

# City of Alexandria, Virginia

## MEMORANDUM

**DATE:** JUNE 4, 2024

**TO:** CHAIR NATHAN MACEK  
AND MEMBERS OF THE PLANNING COMMISSION

**FROM:** KARL W. MORITZ, DIRECTOR  
DEPARTMENT OF PLANNING & ZONING

**SUBJECT:** DOCKET ITEM #2 – ZTA #2024-  
RECREATION AND ENTERTAINMENT USES

This memorandum includes a map identifying the locations of the CL, CC, CSL and Mount Vernon Urban Overlay zones (yellow) where the recreation and entertainment use would be added. The green areas indicate the 14 commercial-oriented zones where the use is presently allowed. Additionally, information that staff shared with Commissioner Lyle in response to her follow-up emailed questions on the recreation and entertainment use is included.



Staff wanted to share with the commission email discussions regarding recreation and entertainment uses we discussed over email with Commissioner Lyle.

As a basis for discussion, the present-day recreation and entertainment definition is:

Section 2-188.1. Commercial uses for indoor or outdoor participation in or observation of games, arts, culture, recreation or similar activities. Recreation uses in this definition are other than those listed in [section 2-129.1](#) for congregate recreational facilities [*referencing the POS zone*].

Recreation and entertainment uses include but are not limited to:

- Amusement parks;
- Athletic fields;
- Billiard halls;
- Bowling alleys;
- Children's play areas;
- Court game facilities;
- Game rooms;
- Golf courses, miniature or otherwise, and driving ranges;
- Skating rinks;
- Swimming pools;
- Theaters;
- Video arcades.

We have not separately defined each of the sample uses, like “child play area,” to not tie ourselves to any one specific type of play, given that that the names of popular activities come and go. This rationale follows for other sample generally termed uses, such as “athletic fields,” “court game facilities,” and the proposed “dog play area.” The list of examples simply reinforces the introductory statement in the recreation and entertainment use definition, providing staff with enough information to accurately define a use.

If an applicant would like the flexibility to have different types of outdoor recreation and entertainment uses considered in an SUP, we would ask that they include each in an application. The potential for varying levels of impacts exists and each would need to be evaluated separately with conditions included to offset impacts.

Occasionally, you have seen SUP requests that included accessory outdoor games, although staff is not aware of any that have been installed. An outdoor recreation and entertainment use could be considered as accessory and not require SUP approval if, according to Section 2-200.2, it is “clearly subordinate to and serves a permitted principal use; and is subordinate in area, extent and purpose to the principal use served. An accessory use generally occupies less than one-third of the gross floor area of the principal use and does not change the character of the principal

use.” Staff considers the outdoor games proposed at Hops N Shine as accessory to the outdoor dining use given that they occupy a minimal area on the site and outdoor dining and live entertainment, if approved, are the principal uses. On the other hand, an SUP for Gostov’s outdoor area on Mount Vernon Avenue is docketed for your review in late June and includes three forms of recreation and entertainment use, determined to be a principle use along with the outdoor dining. The strict perimeters of each combined measure just under one-third, however, spectators of the recreation and entertainment features – dog run, sand box, and bocce ball court – add to the overall area dedicated to the use, increasing the area closer to one-third. Recreation and entertainment in this instance creates an overall use that is not “clearly subordinate” to outdoor dining, and substantially changes the character of the principal use to one reading more as a private park.

Like many of our zoning ordinance defined uses, such as outdoor dining and temporary trailers, dog play areas must also comply with state code requirements. In SUPs, we do not include conditions for state building, fire, or health codes as these are enforced through a different set of requirements outside zoning ordinance authority. A dog play area in the amendment to the recreation and entertainment definition would not be limited to dining establishments, but would apply to standalone operations or other businesses wishing to include one. Any outdoor dining establishment with an off-leash dog play area requires approval of a local and state variance.