



City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit #2018-0044
Approved by Planning and Zoning: June 6, 2018
Permission is hereby granted to: YogaWorks
to use the premises located at: 100 South Patrick Street
for the following purpose: see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

6/6/2018

Date

K. Moritz

Karl Moritz, Director

Department of Planning and Zoning

DATE: June 6, 2018

TO: Mary Christesen, Acting Division Chief Land Use
Services
Department of Planning and Zoning

FROM: Madeleine Sims, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2018-0044
Administrative Review for a Minor Amendment
Site Use: Private Commercial School
Applicant: YogaWorks
Location: 100 S. Patrick Street
Zone: KR/King Street Retail

Request

Special Use Permit #2018-0044 is a request for a minor amendment to an existing private commercial school, YogaWorks, to expand operation hours from 6:30 a.m., to 5:30 a.m., Monday through Friday. No changes to the current operations are proposed. The business would continue to offer daily yoga classes and would operate between the hours of 5:30 a.m. to 9 p.m., Monday through Friday and 9 a.m. to 6 p.m. on Saturday and Sunday.

Background

The subject property is one lot of record located on the southeast corner of the intersection of King Street and South Patrick Street. The site is developed with a two-story masonry building. City Council approved a private commercial school in 2002 under SUP#2002-0102. In 2004, SUP #2004-0027 was approved by staff for an expansion of the use and the addition of a personal training room and office space. In 2018, staff administratively approved SUP#2018-0021, a change of ownership from Natasha Hennessy to YogaWorks. In 2018, a zoning inspection revealed that the operation was in violation of Condition #3 for hours of operation by hosting a yoga class at 6 a.m.; the manager was made aware of the violation and subsequently applied for the minor amendment.

Parking

The subject property is located within the Central Business District (CBD). According to Section 8-300 (B) of the Zoning Ordinance, private commercial schools located within the CBD are not subject to standard parking requirements.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, Old Town Civic Association was sent an email notification of the current application. Staff has not received any comments from residents or adjacent businesses.

CONDITIONS OF SPECIAL USE PERMIT #2018-0044

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP#2002-0102)
2. A maximum of 23 students shall be permitted for each class. (P&Z) (PC) (SUP#2002-0102)
3. **CONDITION AMENDED BY STAFF:** The hours of operation shall be limited to 5:30 a.m. 6:30 a.m. to 9:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m. Saturday and Sunday. (P&Z) (SUP#2002-0102)
4. Condition deleted. (P&Z)
5. Condition deleted. (P&Z)
6. 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. (P&Z) (SUP#2002-0102)
7. **CONDITION AMENDED BY STAFF:** The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP#2002-0102)
8. **CONDITION AMENDED BY STAFF** The applicant shall require that its employees who drive to work use off-street parking. (P&Z) (SUP#2002-0102)
9. The applicant shall post signs directing patrons to the availability of commercial parking facilities in the immediate area. (T&ES) (SUP#2002-0102)
10. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of these containers. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (T&ES) (P&Z) (SUP#2002-0102)
11. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit after one year and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- R-1 6. 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) (SUP 2004-00027)
- R-2 7. CONDITION AMENDED BY STAFF: The use must comply with the city's noise ordinance. 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-3 8. CONDITION AMENDED BY STAFF: The applicant shall require that its employees who drive to work use off-street parking. (T&ES)
- R-4 10. CONDITION AMENDED BY STAFF: ~~Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in enclosed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of these containers.~~ Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (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. (T&ES) (SUP 2004-00027)
- C-2 City Code Requirements Added by Staff: 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). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2018-0044. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the private commercial school at 100 South Patrick Street.



Applicant - Signature

6-11-18
Date



Applicant - Printed

6-11-18
Date