:00 a.m. and ~~7:00 p.m.~~ 9:00 p.m. daily. (~~P&Z~~) (PC)
3. The applicant shall post signs at the entrance of the business directing patrons to commercial parking facilities located in the vicinity of the studio. (P&Z) (T&ES)
4. The applicant shall require that its employees who drive to work use off-street parking. (P&Z)
5. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program for employees. (Police)
6. The Director of Planning and Zoning shall review the special use permit one year after approval 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 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.

DISCUSSION:

1. The applicant, Valerie Ianieri, requests special use permit approval for the operation of a yoga studio (commercial school) located at 210 North Lee Street.
2. The subject property is one lot of record with 64 feet of frontage on North Lee Street, 155 feet of depth and a total lot area of approximately 9,920 square feet. The site is developed with a two-story commercial building with a number of tenant spaces. The proposed studio is located in a tenant space that was previously occupied by Old Town Antiques at the rear of the building on the first floor. The space totals 1,340 square feet. Other businesses in the building include a hair salon, tanning salon, and Picca Deli Restaurant. There are other vacant tenant spaces in the building.
3. The applicant proposes to operate a yoga studio offering classes in Power Yoga for power and strength training, and Gentle Yoga for a meditative and slower stretch. Classes will be tailored to older couples, at-home mothers, lunch-time corporate employees and athletically oriented patrons. Classes are for adults only. They will begin at 6:00 a.m. and will be intermittent throughout the day until 7:00 p.m.
4. The proposed class schedule offers 50 minute classes that begin at 6:00 a.m., 7:00 a.m., 12:00 p.m., 5:00 p.m., and 6:00 p.m. Monday through Friday. The weekend schedule is proposed to be the same except that the 6:00 a.m. and 6:00 p.m. classes will not be offered.
5. Each class is proposed to have about eight to ten students. There will be two full-time teachers and two part-time teachers.
6. For zoning purposes, the yoga studio is considered a private commercial school. According to Section 8-300 (A) of the zoning ordinance, a commercial school in the Central Business District (CBD) is not subject to the parking requirement. In this case the subject property is located in the CBD. Therefore, the applicant complies with the zoning ordinance as to parking, even though there is no on site parking for the use. Outside the CBD, the normal parking requirement for a commercial school is one space for every two seats (students).

The applicant does not anticipate that the use will add to on-street parking congestion in the area because of the fact that many of her classes are offered in the early morning when businesses are not yet open. In addition, the parking garages at 220 North Union Street and 101 North Lee Street are both within a block of the facility and can be used by students.

7. The applicant does not anticipate excessive noise from the operation as it is intended to be a class that is meditative for patrons. There will be soft music played at a low level.

8. Very little trash is anticipated which includes miscellaneous papers for light administrative work required for check-in. Business management will be conducted off the premises. Trash is collected daily from the building maintenance personnel coordinated by the owner of the building.
9. Zoning: The subject property is zoned CD/Commercial Downtown. Section 4-503(U) of the zoning ordinance permits a private commercial school only with a special use permit in the CD zone.
10. Master Plan: The proposed use is consistent with the Old Town small area plan chapter of the Master Plan which designates the property for commercial uses.

STAFF ANALYSIS:

Staff does not object to the proposed yoga studio at 210 North Lee Street. The studio is a small business that is intended to serve area residents. From an economic development perspective, staff notes that the subject space has been vacant for a number of months and is pleased to see a business filling the space.

Although parking is not required for this use, staff is generally concerned about the potential impacts to area resident and business parkers. However, many of the classes at the yoga studio will be offered when other businesses are closed helping to alleviate competition for parking. In addition, the applicant anticipates that the use will serve mostly local residents and business employees who may walk to the facility. The use is also very small. For these reasons, staff did not recommend that the applicant offer parking subsidies for students. However, staff has discussed with the applicant the City's concerns regarding parking in the area and has recommended a one-year review at which time required subsidies could be considered if the use has caused parking congestion in the area. In addition, staff has included a condition requiring the applicant to post the location of available commercial parking areas at the entrance of the school to inform patrons of available off-street parking areas.

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

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

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 Although the availability of on street parking is extremely limited T&ES does not believe this operation will have a significant impact on neighboring properties. There are several commercial parking garages within walking distance and T&ES agrees with the applicant statement that many of their clients will come from local residents and commercial employees.
- R-1 The applicant shall require that its employees who drive to work use off-street parking.
- R-2 The applicant shall post signs directing patrons to the availability of commercial parking facilities in the immediate area

Code Enforcement:

- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 A fire prevention code permit for operation of a place of public assembly is required for the proposed operation.
- C-3 A dimensioned egress plan showing aisle accessways and aisles and fixtures is required (USBC 811.0).

Health Department:

- F-1 No comments.

Police Department:

- R-1 The applicant is to consult with the Crime Prevention Unit of the Alexandria Police Department regarding a security survey for the business. This is to be completed prior to opening for business.
- R-2 Robbery awareness program for all employees.

