

DOCKET ITEM #2
Special Use Permit #2010-0073
816B North Saint Asaph Street- Local Motion Studio

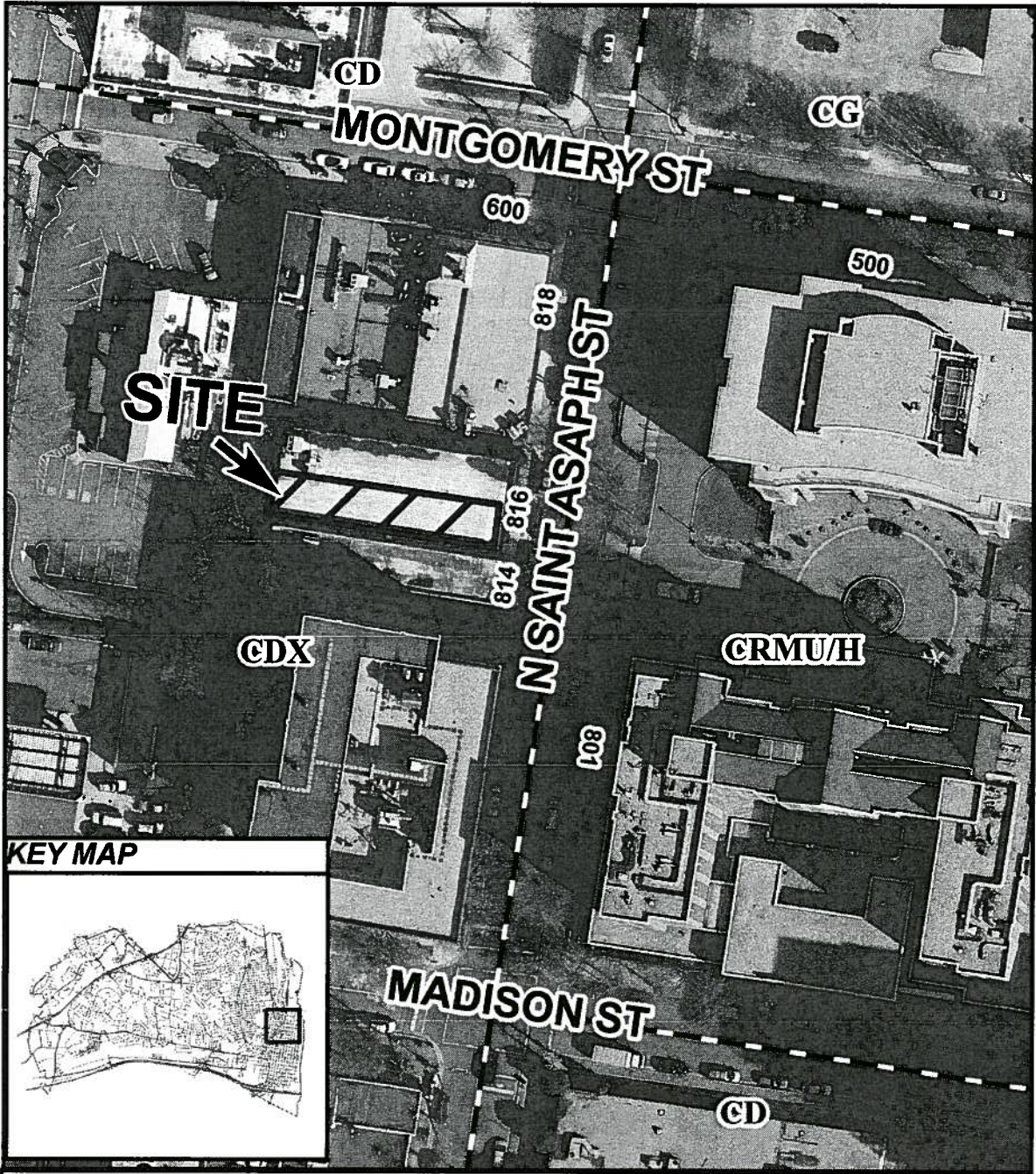
CONSENT AGENDA ITEM

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	
Consideration of a request to operate a yoga, pilates and dance studio (private commercial school) with off-site parking and with a parking reduction.	Planning Commission Hearing:	January 4, 2011
	City Council Hearing:	January 22, 2011
Address: 816B North Saint Asaph Street	Zone:	CD-X/Commercial Downtown
Applicant: Sara Lavan	Small Area Plan:	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



SUP #2010-0073

1/04/2011



I. DISCUSSION

The applicant, Sara Lavan, requests Special Use Permit approval to operate a yoga/pilates/dance studio with classes, with off-site parking and a parking reduction, at 816B North Saint Asaph Street.

