

DATE: January 11, 2016

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

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

SUBJECT: Special Use Permit #2015-0121
Administrative Special Use Permit
Site Use: Massage Establishment
Applicant: Massage Relax Center, LLC
Location: 1617 King Street
Zone: KR / King Street Retail

Request

Special Use Permit 2015 #2015-0121 is a request for a change of ownership for a massage establishment at 1617 King Street, known as OPT Massage, from Mingging Shen to Massage Relax Center, LLC. The massage establishment would operate in approximately 2,011 square-feet of space on the first-floor of a three-story commercial building. The applicant proposes a staff of two massage therapists on site, and could staff as many as five massage therapists on site at one time. The applicant would utilize five massage suites and offer massage therapy services, including Shiatsu massage, deep tissue massage, and foot massages. The proposed hours of operation are as follows: 10:00 a.m. – 9:00 p.m. Monday through Saturday and 10:00 a.m. – 8:00 p.m. on Sundays.

Background

Staff administratively approved SUP #2015-0036 in June 2011 to allow the establishment of OPT Massage. During an inspection in early December 2015 the applicant was found to be in violation of SUP Conditions regarding posting of alternative forms of transportation and establishing a security survey with the Police Department. At a follow up inspection the applicant was in compliance with all SUP Conditions.

Parking

The property is located in the King Street Transit District. Section 8-400(B)(8) of the Zoning Ordinance exempts retail and similar commercial uses in mixed-use buildings from off-street parking requirements when: 1) the use is located in a mixed-use building and 2) all such uses in the building do not occupy more than 25% of the floor area of the building. One parking space is required for each 1,000 square feet of floor area occupied by such uses in excess of the 25% threshold.

In this case, the massage establishment is a non-office use on the property and occupies 26.8% of the building. As such, the applicant is required to provide two off-street parking spaces. The applicant exceeds this parking requirement by providing four parking spaces in the surface lot on the site.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Upper King Street Neighborhood Association, the Royalton at King Street Metro Condominiums, Old Town Village Condominiums, Old Town Village Homeowner Association, and the Old Town Station Owners Association were sent an e-mail with information about the current application. Staff has received no comments.

Staff Action

Staff has carried forward all conditions from the previous SUP, including standard conditions of approval that address trash receptacles, outdoor speakers, and employee transportation and parking. Staff has also added Condition 13 requiring the applicant to obtain all necessary licenses, Condition 14 regulating hours of operation, and Condition 15 requiring the applicant to regularly remove litter within 75 feet of the entrance of their massage establishment. Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: January 11, 2016
Action: Approved



Alex Dambach, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2015-0121

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)(SUP #2011-0036)
2. No more than five massage therapists shall operate at this establishment at any one time. (P&Z) (SUP #2011-0036)
3. 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) (SUP #2011-0036)
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 and Environmental Services. (P&Z) (SUP #2011-0036)
5. 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. (P&Z) (T&ES) (SUP #2011-0036)
6. Supply deliveries, loading and unloading activities shall not occur between the hours of 11:00 pm and 7:00 am. (T&ES) (SUP #2011-0036)
7. 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) (SUP #2011-0036)
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) (SUP #2011-0036)
9. The applicant shall require its employees who drive to work to use off-street parking. (T&ES) (SUP #2011-0036)
10. **CONDITION AMENDED BY STAFF:** The applicant shall contact the Community Relations Unit of the Alexandria Police Department ~~703-838-4520~~ 703-746-6838 regarding a security survey for the business and a robbery awareness program for all employees prior to operation. (P&Z) (~~SUP #2011-0036~~)

11. 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) (SUP #2011-0036)
12. **CONDITION AMENDED BY STAFF:** 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) (SUP #2011-0036)
13. **CONDITION ADDED BY STAFF:** 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)
14. **CONDITION ADDED BY STAFF:** The hours of operation for the business shall be limited to between 10:00 a.m. – 9:00 p.m. Monday through Saturday and 10:00 a.m. – 8:00 p.m. Sundays. (P&Z)
15. **CONDITION ADDED BY STAFF:** 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 at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z)

STATEMENT OF CONSENT

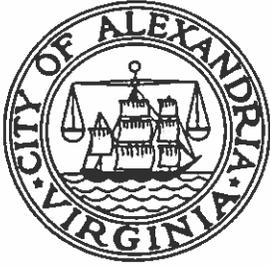
The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2015-0121. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the massage establishment at 1617 King Street.

 Huizhey Lin
Applicant - Signature

 01/13/16
Date

 Huizhey Lin
Applicant - Printed

 01/13/16
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 #2015-0121

Approved by Planning and Zoning: January 11, 2016

Permission is hereby granted to: Massage Relax Center, LLC

to use the premises located at: 1617 King Street

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.

1/11/16

Date

KARL MORITZ/AD

Karl Moritz, Director
Department of Planning and Zoning