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APPLICATION for SPECIAL USE PERMIT # 2002-0068

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PROPERTY LOCATION: 210 N. LEE ST., ALEX, VA 22314 SUITE 110

TAX MAP REFERENCE: 65.03-9-13 ZONE: CD

APPLICANT Name: Valerie Ianieri

Address: 211 S. UNION ST., ALEX, VA 22314

PROPERTY OWNER Name: BRESLER LIMITED PARTNERSHIP

Address: 211 S. UNION ST. % Pikrallidas, PO BOX 1138, ALEX, VA 22313

PROPOSED USE: YOGA STUDIO

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 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 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 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 Planning Commission or City Council in the course of public hearings 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.

Valerie Ianieri
Print Name of Applicant or Agent

Valerie Ianieri
Signature

211 S. UNION ST, ALEX
Mailing/Street Address

703-518-8910 703-518-8818
Telephone # Fax #

ALEXANDRIA, VA 22314
City and State Zip Code

6/24/02
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

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 (check one) the 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, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

Valerie Ianieri - 100% ownership

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?

N/A

- 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.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

SEE ATTACHED

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NARRATIVE DESCRIPTION

3. 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. (Attach additional sheets if necessary)

I plan to own and operate a Yoga Studio targeted to Old Town Alexandria residents. All Advertising and promotion will be local, intended to attract area residents. The Classes will be limited to 1) Power Yoga for power & strength training and 2) Gentle Yoga for a meditative, slower stretch.

The ⁽²⁾ Teachers I have identified have a strong following of area residents who are looking for a Private Studio to bring legitimacy and professionalism to the practice of Yoga.

Classes will be tailored to: Older Couples, At-home Mothers, Lunch-time Corporate employees and Athletically oriented patrons. Classes are adult only. Classes begin at 6am, intermittent throughout the day to 7:00pm.

We expect an average of 8-10 students per class. There are 3 parking garages within a 1 Block Radius, and adequate off-street parking available. It is expected that many students will walk and/or carpool. (See Parking Reduction Application)

This is a very simple Business plan, to use a good space to improve the Wellness of Alexandria residents.

USE CHARACTERISTICS

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

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- 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).

5 Classes per day; Average 8-10 students per class;
50 mins. per class; 7 Days/wk with reduced schedule on Sunday

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

2 Full-time - Teachers
2 Part-Time - Owner + Teacher

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

Day:

M → F - All Classes
Sat/Sun - No 6am or 6pm class

Hours: Classes

6:00am - 6:50am
7:00am - 7:50am
Noon
5:00pm - 5:50pm
6:00pm - 6:50pm

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

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

Low noise level; no mechanical equipment. Yoga is a meditative art requiring low level, soft music.
The studio is separated from high-traffic patron areas.
Adjacent property is Open during 2 of the 5 classes.

A H 6 11

B. How will the noise from patrons be controlled?

- The nature of the business requires clients to have a peaceful, controlled temperament.
- Ground level, so no noise in stairs.
- Studio is Carpeted

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

None expected.

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?

Miscellaneous papers for light administrative work required for checkin. Business Management done at personal office - off-premise.

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

Very little.

C. How often will trash be collected?

Daily - per Building Maintenance handled by Owner.

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

Any potential littering will be handled with receptacles at: 1) Studio 2) Building 3) Front Entrance

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:

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:

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

Carpet runner at Door Entrance; Personal Belongings kept in-sight (Storage Cubes in studio); Door-Person to handle check-ins.

ALCOHOL SALES

13. 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.

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PARKING AND ACCESS REQUIREMENTS

14. Please 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?

1 per 2 students = 4-5 spaces required

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

X Standard spaces - Unlimited

_____ Compact spaces

_____ Handicapped accessible spaces.

_____ Other.

C. Where is required parking located? [] on-site off-site (check one)

If the required parking will be located off-site, where will it be located: 3 Parking Garage within 1 Block radius; off-street parking for 2-3 hour limits

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.

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. Attached

15. Please 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? 2

C. Where are off-street loading facilities located? In front of Building (Front Door Entrance)

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

N/A

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

N/A

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?

ACCESS IS 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?

1340 sq. ft. (existing) + 0 sq. ft. (addition if any) = 1340 sq. ft. (total)

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

a stand alone building 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: _____

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FOR INFO ONLY

Special Use Permit # 2002-0068

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)

- 4-5 single parking spaces needed for
- On-street parking available on LEE, CAMERON, QUEEN
- Parking Garages: 1) City Garage - 220 N. Union w/ Exit on Lee St
- 2) Colonial Pkg - 101 N. Lee St.

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

- Clients will arrive in early morning and after work hours when other merchants may be closed.
- Many area residents have ^{off-street} private parking spaces (Torpedo Factory, townhome development on Lee, between Queen + Cameron

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

- There is no private parking assigned to the Building

4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces? Yes. No.