SITE DESCRIPTION

The subject property is one lot of record with 47 feet of frontage on N. Saint Asaph Street, 115 feet of depth and a total lot area of 5,405 square feet. The site is developed with a one-story commercial building containing 5,359 square feet of space. There is no parking on-site.



The surrounding area is occupied by a mix of commercial and office uses. A communications and graphic design business and an Italian restaurant, Villa D'Este, are located immediately to the north. A personal training business and an orthodontist's office are located immediately to the south of the proposed studio. The Sheraton Suites hotel and the Madison office building are located immediately to the east. The former Wendy's, now PNC Bank, is located to the west facing North Washington Street.

BACKGROUND

A dance studio was first approved for this space in December 2000, when City Council granted Special Use Permit #2000-0132 with a parking reduction to allow off-site parking across the street at the Sheraton Suites hotel. Staff administratively approved a change of ownership in 2005. On September 13, 2008, City Council approved SUP#2008-0031 to All is Well LLC for an SUP amendment and a change in ownership for a new yoga/pilates/dance studio. The applicant never opened the proposed studio and the SUP subsequently expired in March 2010.

PROPOSAL

The applicant proposes to operate a 25-student yoga/pilates/dance studio for adults and children with accessory child care for her clients only. Special offerings for the parenting community will be a part of the proposal, including prenatal and postpartum classes and "Mommy/Daddy & Me" classes. The applicant also proposes to host larger special events, such as birthday parties and dance recitals, for up to 50 people approximately once per month. The proposal includes a request to locate part of the required parking off-site and a request for a 10-space parking reduction.

Additional elements of the applicant's proposal are as follows:

<u>Hours of Operation</u>	Monday-Friday - 6:00am – 10:00pm Saturday - 8:00am – 10:00pm Sunday - 8:00am – 6:00pm
<u>Number of students</u>	Up to 25 students
<u>Noise</u>	Low music will be only noise and it will be kept low
<u>Odors</u>	No odors are anticipated from the proposal
<u>Trash/Litter</u>	Staff will remove trash daily and store properly in dumpster. Trash is collected three times/week from the property.

PARKING

According to Section 8-200(A)(11.1) of the Zoning Ordinance, a private commercial school requires one parking space for every two students. A yoga/pilates/dance studio with classes of up to 25 students will be required to provide 13 off-street parking spaces. The applicant proposes to provide three dedicated parking spaces for her employees and she will also provide subsidized parking for customers at the Sheraton Suites parking garage across the street. The applicant has applied for a 10-space parking reduction for the balance of the parking requirement.

Section 8-200(C)(4) of the Zoning Ordinance allows the off-street parking requirement for private commercial schools to be met off-site if the parking is located within 300 feet of the school and if a Special Use Permit is approved. The applicant is therefore seeking permission to satisfy its parking requirement off-site as a part of this Special Use Permit request at the Sheraton Suites parking garage, which is located across the street and within 300 feet.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CDX zone. Section 4-603(S) of the Zoning Ordinance allows a private commercial school in the CDX 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 as part of a “retail focus area” suited for uses such as retail shopping establishments, personal service establishments, and health and athletic clubs.

II. STAFF ANALYSIS

Staff supports the applicant's request to operate a private commercial school in this location. The space has been used as a dance studio intermittently since at least the year 2000 and the use is compatible in this neighborhood of mixed commercial, office, and hotel uses. The proposed number of students is rather small at only 25. Given its small size and given that dance studios typically do not, for example, produce odors or create much noise, staff does not anticipate any significant impacts on the neighborhood from the use.

