

PLANNING AND ZONING ROUTING TRANSMITTAL

LOCATION: 2411 Mt. Vernon Ave	PROJECT/REQUEST: Request for a minor amendment to allow additional seating
<p style="text-align: center;">Review Type</p> <input type="checkbox"/> Concept Plan <input type="checkbox"/> IDR Routing <input type="checkbox"/> Completeness Review <input checked="" type="checkbox"/> Preliminary Review <input type="checkbox"/> Final Site Plan Review <input type="checkbox"/> Subdivision/Easement Plat Review <input type="checkbox"/> Mylar Plan/Plat Submission <input type="checkbox"/> Other	<p style="text-align: center;">Case Type</p> <input checked="" type="checkbox"/> SUP 2010-0065 VAC <input type="checkbox"/> DSUP <input type="checkbox"/> ENC <input type="checkbox"/> DSP <input type="checkbox"/> SUB <input type="checkbox"/> MPA <input type="checkbox"/> CDD <input type="checkbox"/> REZ <input type="checkbox"/> Other
Fee Owed 250.00 Fee 250.00	

Routing Date: 10/05/10	PRIMARY PROJECT MANAGER: Nathan Randall SECONDARY PROJECT MANAGER:
<p><u>ROUTING TO:</u></p> <input checked="" type="checkbox"/> T&ES/Engineering & DEQ – Shana Sizemore <input type="checkbox"/> T&ES/Surveys – Allen Martin <input type="checkbox"/> T&ES/Sanitation Auth.–Gaylon Moomaw <input type="checkbox"/> T&ES/VA. American Water – Bill Walsh <input checked="" type="checkbox"/> Code Enforcement – James Hunt <input checked="" type="checkbox"/> Health Department – Joe Fiander (Box 26) <input checked="" type="checkbox"/> Police Department – Charlette Mitchell Young (Box 54) <input type="checkbox"/> Historic Alexandria/Archaeology – Steve Shepard (Box 33) <input checked="" type="checkbox"/> Recreation, Parks and Cult. Activities – Judy Lo <input type="checkbox"/> Office of Housing – Patrick Beckley <input type="checkbox"/> Real Estate Assessments – Cindy Smith-Page <input type="checkbox"/> Human Services – Carol Ferrell <input type="checkbox"/> Planning and Zoning – Development- Luis Gonzalez <input checked="" type="checkbox"/> Planning and Zoning – Zoning- Felton <input type="checkbox"/> Planning and Zoning – BAR- Al Cox <input type="checkbox"/> Planning and Zoning – GIS <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p><u>SPECIAL NOTES:</u></p> <p style="background-color: yellow;"><u>Felton this case is being routed to you for inspection. Please see the attached conditions for SUP2007-0120. The inspection is due by 10/20/10.</u></p>

<p>This project is scheduled for:</p> <input type="checkbox"/> IDR Meeting on <input type="checkbox"/> ESI Meeting on <input type="checkbox"/> Planning Commission on	<p style="text-align: center;">PLEASE RESPOND BY:</p> <p style="text-align: center;">Written Comments Due to Project Mng. By: 10/20/10</p> <hr/> <p style="text-align: center;"><u>Department Comments</u></p> <input type="checkbox"/> No Comments <input type="checkbox"/> Comments Attached in Permit Plan <input type="checkbox"/> Comments Attached to Transmittal
<hr/> Signature of Person Providing Comments/Date Department	



APPLICATION SPECIAL USE PERMIT

Sup 2010-0065

ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

Change of Ownership Minor Amendment

[must use black ink or type]

PROPERTY LOCATION: 2411 Mt. Vernon Avenue
TAX MAP REFERENCE: 034.02-04-02 **ZONE:** CL

APPLICANT

Name: Jill Erber - Cheesetique
Address: 110 Belleaire Rd. Alexandria, VA 22301

PROPERTY OWNER

Name: Mt. Vernon Avenue, LLC
Address: P.O. Box 7001 Alexandria, VA 22307

SITE USE: Retail & Restaurant

THE UNDERSIGNED hereby applies for a Special Use Permit for **Change in Ownership**, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinances.

THE UNDERSIGNED hereby applies for a Special Use Permit for **Minor Amendment**, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Jill Erber
Print Name of Applicant or Agent
110 Belleaire Rd.
Mailing/Street Address
Alexandria, VA 22301
City and State Zip Code

Jill Erber
Signature
202-549-0985
Telephone # Fax #
jill@cheesetique.com
Email address
9/29/10
Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: _____	Fee Paid: \$ _____
Legal advertisement: _____	_____
ACTION - PLANNING COMMISSION _____	ACTION - CITY COUNCIL: _____

4. Is the use currently open for business? Yes No

If the use is closed, provide the date closed. _____ / _____ / _____
month day year

5. Describe any proposed changes to the conditions of the special use permit:

Add dining (indoor), bringing total seats to 80.

