



*City of Alexandria, Virginia*  
*Department of Planning & Zoning*

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**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 #2022-00032

Approved by Planning and Zoning: June 6, 2022

Permission is hereby granted to: Nando's Restaurant Group, Inc.

to use the premises located at: 2462 Mandeville Lane

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.

June 6, 2022

Karl Moritz (by Patrick C. Silva)

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Date

Karl Moritz, Director  
Department of Planning and Zoning

DATE: June 6, 2022

TO: Tony LaColla, Land Use Services Division Chief  
Department of Planning and Zoning

FROM: Patrick Silva, Urban Planner  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2022-00032  
Administrative Review for New Use  
Site Use: Restaurant  
Applicant: Nando's Restaurant Group, Inc.  
Location: 2462 Mandeville Lane  
Zone: CDD #2/Coordinated Development District #2

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**Request**

Special Use Permit #2022-00032 is a request to operate an approximately 2,912 square foot restaurant, known as Nando's Peri Peri, at 2462 Mandeville Lane. The restaurant will offer dine-in and carry out service during the proposed operational hours of 11 a.m. to 10 p.m., daily. The restaurant will offer 78 indoor seats for patrons who wish to dine in. The applicant will serve upwards of 150 customers per day with the business being staffed by between 10 and 15 employees per shift. The applicant is not proposing to operate outdoor dining or applicant-operated delivery service.

**Background**

The business will be located in a newly constructed mixed-use development, called The Foundry, located in the City's Eisenhower East neighborhood. The development is permitted via City Council's approval of Development Special Use Permit #2019-00019 (The Foundry) in September 2019. Within the approved Development Special Use Permit conditions, Condition #18 stipulates that "*Restaurants shall be permitted with an Administrative Special Use Permit provided they comply with Section 11-513(C), (L), and (M) of the Zoning Ordinance,*" thus, necessitating the current Special Use Permit request. The business will be the first commercial tenant to be located in a ground floor commercial tenant space located at 2462 Mandeville Lane.

**Parking**

Pursuant to Section 8-200 (A)(17)(a)(i) of the Zoning Ordinance, a restaurant use located within the City's Enhanced Transit Area is required to provide a minimum of 1.0 spaces per 1,000 square feet of gross floor area. The proposed restaurant contains 2,912 square feet of floor area. The applicant would be required to provide a minimum of three parking spaces for the proposed use. The applicant meets this requirement via the 246 parking spaces available in the on-site parking garage for all commercial and residential uses in the building.

**Community Outreach**

Public notice was provided through eNews, via the City’s website, and by posting a placard on the site. The subject address is not located within the boundaries of a civic association and, thus, did not require notice to be sent to one. Staff did not receive any comments or concerns regarding the application.

**Staff Action**

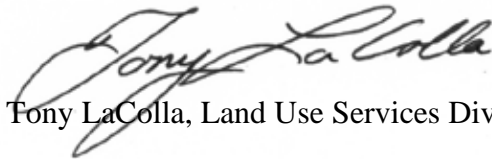
Staff supports the applicant’s request for a restaurant at this location. A restaurant at this location will help to contribute to the goal of emphasizing active commercial uses in the area, as articulated in the Eisenhower East Small Area Plan. In addition, the framework for a restaurant to operate at the subject, with approval of an Administrative Special Use Permit, has been set by The Foundry’s approved Development Special Use Permit.

Although staff does not expect impacts from the use, standard conditions for restaurants have been added to mitigate any potential issues. Additionally, Conditions #5 and #25 were carried forward from Development Special Use Permit #2019-00019.

Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:**

Date: June 6, 2022  
Action: Approve



Tony LaColla, Land Use Services Division Chief

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

### **CONDITIONS OF SPECIAL USE PERMIT #2022-00032**

The 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 corporation in which the applicant has a controlling interest. (P&Z)
2. All patrons must leave the premises one hour after the closing hour. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. The maximum number of indoor and outdoor seats at the restaurant shall comply with the state building code. Outdoor seats shall not encroach into the public right-of-way. (P&Z)
5. The hours of operation for the restaurant shall be limited to between 7 a.m. and midnight, Sunday through Thursday, and between 7 a.m. and 1 a.m., Friday and Saturday. (P&Z)
6. 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)
7. No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z)
8. On and off premises alcohol sales are permitted in compliance with Virginia ABC requirements. (P&Z)
9. Indoor limited, live entertainment may be offered and must comply with the City's noise ordinance. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment. (P&Z)
10. All windows shall remain transparent. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. (P&Z)
11. Exterior power washing of the building shall not be completed using any kind of detergents. (P&Z)
12. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (P&Z)

13. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (P&Z)
14. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z)(T&ES)
15. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (P&Z)
16. The applicant shall control cooking 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)
17. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
18. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
19. The applicant shall require its employees who drive to use off-street parking. (T&ES)
20. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
21. 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](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
22. The applicant shall encourage patrons to park off-street through the provision of information about nearby garages or lots in the business' advertising and website. (T&ES)
23. 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 twice 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)

24. All loudspeakers shall be prohibited from the exterior of the building. (T&ES)
25. Any exterior changes to the building shall only be approved with a minor site plan amendment. Exterior signage shall be approved with a separate sign permit. (P&Z)
26. 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)

## CITY DEPARTMENT COMMENTS

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

### Transportation & Environmental Services:

- R-1 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-2 Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. (P&Z) (T&ES)
- R-3 Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
- R-4 The applicant shall control cooking 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-5 All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-6 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-7 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-8 The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
- R-9 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](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
- R-10 The applicant shall encourage patrons to park off-street through the provision of information about nearby garages or lots in the business' advertising and website. (T&ES)
- R-11 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 twice 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)

- 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](mailto: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:

- C-1 Make sure kitchen exhaust could be provided to comply with VCC 2018.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another. Permit application and fee are required.
- C-2 Construction plans shall be submitted to the Health Department located at 4480 King Street and through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria- fee must be paid separate from any other departmental fees.
- C-3 Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety Code of the City of Alexandria. Plans shall include a menu of food items to be offered for service at the facility and specification sheets for all equipment used in the facility, including the hot water heater.
- C-4 A Food Protection Manager shall be on-duty during all operating hours.
- C-5 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.



- C-6 In many cases, original wooden floors, ceilings and wall structures in historical structures may not be suitable for food service facilities. Wood materials shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent.
- C-7 Facilities engaging in the following processes may be required to submit a HACCP plan and/or obtain a variance: Smoking as a form of food preservation; curing/drying food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; sprouting seeds or beans; and fermenting foods.

Parks and Recreation:

No comments received

Police Department:

No comments received

Fire:

C-1 A fire prevention permit is required for this use.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2022-00032. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 2462 Mandeville Lane.

*David Djukic*

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Applicant - Signature

6/7/2022

Date

David Djukic

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Applicant – Printed

6/7/2022

Date