A private commercial school of up to 20 students is now a permitted use as a result of the 2008 Small Business Zoning changes. Staff discussed with the applicant the possibility reducing the number of students to 20 but concluded that she would not gain any advantage in doing so. There is no on-site parking on the property and a Special Use Permit is still required for to allow off-site parking for this use. In addition, the applicant has requested a parking reduction to provide only three dedicated parking spaces instead of the required 13 dedicated spaces.

The applicant anticipates signing a contract for three dedicated parking spaces for employees in the Sheraton Suites hotel garage, which is located across the street and meets the Zoning Ordinance requirement that any off-site parking for this use be located within 300 feet. The applicant also proposes to make available an unlimited number of undesignated parking spaces for yoga/pilates/dance studio customers during the studio's hours of operation. However, she will only subsidize part of the cost of the parking spaces for customers, likely through the use of a ticket validation system, rather than paying the full cost for dedicated spaces.

Staff does not object to the applicant's parking plan. Similar arrangements have been approved for previous studios at this site as well as for the Fit One studio next door at 814 North Saint Asaph. Staff also does not object to the 10-space parking reduction. Parking will still be available for customers under the applicant's plan and staff agrees that it is important to provide dedicated spaces, as the applicant proposes, for the maximum three employees who will be at the site at any one time. Staff has included condition language in this report requiring the applicant to secure a contract for parking with Sheraton Suites and to submit an up-to-date version of the contract to Planning & Zoning on an annual basis.

Subject to the conditions contained in Section III of this report, staff recommends approval of the applicant's 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 students/customers at the yoga/pilates/dance studio at any one time shall not exceed 25 except for occasional special events, as requested by the applicant, at which a maximum of 50 guests may be on-site at any one time. (P&Z)
3. The hours of operation of the yoga/pilates/dance studio shall be limited to between 6:00am and 10:00pm, Monday-Friday, 8:00am and 10:00pm on Saturdays and Sundays. (P&Z)
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
5. No live music shall be permitted at the yoga/pilates/dance studio. (P&Z)
6. 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)
7. The applicant shall provide at least three dedicated, off-site parking spaces within 300 feet of the yoga/pilates/dance studio to the satisfaction of the Director of Planning & Zoning. (P&Z)
8. The applicant shall provide subsidized off-street parking for all students/customers who drive to the yoga/pilates/dance studio. (P&Z) (T&ES)
9. The applicant shall provide information to its students regarding its parking subsidy program and shall post signs in the yoga/pilates/dance studio directing its students to park at the garage. (P&Z) (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. 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)
12. 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 and students. (T&ES)

13. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security assessment for the business and robbery readiness training for all employees. (Police)
14. 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 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: Barbara Ross, Deputy Director, Department of Planning and Zoning;
Nathan Randall, 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:

- 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 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-3 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 and students. (T&ES)
- R-4 The applicant shall provide validated off-street parking for all students and employees who drive to the yoga/pilates/dance studio (school) and shall provide annually, to the satisfaction of the Director of Planning & Zoning, an up-to-date copy of the agreement which makes this parking available. (T&ES)
- R-5 The applicant shall provide information to its students regarding its validation of off-street parking and shall post signs in the yoga/pilates/dance studio (school) directing its students to park at the garage. (T&ES)
- 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). (T&ES)

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) 519-3486, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form.

- 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. (T&ES)

Code Enforcement:

F-1 No Comment

BAR/Historic Preservation:

816-B North Saint Asaph Street is located in the Old and Historic Alexandria Historic District and is under the jurisdiction of the Old and Historic Alexandria Board of Architectural Review (BAR). The building located at 816 North Saint Asaph Street is a one-story brick commercial building. The subject building is attached to a two-story brick commercial building. Real estate records state 1947 as the year of construction. The painted brick building has a flat roof with parapet and projecting bay windows. The building is located at the boundary of the historic district.

