

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 #2016-0087
Approved by Planning and Zoning: December 21, 2016
Permission is hereby granted to: Marc Parsont
To use the premises located at: 2121 Eisenhower Avenue, 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.

12/21/16
Date

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

DATE: December 21, 2016

TO: Alex Dambach
Department of Planning and Zoning

FROM: Sara Brandt-Vorel
Department of Planning and Zoning

SUBJECT: Special Use Permit #2016-0087
Administrative Review for a Minor Amendment

Site Use: Massage Establishment

Proposed Business Name: Massage by Marc

Applicant: Marc Parsont

Location: 2121 Eisenhower Ave, Suite 101

Zone: CDD #2: Eisenhower Avenue Metro

Request

Special Use Permit #2016-0087 is a minor amendment request to SUP #2015-0110 to increase the floor area and to expand operating hours to an existing massage establishment, known as Massage by Marc. The applicant will continue to operate a massage establishment within a suite at 2121 Eisenhower Avenue with a shared kitchen and reception area. Appointments would be booked in advanced by phone or online for one of two available massage rooms. The applicant would be the primary massage therapist on site and would have up to five contractors who could book times at the two massage rooms for therapeutic massage. The applicant proposes to maintain massage operations with the following parameters:

Existing massage establishment: One room, approximately 120 square feet.
Proposed massage establishment: Two rooms, approximately 240 square feet.

Existing hours of operation: 9 a.m. – 7:30 p.m., daily.
Proposed hours of operation: 9 a.m. – 7:30 p.m., daily.

Existing staffing: One massage therapist on site at one time.
Proposed staffing: Up to two massage therapists on site at one time and up to five contractors could utilize the two massage rooms for appointments.

Background

In December 2015, staff administratively approved SUP #2015-0119 for a massage use at 2121 Eisenhower Avenue to Massage by Marc, the applicant for this SUP application. Since opening, the city has not received any complaints in regards to the business. During a staff inspection conducted in November 2016 the applicant was found to be in compliance with all terms and conditions of their existing Special Use Permit.

Parking

Section 8-200(A)(17) of the Zoning Ordinance requires a massage establishment to provide one off-street parking space for every 400 square feet of space. With approximately 240 square feet of space, the applicant is required to provide one off-street parking space which is available among the five reserved visitor parking spaces in the parking lot. The applicant is also able to provide additional parking through guest passes for the surrounding 100 space parking lot.

Community Outreach

Public Notice was provided through eNews, via the City's website, and by posting a placard at the site. In addition, the Royalton at the King Street Metro Condominiums, the Carlyle-Eisenhower Civic Association and the Carlyle Towers Condominiums have been informed of the Minor Amendment request. Staff did not receive any comments from the public in regards to the Minor Amendment request.

Staff Action

Staff finds the applicant's request to increase their floor area to be reasonable. The applicant will oversee the management of the two massage rooms and serve as the responsible party for all terms and conditions of the Special Use Permit. As such, the applicant will vet all contractors who will book the massage rooms and ensure they are aware of and follow the Special Use Permit conditions.

Furthermore, the expansion of an existing massage practice to increase the number of licensed practitioners and hours of availability and the massage use is an amenity for the growing resident and office worker population in the Eisenhower neighborhood. Nonetheless, staff has carried forward all terms and conditions of the previous Special Use Permit regulating the operations of the massage use to ensure it does not detract from the neighborhood.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:

Date: December 21, 2016
Action: Approved



Alex Dambach, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2016-0087

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 #2015-0110)
2. **CONDITION AMENDED BY STAFF:** No more than ~~one~~ two massage therapists shall operate at this establishment at any one time. (P&Z) (~~SUP #2015-0110~~)
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) (SUP #2015-0110)
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) (SUP #2015-0110)
5. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be stored inside or placed in sealed containers that which do not allow odors to escape, invasion by animals, or leaking 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. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (~~T&ES~~) (~~SUP #2015-0110~~)
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) (SUP #2015-0110)
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) (SUP #2015-0110)
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) (SUP #2015-0110)
9. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP #2015-0110)
10. **CONDITION AMENDED BY STAFF:** 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 Go Alex at goalex@alexandriava.gov ~~Local Motion at 703-746-4686~~ for information on establishing an employee transportation benefits program. (T&ES) (~~SUP #2015-0110~~)

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) (SUP #2015-0110)
12. The applicant shall require its employees who drive to work to use off-street parking. (P&Z) (SUP #2015-0110)
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) (SUP #2015-0110)
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) (SUP #2015-0110)
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) (~~SUP #2015-0110~~)
16. **CONDITION ADDED BY STAFF: 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)**

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services

Conditions carried for award:

5. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be stored inside or placed in sealed containers that which do not allow odors to escape, invasion by animals, or leaking 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. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
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New Condition:

- R-1 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)

City Code Requirements:

- 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). 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) (SUP2015-00119)
- C-2 **ADDED BY STAFF:** 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 **ADDED BY STAFF:** Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Fire Department

F-1 No comments or concerns.

Police Department

No comments received.

Code Enforcement

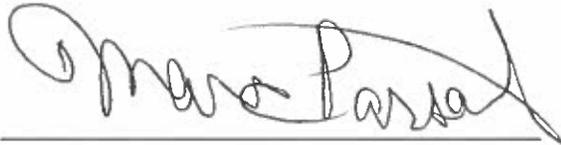
No comments received.

Recreation, Parks, and Cultural Activities

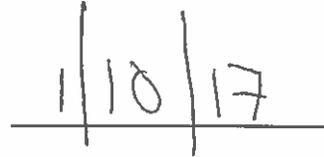
No comments received.

STATEMENT OF CONSENT

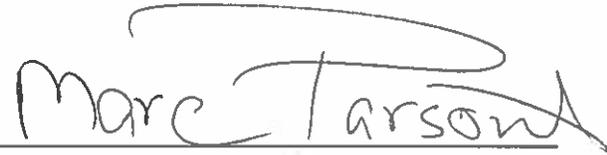
The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2016-0087. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the message establishment at 2121 Eisenhower Avenue, Suite 101.



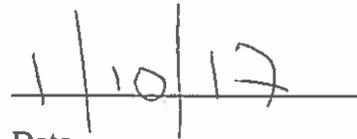
Applicant – Signature



Date



Applicant – Printed



Date