6. Are the hours of operation proposed to change? Yes No

If yes, list the current hours and proposed hours:

Current Hours: (currently allowed by our sup) Sun-Thurs 7AM-10PM
Fri-Sat 7AM-11PM
Proposed Hours: No change

7. Will the number of employees remain the same? Yes No

If no, list the current number of employees and the proposed number.

Current Number of Employees: 10
Proposed Number of Employees: Approx. 14

8. Will there be any renovations or new equipment for the business? Yes No

If yes, describe the type of renovations and/or list any new equipment proposed.

Add second dining room, increase size of kitchen.

9. Are you proposing changes in the sales or service of alcoholic beverages? Yes No

If yes, describe proposed changes:

10. Is off-street parking provided for your employees? Yes ___ No

If yes, how many spaces, and where are they located?

Parking lot behind building. 27 spots are available during the weekday and ~~40~~ are available evenings and weekends. 73

11. Is off-street parking provided for your customers? Yes ___ No

If yes, how many spaces, and where are they located?

See #10

12. Is there a proposed increase in the number of seats or patrons served? Yes ___ No

If yes, describe the current number of seats or patrons served and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)

Current:

30 (10 at bar, 20 at tables)

Proposed:

80 (10 at bar, 70 at tables)

13. Are physical changes to the structure or interior space requested? Yes ___ No

If yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces.

See attached sheet

14. Is there a proposed increase in the building area devoted to the business? Yes ___ No

If yes, describe the existing amount of building area and the proposed amount of building area.

Current:

Dining: 420
Kitchen: 160
Retail: 680

Proposed:

Dining: 980
Kitchen: 320
Retail: 680 (no change)

15. The applicant is the (check one) ___ Property owner Lessee

___ other, please describe: _____

16. The applicant is the (check one) Current business owner ___ Prospective business owner

___ other, please describe: _____

17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (10%) in the corporation and the extent of interest shall be identified by name and address.

For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

Please provide ownership information here:

Jill Erber - 51% owner
110 Belleaire Rd. Alexandria, VA 22301

Jeff Erber - 49% owner
110 Belleaire Rd. Alexandria, VA 22301

Minor Amendment Application
Cheesetique LLC
SUP #2007-0120

SUP 2010-0065

Question #2

Type of operation: The existing operation is a retail cheese shop with a restaurant in the back.

Retail Shop: Sells cheese, cured meats, antipasto items, and accessory food items. Wine and beer are sold off-premises, per our current Special Use Permit.

Restaurant: Menu consists of cheese boards, sandwiches, salads, soups, quiche, etc. Wine and beer are served on-premises

Patrons served: The restaurant seats 30 people indoors and 10 people on an outdoor patio.

Number of employees: We currently have 10 employees working at peak times.

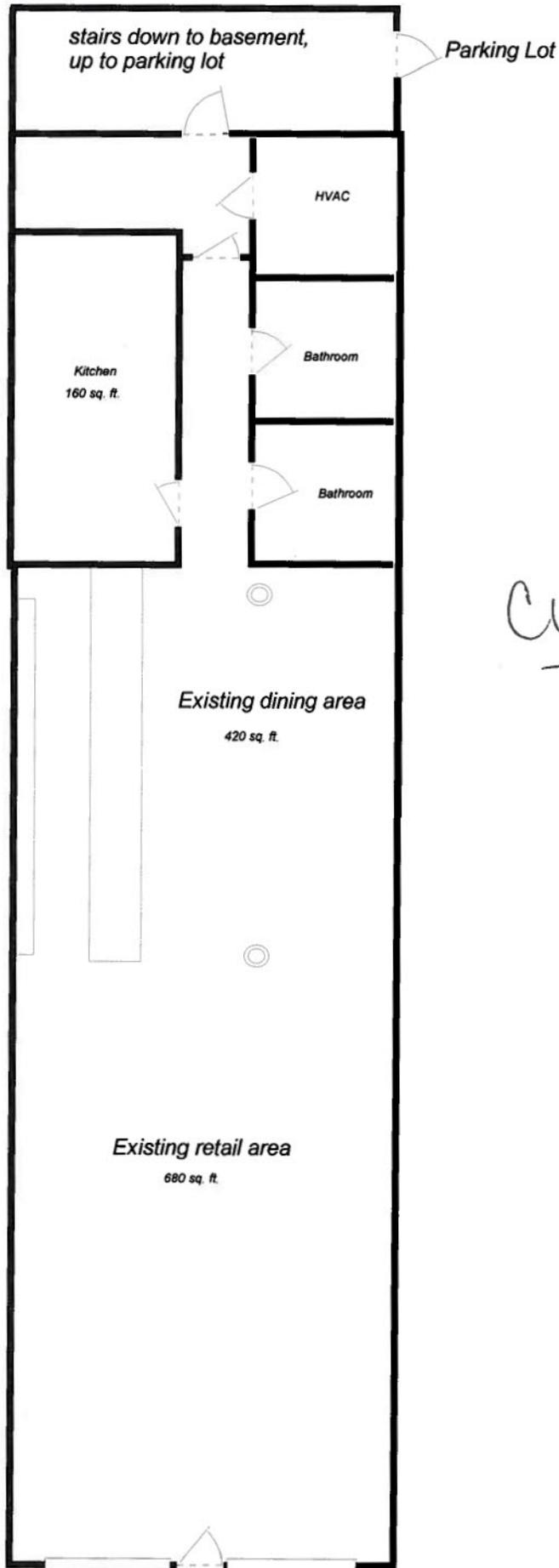
Parking: Off-street parking is available in a lot behind the business. The lot has 27 spots available during the weekdays and 73 available after 5 pm and on weekends.

