

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.

Docket Item #5
SPECIAL USE PERMIT # 2007-0117

Planning Commission Meeting
January 3, 2008

ISSUE: Consideration of a request for a special use permit to operate wellness classes and massage therapy.

APPLICANT: Ann Bartlett

STAFF: Richard W. Bray
Richard.bray@alexandriava.gov

LOCATION: 1423 Powhatan Street Unit 7

ZONE: CSL/Commercial Service Low

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.



I. DISCUSSION

REQUEST

The applicant, Ann Bartlett, requests special use permit approval for the operation of a wellness center with massage and classes located at 1423 Powhatan Street.

SITE DESCRIPTION

The subject property is one lot of record with 95 feet of frontage on Powhatan Street, 123 feet of frontage on Portner Road and 250 feet of depth. The site is developed with an office condo building. The applicant occupies a 2,329 square foot suite within the building. Access to the property is from Portner Road.



The surrounding area is occupied by a mix of residential, commercial and office uses. Immediately to the north is a commercial warehouse. To the south is a commercial warehouse housing Page One Science. To the east and west are residential townhouses.

BACKGROUND

The applicant currently operates a wellness center at this location. The wellness center currently offers chiropractic, psychotherapy, acupuncture and massage therapy. The proposed classes and addition of another massage therapist requires a Special Use Permit.

PROPOSAL

The applicant proposes to expand the wellness center currently operating at 1423 Powhatan Street. The expansion will include a second massage therapist and wellness classes, including yoga, pilates and other forms of movement therapy. The hours of operation are not changing.

Hours: Monday – Thursday, 8:00 am – 8:00 pm
Friday, 8:00 am – 6:00 pm
Saturday, 9:00 am – 4:00 pm
Sunday, 1:00 pm – 6:00 pm

Number of students: Current: Personal service instruction, no classes
Proposed: 12

Noise: No noise impacts anticipated

Trash/Litter: Commercial trash is picked up once a week, there is no litter anticipated

PARKING

According to Section 8-200(A)(17) of the Zoning Ordinance, a personal service use requires one parking space for every 400 square feet. A personal service use with 2,329 square feet will be required to provide six off-street parking spaces. According to Section 8-200(A)(11) of the Zoning Ordinance, a commercial school with 12 students will be required to provide six off-street spaces. The applicant exceeds the required parking with the exclusive use of seven on-site parking spaces.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CSL/Commercial Service Low zone. Section 4-303(V) of the Zoning Ordinance allows a commercial school in the CSL zone only with a special use permit.

The proposed use is consistent with the Northeast Small Area Plan chapter of the Master Plan which designates the property for light service use.

II. STAFF ANALYSIS

Staff supports the expansion of this business. The current operation has had no complaints at this location or at their previous location at 300 South Washington Street. The proposed increase in the wellness center will not have negative impacts on the neighborhood. The center provides sufficient parking for the use. Staff has included a condition requiring all massage therapists to be state licensed. This is an active use that provides a valuable service to the Northeast neighborhood.

With the following 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 commercial school shall be limited to Monday through Saturday, 8:00 am to 8:00 pm and Sunday, 12:00 pm to 6:00 pm. (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. (P&Z)
6. All massage therapists must be licensed by the Commonwealth of Virginia. (P&Z)
7. The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
8. 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)
9. Applicant shall contribute \$500.00 to the Litter Control Fund for the installation of litter receptacles along the public right-of-ways. Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of City Council approval. (T&ES)
10. 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. (T&ES)
11. 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. (Police)
12. 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: Faroll Hamer, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director, Department of Planning and Zoning;
Richard Bray, 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 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (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 Applicant shall contribute \$500.00 to the Litter Control Fund for the installation of litter receptacles along the public right-of-ways. Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of City Council approval. (T&ES)
- R-4 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. (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).

Code Enforcement:

- C-1 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-2 Any proposed alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

- C-3 Any proposed additions and alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit (USBC 108.1). Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application (USBC 109.1).

Health Department:

- F-1 No Comment

Parks & 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 survey for the business.
- F-1 The applicant has indicated that the proposed use will not include the sale of beer, wine, or mixed drinks. The Police Department concurs.

SUP #2007-0117
1423 Powhatan Street

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