

DATE: December 4, 2013

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

FROM: Ann Horowitz, Planner  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2013-0081  
Administrative Review for New Use  
Site Use: Massage Establishment  
Applicant: Ingrid Rafferty t/a Massage Solstice  
Location: 311 North Washington Street  
Zone: CD / Commercial Downtown Zone

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### **Request**

Special Use Permit #2013-0081 is a request to operate a new massage establishment under the name of Massage Solstice in a mixed-use development known as Brocketts Crossing at 311 North Washington Street. The use will occupy a 668-square foot commercial space that includes a reception area and a massage room. The applicant intends to offer therapeutic massage to individual clients as the sole employee. Hours of operation are planned as 9 a.m. to 8 p.m., seven days a week. Four to five clients are expected per day.

### **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 applicant satisfies this requirement with a provision of two off-street parking spaces in the Brocketts Alley parking lot from 9 a.m. to 5 p.m., Monday through Friday and in the Washington Street parking area after 5 p.m., Monday through Friday and on Saturday and Sunday. The applicant will provide parking permits for her clients using the Brocketts Alley parking lot. The landlord does not require the tenant to use parking permits in the Washington Street parking area.

### **Community Outreach**

Public Notice has been provided through eNews and the City's website. Additionally, notification of the proposed new business has been sent to the Old Town Civic Association, Old Town Business and Professional Association, Brocketts Crossing Association, and Whales Tail Condominium Association. Staff has not received comments from residents or adjacent businesses regarding the application.

### **Staff Action**

Staff supports the SUP request. The applicant's proposed massage establishment will be small with one employee and a maximum of five clients per day operating in 668 square feet of space. As a result, impacts from noise and odors on adjacent offices and abutting residences are not anticipated.

Standard conditions have been included to address matters such as hours of operation, litter, and trash containers. Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:**

Date: 12/4/2013  
Action: Approved

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Alex Dambach, Division Chief

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

**CONDITIONS OF SPECIAL USE PERMIT #2013-0081**

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)
2. No more than one massage therapist shall operate at this establishment at any one time. (P&Z)
3. Applicant shall maintain licensure through the Virginia Board of Nursing as required by state law.
4. The hours of operation for the business shall be limited to between 9 a.m. and 8 p.m. daily. (P&Z)
5. 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)
6. 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)
7. The applicant shall ensure that clients are informed of the Broketts Crossing parking requirements when appointments are scheduled and through her website and printed materials. (P&Z)
8. 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)
9. The applicant shall require its employees who drive to work to use off-street parking. (T&ES)
10. 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)
11. 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)

12. 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)
13. Supply deliveries, loading and unloading activities shall not occur between the hours of 11:00 pm and 7:00 am. (T&ES)
14. 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)
15. 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 Supply deliveries, loading and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

R-2 **From Zoning Ordinance; 11-513 (C)**  
(C)*General standards for all administrative uses:*

(2) 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)

(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)

(6) The applicant shall install signs inside the building indicating the location of off-street parking in the area and shall inform customers about the 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 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 staff approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at

[commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form.  
(T&ES)

Code Administration

F-1 No comments received

Health Department

F-1 No comments received

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 #2013-0081. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the massage establishment at 311 North Washington Street.

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Applicant – Signature

\_\_\_\_\_  
Date

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Applicant – Printed

\_\_\_\_\_  
Date