

DATE: November 18, 2013

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

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2013-0079
Administrative Special Use Permit for New Use
Site Use: Massage Establishment
Applicant: LCM Enterprises, Inc.
Location: 3642 King Street
Zone: CG / Commercial General

Request

Special Use Permit #2013-0079 is a request to operate a new message establishment at 3642 King Street in the Bradlee Shopping Center. The applicant plans to offer therapeutic message in 11 treatment rooms. Up to 12 massage therapists will be on premises at any one time. The hours of operation are proposed to be between 8 a.m. and 10 p.m. seven days each week. The business is expected to operate as part of a nationwide franchise known as “Massage Heights.”

Background

In 2011, the applicant obtained Administrative Special Use Permit approval (SUP#2011-0059) for a similar massage establishment proposed for the Foxchase Shopping Center. The business never opened and the SUP expired.

Parking

Pursuant to Section 8-200(A)(17) of the Zoning Ordinance, a massage establishment is required to provide one off-street parking space for every 400 square feet of tenant space. The 2,588 square-foot massage establishment is therefore required to provide seven off-street parking spaces. The applicant satisfies this parking requirement with the provision of seven off-street parking spaces shared with other businesses in the shopping center.

Community Outreach

Public notice was provided through eNews, via the City’s website, and by posting a placard on the site. In addition, the Fairlington/Bradlee Civic, Kingsgate Condominium, and Fairlington Towne Condominium Associations were sent written notification of the current application. Staff received two emails from adjacent neighbors expressing concern about the potential for this business to be an inappropriate massage establishment. One neighbor sent a follow-up email stating that his concerns were relieved.

Staff Action

Staff does not object to the Special Use Permit request. In response to the initial concerns from adjacent neighbors, staff has reviewed the background of the massage establishment franchise

and has confirmed its therapeutic massage function and its nationwide scope. It believes that the business is appropriate both generally and in this specific location in the Bradlee Shopping Center. Staff has shared this conclusion with the adjacent neighbors, one of whom replied to staff that his concerns were satisfied.

Although impacts on adjacent businesses and residences are not expected, staff has nonetheless included standard conditions of approval regarding matters such as hours of operation, litter, and trash containers. It has also limited the number of massage therapists that may operate at the business at any one time to 12, which is the maximum number the applicant has noted in the application.

Staff hereby approves the Special Use Permit.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: 11/18/2013
Action: Approved

Alex Dambach, Division Chief

- Attachments: 1) Special Use Permit Conditions
2) City Department Comments
3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2013-0079

The 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)
2. No more than 12 massage therapists and estheticians in total shall operate at this establishment at any one time. (P&Z)
3. The hours of operation for the business shall be limited to between 8 a.m. and 10 p.m. daily. (P&Z)
4. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on-site outside of those containers. (P&Z)
5. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation process, to discuss all special use permit provisions and requirements. (P&Z)
6. The applicant shall provide information about alternative forms of transportation to access the location of the use, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. (P&Z)
7. The applicant shall require its employees who drive to work to use off-street parking. (T&ES)
8. The applicant shall encourage its employees and customers 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. (T&ES)
9. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least twice during the day and at the close of the business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation. (T&ES)
10. 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)

11. The applicant shall contact the Community Relations Unit of the Alexandria Police Department 703-746-6838 regarding a security survey for the business and a robbery awareness program for all employees prior to operation. (P&Z)
12. 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, 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)

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services

R-1 From Zoning Ordinance; 11-513 (C)

(C)General standards for all administrative uses:

(3) The applicant shall encourage its employees and customers 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. (T&ES)

(5) The applicant shall require its employees who drive to work to use off-street parking. (T&ES)

(9) Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least twice during the day and at the close of the business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation. (T&ES)

(10) The use must comply with the city's noise ordinance. No outdoor speakers shall be permitted. No amplified sound shall be audible at the property line. (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)

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). (TES) (SUP2010-0031)

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.

Code Administration

F-1 No comments received

Health Department

F-1 No comments

Parks & Recreation

F-1 No comments received

Police

F-1 No comments received

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2013-0079. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the massage establishment at 3642 Duke Street.

Applicant - Signature

Date

Applicant – Printed

Date