

DATE: June 3, 2011

TO: Barbara Ross, Deputy Director
Department of Planning and Zoning

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2010-0036
Administrative Special Use Permit
Site Use: Massage Establishment
Applicant: Mingging Shen
Location: 1617 King Street
Zone: KR / King Street Retail

Request

Special Use Permit #2011-0036 is a request to operate a new massage establishment. The applicant proposes to offer massage therapy services, trading under the name of OPT Massage, in an approximately 2,011 square-foot space on the first-floor of this three-story commercial building. The applicant expects to have up to five massage therapists working on site at any one time and as many as 15 clients per day between the hours of 10:00am and 10:00pm Monday-Saturday and 11:00am and 10:00pm on Sundays.

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 will be the only non-office use on the property and will occupy 26.8% of the building. As such, the applicant is required to provide one off-street parking space. The applicant exceeds this parking requirement by providing five 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 was sent an e-mail with information about the current application. Staff has received questions from a neighbor regarding the provision of parking and comments from the Seminary Ridge Civic Association stating that it believes the proposal does not meet standards for administrative approval because the change being sought (the operation of the new business) is not minor in nature. The Upper King Street Neighborhood

Association has told staff that it will not be taking a formal position the application but that several neighbors have expressed support for the use.

Staff Action

Staff does not object to the applicant's request to operate a massage establishment in this location. The proposed new, stand-alone massage establishment is eligible for administrative approval pursuant to Section 6-702(C)(2) of the Zoning Ordinance.

Staff has included standard conditions of approval here that address such matters as, for example, trash containers and the prevention of litter from accumulating on the property. Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: June 13, 2011
Action: Approved



Barbara Ross, Deputy Director

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

CONDITIONS OF SPECIAL USE PERMIT #2011-0036

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 five massage therapists shall operate at this establishment at any one time. (P&Z)
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)
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)
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)
6. Supply deliveries, loading and unloading activities shall not occur between the hours of 11:00 pm and 7:00 am. (T&ES)
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)
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)
9. The applicant shall require its employees who drive to work to use off-street parking. (T&ES)
10. The applicant shall contact the Community Relations Unit of the Alexandria Police Department 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees prior to operation. (P&Z)
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)

12. 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)