

Docket Item #3
SPECIAL USE PERMIT #2005-0102

Planning Commission Meeting
November 1, 2005

ISSUE: Consideration of a request for a special use permit to operate a massage therapy business.

APPLICANT: Rany Srey and Caroline Pirtle

LOCATION: 1007 King Street; 2nd floor

ZONE: KR/King Street Urban Retail Zone

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.

SITE GRAPHIC
AVAILABLE IN THE PLANNING AND ZONING OFFICE

I. DISCUSSION

REQUEST

The applicants, Rany Srey and Caroline Pirtle, request special use permit approval for the operation of a massage therapy facility located at 1007 King Street.

SITE DESCRIPTION

The subject property is one lot of record with 27 feet of frontage on King Street, 100 feet of depth and a total lot area of 2,540 square feet. The site is developed with a 2-1/2 story building with retail on the first floor and offices on the subsequent floors. Access to the property is from King Street.

The surrounding area is occupied by a mix of retail and office uses with some residential uses on upper levels. Immediately to the north is a public alley. To the south across King Street are retail and office uses and to the east and west are retail uses with office and residences on the upper floors.



PROJECT DESCRIPTION

The applicants request special use permit approval to operate a massage therapy facility. As depicted on the interior layout plans, the applicant proposes to have one massage room with therapists alternating the use of the room.

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| Hours: | The applicants propose to operate from 9 a.m. to 9 p.m. seven days a week. |
| Number of clients: | The applicants anticipate three to eight clients per day. |
| Noise: | Noise levels will be low, which is consistent with a massage therapy facility. |
| Trash/Litter: | The applicants anticipate minimal trash. Trash will be collected daily. |

PARKING

The proposed use is located within the Central Business District(CBD) and is exempt from the parking requirements of Section 8-200(A)(17) per Section 8-300(B)of the Zoning Ordinance.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the KR/King Street Urban Retail Zone. Section 6-702(B)(2)(a) of the Zoning Ordinance allows a massage therapy facility in the KR zone only with a special use permit.

The proposed use is consistent with the King Street Retail Strategy chapter of the Master Plan which encourages non-retail uses to locate on upper floors.

II. STAFF ANALYSIS

Staff does not object to the proposed massage establishment located at 1007 King Street. The site is suited for small scale commercial uses such as the proposed facility. Additionally, the proposed use is compatible with the other office uses in the building, which include a law office and an architect's office. The location of the facility is consistent with the King Street Retail Strategy as the facility will be located on the second floor of the building with retail on the first floor. Staff anticipates that the demand for parking for this use will be minimal as there is only one massage therapy room and that there is adequate on-street parking to serve this use.

With the following conditions, staff recommends approval of the special use permit.

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 therapy facility shall be limited to between 9 a.m. and 9 p.m. daily. (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. (P&Z)
6. 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 and a robbery awareness program for all employees. This is to be completed prior to opening for business. (Police)
7. Only City licensed therapists may provide massage services at the facility. (P&Z)
8. 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, 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)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
Katrina Newtson, Urban Planner.

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:

F-1 No comments

Code Enforcement:

- F-1 There is insufficient information to determine the location of this business within the listed address. Therefore additional code requirements may be required at the time of permit application.
- C-1 The current use is classified as M, Merchantile; 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.

- C-6 Compliance with handicap accessibility will be determined upon submission of more detailed information and plans.

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 sections 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/modifications. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- 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 awareness program for all employees.
- F-1 The applicant is not seeking an “ABC” permit. The Police Department concurs.

SUP#2005-0102
1007 King Street

**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE**