

EXHIBIT NO. 1

5  
11-18-06

Docket Item #4  
SPECIAL USE PERMIT #2006-0087

Planning Commission Meeting  
November 9, 2006

**ISSUE:** Consideration of a request for a special use permit to operate a day spa with massage therapy service.

**APPLICANT:** Serenite Vie Day Spa, LLC  
by Victoria M. Olafson

**LOCATION:** 520 John Carlyle Street-Unit #180  
Shops at Carlyle Square

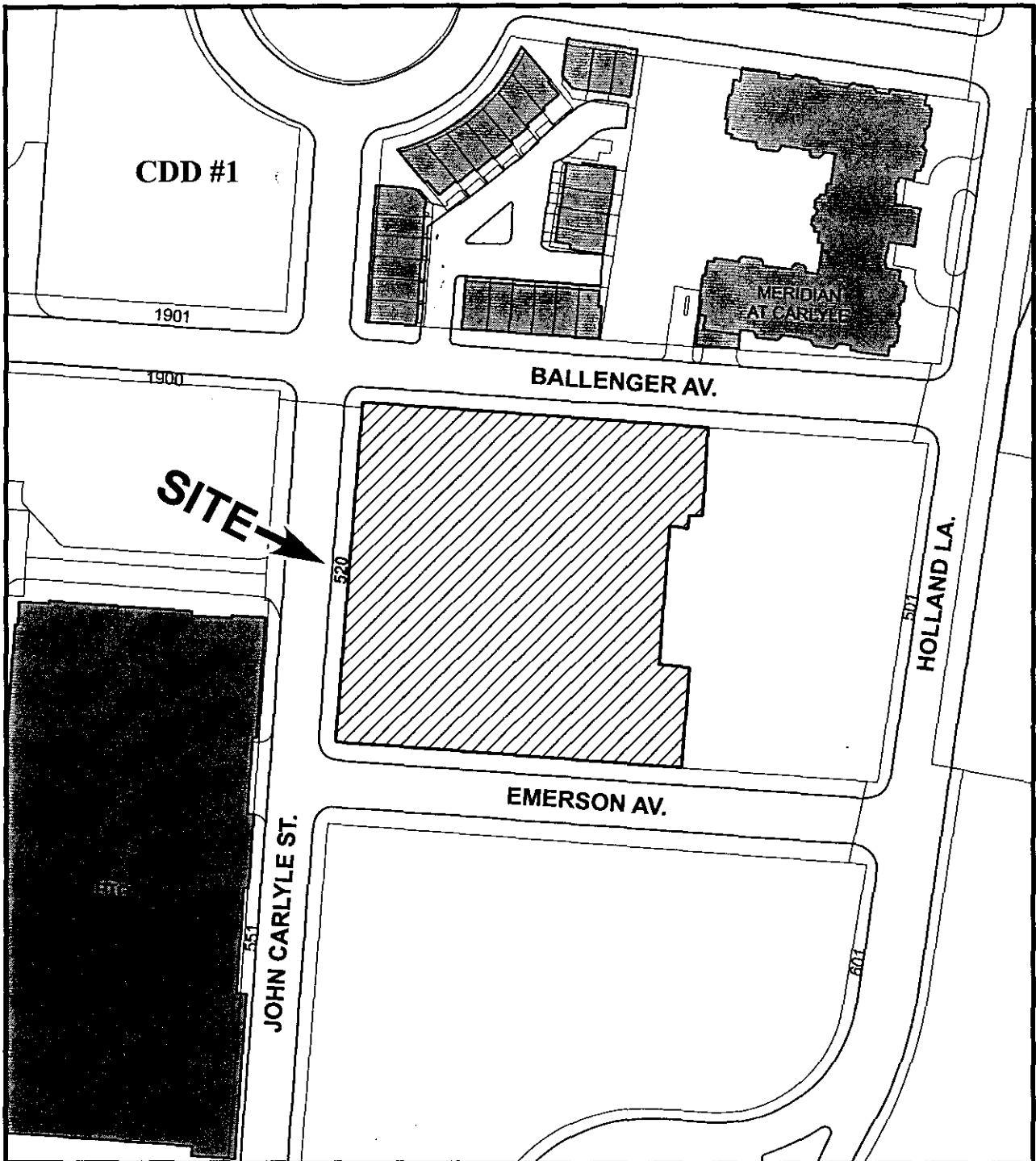
**ZONE:** CDD-1/ Coordinated Development District 1

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**PLANNING COMMISSION ACTION, NOVEMBER 9, 2006:** By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

**STAFF RECOMMENDATION:** Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



**SUP #2006-0087**

**11/09/06**



**I. DISCUSSION**

REQUEST

The applicant, Victoria M. Olafson- Serenite` Vie Day Spa, LLC, requests special use permit approval for the operation of a day spa with massage therapy located at 520 John Carlyle Street.

SITE DESCRIPTION

The subject property is one lot of record with 277 feet of frontage on John Carlyle Street, 279 feet of depth and a total lot area of 77,228 square feet. The site is being developed with the Shops at Carlyle Square building, a multi-story condominium building that includes a mix of residential and retail uses.

The building is part of the 70-plus acre Carlyle development that has been designed for a mix of office, residential, and retail uses.

PROPOSAL

The applicant requests approval to provide massage therapy at its day spa where facial treatments, skin treatments, and other services will be provided. The operations of the business as proposed by the applicant are as follows:

Hours:	Monday- Friday	10am- 9pm
	Saturday	10am- 8pm
	Sunday	12pm- 6pm
Average number of patrons/day:	22	
Number of Massage Rooms:	7	
Number of Massage Therapists:	6	
Total Number of Employees:	11	
Trash/Litter:	Approximately 5 pounds per day to be collected twice per week provided by the building owner	

PARKING

The parking requirements for the subject building were specified in the Transportation Management Plan (Special Use Permit #2254) for the Carlyle Development, and these parking requirements were met for the subject site in the development of the on-site parking garage. The parking garage provides parking for the building's retail and residential uses. The applicant is thus not required to

provide parking beyond that already provided at the subject site. The final site plan for the subject building shows that there are 17 retail parking spaces and 155 office parking spaces within the on-site parking garage.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CDD#1/Coordinated Development District zone. Section 2-602 (A) of the Zoning Ordinance identifies OC/Office Commercial zone as the underlying zone which allows a massage establishment only with a special use permit.

The proposed use is consistent with the Eisenhower East Small Area Plan chapter of the Master Plan which designates the property for a use consistent with the CDD #1 zone.

**II. STAFF ANALYSIS**

Staff does not object to the proposed day spa with massage therapy located at 520 John Carlyle Street. The proposed use will be consistent with the Eisenhower East Small Area Plan. The use will also be consistent with the planned development for the Shops at Carlyle Square.

In addition, staff finds that the parking requirements for the use have been met within the transportation management plan for Carlyle, where the adjacent parking garage provides parking for the building's retail uses.

Staff recommends approval of the request for Special Use Permit subject to recommended conditions.

**III. RECOMMENDED CONDITIONS**

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. The hours of operation of the massage establishment shall be limited to daily between 8am- 9pm. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)

4. The applicant shall encourage its employees 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. (P&Z)
5. 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, and on how to prevent underage sales of alcohol. (P&Z)
6. Only City of Alexandria licensed therapists may provide message services at the facility. (P&Z)
7. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery readiness presentation for all employees and a security survey for the business. (Police)
8. Window signs or posters shall not block the visibility of the interior of the store from the street. Shelving, boxes, coat racks, storage bins, closets, and similar items shall be located where they do not block the windows. All window coverings shall be open as much as possible and provide some interior accent lighting when the business is closed. The front of the business may not be illuminated by flood lights placed on the sidewalk, trees or poles. (P&Z)
9. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business a robbery readiness presentation for all employees. (Police)
10. The applicant shall require its employees who drive to work to use off-street parking. (P&Z)
11. All waste products shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
12. The applicant shall control any odors, smoke or 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. (T&ES)
13. All loudspeakers shall be prohibited from the exterior of the building. (T&ES)

14. The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
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, (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)

STAFF: Richard Josephson, Acting Director, Department of Planning and Zoning;  
James Hunt, Urban Planner.