The application is for a parking reduction as the building has no parking lot and for a special use permit to operate a yoga/dance studio with childcare facilities. While no exterior alterations appear to be proposed for this building at this time as part of this application, the applicant is reminded that any exterior changes to the building visible from a public-right-of-way, including but not limited to new signage, window replacements, roof replacement, fencing, exterior light fixtures, and any exterior demolition or encapsulation greater than 25 square feet requires approval by the Board of Architectural Review. Certain signage can be approved administratively by BAR Staff if the signage meets the *Criteria & Standards for Administrative Approval of Signs within the Historic Districts*.

Health:

F-1 No Comment

Parks and Recreation:

F-1 No Comment

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 assessment for the business.

R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding robbery readiness training for all employees.

F-1 The Police Department has no comments reference the parking reduction.

Jan



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2010-0073

PROPERTY LOCATION: 816B North St. Asaph Street

TAX MAP REFERENCE: 054.04-03-08 **ZONE:** CDX

APPLICANT:
Name: Sara Lavan

Address: 703B Massey Lane Alexandria VA 22314

PROPOSED USE: Yoga/pilates/dance studio with classes for adults & children and on site childcare for parents attending class

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.

<u>Sara Lavan</u>		<u>10/27/2010</u>
Print Name of Applicant or Agent	Signature	Date
<u>703B Massey Lane</u>	<u>917-381-2176</u>	
Mailing/Street Address	Telephone #	Fax #
<u>Alexandria VA 22314</u>	<u>SaraLavan@yahoo.com</u>	
City and State	Zip Code	Email address

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

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 816B N. ST ASAPH ST, I hereby
(Property Address)
grant the applicant authorization to apply for the Pilates/Yoga/dance studio use as
(use)
described in this application.

Name: ROB KAUFMAN Phone: 7035481810
Please Print
Address: 815 KING ST ALEX, VA 22314 Email: ROB@PMAPROPERTIES.COM
Signature: [Handwritten Signature] Date: 10.27.10

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.

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?

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.

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. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

Local Motion Studio will be a family movement studio that will offer pilates, dance and yoga to both children and adults. It will have a child friendly lobby with books & toys, as well as reading material for adults. It will offer childcare for parents who are on site taking class. As a part of the adult program, it will offer specialty classes for the parenting community such as prenatal, postpartum, mommy time and classes for dads. Local Motion will also offer birthday parties, parenting workshops and small dance showings on weekends. It will sell packaged snacks and bottled drinks for those

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).

Up to 25 students at one time for weekday & weekend classes.
Weekends up to 50 for special occasions such as birthday parties or performances.

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

3 employees 0-1 childcare 0-1 office manager (in 3 hour shifts)
6 teachers in 2-3 hour shifts. 1-2 instructors
2 support staff depending on time of day

Total ~~8~~ Employees 6

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

Day:	Hours:
<u>M-F</u>	<u>6:00 AM - 10:00 P.M.</u>
<u>Sat - SUN</u>	<u>8:00 AM - 10:00 PM.</u>
<u>Sunday</u>	<u>8:00 AM - 6 PM</u>

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

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

low music - only for classes and will be kept low.

B. How will the noise be controlled?

We will keep it low.

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

No odors.

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)

1 or two bags of office garbage - food wrappers, diapers.

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

1-2 bags. Will bring to proper receptacle each day; provide diaper bags to control odor.

C. How often will trash be collected?

Three times a week by Chester Garvin and Sons. The dumpster is in back of building; they recycle paper & bottles at this location.

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

I will be monitoring it and cleaning any that I find. Do not foresee a problem as I will provide ample waste baskets.

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 nearby residents, employees and patrons?

Careful teaching, first-aid and defibrillator on site,
CPR trained staff, child proofing lobby, childcare
room, hallways, bathrooms. Informing clients and
staff of all exits.

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.

PARKING AND ACCESS REQUIREMENTS

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

- 0 Standard spaces → see parking reduction request.
- _____ Compact spaces
- _____ Handicapped accessible spaces.
- _____ Other.

<p>Planning and Zoning Staff Only</p> <p>Required number of spaces for use per Zoning Ordinance Section 8-200A _____</p> <p>Does the application meet the requirement?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
--

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?

Across the street at the Sheraton Suites Hotel

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? N/A

<p>Planning and Zoning Staff Only</p> <p>Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____</p> <p>Does the application meet the requirement?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

B. Where are off-street loading facilities located? N/A

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

N/A

D. 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?

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?

