



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of September 15, 2012

DATE: September 5, 2012

SUBJECT: U-3305-11-1 USE PERMIT REVIEW for a spin class studio in a retail space for Revolve 1, LLC; located at 1025 N. Fillmore St., Suite J (RPC# 18-024-020).

Applicant:

Revolve 1, LLC
360 Madison Ave, Suite 2401
New York, New York 10017

By:

G. Evan Pritchard
Walsh, Colucci, Lubeley, Emrich and Walsh
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Renew the subject use permit, subject to the conditions of the staff report and with a three (3) year County Board review (September 2015).

ISSUES: This is a one (1) year use permit review for a spin class studio in a retail space, and no issues have been identified.

SUMMARY: This is a use permit review for a spin class studio located within first floor retail space at the ZOSO Flats. A use permit was required for the spin class studio in accordance with the requirements listed in the Arlington County Zoning Ordinance for [“C-TH” Service Commercial Town House Districts](#). The use permit was approved by the County Board in September 2011. Since the use permit approval, the spin studio has operated in compliance with the use permit conditions. Other County agencies have been contacted and report no issues. The Clarendon-Court House Civic Association, the Lyon Park Citizens’ Association, the Clarendon 1021 Condominium and the Clarendon Alliance were contacted about this use permit review.

County Manager:

BMD/GA

County Attorney:

[Handwritten signatures]

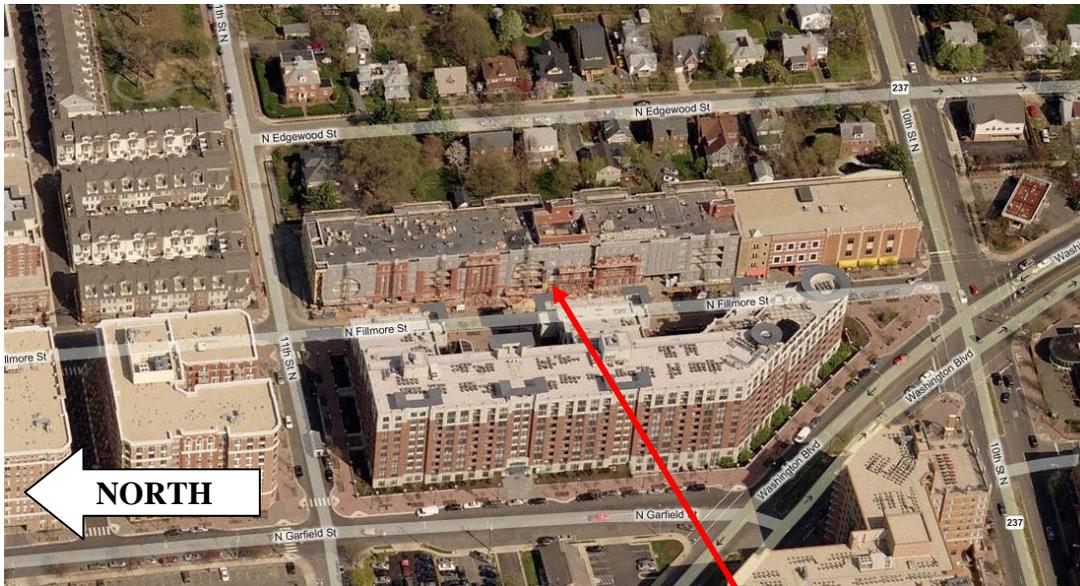
Staff: Marco Antonio Rivero, DCPHD, Planning Division

PLA-6273

The Clarendon-Court House Civic Association supports renewal of the use permit. As of the date of this report, staff has not received formal comments from the other organizations. Because there appear to be no issues with this use, staff recommends that the use permit be renewed, subject to all previously approved conditions and with a three (3) year County Board review (September 2015).

BACKGROUND: On July 13, 2004, the County Board approved a proffer agreement with a rezoning for a mixed-use project with 114 dwelling units and 23,133 square feet of retail/office space. The building is now occupied and is known as the ZOSO Flats. The County Board approved a use permit for the Revolve spin studio in September 2011. The applicant was issued a certificate of occupancy for the space in November 2011.