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Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

#### IV. CITY DEPARTMENT COMMENTS

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

##### Transportation & Environmental Services:

- R-1 All waste products shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground.
- R-2 The applicant shall control any odors, smoke or 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.
- R-3 All loudspeakers shall be prohibited from the exterior of the building.
- R-4 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132.
- C-1 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.
- C-2 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)

##### Code Enforcement:

- C-1 The current use is classified as M, Mercantile; the proposed use is B, Business. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 119.4) and compliance with USBC 119.2. including but not limited to: limitations of exit travel distance, emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities.

- C-2 Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit for a change of use. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. These plans shall show provide existing conditions, construction type data, and a plot plan. In addition, these plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.
- C-3 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-4 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. Permits are not transferable.
- C-2 Permits must be obtained prior to operation.
- C-3 The massage and personal grooming section of the business must be permitted separately.
- C-4 Five sets of plans must be submitted to and approved by this department prior to construction. Plans for the massage facility must comply with the Alexandria City Code, Title 11, Chapter 4.2, "Massage Regulations" and the personal grooming facility must comply with Alexandria City Code, Title 11, Chapter 7, "Personal Grooming Establishments."
- C-5 All massage therapist must possess a current massage therapist certification issued by the Commonwealth of Virginia in accordance with the Code of Virginia Chapter 599, § 54.1-3029 and must possess a current massage therapist permit issued in



accordance with Alexandria City Code Title 11, Chapter 4.2 prior to engaging in any massage activity.

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703 838-4520 regarding a security survey for the business
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703 838-4520 regarding a robbery readiness presentation for all employees
- F-1 The police Department has no objection to the day spa.

NOV



# APPLICATION

## SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2006-0087

PROPERTY LOCATION: 520 John Carlyle St, #180, Alexandria, VA, 22314

TAX MAP REFERENCE: 073.04, Block 01, Lot 33 ZONE: CDD1

### APPLICANT

Name: Victoria M. Olafson - Serenite' Vie Day Spa, LLC  
Address: 5301 Martinique Lane, Alexandria, VA, 22315

### PROPERTY OWNER

Name: Post Carlyle I, LLC  
Address: 5040 Addison Circle, Ste. 200, Addison, TX 75001

### PROPOSED USE:

Day Spa

**THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED** hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Victoria M. Olafson  
Print Name of Applicant or Agent  
5301 Martinique Lane  
Mailing/Street Address  
Alexandria, VA, 22315  
City and State / Zip Code

Victoria M. Olafson  
Signature  
(703) 719-0011 -  
Telephone # Fax #  
serenitevie@yahoo.com  
Email address  
8/29/2006  
Date

**DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY**

Application Received: _____	Date & Fee Paid: \$ _____
ACTION - PLANNING COMMISSION: _____	
ACTION - CITY COUNCIL: _____	

SUP #

0006-0087



## APPLICATION

### SPECIAL USE PERMIT

**All applicants must complete this form. Supplemental signs are required for child care facilities, restaurants, automobile-oriented uses and freestanding signs requiring special use permit approval.**

1. The applicant is the (check one):

Owner

Contract Purchaser

Lessee or

Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

Victoria M. Olafson - 100% interest

5301 Martinique Lane, Alexandria, VA, 22315

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia? N/A

**Yes.** Provide proof of current City business license

**No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 11" x 17" or smaller. Twenty-four copies are required for plans larger than 11" x 17" if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

**NARRATIVE DESCRIPTION**

3. The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should include such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary.)

Serenite' Vie Day Spa, LLC will be a day spa providing massage, facial treatments, skin treatments for customers. (No hair salon or nails)

Patrons - projected 692 per month @ full capacity  
Ages 35-60, Median Income \$65,000+/year

11 employees: 1 owner/director,  
5 massage therapists, 3 esthetician, 2 front desk

Hours: M-F 10-9  
Sat 10-8  
Sun 12-6

A parking garage is situated directly across the street from the business including slots reserved for employees + general spaces for patrons. This type of business does not generate noise.

**USE CHARACTERISTICS**

4. The proposed special use permit request is for (check one):

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- expansion or change to an existing use with a special use permit,
- other. Please describe: \_\_\_\_\_

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect?  
Specify time period (i.e., day, hour, or shift).

