

DATE: December 19, 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 #2022-00100
Administrative Review for New Use
Site Use: Catering Operation
Applicant: Erin White
Location: 4942-C Eisenhower Avenue
Zone: OCM(100)/ Office Commercial Medium (100)

Request

Special Use Permit #2022-00100 is a request to operate an approximately 3,479 square foot catering operation, known as Mindy's Catering, at 4942-C Eisenhower Avenue. The business will use the space as a prep kitchen for their catering operations. The catering operation will operate during the hours of 6 a.m. to 4 p.m., daily. No clients or patrons will visit the business during its hours of operation. The business will be staffed by between two to six kitchen staff and two office staff at any given time.

Background

In 1981, the site was developed with the Build America Six commercial condominium complex as a result of City Council's approval of SIT #80-00032. The site was further developed throughout the 1980's via City Council's approval of SIT #83-00019 and #84-00010, both of which added additional floor area to the existing commercial condominium complex. The site is occupied by two separate warehouse buildings with a total of 150,000 square feet of floor area and 40 commercial tenant spaces which are occupied by a range of uses including retail, catering operation, light auto repair and personal service establishments. The business at the center of the current request would be the first commercial use requiring a Special Use Permit to operate in the commercial tenant space at 4942-C Eisenhower Avenue

Parking

Pursuant to Section 8-200 (A)(18) of the Zoning Ordinance, a catering use is required to provide a minimum of 1.0 spaces per 400 square feet of gross floor area. The proposed catering operation contains 3,479 square feet of floor area; the applicant would be required to provide a minimum of nine parking spaces for the proposed use. Four dedicated parking spaces are available to the applicant directly in front of their business and the remaining five spaces can be accommodated within the 335-space on-site surface, shared parking lot.

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

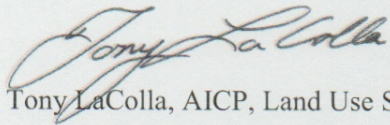
Staff supports the applicant's request for a catering operation at this location. It will serve to fill a currently vacant commercial space at 4942-C Eisenhower Avenue in an area where several other catering operations currently operate without any issues.

In order to mitigate issues relating to noise, environmental impacts, and other general catering operation activities, standard Special Use Permit conditions for catering operation approvals have been added to this approval.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: December 19, 2022
Action: Approve



Tony LaColla, AICP, Land Use Services Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2022-00100

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. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
3. No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z)
4. The applicant shall require its employees who drive to use off-street parking. (T&ES)
5. 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)
6. 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. (T&ES)
7. 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)
8. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
9. 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)
10. 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)
11. 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)
12. 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)

13. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
14. No vehicles associated with this business shall be permitted to idle for more than 10 minutes when parked.
15. No amplified sound shall be audible at the property line after 11:00 pm. (T&ES)
16. 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 once 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)
17. 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 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-2 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)
- R-3 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. (T&ES)
- R-4 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-5 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-6 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-7 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-8 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-9 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-10 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-11 No vehicles associated with this business shall be permitted to idle for more than 10 minutes when parked

- R-12 No amplified sound shall be audible at the property line after 11:00 pm. (T&ES)
- R-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 once 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)

Code Enforcement:

- C-1 Building permit is required for review.

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.
- C-8 Starting on 1/1/2023, The Virginia Department of Agriculture and Consumer Services (VDACS) is the point of contact for the following type of establishments: grocery stores, convenience stores, ice cream stores, wine shops, or bakeries. The divisions of Food Safety can offer further guidance. Please use the following contact information:

SUP2022-00100
4942-C Eisenhower Avenue

VDAC's Food Safety Program

804.786.3520

804.371.7792

foodsafety@vdacs.virginia.gov

Parks and Recreation:

No comments received

Police Department:

No comments received

Fire:

No comments or concerns.

SUP2022-00100
4942-C Eisenhower Avenue

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2022-00100. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 4942-C Eisenhower Avenue.

Erin White

Applicant - Signature

1/2/2023

Date

Erin White

Applicant - Printed

1/2/2023

Date