



SUP # SUP 2010-0029

### Administrative Special Use Permit Application

Please type or print legibly

PROPERTY LOCATION: 4109, 4115, 4121, 4125 Mt Vernon Ave

ZONE: NR

TAX MAP REFERENCE: 007.01-02-19

**APPLICANT'S INFORMATION:**

Applicant: Travis Hester

Business/Trade Name: Four Mile Run Farmers and Artisans Market

Address: 317 E Custis Ave, Alexandria, VA 22301

Phone: 215-514-4144

Email: travishdc@delrayfarms.org

**PROPOSED USE:**

- Day Care Center
- Restaurant
- Outdoor Dining (not within the King Street Retail Overlay)
- Light Auto Repair
- Overnight Pet Boarding
- Live Theater
- Outdoor Food and Crafts Market Center
- Outdoor Garden Center
- Catering Business
- Outdoor Display
- Valet Parking

**Please read and sign after the statement:**

I have read and understand the general standards and the requirements for the use for which I am applying and have attached the Worksheet for the use.

Signature: [Signature] 8/17/10

Please submit the following with this application form:

Site Plan At a minimum, show and label the subject property, surrounding buildings, and streets. Show, label and give dimensions for all parking spaces, entrances and exits, and trees and shrubbery.

Floor Plan At a minimum, show and label all interim features inside and outside seats, tables, counters, equipment, etc. as appropriate to the use. Show, label and give dimensions for all entrance and exit doors and windows, rooms/areas, staircases, elevators and bathrooms.

Worksheet for specific use from Checklist and Worksheet package.

Other materials, as required by specific use (see Guide to Administrative SUPs Checklist & Worksheets).

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner, I hereby grant the applicant use of \_\_\_\_\_  
(property address), for the purposes of operating a \_\_\_\_\_ (use)  
business as described in this application.

I also grant permission to the City of Alexandria to visit, inspect, photograph and post placard notice on my property.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**1. The applicant is the (check one):**

- Owner
- Contract Purchaser
- Lessee or
- Other: Market Manager

**of the subject property.**

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner and the percent of ownership.

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

Yes. Provide proof of current City business license

No. The agent shall obtain a business license prior to filing application, if required by the City Code.

USE CHARACTERISTICS

2. Please give a brief statement describing the use:

Farmers and Artisan Markets selling regionally grown or raised produce, meat, etc and locally produced goods.

3. Please describe the proposed hours of operation:

Days	Hours
Daily	

Or give hours for each day of the week

Monday	
Tuesday	
Wednesday	5pm - 8pm
Thursday	
Friday	
Saturday	
Sunday	8am - 1pm

4. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

~ 200 patrons per market day

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

Varies by number of vendors - approx. 10 to start

5. A. How many parking spaces of each type are provided for the proposed use:

25 Standard and compact spaces  
0 Handicapped accessible spaces  
0 Other

- B. Please give the number of:  
Parking spaces on-site 25  
Parking spaces off-site 0

If the required parking will be located off-site, where will it be located?

N/A

6. Please provide information regarding loading and unloading for the use:

- A. How many loading spaces are available for the use? One per vendor
- B. Where are off-street loading spaces located? On asphalt pad on property footprint
- C. During what hours of the day do you expect loading/unloading operations to occur? 6:30 - 7:30am Sunday, 1pm-2pm Sunday  
4-5pm Wed, 8-9pm Wed
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate? 1 unload and 1 load per market day

7. If any hazardous materials or organic compounds (for example paint, ink, lacquer thinner, or cleaning or degreasing solvent), as defined by the state or federal government, be handled, stored, or generated on the property, provide the name, monthly quantity, and specific disposal method below:

N/A

SEP # 2010-0029

**APPLICANT'S SIGNATURE**

Please read and initial each statement:

Initial: TH THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Initial: TH THE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Travis Hester  
Print Name of Applicant or Representative

  
Signature

Date 5/17/10

**If this application is being filed by someone other than the business owner (such as an agent or attorney), please provide the information below:**

Representative's Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: ~~215-514-4144~~