22 patrons per day

B. How many employees, staff and other personnel do you expect?  
Specify time period (i.e., day, hour, or shift).

11 employees per day

6. Please describe the proposed hours and days of operation of the proposed use:

Day: M-F  
Sat  
Sun

Hours: 10-9  
10-8  
12-6

7. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

Noise emulates from pedicure machines, facial machines - minimal noise (for foot reflexology)

B. How will the noise from patrons be controlled?

Will have soundproofing in rooms as any noise is detrimental to the mission/purpose of this business

8. Describe any potential odors emanating from the proposed use and plans to control them:

None - no nails / no hair

9. Please provide information regarding trash and litter generated by the use.

A. What type of trash and garbage will be generated by the use?

Normal trash: paper products,  
non-hazardous materials

B. How much trash and garbage will be generated by the use?

Less than 5 pounds per day

C. How often will trash be collected?

- Daily from space #180  
- Twice a week from building

D. How will you prevent littering on the property, streets and nearby properties?

Trash receptacles on the street  
provided by the building owner

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

[ ] Yes.  No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

[ ] Yes. [X] No.

If yes, provide the name, monthly quantity, and specific disposal method below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. What methods are proposed to ensure the safety of residents, employees and patrons?

Following OSHA, ADA requirements, in addition to all safety procedures required by city/state/federal law

**ALCOHOL SALES**

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

[ ] Yes. [X] No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PARKING AND ACCESS REQUIREMENTS**

14. Please provide information regarding the availability of off-street parking.

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

Unlimited/large amount of spaces in parking garage right next to location  
15 15

SUP # 2006-0087

B. How many parking spaces of each type are provided for the proposed use:

- \_\_\_\_\_ Standard spaces
- \_\_\_\_\_ Compact spaces
- \_\_\_\_\_ Handicapped accessible spaces.
- \_\_\_\_\_ Other.

1400 total including handicapped

C. Where is required parking located? (check one)

- on-site
- off-site

If the required parking will be located off-site, where will it be located?

Directly across the street

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance?

One

B. How many loading spaces are available for the use? One

C. Where are off-street loading facilities located? Back of Building

D. During what hours of the day do you expect loading/unloading operations to occur?

M-F 9-10, 5-6

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

Maybe once a week; most shipping will be received in small amounts by carrier



16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Street access is sufficient