2200 sq. ft. (existing) + _____ sq. ft. (addition if any) = 2700 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: _____

End of Application



APPLICATION - SUPPLEMENTAL

PARKING REDUCTION

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)

10 space parking reduction
Requesting off site parking and validation system for parking at Sheraton Suites across the street.
We expect to lease ~~two~~ three parking spaces for employees.

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

We do not have a lot on site. I request validation system for staff, students as clients. Staff will only be using for 1-3 hours @ a time. Most only an hour 1/2. I will not need dedicated spaces for anyone all day. I am in walking distance. Sheraton has unlimited spots for us to use. I am working on

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

No lot. Contract now.
Many of my clients will be coming for adult and child classes concurrently. Therefore even if there are 15 total students, there may only be 7 cars.
There is also a good amount of street parking just 1-2 blocks toward the river including a metered lot on Montgomerys Royal.

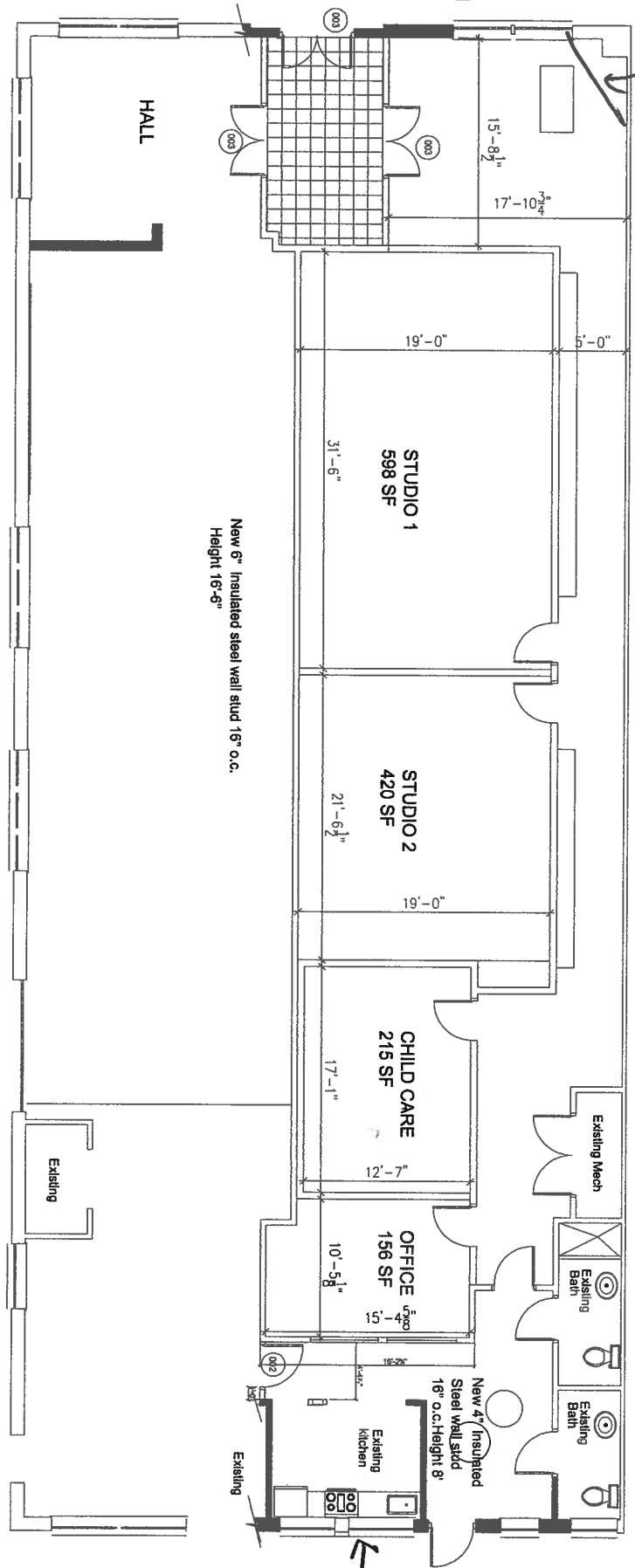
4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces?