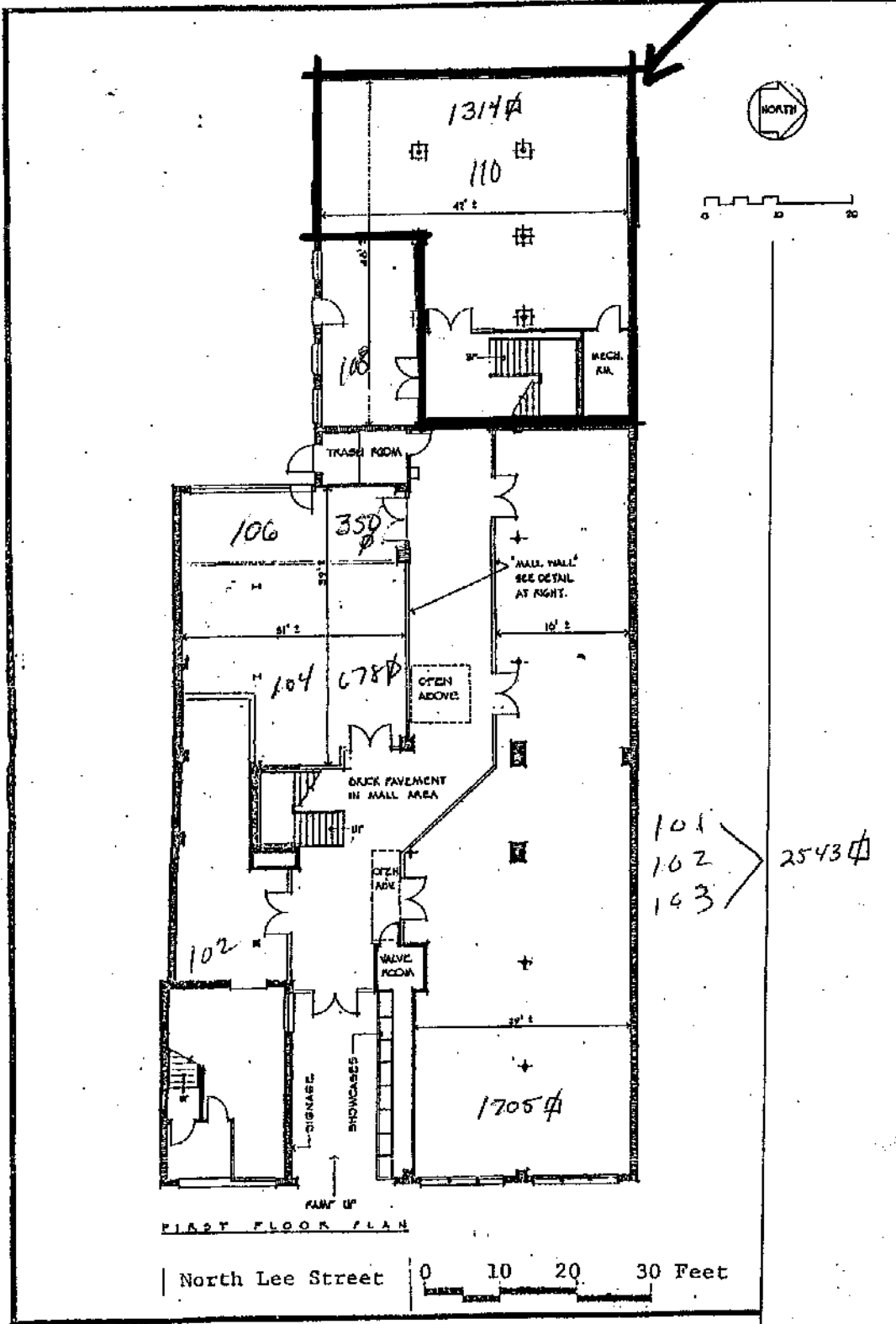
5. If the requested reduction is for more than five parking spaces, the applicant must submit a Parking Management Plan which identifies the location and number of parking spaces both on-site and off-site, the availability of on-street parking, any proposed methods of mitigating negative affects of the parking reduction. N/A

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

Clients will be encouraged to use City Parking Garage, and if necessary, parking validation is available. The volume of clients should not negatively impact the neighborhood.

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SPACE



210 NORTH LEE STREET

EXHIBIT "A"

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APPLICATION for SPECIAL USE PERMIT # 2002-0068

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[must use black ink or type]

PROPERTY LOCATION: 210 N. LEE ST., ALEX, VA 22314 SUITE 110

TAX MAP REFERENCE: 65.03-9-13 ZONE: CD

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Address: 211 S. UNION ST., ALEX, VA 22314

PROPERTY OWNER Name: BRESLER LIMITED PARTNERSHIP

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Valerie Ianieri
Print Name of Applicant or Agent

Valerie Ianieri
Signature

211 S. UNION ST, ALEX
Mailing/Street Address

703-518-8910 Telephone # 703-518-8818 Fax #

ALEXANDRIA, VA 22314
City and State Zip Code

6/24/02
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: 10/01/02 RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 10/19/02PH -- CC approved the Planning Commission recommendation.