

DATE: December 9, 2015

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

FROM: Sara Brandt-Vorel, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit # 2015-0119
Administrative Review for New Use
Site Use: Massage Establishment
Applicant: Marc Parsont
Location: 2121 Eisenhower Ave, Suite 101
Zone: CDD #2: Eisenhower Avenue Metro

Request

Special Use Permit #2015-0119 is a request to operate a new massage establishment in approximately 117 square feet of space within an existing office suite. The proposed massage suite is located in the Eisenhower Center One building, at 2121 Eisenhower Avenue, and is surrounded by a surface parking lot with 100 parking spaces for tenants. The applicant would use one room in a shared office suite, comprised of seven additional rooms, a shared kitchen, and a reception area. The applicant plans to offer a range of massages including therapeutic, relaxation massages, aromatherapy massages, and hot stone massage. The applicant would be the only massage therapist present and expects a maximum of five clients per day. The hours proposed are 9:00 a.m. – 6:00 p.m. Monday, Tuesday, Thursday, and Friday, 9:00 a.m. – 7:30 p.m. Wednesday and by appointment only for emergencies on weekends.

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 would, therefore, need to provide one parking space which is available among the five reserved visitor parking spaces in the parking lot. The applicant is also able to provide guest parking passes among the surrounding 100 parking spaces if visitor parking spaces are full.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, Carlyle Tower Condominiums, the Carlyle-Eisenhower Civic Association, and the Royalton at the King Street Metro Condominiums were sent an e-mail with information about the current application. Staff has not received any comments from residents or adjacent businesses.

Staff Action

Staff supports the applicant's request for a new massage establishment use. The business is consistent with the goals of the Eisenhower Avenue Metro Coordinated Development District to create a mixed-use environment including office, residential, and retail uses. The addition of a massage establishment to the area would increase amenities for the growing residential

population and the established day-time office workers. Staff has similarly approved previous massage uses within office suites, and finds the use compatible with professional service uses in an office building.

Although impacts on adjacent businesses and nearby residences are not expected, staff has nonetheless included standard conditions of approval regarding matters such as hours of operation, litter, and trash containers. Staff has standardized the daily hours as 9:00 a.m. to 7:30 p.m. to provide the applicant with the flexibility to expand his business, in Condition 4.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: December 9, 2015

Action: Approved



Alex Dambach, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2015-0119

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 and all massage providing staff shall obtain all required state, federal and local licenses and certificates prior to opening its place of business. (P&Z)
4. The hours of operation for the business shall be limited to between 9:00 a.m. and 7:30 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. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up to prevent an unsightly or unsanitary accumulation once each day that the business is open to the public. (T&ES)
7. All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
8. The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
9. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

10. The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of SUP approval, the business shall contact Local Motion at 703-746-4686 for information on establishing an employee transportation benefits program. (T&ES)
11. 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)
12. The applicant shall require its employees who drive to work to use off-street parking. (P&Z)
13. 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.(P&Z)
14. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (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

New Recommendations:

- R-1 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-2 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up to prevent an unsightly or unsanitary accumulation once each day that the business is open to the public. (T&ES)
- R-3 All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-4 The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
- R-5 The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of SUP approval, the business shall contact Local Motion at 703-746-4686 for information on establishing an employee transportation benefits program. (T&ES)

City Code Requirements:

- C-1 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.
- C-2 The applicant shall require its employees who drive to work to use off-street parking. (T&ES)

- C-3 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.
- C-4 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-5 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). 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. (TES)

Health Department

- F-1 If only providing bottled or tap water in a disposable cup then no Health Department permit will be needed. If expanding to use reusable cups, or offering food to clients, then the applicant will need to comply with the requirements below.

Food Facilities:

- R-6 An Alexandria Health Department permit is required for all regulated facilities. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another. Permit application and fee are required.
- R-7 Construction plans shall be submitted to the Health Department located at 4480 King Street and through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria.
- R-8 Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety Code of the City of Alexandria. Plans shall include a menu of food items to be offered for service at the facility and specification sheets for all equipment used in the facility, including the hot water heater.
- R-9 A Food Protection Manager shall be on-duty during all operating hours.

- R-10 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.
- R-11 In many cases, original wooden floors, ceilings and wall structures in historical structures may not be suitable for food service facilities. Wood materials shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent.
- R-12 Facilities engaging in the following processes may be required to submit a HACCP plan and/or obtain a variance: Smoking as form of food preservation; curing/drying food; using food additives to render food not potentially-hazardous; vacuum packing, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; sprouting seeds or beans; and fermenting foods.

Fire

No comments received.

Police

No comments received.

Code Enforcement

No comments received.

Recreation, Parks, and Cultural Activities

No comments received.

STATEMENT OF CONSENT

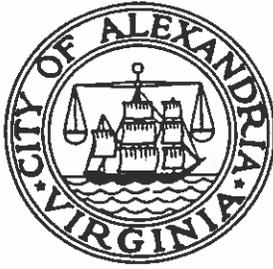
The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2015-0119. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a message establishment at 2121 Eisenhower Ave, Suite 101.

Marc Parson
Applicant - Signature

12/9/15
Date

MARC Parson
Applicant - Printed

12/9/15
Date



City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the Special Use Permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit #2015-0119

Approved by Planning and Zoning: December 9, 2015

Permission is hereby granted to: Marc Parsont

to use the premises located at: 2121 Eisenhower Ave, Suite 101

for the following purpose: see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

12/9/15
Date

Karl Moritz / DM
Karl Moritz, Director
Department of Planning and Zoning

