

Docket Item #10
SPECIAL USE PERMIT #2006-0035

Planning Commission Meeting
June 6, 2006

ISSUE: Consideration of a request for a special use permit to allow lifestyle and wellness classes at an existing wellness facility and for a parking reduction.

APPLICANT: TechnoloChi, LLC d/b/a Back to Chi
by Daisy Birch

LOCATION: 2305 Mt. Vernon Avenue

ZONE: Mount Vernon Urban Overlay

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, TechnoloChi, LLC, by Daisy Birch, requests special use permit approval to conduct wellness classes (commercial school) located at 2305 Mt. Vernon Avenue and a parking reduction.

SITE DESCRIPTION

The subject property is one lot of record with 57.5 feet of frontage on Mount Vernon Avenue, approximately 107 feet of depth and a total lot area of approximately 3,937 square feet. The site is developed with a one story 4,172 square foot building, currently occupied by Back to Chi and a business and professional office use.



The surrounding area is occupied by a mix of retail, service station, medical office, and business and professional office uses.

PROPOSAL

The applicant requests special use permit approval to operate a commercial school for teaching Yoga, Chi-Kung, breathing, stretching, slow and gentle movement, and personal wellness related services including lifestyle and wellness related topics in conjunction with the existing services available at the facility. The applicant is currently doing business as Back To Chi, Inc. Back to Chi currently occupies approximately 1,400 square feet of space which is used as offices and personal service uses during regular business hours. During off peak hours, the applicant proposes to teach Yoga and Chi-Kung classes. The applicant also requests approval for a full parking reduction of six parking spaces. According to application materials submitted by the applicant, the commercial school will offer the following:

Class Hours:	Mon, Tues, Thurs, & Fri 6:30am-8:30am; 6pm-9pm Sat 7:30am-8:45am & 2:30am- 3:45pm
Maximum students:	One class at any given time containing no more than 12 students.
Trash/Litter:	Low amount of trash generated and collected weekly.

PARKING

Pursuant to Section 8-200(A)(11), the Zoning Ordinance requires a minimum of one space for each two seats for a commercial school. A commercial school with 12 students will be required to provide a minimum of six off-street parking spaces. The applicant has requested a full parking reduction of six spaces. In support of the parking reduction, the applicant has secured a parking arrangement with the property owner, granting Back to Chi four parking spaces at specific times (see attached letter). In addition, the applicant indicates that many of their customers come from the adjacent Del Ray neighborhoods as well as the classes being offered only during off-peak times. On-street parking is also available in front of the business. Since the existing operation is a personal service use, there currently is no parking requirement.

PARKING SURVEY

To assess the existing parking impacts, the applicant conducted a survey of available on-street parking along Mt. Vernon Avenue, between Custis Street and Uhler Street. Within the survey, the applicant indicated that the peak hours of operation for the commercial school will be between 7:30pm and 8:45pm Monday- Friday. The survey included available on-street parking spaces from May 15-17 at 7:30pm and determined that on average, there were a total of 21 on-street parking spaces available along Mt. Vernon Avenue, between Custis and Uhler Streets.

MT. VERNON AVENUE BUSINESS AREA PLAN-PARKING STRATEGY

During the Mt. Vernon Avenue Business Area planning process, a parking utilization study was conducted to understand the current and potential future parking conditions along the Avenue and to assist in formulating the appropriate parking strategies. Generally speaking, the parking study indicated that the existing parking supply along Mount Vernon Avenue is sufficient for the existing demand for parking spaces. The Plan encourages more efficient use of several underutilized off-street parking lots on the Avenue.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the Mount Vernon Urban Overlay zone. Section 4-103(K) of the Zoning Ordinance allows a commercial school in the Mount Vernon Urban Overlay zone only with a special use permit.

The proposed use is also consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for commercial low use.

II. STAFF ANALYSIS

Staff does not object to the proposed commercial school located at 2305 Mount Vernon Avenue. Staff believes that the small commercial school will be a benefit to residents in the surrounding community, and that it is compatible with other personal service uses in this block of Mount Vernon Avenue.

The applicant has made arrangements to have four off-street parking spaces immediately adjacent to the site. While staff does have some concern about the applicant's parking arrangement, staff notes that the proposed commercial school is small, only twelve students at any given time, and will hold classes during off-peak hours. In addition staff recommends a few conditions to reduce the potential for impacts on the surrounding area, including that employees be encouraged to use public transit, that the location of the parking lot be posted in the front window of the business, that promotional materials include information about parking and transit options, and that the applicant maintain an off-street parking arrangement of at least four parking spaces as it relates to the commercial school use.

In addition, the applicant expects that the majority of its students will be within walking distance of the proposed commercial school. Staff does not believe the use will create parking problems on Mount Vernon Avenue and has included conditions to restrict the number of students on-site to twelve and the class hours to off peak hours only. Staff has also included a condition requiring a review of the school after it has been operational for one year so that if there are problems with its operation, additional conditions may be imposed. With these conditions, staff recommends approval of the special use permit and the parking reduction of six spaces.

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 commercial school shall be limited to between Monday- Friday 6:00am- 9:00am and 6:00pm-9:00pm; Saturday 6:00am- 9:00am and 2:00pm- 9:00pm; Sunday 7:00am- 7:00pm. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. 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)
5. 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)

6. The maximum number of students on site at any time may not exceed 12. (P&Z)
7. The applicant shall erect signs on the wall of the building prohibiting parking in the designated fire lane to the approval of the Director of Planning and Zoning. (P&Z)
8. At such time that a shared parking program has been adopted by the City Council, the applicant shall participate in the program. In addition, the applicant shall require its employees who drive to work to use off-street parking. (P&Z)
9. The applicant shall post signs at the front of the building directing patrons to the location of off-street parking to the satisfaction of the Director of Planning and Zoning. (P&Z)
10. The parking reduction of six spaces shall be granted and the applicant shall provide at least 4 off-street parking spaces through an agreement with the property owner located at 2307 Mt. Vernon Avenue. If this agreement changes in any manner, the applicant will provide the City with evidence that he has secured at least four off-street parking spaces at another location to the approval of the Director of Planning and Zoning. (P&Z)
11. Advertising and promotional material for the restaurant shall include information about parking and public transit options. (P&Z)
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 install a bike rack to the satisfaction of the Director of Planning and Zoning. (P&Z)

14. 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 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, (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;
James Hunt, 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:

F-1 No comment

Code Enforcement:

- C-1 The current use is classified as M, Mercantile; the proposed use is B, Business. 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 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11.
- 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.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. Permits are non-transferable.
- C-2 This facility must meet current Alexandria City Code requirements for massage establishments.
- C-3 Permits must be obtained prior to operation.
- C-4 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 4.2, Massage Regulations.
- C-5 All massage therapists must possess a current massage therapist certification issued by the Commonwealth of Virginia in accordance with the Code of Virginia Chapter 599, § 54.1-3029 and must possess a current massage therapist permit issued in accordance with Alexandria City Code Title 11, Chapter 4.2 prior to engaging in any massage activity.

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 employee.

SUP#2006-0035
2305 Mount Vernon Avenue

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