Question #3

We request one change: to add additional seats to the restaurant, bringing the total seats from 35 to 80. The additional seats will be added in an adjoining dining room. Existing parking is ample for the increase in seating, as 80 patrons will require 20 spots. We have 27 spots available for our use in the lot behind our building on weekdays and 73 after 5 pm and on weekends (our peak times).

The number of employees will increase from 10 at current peak times to approximately 14 during in the new operation.

The nature of the business will not change in any way.



SUP 2010-0065

Current

Cheesetique (current)
2411 Mt. Vernon Avenue

Sup 2010-0065
Parking Lot



Proposed

Cheesetique (proposed expansion)
2411 Mt. Vernon Avenue

II. STAFF ANALYSIS

Staff supports the expansion of a prominent, successful business in Del Ray. The restaurant component will compliment the established retail store and draw more shoppers to the many shops and services offered in Del Ray.

Staff has heard concerns from citizens about the lack of available parking in Del Ray, especially in the evenings when residents return from work. Staff feels that the availability of the larger lot in the evenings will reduce competition for on-street parking when resident demand is highest.

Although the applicant anticipates being open from 8:00 am to 9:00 pm only on Saturdays, with fewer hours the rest of the week, staff has placed a condition allowing extended hours to provide greater flexibility for the applicant.

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 shall be limited to 7:00 a.m to 10:00 p.m. Sunday through Thursday and 7:00 a.m. to 11:00 p.m. Friday and Saturday. The closing hour for indoor seating may extend until 12:00 midnight four times a year for special events. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. 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)
5. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES)
6. The applicant shall control 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 and Environmental Services. (T&ES)

7. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES)
8. 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 or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
9. 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)
10. Applicant shall contribute \$500.00 to the Litter Control Fund for the installation of litter receptacles along the public right-of-ways. Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of City Council approval. (T&ES)
11. The applicant shall require its employees who drive to 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. (T&ES)
12. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (T&ES)
13. The applicant shall provide information on alternative forms of transportation to access Mt. Vernon Avenue including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. The applicant shall encourage its employees and customers 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)
14. At such time that a shared parking program has been adopted by the City Council, the applicant shall participate in the program. (P&Z)
15. The applicant shall install signs inside the building indicating the location of off-street parking in the area and shall inform customers about the parking. (P&Z)

16. Meals ordered before the closing hour may be served, but no new patrons may be admitted after the closing hours, and all patrons must leave by one hour after the closing hour. (P&Z)
17. Limited, non-amplified live entertainment may be offered at the restaurant. 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.
18. The number of seats shall be limited to 40 seats with no more than 16 outdoor seats. (P&Z)
19. No food, beverages, or other material shall be stored outside. (P&Z)
20. The applicant shall conduct employee training sessions on a 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)
21. Beer and wine table service and off-premise alcohol sales are permitted. (P&Z)
22. Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)
23. 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. (Police)
24. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding robbery readiness training for all employees. (Police)
25. Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 375 ml or 12.7 ounces. Wine with an alcohol content greater than 20% may not be sold. (Police)

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, (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;
Richard Bray, 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.