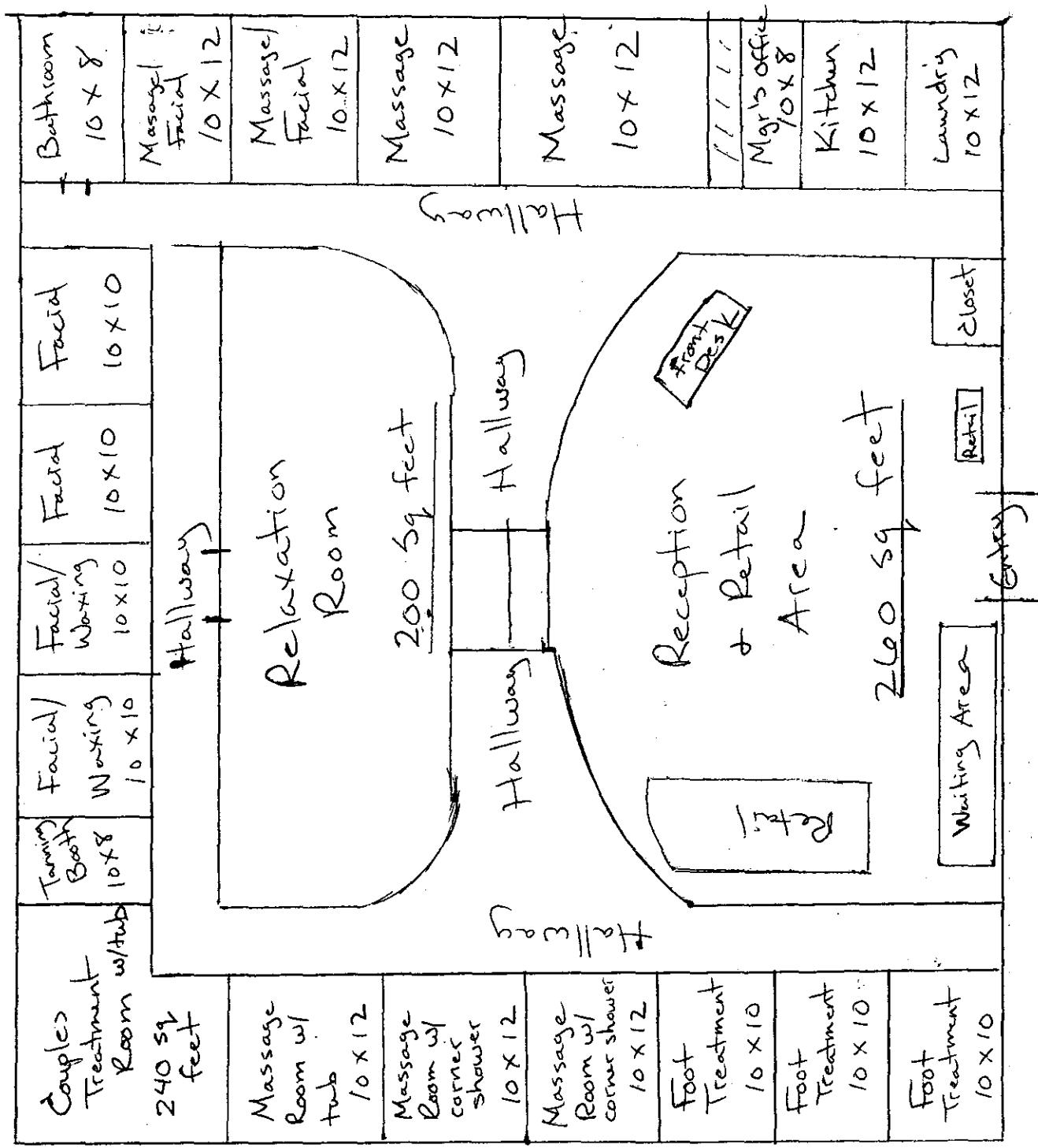
**SITE CHARACTERISTICS**

17. Will the proposed uses be located in an existing building?  Yes  No  
Do you propose to construct an addition to the building?  Yes  No  
How large will the addition be? \_\_\_\_\_ square feet.

18. What will the total area occupied by the proposed use be?  
3072 sq. ft. (existing) + 0 sq. ft. (addition if any) = 3072 sq. ft. (total)

19. The proposed use is located in: (check one)  
 a stand alone building  a house located in a residential zone  a warehouse  
 a shopping center. Please provide name of the center: The Shops at Carlyle Square  
 an office building. Please provide name of the building: \_\_\_\_\_  
 other. Please describe: \_\_\_\_\_