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.

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

St Asaph (Front)

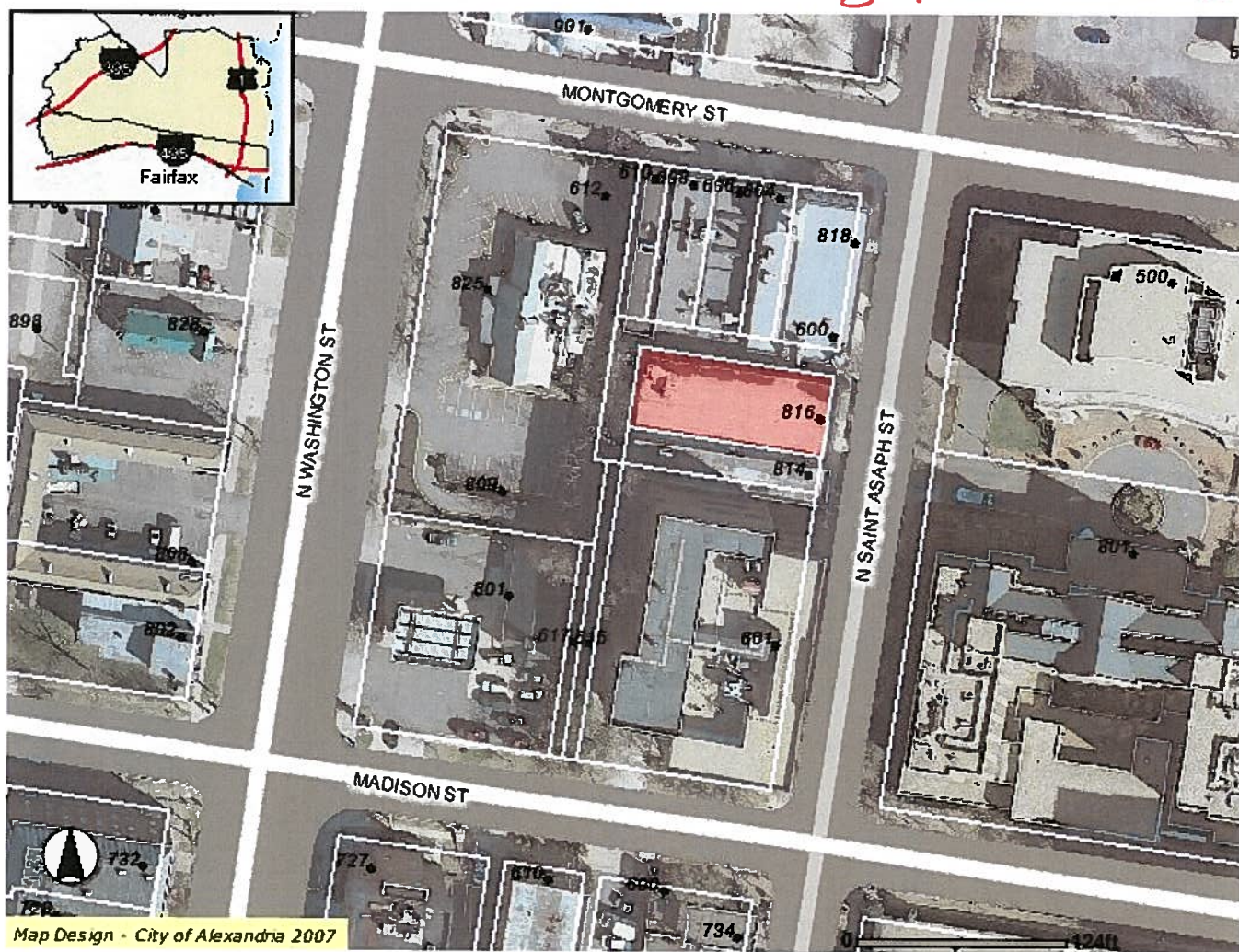


816B N. ASAPH St. Alexandria VA

Proposed drawing
 from builder.
 Will be eliminating
 Office to add
 Square footage
 to studios &
 Childcare room

