

Docket Item #4
SPECIAL USE PERMIT # 2006-0011

Planning Commission Meeting
April 4, 2006

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

APPLICANT: James Ambrogi

LOCATION: 5416 Eisenhower Avenue
(Parcel Address: 5400 Eisenhower Avenue)

ZONE: OCH/Office Commercial High

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

SITE GRAPHIC
AVAILABLE IN THE PLANNING AND ZONING OFFICE

I. DISCUSSION

REQUEST

The applicant, James Ambrogi, requests special use permit approval for the operation of a yoga studio (commercial school) located at 5416 Eisenhower Avenue.

SITE DESCRIPTION

The subject property is one lot of record with approximately 375 feet of frontage on Eisenhower Avenue, and a total lot area of 3.8 acres. The site is developed with a two-story industrial building and a parking lot with 159 parking spaces. The building has a total of 76,200 square feet subdivided into warehouse units and office space. It is occupied by a variety of light industrial and automobile repair uses. The property abuts the Metro line and RF&P Railroad line directly to the south. Ingress and egress is available only from Eisenhower Avenue. The subject tenant space is on the east side of the building between a window repair facility and an auto service center.



The subject tenant space is at the southeastern corner of the building and occupies 6,500 square feet. The space was previously occupied by offices.

BACKGROUND

On October 25, 1997, City Council granted Special Use Permit #97-0107 for an umbrella special use permit to allow a variety of uses, including warehouse and storage, laundry/cleaning operation, printing and publishing facilities, research and testing and for a parking reduction of 50 spaces. On December 14, 2002, City Council granted Special Use Permit #2002-0098, a review of the permit as required in the previous SUP to ensure that parking issues did not arise. A commercial school use was not included in the approved uses anticipated within the umbrella by Council, and requires a separate SUP.

PROPOSAL

The applicant proposes to operate a Bikram method Hatha yoga studio. Bikram yoga is a 90 minute routine performed in a room heated to 105 degrees. Showers and sinks will be provided. The studio will open at 5:45 a.m. and close at 10:00 p.m., with little activity during the non-class hours. Classes run for 90 minutes, with 30 minutes between classes. Noise and trash levels are anticipated to be minimal. Specific aspects of the operation as described by the applicant are as follows:

Class schedule and anticipated # of students:

Monday-Thursday: 6:15 a.m./15-20 students; 9:30 a.m./25-35 students; 5:30 p.m. and 7:30 p.m./35-45 students

Friday: 6:15 a.m.–15-20 students; 9:30 a.m.–25-35 students; 4:00 p.m. 25-30 students; 6:00 p.m.–30-35 students

Saturday: 8:00 a.m., 10:00 a.m. and 4:00 p.m./40+ students each class

Sunday: 9:00 a.m., 11:00 a.m. and 4:00p.m./40+ students each class

PARKING

Pursuant to Section 8-200(A)(11), the Zoning Ordinance requires a minimum of one parking space for each two students for a commercial school. As the applicant proposes to have a maximum of 50 students, 25 parking spaces are required. The parking required for the various uses in the building is as follows:

Use	Floor Area	Parking Category	Spaces Required
Auto repair	21,000	repair	53
Office	6,000	office	10
Warehouse/industrial	16,327	industrial	30
Retail	12,600	retail	58
Comm. School	5,250	comm. sch	20
Church	4,200	church	10
Vacant	4,200	industrial	12
<i>Proposed Comm Sch</i>	<u>6,450</u>	comm. sch	<u>25</u>
	76,027		218
Spaces Provided:	171 + 50 (approved parking reduction) =		221

The property contains 159 parking spaces as well as 16 loading areas, only four of which are required. The non-required loading bays could be considered parking spaces, for a total of 171 parking spaces on the property. The total parking requirement on the property with the proposed yoga facility is 218 spaces. A parking reduction of 50 spaces was approved under the umbrella special use permit in December 2002. Therefore, as long as the total aggregate parking requirement for the whole building does not exceed 221 spaces, no additional parking approval is required. Although the approved reduction exceeds the difference between the current requirement and what is actually available, additional spaces were included in the reduction to allow some flexibility as

uses change in the building. Therefore, an additional parking reduction is not necessary for the proposed yoga studio as there are a sufficient number of spaces already included in the umbrella parking reduction.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the OCH/Office Commercial High zone. Section 4-1103(U) of the Zoning Ordinance allows a commercial school in the OCH zone only with a special use permit.

The proposed use is consistent with the Landmark/Van Dorn Small Area Plan chapter of the Master Plan which designates the property for office and commercial uses.

II. STAFF ANALYSIS

Staff supports the proposed yoga studio located at 5416 Eisenhower Avenue. The school is less industrial and more consistent with the OCH zone, which staff encourages for the site. The site is occupied by many light industrial and warehouse uses that are not likely to be impacted by the proposed yoga studio. There are no residential uses in the immediate vicinity that would be impacted from the use. There is a dance studio also in the building, and staff is not aware of any issues with that operation. Many of the classes for the yoga studio are offered during evening and weekend hours when most of the other businesses in the building are closed. Staff was somewhat concerned about competition for parking during daytime hours, if the applicant were to choose to provide a daytime class at some point in the future, given that these are peak hours of other uses in the building. However, staff visited the subject property during daytime hours and found numerous available parking spaces.

Staff has included a condition requiring a review of the studio in one year so that if there are problems with its operation, additional conditions may be imposed. Staff has also included a condition requiring that the applicant encourage its employees and students to use mass transit by posting transit schedules.

With these conditions, staff recommends approval of the special use permit for the proposed commercial school.

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 on the site shall be limited to 50. (P&Z)
3. The hours of operation of the facility shall be 5:00 a.m. to 10:00 p.m. daily. (P&Z)
4. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES)
5. 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)
6. The applicant shall encourage its employees and students to use mass transit or to carpool when traveling to and from the facility, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (T&ES)
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, and on how to prevent underage sales of alcohol. (P&Z)
8. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, 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 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, (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;
Richard Josephson, Deputy Director;
Valerie Peterson, 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.
- R-1 All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES)

Code Enforcement:

- 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 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 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-4 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 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-6 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, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-7 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC
- C-8 Required exits, parking, and facilities shall be accessible for persons with disabilities.
- C-9 A new certificate of occupancy shall be obtained prior to occupying this facility.

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 Community Relations 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 Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery readiness program for all employees.

SUP#2006-0011
5416 Eisenhower Avenue

**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE**