

DATE: November 30, 2022

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

FROM: Mavis Stanfield, Urban Planner III
Department of Planning and Zoning

SUBJECT: Special Use Permit #2022-00094
Administrative Review for Change in Ownership
Site Use: Restaurant
Applicant: Zento One, LLC
Location: 693 N. Washington Street
(Parcel Address: 615 N. Washington Street)
Zone: CRMU-X / Commercial Residential Mixed Use (Old Town North)

Request

Special Use Permit #2022-00094 is a request for a change in ownership of the existing restaurant at 693 N. Washington Street from Teerapong Tangjaitaweek to Zento One, LLC. The applicant plans to continue to serve sushi and other Asian cuisine under the trade name of “Zento.” The previous SUP approval provided a parking space for a single delivery vehicle; this application indicates that all deliveries will be provided by third party vendors. No other changes to the operation are proposed.

Background

In May 2002, City Council granted SUP#2002-0016 to Wilfredo Villarreal for the operation of a quick-service Tex-Mex restaurant that traded under the name of “Burrito Brothers.” The restaurant closed in July of 2012.

On October 19, 2012, Special Use Permit #2012-0071 was approved for a a minor amendment to add on-premises alcohol and delivery service and to change ownership of the existing restaurant from Wilfredo Villarreal to Teerapong Tangjaitaweek. Delivery service of food to customers involved the use of one vehicle. The applicant planned to serve sushi and other Asian cuisine under the trade name of “Zento.” No other changes to the operation of the restaurant were proposed.

Parking

The property is located within an enhanced transit area. Therefore, the parking rate is a minimum of one space per 1,000 square feet of floor area and a maximum of three spaces per 1,000 square feet of floor area, in accordance with Section 8-200(A)(17)(a) of the Zoning Ordinance. Given that the restaurant will only occupy 1,885 square feet of space,

the minimum parking requirement is two spaces. However, Section 8-100(A)(9) provides that nonresidential uses that have a parking requirement of two spaces or less shall be exempt from providing the spaces and therefore the restaurant does not have a parking requirement.

Community Outreach

Public notice was provided through eNews, via the City’s website, and by posting a placard on the site. In addition, the North Old Town Independent Citizens Civic Association was sent an e-mail with information about the current application. Staff has not received any comments from residents or adjacent businesses that would require staff to docket the Special Use Permit for public hearing.

An inspection conducted on November 29, 2022, revealed that the business operation was in full compliance with the existing special use permit conditions.


Staff Action

Staff supports the applicant’s change of ownership request. Staff has carried forward many of the existing SUP conditions but has made a few changes to remove items related to operational aspects that are no longer regulated or where the regulations have been modified, such as the reference to live entertainment, which is now permitted in a limited format, and the restriction on numbers of indoor seats, which is now only regulated by the building code. Staff has also added conditions that are now standard for all restaurant uses.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: November 30, 2022
Action: Approved



Tony LaColla, Division Chief

- Attachments: 1) Special Use Permit Conditions
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2022-00094

The applicant 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) (SUP#2002-0016)
2. **CONDITION AMENDED BY STAFF:** The maximum number of seats at the restaurant shall ~~be 48~~ comply with the state building code. (P&Z) (~~SUP#2002-0016~~)
3. No outside dining facilities shall be located on the premises. (P&Z) (SUP#2002-0016)
4. **CONDITION AMENDED BY STAFF:** ~~No live entertainment shall be provided at the restaurant.~~ (P&Z) (~~SUP#2002-0016~~) 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.
5. **CONDITION DELETED BY STAFF:** ~~The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m., Monday to Friday, and 10:30 a.m. to 11:00 p.m. Saturday and Sunday.~~ (P&Z) (~~SUP#2002-0016~~)
6. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP#2002-0016)
7. **CONDITION AMENDED BY STAFF:** ~~On premises alcohol service may be permitted but no off premises alcohol sales shall be allowed.~~ On and off premises alcohol sales are permitted in compliance with Virginia ABC requirements. (P&Z) (SUP#2002-0016)(SUP#2012-00071)
8. **DUPLICATE CONDITION DELETED BY STAFF.** (SUP#2012-0071)
10. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#2002-0016)
11. **CONDITION DELETED BY STAFF** (SUP#2012-0071)
12. 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) (SUP#2002-0016)
13. 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. (P&Z) (T&ES) (SUP#2002-0016)
 14. **CONDITION AMENDED BY STAFF:** ~~The applicant shall require its employees who drive to work use off street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on site for employees. 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 for information on establishing an employee transportation benefits program.~~ (T&ES) (SUP#2012-0071)
 15. All loading for the restaurant shall be from Wythe Street. (P&Z) (T&ES) (SUP#2002-0016)
 16. **CONDITION AMENDED BY STAFF:** Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP#2002-0016)
 17. 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) (SUP#2002-0016)
 18. **CONDITION AMENDED BY STAFF:** ~~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) (SUP-2012-0071)
 19. **CONDITION AMENDED BY STAFF:** ~~Meals ordered before the closing hour may be served, but no new patrons may be admitted and no alcoholic beverages may be served after the closing hour, and a~~ All patrons must leave by one hour after the closing hour. (P&Z) (SUP#2002-0016)
 20. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF:** ~~The applicant shall contact the Community Relations Unit of the Alexandria Police Department for a security survey and a robbery awareness program for all employees prior to operation. (Police) (SUP#2002-0016)(SUP#2012-0071)~~
 21. **CONDITION DELETED BY STAFF** (SUP#2012-0071)

22. The applicant shall provide free parking for patrons in the parking garage accessed from North St. Asaph Street. (City Council) (SUP#2002-0016)
23. ~~**CONDITION DELETED BY STAFF:** Not more than one delivery vehicle may be used to deliver food to customers. The delivery vehicle must park in an off-street parking space when at the restaurant. (P&Z)~~
24. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
25. All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
26. **CONDITION ADDED BY STAFF:** 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)
27. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all Special Use Permit provisions and requirements. (P&Z)
28. **CONDITION ADDED BY STAFF:** 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)
29. **CONDITION ADDED BY STAFF:** Exterior power washing of the building shall not be completed using any kind of detergents. (P&Z)
30. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. (P&Z)
31. **CONDITION ADDED BY STAFF:** 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. (P&Z)

32. **CONDITION ADDED BY STAFF:** 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. (P&Z)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2022-00094. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 693 North Washington Street.

Jaruvan S.

Applicant - Signature

12/1/2022

Date

Jaruvan Simuang

Applicant – Printed

12/1/2022

Date