

DATE: May 6, 2015

TO: Alex Dambach, Division Chief
Department of Planning and Zoning

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2015-0036
Administrative Review for Change of Ownership
Site Use: Home for the Elderly
Applicant: Watermark Washington House LLC
Location: 5100 Fillmore Avenue
Zone: RC / High-Density Apartment

Request

Special Use Permit #2015-0036 is a request to change the ownership of an existing home for the elderly at 5100 Fillmore Avenue from Fountains at Washington House to Watermark Washington House LLC. The business plans to continue to function as a retirement home (or home for the elderly, according to the Zoning Ordinance) with 201 living units, an accessory health and athletic club, and other accessory food and personal services for residents. Accessory medical services offered to residents would continue to include rehabilitation and skilled nursing. The applicant plans to operate under the trade name of Watermark Washington House.

Background

A home for the elderly, with accessory uses including infirmary beds and outpatient care, has been operating at this location since at least 1970, when City Council approved SUP#803 for the use. In the 1970s, City Council approved three SUP amendments to increase the number of patients and residents at the home. City Council approved SUP#98-0033 in May 1998 to add the health and fitness center as an accessory use to the site. Most recently, staff administratively approved SUP#2010-0076 in December 2010 as a minor amendment to change the hours of operation for the accessory fitness center.

On April 14, 2015, staff inspected the site for compliance with the conditions of existing SUP#2010-0076 and found no violations. No complaints have been received regarding the retirement home since the last SUP was approved in December 2010.

Community Outreach

Public Notice has been provided through eNews and the City's website. Additionally, notification of the proposed change of ownership has been sent to the Domain Condominium Association. Staff has not received any comments from the public regarding this request.

Staff Action

Staff supports the change of ownership and views it as a reasonable request. The business has operated without complaints or observed SUP violations since at least its most recent prior SUP approval in 2010.

All existing conditions from SUP#2010-0076 have been carried forward into the current request. Staff has also added two new conditions, regarding trash storage and employee training, which are standard conditions in SUP approvals. Existing Condition #16, requiring a standard one-year review, has been renewed such that another one-year review will be required one year from today, or in approximately May 2016.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:

Date: May 6, 2015
Action: Approved

Alex Dambach, Division Chief

Attachments: 1) Special Use Permit Considerations
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2015-0036

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 number of living units shall be limited to no more than 201 units. (SUP#2010-0076)
2. The infirmary shall be limited to no more than a total of 74 beds. (SUP #1111)
3. The accessory uses enumerated in paragraph six of the staff report for SUP#852B shall be limited to use by occupants of the building and their guests. (SUP#2010-0076)
4. Residents and patients located at the home for the elderly shall be limited to persons 55 years of age or older. (SUP#2010-0076)
5. The applicant shall maintain plant material (trees and shrubs) in the painted islands as well as those grass areas created by the new addition and parking arrangement included in Exhibit A of SUP#1111. (SUP#2010-0076)
6. The hours of operation of the senior fitness center shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday only. (P&Z) (SUP#2010-0076)
7. CONDITION SATISFIED AND DELETED BY STAFF (SUP#2010-0076)
8. CONDITION SATISFIED AND DELETED BY STAFF (SUP#2010-0076)
9. The applicant shall contact the Community Relations Unit of the Alexandria Police Department for a security survey for the business and robbery readiness training for all employees. (Police) (SUP#2010-0076)
10. Lighting in the parking lot shall be maintained at a minimum of 2.0 foot candles. (Police) (SUP#98-0033)
11. All lighting shall be directed downward and shall be screened at the sides to avoid glare on the street and on adjacent residential uses to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP#98-0033)
12. The Special Use Permit shall be granted to the applicant or to any corporation in which the applicant has a controlling interest only. (P&Z) (SUP#2010-0076)
13. 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#2010-0076)
14. The applicant shall require its fitness center 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 all employees. (T&ES) (SUP#2010-0076)

15. 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#2010-0076)
16. **CONDITION AMENDED BY STAFF:** 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 a result of a complaint that rises to the level of a violation of the permit conditions, or (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) (SUP#2010-0076)
17. **CONDITION ADDED BY STAFF:** Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape or invasion by animals. No trash and debris shall be allowed to accumulate outside of those containers. Outdoor trash receptacles shall be screened to the satisfaction of the Director of Planning & Zoning. (P&Z)
18. **CONDITION ADDED BY STAFF:** 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)

SUP2015-0036
5100 Fillmore Avenue

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2015-0036. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the home for the elderly at 5100 Fillmore Avenue.


Applicant - Signature

5/13/15
Date

David Barnes
Applicant - Printed

5/13/15
Date