The following graphics provide additional contextual information about the site:



Source: Bing™ Maps

**Location of Revolve 1 Spin Studio:
1025 N Fillmore St, Suite J**

Current Façade of Revolve Spin Studio:



Source: Marco A. Rivero, DCPHD, Planning Division

DISCUSSION: The applicant has been offering indoor cycling exercise classes, commonly known as “spin classes”, Sunday through Saturday, seven (7) days a week with four (4) to eight (8) 45-minute classes every day. Classes are offered on weekdays between 6 a.m. and 10:30 a.m. and between 5:30 p.m. and 7:30 p.m. On weekends, classes are offered between 9 a.m. and 12 p.m. Class sizes are limited to a maximum of 45 students. At any given time, there are a maximum of four (4) employees on-site.

The property is zoned [“C-TH” Service Commercial Town House Districts](#). Proffer #59 addresses retail elements and implementation of a retail attraction and marketing plan (RAMP) for the retail/office space located on the first floor of the building. There is no change in use associated with this use permit since a commercial service is provided with the spin class studio. The retail business is also consistent with the Clarendon Sector Plan, which envisions a mix of uses, including specialty shops and personal services in this area. Although the applicant states that they expect very few patrons to arrive by car, retail parking is available on the first level of the building’s parking garage.

Since the use permit approval (September 17, 2011):

Use Permit Conditions: The spin studio operates in compliance with all use permit conditions.

Community Code Enforcement: Community Code Enforcement has not expressed any concerns regarding the continuation of this use permit.

Police Department: The Police Department has not expressed any concerns regarding the continuation of this use permit.

Fire Marshal's Office: The Fire Marshal's Office has not expressed any concerns regarding the continuation of this use permit.

Civic Associations: The site is located within the boundaries the Clarendon-Courthouse Civic Association area and is adjacent to the Lyon Park Citizens Association. Staff contacted both civic associations regarding this use permit review. Furthermore, the Clarendon 1021 Condominium management office and the Clarendon Alliance were also contacted about this use permit review. The Clarendon-Courthouse Civic Association has no objections to the use permit renewal. As of the date of this report, staff has not received formal comments from the other organizations.

CONCLUSION: The spin studio has operated in compliance with the approved use permit conditions. No issues or concerns regarding this use have been raised during this review. The civic associations and other area organizations have been contacted. The Clarendon-Courthouse Civic Association supports renewal of the use permit. Therefore, staff recommends that the use permit be renewed, subject to all previously approved conditions and with a three (3) year County Board review (September 2015).

Approved conditions:

1. The applicant agrees to meet the requirements of the Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshal's Office, including securing the appropriate assembly permit prior to the issuance of a certificate of occupancy.
2. The applicant agrees that classes shall be offered Monday through Friday between 6 a.m. and 10:30 a.m. and between 5:30 p.m. and 7:30 p.m.; Sunday through Saturday between 9 a.m. and 12 p.m.
3. The applicant agrees that classes shall be limited to a maximum of 45 students. No more than one (1) class shall occur at any given time, with no more than four (4) to eight (8) 45-minute classes occurring every day. The applicant shall submit a copy of their class schedule detailing these requirements to the Zoning Administrator upon application for a certificate of occupancy.
4. The applicant shall encourage walking, biking, and the use of public transportation by providing public transit information at the studio and on their website and recommending these alternatives to students.

Marco Rivero

From: Kenneth Fulton <kennethgfulton@yahoo.com>
Sent: Wednesday, August 22, 2012 8:41 PM
To: Marco Rivero
Subject: Re: U-3305-11-1 Use Permit Review for Revolve 1 Spin Studio - CCCA has no objections

Categories: Red Category

Marco,

The CCCA met on Tuesday, August 21 and discussed the renewal of the Revolve 1 permit. The CCCA has no adverse comments or objections to the permit renewal.

Thank you for the opportunity to comment.

Regards,

Ken Fulton
CCCA President

From: Marco Rivero <Mrivero@arlingtonva.us>
To: Kenneth Fulton <kennethgfulton@yahoo.com>
Sent: Tuesday, August 21, 2012 9:13 AM
Subject: RE: [ccca-president] U-3305-11-1 Use Permit Review for Revolve 1 Spin Studio

Thank you Ken, I am looking forward to your comments soon.

Have a great day.
Marco

Marco Antonio Rivero
Associate Planner

All correspondence sent to and from Arlington County Government is subject to the public record laws of the Commonwealth of Virginia.