19 For staff
 breaks
 lunches

SUP 2010-0073



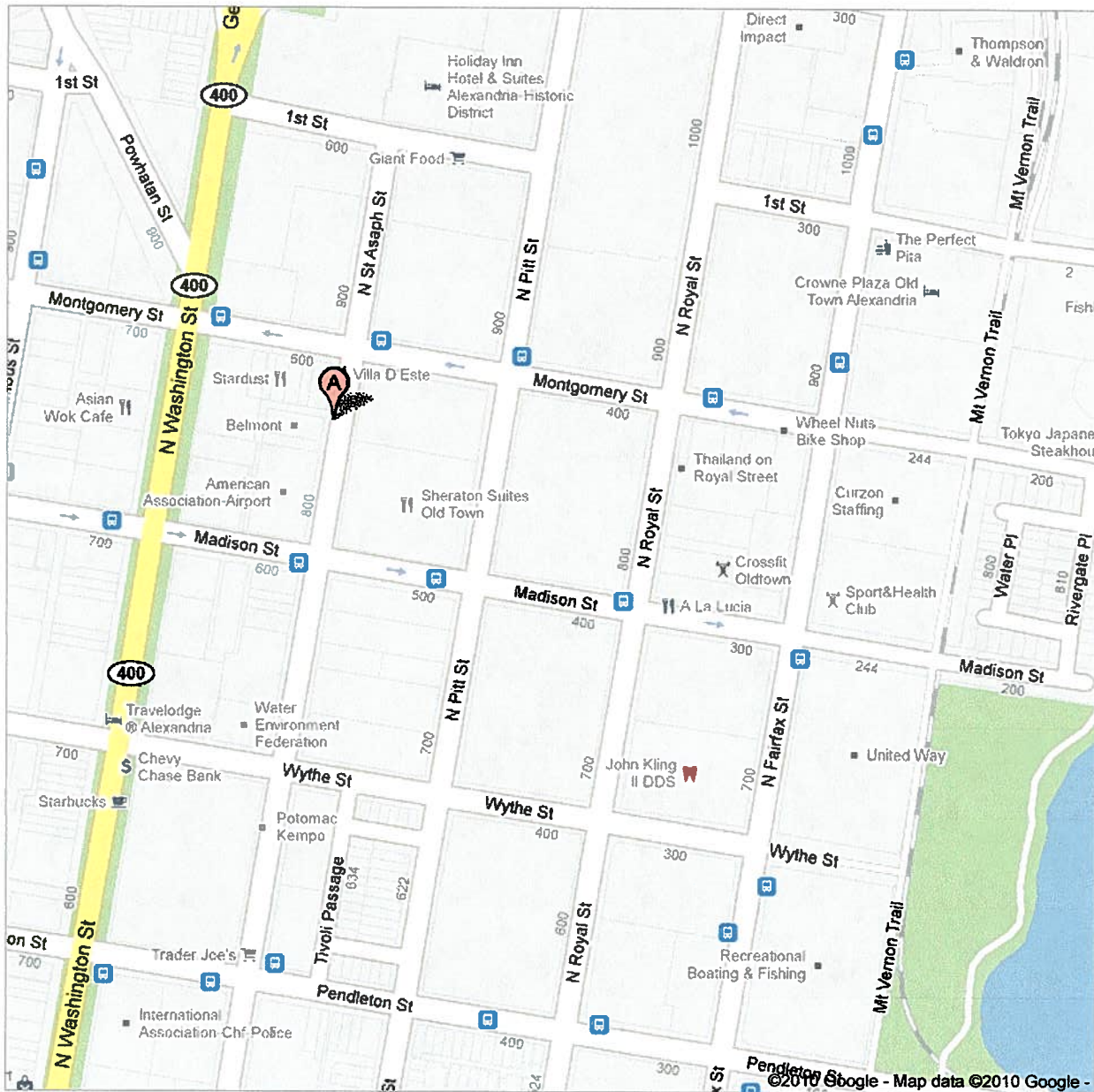
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SUP 2010-0073
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Address **816 N St Asaph St**
Alexandria, VA 22314

Notes



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