

CONSENT AGENDA ITEM

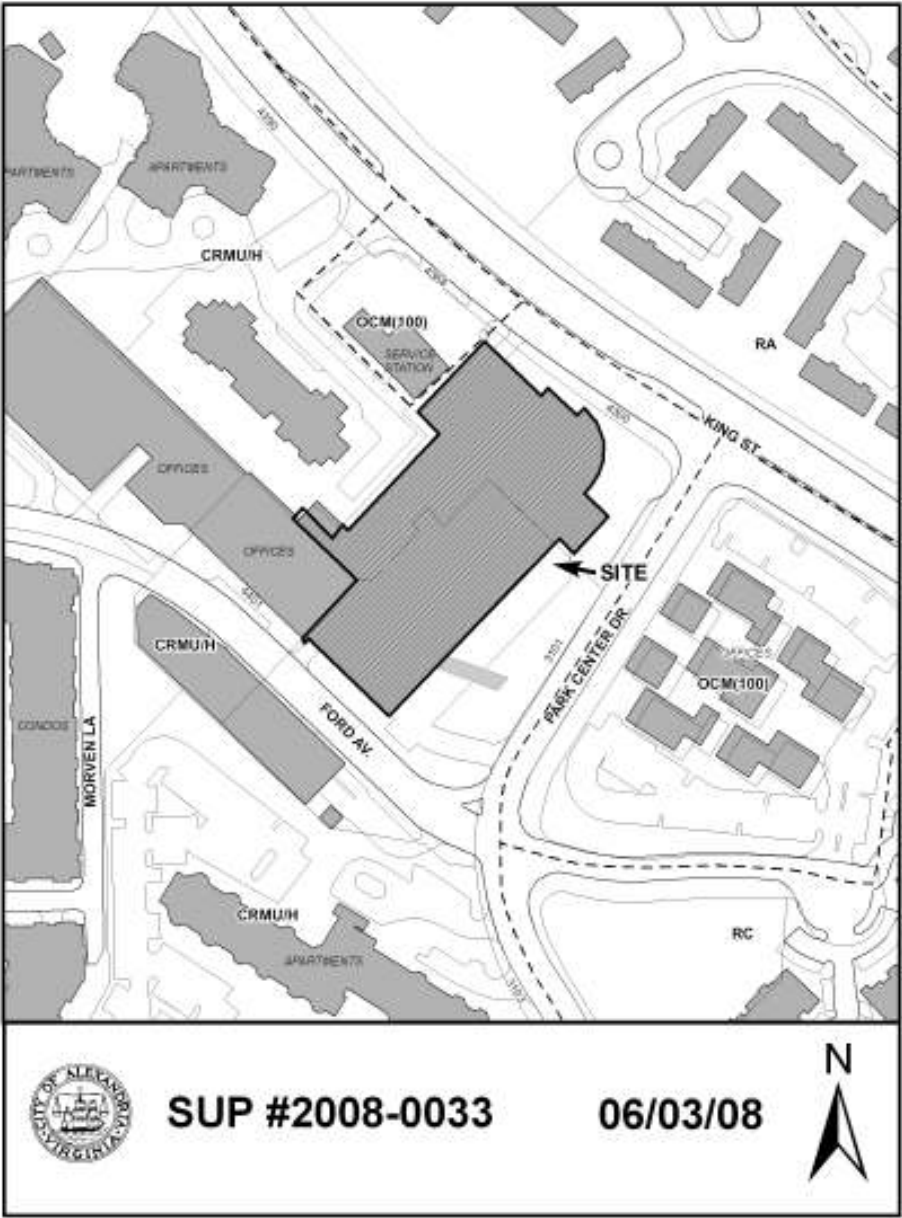
If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Docket Item #6
SPECIAL USE PERMIT #2008-0033

Planning Commission Meeting
June 3, 2008

- ISSUE:** Consideration of a request for a special use permit to expand a health club and an increase in the hours of operation.
- APPLICANT:** Capital Fitness- King Street, LLC
By M. Catharine Puskar
- STAFF:** Richard W. Bray
Richard.bray@alexandriava.gov
- LOCATION:** 4300 King Street
- ZONE:** CRMU/H/Commercial Residential Mixed Use 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.



I. DISCUSSION

REQUEST

The applicant, Capital Fitness, Inc, requests amendments to an approved special use permit for the expansion of a health and athletic club located at 4300 King Street.

SITE DESCRIPTION

The subject property is a 55,000 square foot tenant space in one lot of record with 270 feet of frontage on King Street, 160 feet of frontage on Park Center Drive and a total lot area of 55,567 square feet. The tenant space is occupied by the athletic club and a former restaurant (Copeland's). The remainder of the site is developed with a high rise office building. Access to the property is from Park Center Drive.



The surrounding area is occupied by a mix of office, residential and service uses. Immediately to the northeast is the Fairlington Condos community. To the northwest is an automobile service station. To the south are office buildings.

BACKGROUND

On June 16, 1984, City Council granted Special Use Permit #1681 for the operation of a health and athletic club. The athletic club operated under this Special Use Permit from 1984 to October 31, 2006.