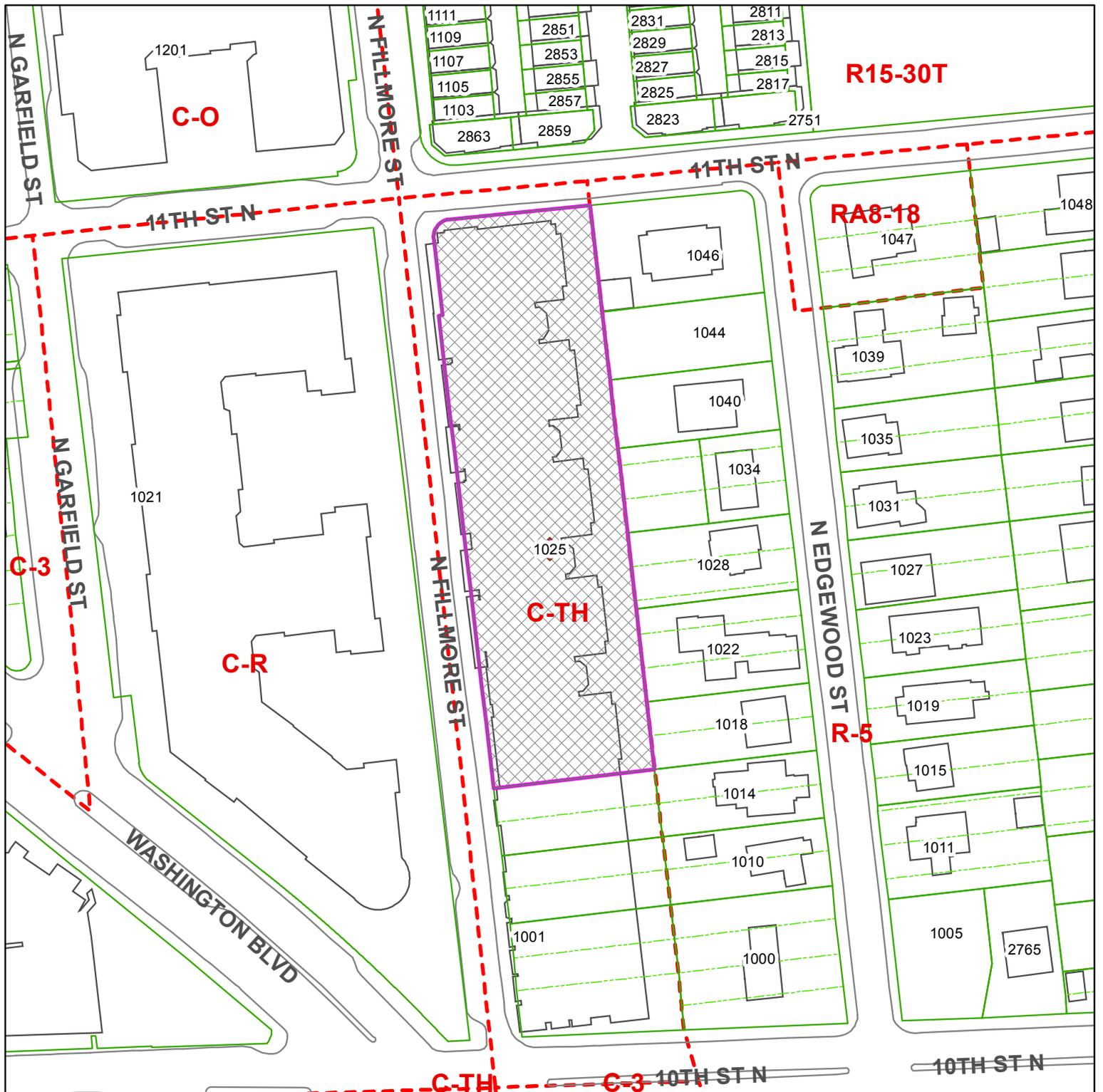
From: Kenneth Fulton [<mailto:kennethgfulton@yahoo.com>]
Sent: Monday, August 06, 2012 8:04 PM
To: Marco Rivero
Subject: Re: [ccca-president] U-3305-11-1 Use Permit Review for Revolve 1 Spin Studio

Marco,

Thank you for advising us of this upcoming permit renewal. We will have this on the agenda for the CCCA meeting August 21, and I will provide comments, if any, shortly afterward.

Regards,

Ken Fulton
CCCA President



U-3305-11-1

1025 N Fillmore St

RPC: 18-024-020



 Case Location(s)
 Scale: 1:1,200

Note: These maps are for property location assistance only. They may not represent the latest survey and other information.