

Docket Item #5
SPECIAL USE PERMIT #2005-0002

Planning Commission Meeting
March 1, 2005

ISSUE: Consideration of a request for a special use permit for the expansion of a personal fitness studio and a parking reduction.

APPLICANT: André Prue
3PT Fitness Studio

LOCATION: 814 N. Saint Asaph Street

ZONE: CD-X/Commercial Downtown

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.

SITE GRAPHIC
AVAILABLE IN THE PLANNING AND ZONING OFFICE

I. DISCUSSION

REQUEST

The applicant, André Prue, requests special use permit approval for the expansion of a fitness studio and a parking reduction at 814 North Saint Asaph Street.

SITE DESCRIPTION

The subject property is one lot of record with 21.6 feet of frontage on North Saint Asaph Street, 115 feet of depth and a total lot area of 2,482 square feet. The site is developed with a two story brick building. Access to the property is from North Saint Asaph Street.

To the north of the site is a dance studio, and immediately across N. St. Asaph Street to the east of the site is the Madison Place development which consists of an office building with ground floor personal service and retail uses, the Sheraton Suites Hotel, and underground parking. To the west of the site is the rear yard of the Wendy's restaurant which faces Washington Street. To the south is an office building. The second floor of the subject building is an orthodontist office.

BACKGROUND

On September 13, 2003, City Council granted Special Use Permit #2003-0064 for the operation of a fitness studio and for a parking reduction at 816 N. St. Asaph. Subsequently, the applicant has relocated his fitness studio to 814 N. St. Asaph directly adjacent to the former location.

On January 13, 2005 staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit and to inspect the new location. Staff found that the applicant had moved from his location at 816 N. St. Asaph to the new location at 814 N. St. Asaph prior to obtaining a Special Use Permit or a Certificate of Occupancy. On January 19, 2005, Code Enforcement notified the applicant that he could not operate his business at 814 N. St. Asaph without a valid Certificate of Occupancy and the applicant shut down the operation of his business. The applicant is aware that until he is granted a Special Use Permit and obtains a Certificate of Occupancy, he may not operate his fitness studio.

In meeting with Code Enforcement and the applicant, it was established that the applicant's business would need to be limited to five clients and two employees (including the applicant) at one time in order to continue operating as a Business Use Group at this location. A greater number of clients or employees would change the use to an Assembly Use Group, and substantial alterations to the building would be necessary to meet building code requirements. Although the applicant would like to expand his client base overall, he indicated that he will not increase the number of clients or employees that are present at this location at one time. If he feels it is necessary to have more clients training at one time, he indicated that he would find a more suitable location or make the required alterations.

PROPOSAL

The applicant proposes to operate a personal and small group training studio for up to five clients and two trainers at one time. The trainers and clients will use weight machines, free weights, exercise balls, mats, and cardiovascular equipment. Training may also include running, bicycling and stretch classes. A relaxation room is also proposed as a new service. A radio will be played at a low level and televisions will be provided with head phones.

Hours: The applicant proposes to be open Monday through Friday from 5 a.m. to 9 p.m., Saturday and Sunday from 7:00 a.m. to 7 p.m.

Parking: Pursuant to Section 8-200(A)(17) of the Zoning Ordinance, a minimum of one parking space for every 400 square feet of floor area is required for personal services. In this case, the floor area totals 2,400 square feet, for a parking requirement of six spaces.

No off-street parking is provided on-site. As a part of this SUP, the applicant has filed a request for a parking reduction to allow him to provide no off-street parking and indicates that he will provide monthly parking for employees who drive to work and will fully subsidize the cost of off-street parking for clients at the Sheraton Suites parking garage located directly across North Saint Asaph Street. The applicant had the same arrangement at his former location, and staff is not aware of any complaints regarding this arrangement.

Trash: Trash is expected to be light and include water bottles, food bar wrappers, and general paper products. The dumpster is located in the adjacent alley, and is picked up once a week.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CD-X/Commercial Downtown zone. Section 4-603(S) of the Zoning Ordinance allows a health and athletic studio in the CD-X 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 downtown use.

II. STAFF ANALYSIS

Staff supports the proposed personal training studio at 814 North St. Asaph Street. The proposed use is small with up to five clients and two employees (including the applicant) at one time. Staff supports limiting the use at this location to a maximum of two trainers and five clients at one time due to space and safety considerations. Staff does not anticipate that this use will have a significant impact on the already active area, which includes the dance studio, restaurants, a hotel, and offices.

Staff was concerned about potential parking impacts in the area because there is no on-site parking. However, the applicant proposes to subsidize parking for employees and clients at the garage at the Sheraton Suites Hotel, and staff has included this arrangement as a condition. To ensure that clients and employees utilize this parking, staff has also included a condition that this arrangement be posted in the studio for clients to see, and that the applicant provide to Planning staff the agreement with the Sheraton for off-street parking prior to occupancy. Staff recommends a one year review to ensure that this arrangement and all other conditions are complied with.

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

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 hours of operation of the studio shall be limited to 5:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 7 p.m. Saturday and Sunday. (P&Z)
3. The applicant shall provide fully subsidized off-street parking for all clients and employees who drive to the studio. (P&Z)
4. The applicant shall provide information to its clients regarding its subsidy of off-street parking and shall post signs in the studio directing its clients to park at the Sheraton Suites Hotel garage. (P&Z) (T&ES)
5. The applicant shall provide a copy of the parking agreement with the Sheraton Suites Hotel for employees to the Department of Planning and Zoning prior to occupancy. The agreement must indicate the number of spaces provided and access hours. A renewal of this agreement must be submitted to the Department of Planning and Zoning annually. (T&ES) (P&Z)

6. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES)
7. Prior to opening for business, 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 and a robbery awareness program for all employees. (Police)
8. 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)
9. 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)
10. The number of clients and employees present at the business at one time shall be limited to five clients and two employees. If the applicant is present, only one other employee is allowed to be present. The maximum occupancy at one time is limited to seven persons. (P&Z) (Code Enforcement)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
Katrina Newton, 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:

- 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 available on-street parking in the immediate area is limited the applicant is providing off-street parking, and T&ES believes the proposed use will primarily draw clients from neighboring residents and adjacent offices and will have a negligible impact. T&ES has no objections to the request for parking reduction.
- R-1 All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line.
- R-2 Applicant shall inform customers of the provided off-street parking arrangement, and encourage use by its clients.
- R-3 Provide copy of the parking agreement to the Department of Planning and Zoning prior to occupancy. Agreement must indicate the number of spaces provided and access hours.

Code Enforcement:

- F-1 A revised applicant was submitted on 2/14/05. The applicant indicates occupancy will be limited to 2 staff members and 5 patrons for a maximum occupant load of 7. The applicant shall maintain a maximum occupant load of 7 persons to avoid conditions C-1 and C-2. Should the occupant load be found to exceed 7 persons at any time, the requirements of C-1 and C-2 will be in effect and the applicant shall comply fully with each condition and a modification to this SUP will be required.
- C-1 The current use is classified as B-Business; the proposed use is A-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 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.
- C-3 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, electrical, plumbing, and mechanical layouts and schematics.
- 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 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.

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 11, 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.
- 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.

SUP #2005-0002
814 N. Saint Asaph Street

**REPORT ATTACHMENTS
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