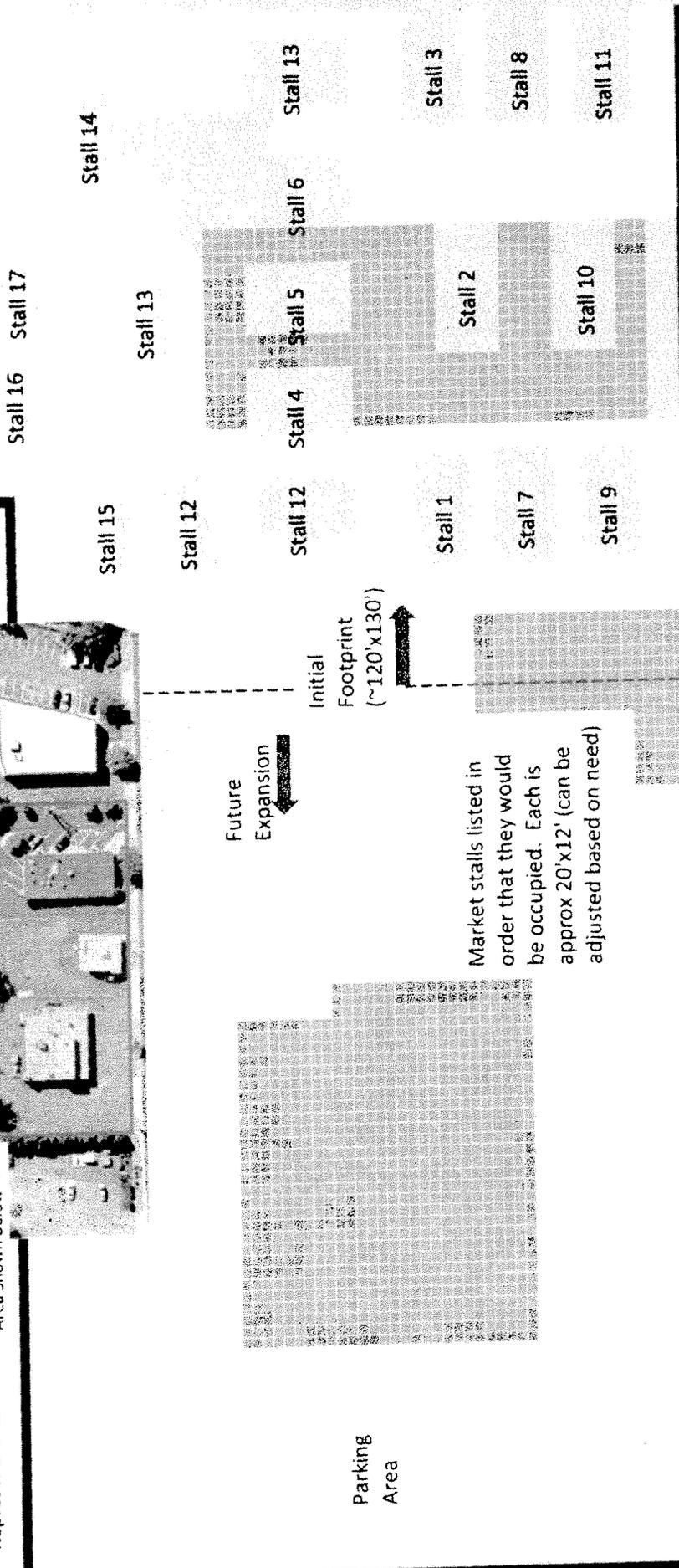
Email: ~~travishdc@detrayfarms.org~~

Fax: \_\_\_\_\_



Area Shown Below-->

Each Square Represents 2'x2'



Future Expansion

Initial Footprint (~120'x130')

Parking Area

Market stalls listed in order that they would be occupied. Each is approx 20'x12' (can be adjusted based on need)

**OUTDOOR FOOD AND CRAFTS MARKETS**  
Zoning Ordinance Section 11-513(F)

**Qualify for Administrative Review?**

Will the outdoor food and crafts market prohibit alcohol sales?  Yes \_\_\_ No

Will food preparation and storage of trailers be located on a different site than the proposed outdoor food and crafts market?  Yes \_\_\_ No

Will the outdoor food and crafts market operate two days a week or less?  Yes \_\_\_ No

Are the hours between 7:00 a.m. and sundown?  Yes \_\_\_ No

If yes to all questions, the business qualifies for administrative review. If no to any question, speak to P&Z staff about the full SUP process.