On September 13, 1986, City Council granted Special Use Permit #1933 to allow the operation of a restaurant. On June 12, 1999 City Council granted Special Use Permit #99-0039 for the expansion of the existing restaurant. Copeland's restaurant ceased operations on April 18, 2007.

PROPOSAL

The applicant proposes to expand the athletic club into the adjoining vacant restaurant space and increase the hours of operation from the previous hours of 6:00 am to 11:00 pm, daily to 24 hours a day, 7 days a week. The facility previously offered racquetball and basketball courts, a climbing wall, swimming pool, personal training and spa services. The expansion will increase and improve the existing services as well as adding a juice bar and apparel sales. The athletic club will utilize the outdoor seating area formerly used by the restaurant.

Hours: Previous: 6:00 am - 11:00 pm, daily
 Proposed: 24 hours a day, daily
 Anticipated peak usage: 6:00 am – 8:00 am & 5:00 pm – 9:00 pm

Number of customers: Up to 1,500 anticipated over a 24 hour period

Noise: There are no noise impacts anticipated

Trash/Litter: Commercial collection once per week or more frequent if necessary; no litter is anticipated, employees will patrol site for litter

PARKING

According to Section 8-200(A)(17) of the Zoning Ordinance, a health club requires one parking space for every 400 square feet. A health club with 55,000 square feet will be required to provide 138 off-street parking spaces. The applicant will provide 140 spaces in the on site parking garage.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CRMU-H/Commercial Residential Mixed Use (High) zone. Section 5-303(H) of the Zoning Ordinance allows a health and athletic club in the CRMU-H zone only with a special use permit.

The proposed use is consistent with the Alexandria West Small Area Plan chapter of the Master Plan which designates the property for a mix of residential, commercial and office uses in high density settings.

II. STAFF ANALYSIS

Staff supports the re-establishment and expansion of the health club facility. The location is ideally situated in a high rise office park. This enables the club to provide services to the many employees working in the surrounding offices. The convenient location at the western end of King Street provides easy access to commuters in the mornings and evenings and allows patrons flexibility in scheduling. The athletic club will occupy space in the office building vacated with the closing of Copeland's restaurant. The 24 hour a day nature of the operation will not have impacts on the neighborhood due to the office nature of the surrounding area. The Fairlington Condominium community is buffered from the use by King Street and the athletic club operations are contained inside the office building. Lighting levels are not proposed to change. Staff feels that the neighboring residential community is insulated against glare. The club requests the use of the outdoor seating formerly utilized as outdoor dining by Copeland's. In order to prevent patrons of the athletic club from disturbing the residents of Fairlington, staff is adding the condition that the outdoor seating be closed at 11:00 pm. Staff has also included the standard one year review condition to ensure that there are no problems with the operation of the expanded health and athletic club.

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 or limited liability company in which the applicant has a controlling interest. (P&Z)
2. The health and athletic club shall be permitted to operate 24 hours a day, 365 days a year. (P&Z)
3. 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)
4. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions. (P&Z)
5. The outdoor seating area shall be open to patrons from 6:00 am to 11:00 pm daily. (P&Z)
6. The outdoor seating area shall be cleaned daily. (P&Z)
7. Trash shall be collected at least once a week or more often if necessary. (P&Z)
8. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES)
9. Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
10. 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)
11. 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)

12. 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)
13. 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)
14. Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)
15. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the health club. (Police)
16. 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: Richard Josephson, Acting 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 All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES)
- R-2 Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-3 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-4 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-5 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-6 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 Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- C-2 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:

- F-1 The current use is classified as **A-2**; the proposed use is **A-3**. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 116.2) and compliance with USBC 116.1 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.
- F-2 The applicant shall submit a detailed floorplan, outlining dimensions of the proposed space to be used and any and all fire protection systems currently in place.
- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 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-3 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-4 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 116.1.
- C-5 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 108.1).
- C-6 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-7 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Permits are non-transferable.
- C-3 Permits must be obtained prior to operation
- C-4 Five sets of plans are to be submitted to and approved by this department prior to construction of any facility regulated by the health department.
- C-5 Plans for food facilities must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-6 Pool plans must comply with Title 11 Chapter 11, Swimming Pools. Tourist establishment pools must have six (6) sets of plan submitted.
- C-7 Personal grooming facilities must comply with Title 11, Chapter 7, Personal Grooming Establishments.
- C-8 Tanning Salons must meet State code Title 59.1, Chapter 24.1, Tanning Facilities.
- C-9 Massage facility plans must comply with Title 11, Chapter 4.2 Massage Regulations. All massage therapist 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 and Alexandria Massage permit in accordance with Alexandria City Code Title 11, Chapter 4.2 prior to engaging in any massage activity.
- C-10 Food must be protected to the point of service at any outdoor dining facility.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

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 health club.
- F-1 The applicant is not seeking an A.B.C. permit. The Police Department concurs.
- F-2 The Police Department has no objections to the health club expansion or the increase in hours of operation.

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