

DATE: December 22, 2017

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

FROM: Madeleine Sims, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0123
Administrative Review for New Use
Site Use: Massage Establishment
Applicant: Nicholas Ovel
Location: 2121 Eisenhower Avenue, Suite 205
Zone: CDD #2

Request

Special Use Permit #2017-0123 is a request to operate a massage establishment at 2121 Eisenhower Avenue, Suite 205. The hours of operation are proposed to be 10 a.m. to 6 p.m., Tuesday through Friday, and 10 a.m. to 2 p.m. Saturday. The business anticipates 30 clients per week, and employ one person. The applicant will operate out of a 210-square foot tenant space containing one room, providing massage therapy. The business plans to operate under the name, Corrective Therapy and Fitness.

Parking

According to Section 8-200(A)(17) of the Zoning Ordinance, a massage establishment is required to provide one parking space for every 400 square feet of floor area. The 210-square foot operation is required to provide one parking space. The applicant meets this requirement in the 162 space shared parking lot which provides both visitor and permit parking (per SIT #95-0005). In addition, the site also contains a 235-space parking garage.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, Old Town Civic Association and Rosemont Citizens Association were notified of the application. Staff has not received any comments regarding the SUP request.

Staff Action

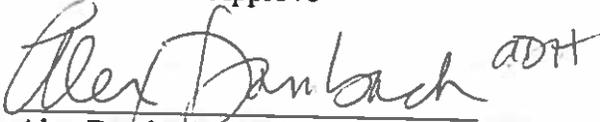
Staff finds the request reasonable and unlikely to generate negative neighborhood impacts. The applicant anticipates serving approximately 30 customers a week. The proposed use would be in a office building which houses other similar commercial and personal service uses. The addition of the proposed massage establishment would serve as an amenity to the resident and office populations.

The applicant would not use any hazardous materials for the massage use, nor would any excessive noise be generated. Though the applicant lists different hours for weekdays and weekends, staff has standardized hours as shown in Condition # 4 to provide the applicant more flexibility in their operations. Nonetheless, staff has included standard conditions relating to noise management, odor, and trash to mitigate the development of impacts and ensure compatibility with the neighborhood.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: December 22, 2017

Action: Approve

 ADH

Alex Dambach, Land Use Division Chief

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

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 At 210 square feet, the applicant is required to provide one off-street parking space for its personal service establishment. (T&ES)
- R-1 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-2 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)
- R-3 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-4 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 once 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. (T&ES)
- R-5 The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
- R-6 From Section 11-513(C) of the Zoning Ordinance:
(5) The applicant shall require its employees who drive to work to use off-street parking.
- 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 SUP 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. (T&ES)
- C-2 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 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)

Code Enforcement:

No comments received.

Health Department:

No comments received.

Parks and Recreation:

No comments received.

Police Department:

No comments received.

Fire:

No comments or concerns.

CONDITIONS OF SPECIAL USE PERMIT #2017-0123

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. The applicant and all massage providing staff shall obtain all required state, federal, and local licenses and certificates prior to opening this business. (P&Z)
4. The hours of operation for the business shall be limited to between 8 a.m. and 6 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 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)
8. 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)
9. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
10. 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 once 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. (T&ES)

11. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
12. The applicant shall require its employees who drive to work to use off-street parking. (T&ES)
13. 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)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2017-0123. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the massage establishment at 2121 Eisenhower Avenue.



Applicant - Signature



Date

Nicholas Ovel

Applicant - Printed



Date