

DATE: July 1, 2014

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

FROM: Staff
Department of Planning and Zoning

SUBJECT: Special Use Permit #2014-0050
Administrative Review for New Use
Site Use: Massage Establishment
Applicant: MALEE, LLC/Peter Brock, Agent
Location: 122 North Fayette Street
Zone: CD / Commercial Downtown Zone

Request

Special Use Permit #2014-0050 is a request to operate a new massage establishment under the name of Malee Thai Massage and Bodywork in a multi-unit commercial building at 122 N. Fayette Street. The use will occupy a 1,143-square foot commercial space that includes a reception area and 6 massage rooms. The applicant intends to offer Thai Yoga Stretching, which is described as “Lazy Man’s Yoga,” where clients are put into yoga-type positions by staff. The establishment would have four employees and approximately twelve customers per day. Hours of operation are planned as 10 a.m. to 8 p.m., seven days a week.

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, making three spaces necessary. The applicant satisfies this requirement with the provision of a parking space on-site directly behind the space in question, another space at 114 North Fayette Street and a space at 216 South Payne Street.

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, Braddock Station Civic Association, King Henry courtly Civic Association, Upper King Street Neighborhood Association, and the West Old Town Citizen’s 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 four employees and a maximum of twelve clients per day operating in 1,143 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: 7/14/2014
Action: Approved

Alex Dambach, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2014-0050

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. Only the licensed massage therapists shall operate at this establishment at any 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 10 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 off-street parking locations when appointments are scheduled and through the company's 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

- C-1 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.(T&ES)
- C-2 Code Requirement: 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-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.
- C-4 The applicant shall require its employees who drive to work to use off-street parking.
- C-5 The facility shall provide adequate drop off and pick up facilities so as to create minimal impact on pedestrian and vehicular traffic.

Code Administration

- F-1 The following comments are for SUP. Once the applicant has filed for a building permit and additional information has been provided, code requirements will be based upon that information and the building permit plans. If there are any questions, the applicant may contact Ken Granata, Plan Review Division Chief at ken.granata@alexandriava.gov or 703-746-4193.
- C-1 Building, trade permits and inspections are required for alterations to accommodate proposed establishment. Five sets of construction documents sealed by a Registered Design Professional that fully detail the construction as well as layout and schematics of the mechanical, electrical, and plumbing systems shall accompany the permit application(s) The building official shall be notified in writing by the owner if the registered design professional in the responsible charge is changed or is unable to continue to perform the duties.

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 #2014-0050. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the massage establishment at 122 North Fayette St.

Applicant – Signature

Date

Applicant – Printed

Date