

Docket Item #9  
SPECIAL USE PERMIT #2004-0087

Planning Commission Meeting  
November 4, 2004

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

**APPLICANT:** Curves  
By Jim Gasson

**LOCATION:** 2609 and 2611 Mt. Vernon Ave

**ZONE:** CL/Commercial Low

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**STAFF RECOMMENDATION:** Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the permit conditions found in Section III of this report.

## I. DISCUSSION

### REQUEST

The applicant, Jim Gasson, requests special use permit approval for the operation of a fitness studio (commercial school) located at 2609 and 2611 Mount Vernon Avenue.

### SITE DESCRIPTION

The subject property is two lots of record with 100 feet of frontage on Mount Vernon Avenue, 113 feet of depth and a total lot area of approximately 11,300 square feet. The site is developed with a single story commercial building of 3,392 square feet, and a parking lot of 15 spaces. The parking lot is accessed directly from Mount Vernon Avenue.

Surrounding uses include an elementary school across the street to the west, small business uses to the north and south, including Los Tios Restaurant immediately to the north, a loan business immediately to the south, and residential uses to the east.

### PROPOSAL

The applicant proposes to operate a fitness and weight loss center known as “Curves”. The facility will offer a 30 minute supervised strength and aerobic workout on a circuit of hydraulic exercise machines (see attached plan). The Curves circuit allows 26 users at one time (each 30 minutes). A Curves instructor is always on site checking members’ performance. The specific aspects of the applicant’s proposal are as follows:

Employees: Two employees will be present at the site at any one time.

Hours: The hours of operation are proposed to be 7:00 a.m. to 1:00 p.m. and 3:00 p.m. to 8:00 p.m. Monday through Friday, 8:00 a.m. to 1:00 p.m. Saturday, and closed on Sunday. The applicant anticipates that over time, the hours will increase to 6:00 a.m. to 9:00 p.m. Monday through Friday and 8:00 a.m. to 1:00 p.m. Saturday.

Noise: There is little noise from the hydraulic machines, and minimal trash.

Trash: Trash will be minimal and include paper and lavatory items.

### PARKING

Section 8-200(A)(11) of the zoning ordinance requires that a commercial school for up to 26 students must provide 13 parking spaces. In this case, the building has an off-street parking lot which currently accommodates up to 15 spaces. The applicant anticipates having up to 20 spaces on the lot with the removal of an existing fenced area at the southeast corner of the lot. The applicant complies with the parking requirement.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CL/Commercial Low zone. Section 4-103 (K) of the zoning ordinance allows a commercial school (fitness studio) in the CL zone only with a special use permit. The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for commercial use.

**II. STAFF ANALYSIS**

Staff supports the proposed fitness studio. It is a use that will contribute to the existing mix of uses in the area, and bring more patrons to the existing businesses in the immediate area. There is adequate parking for the studio located on site, and the hours are limited. There are no deliveries to the site, and little trash is generated, which limits the amount of noise that would be generated from trucks visiting the site. While the facility is a franchise business, it is one that compliments other health and fitness uses in the neighborhood, and provides a valuable service to the residents of the neighborhood. In addition, the applicant has agreed to conditions to improve the property by screening the parking lot with landscaping and improving the facade including the installation of a front door. Because there is more than the required number of parking spaces for the use, staff recommends allowing up to 30 students at the facility at any one time to provide more flexibility. With these conditions, staff supports the proposed fitness studio.

**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 business or entity in which the applicant has a controlling interest. (P&Z)
2. The closing hour shall be no later than 10:00 p.m. daily.
3. A maximum of 30 students shall be permitted at any one time. (P&Z)
4. The applicant shall require its employees who drive to work to use off-street parking. (P&Z)
5. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z)

6. If a dumpster is used for trash disposal, the applicant shall provide screening for the dumpster, and maintain the screening in good condition, to the satisfaction of the Director of Planning and Zoning. (P&Z)
7. The applicant shall implement facade improvements to the building, which shall include providing an entrance at the street front of the building, in compliance with the Mount Vernon Avenue Design Guidelines, and to the satisfaction of the Director of Planning and Zoning. The applicant shall submit a plan to staff for approval prior to implementing the improvements. The improvements shall be implemented prior to opening. (P&Z)
8. The applicant shall remove the chain-link fence and storage shed on the parking lot, and restripe the parking spaces in the entire lot. The parking lot, including all areas bordering property lines, shall be kept clear of weeds and litter. (P&Z)
9. The applicant shall screen the parking lot at 2611 Mt. Vernon Avenue by installing landscaping along the western border of the property on both sides of the drive entrance, which may include the removal of paving, to the satisfaction of the Directors of Planning and Zoning and Recreation, Parks and Cultural Services. The applicant shall provide a landscape plan to staff for its approval prior to installation. Installation shall occur prior to opening. (P&Z)
10. Business signs shall comply with the Mount Vernon Avenue Design Guidelines. (P&Z)
11. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
12. The applicant is contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and robbery awareness program for all employees. (Police)
13. The applicant shall conduct employee training sessions on a ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
14. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)

15. The applicant shall install a bike rack to the satisfaction of the Director of Planning and Zoning. (P&Z)
16. Any lighting in the parking lot shall be shielded to prevent glare on adjacent residential properties. (P&Z)
17. 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 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: Eileen Fogarty, Director, Department of Planning and Zoning;  
Valerie Peterson, 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:

- 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.
- R-1 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.
- R-2 No amplified sounds shall be audible at the property line.

##### Code Enforcement:

- F-1 The application addresses for this case are 2609 and 2611 Mount Vernon Avenue. For clarification, it shall be noted that 2609 Mount Vernon involves the structure for the proposed use. 2611 Mount Vernon is the parking lot located adjacent to the structure in question.
- C-1 The current use is classified as B-Business; the proposed use is A-3, Assembly. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 119.4) and compliance with USBC 119.2. including but not limited to: limitations of exit travel distance, emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities.
- C-2 Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit for a change of use. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. These plans shall show provide existing conditions, construction type data, and a plot plan. In addition, these 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 in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.
- C-3 When a change of use requires a greater degree of structural strength, fire protection, exit facilities or sanitary provisions, a construction permit is required (USBC 111.1).

- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-7 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.

Health Department:

- C-1 An Alexandria Health Department permit is required for all regulated facilities (This includes health clubs).
- C-2 Permits are non-transferable.
- C-3 Five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 10, Swimming Pools, Administrative Regulation 20-6, Swimming Pools.
- C-4 Permits must be obtained prior to operation.

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business. This is to be completed prior to the business opening.
- R-2 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.
- R-3 Lighting for the parking lot is to be a minimum of 2.0 foot candles minimum maintained.