# Design Layout for Derenite, Vie De J



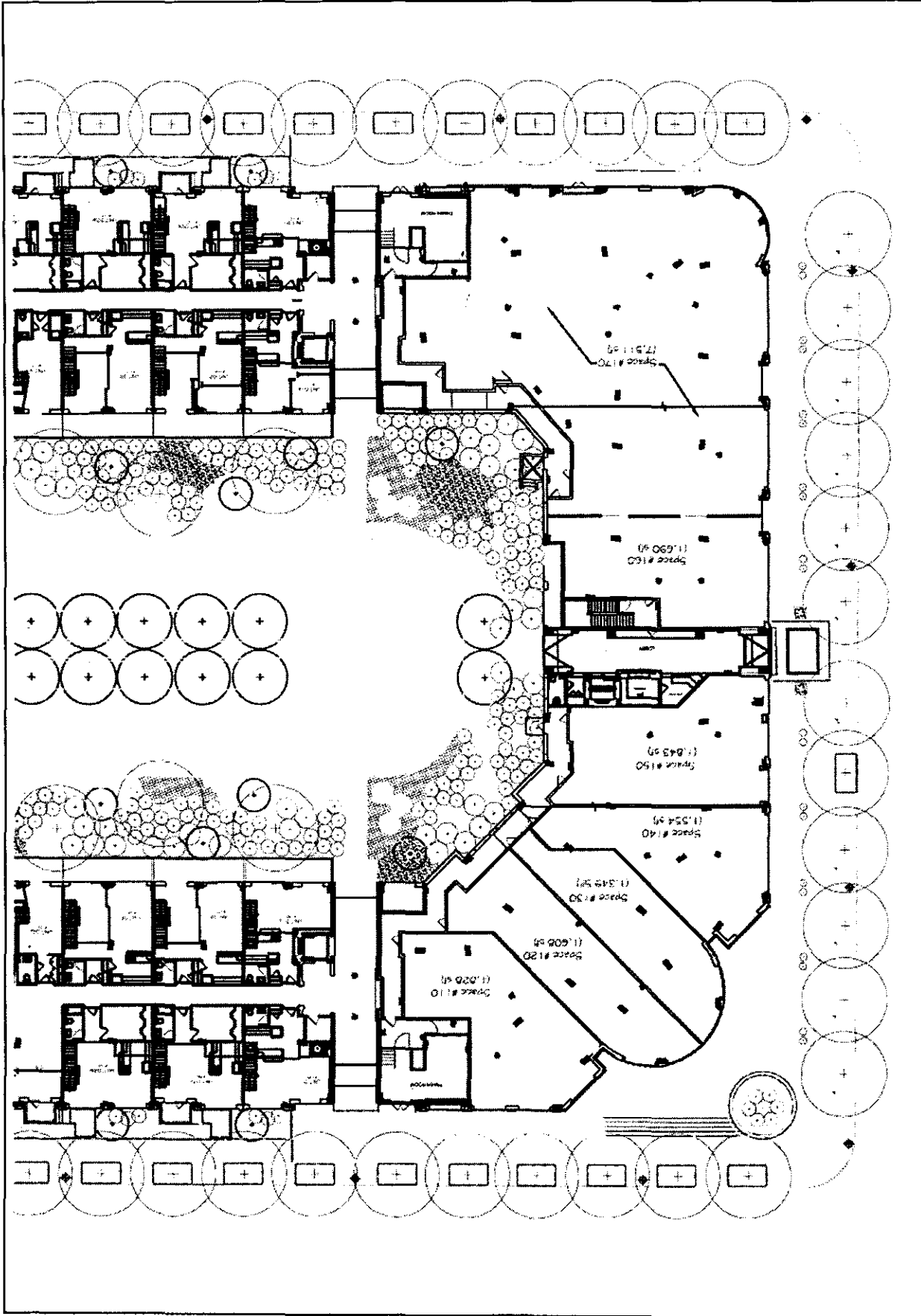
Total - 3072 sq feet  
SUP 2006-0087

For Illustrative Purposes - Not Drawn To Scale



The Shops at Carlyle Square

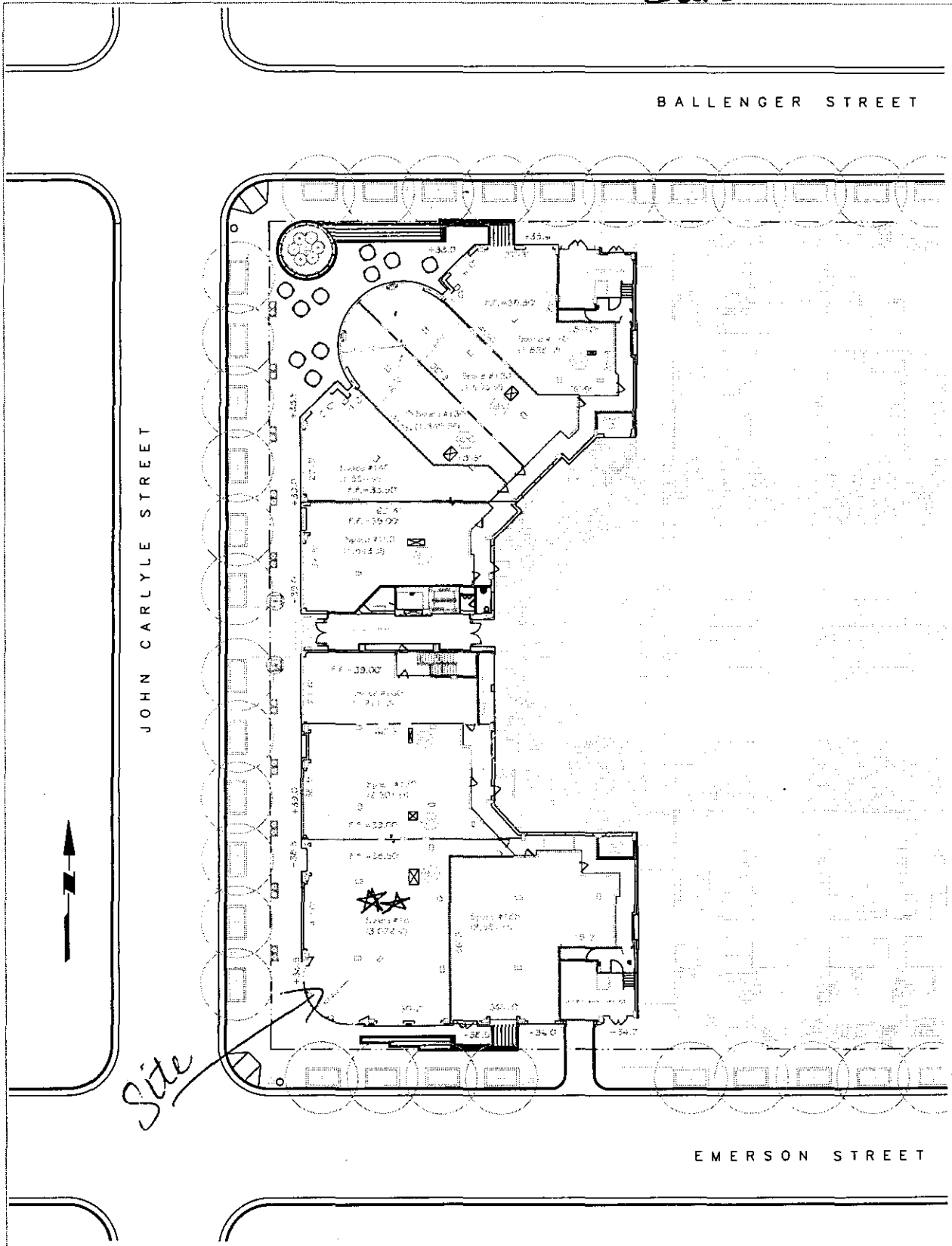
SUP2006-0087



The Shops at Carlyle Square



SUP2006-0087



Site

STREET LEVEL PLAN

⊗ Exhaust Shaft Location  
 Gross Retail Area = 17,383 sf

**NOTES**  
 POST PROPERTIES RESERVES THE RIGHT TO DEVELOPE ALL FINANCINGS IN  
 CARLYLE SQUARE, AND NO TENANT SHALL RELY ON, NOR OBTAIN  
 POST PROPERTIES RESPONSIBLE FOR TENANT'S SPECIFIC FINANCING  
 ANY CALCULATIONS OF AREA ARE APPROXIMATE AND NOT PREPARED  
 FOR PLANNING PURPOSES ONLY

# CARLYLE SQUARE

ALEXANDRIA, VIRGINIA

REV	DESCRIPTION	DATE
1	SPACE #160 REDUCTION	12/16/05
2	ADD SPACE #185	03/15/06

**POST PROPERTIES**  
 1800 Diagonal Road, Suite 480  
 Alexandria, VA 22314  
 Telephone: 703.739.1535  
 Facsimile: 703.739.1539

ISSUE DATE:  
 05/24/05

## Lease Plan

1 OF 1

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NOV 5



# APPLICATION

## SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2006-0087

PROPERTY LOCATION: 520 John Carlyle St, #180, Alexandria, VA, 22314

TAX MAP REFERENCE: 073.04, Block 01, Lot 33 ZONE: CDD4

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### PROPERTY OWNER

Name: Post Carlyle I, LLC

Address: 5040 Addison Circle, Ste. 200, Addison, TX 75001

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Victoria M. Olafson  
Print Name of Applicant or Agent

Victoria M. Olafson  
Signature

5301 Martinique Lane  
Mailing/Street Address

(703) 719-0011 -  
Telephone # Fax #

Alexandria, VA, 22315  
City and State / Zip Code

serenitevie@yahoo.com  
Email address

8/29/2006  
Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY	
Application Received: _____	Date & Fee Paid: \$ _____
ACTION - PLANNING COMMISSION: <u>By unanimous consent, recommended approval 11/9/06</u>	
ACTION - CITY COUNCIL: <u>11/18/06 - CC approved the PC recommendation 7-0</u>	