**Note:** City staff must review a plan for the layout of the market and the plan must be approved before beginning operations. Any changes to the plan must be approved.

There must to be a set of rules for all vendors and for the market. The Director approves the rules and any changes to the rules. Copies of the rules must be given to each vendor, to nearby residents and businesses, and to the civic associations in the vicinity.

**WORKSHEET – Answer each question. Attach a separate sheet of paper if necessary.**

**MARKET MASTER**

A market master must be designated, and an alternate, and their names and contact information must be provided before opening the market.

The market master must be present at the opening and the closing of the market, and must oversee cleanup of the area. The market master must also maintain a list of vendors with addresses and telephone numbers.

Who is the market master? Travis Hester (name)  
317 E Custis Ave, Alexandria, VA 22301 (address)  
215-514-4144 (phone)  
travishdc@delrayfarms.org (email)

Who is the alternate market master? Nicholas Partee (name)  
54 Dale St, Alexandria, VA 22305 (address)  
571-239-6793 (phone)  
nicholas.partee@gmail.com (email)

**MARKET RULES FOR VENDORS**

Please provide the market rules with your application.

The rules must state who is eligible to sell goods in the market and under what conditions. It is expected that the market will include the sale of produce, and baked and prepared goods, and that the produce will be predominantly grown by the vendors, except during the spring and late fall when resale produce may predominate.

The rules must also state the appropriate food safety guidelines developed by the Alexandria Health Department.

Complete the Administrative Special Use Permit Application on the following pages.

SUP # 2010-0029

Who is an alternate market master Kevin Beekman (name)  
3905 Elbert St, Alexandria, VA 22305 (address)  
703-405-1075 (phone)  
kbeekman@gmail.com (email)

Who is an alternate market master Glenn Christianson (name)  
\_\_\_\_\_  
\_\_\_\_\_  
glennrc@verizon.net (email)

Who is an alternate market master Hendrick Booz (name)  
\_\_\_\_\_  
703-597-6565 (phone)  
hendrickbooz@gmail.com (email)



# Market Plan and Rules

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## Mission

The Market will bring fresh, nutritious food to people of all income levels, provide an opportunity for local artisans and producers of goods to bring their wares to market, strive to reflect the diversity of the community, and improve the quality of life for Arlandria residents and visitors.

## Objectives

*Year One:*

1. Get market running by end of June with  $\geq 5$  vendors

2. Improve and maintain site (weeding, banners, plantings)

3. Support EBT or WIC payment by end of market year

*Year Two:*

1. Establish at least 2 local vendors from Arlandria

2. Achieve regular attendance by at least 12 vendors by June of year 2

3. Promote a new local community garden within 4 Mile Run Park (adjacent to market, if possible)

## Keys to Success

- **Vendors:** Attract a diverse mix of vendors. Get buy-in from vendors to support EBT and WIC programs.
- **Marketing:** Display marketing materials that can easily be seen by passing car, pedestrian, and bike traffic. Market heavily on area blogs and listservs. Get local and regional press coverage.
- **Environment:** Promote a welcoming environment for both English and non-English speaking patrons. Must create a sense of place for the market beyond just a series of booths/stands.

## Definitions

Bona fide—

- As in growers—the seller is the producer of the products being offered for sale, from lands he owns or rents, with control over the production, harvesting, and marketing of the products, and a financial interest in the products.

- As in craftsperson—all crafts offered for sale are original in nature and produced in whole by the seller. No crafts shall be permitted that are derived from kits.
- As in homemade products—all products are produced, baked, or manufactured by the seller and are original in nature. No baked goods from mixes or purchased for finishing off will be permitted.
- As in restaurateur—all products are prepared by the seller and are original in nature. No prepackaged goods, goods from mixes, or goods purchased for finishing off will be permitted.

Daily vendor—any vendor who is permitted to sell on the market, who participates in the market less than the full season and chooses to pay on a daily basis for any space used.

Market governing body— the market’s board of directors or committee, ultimately responsible for setting the policies of the market.

Market Manager – a person or persons empowered by the Governing Body to implement market policies and directives, and to oversee the operation of the market.

Market sponsor – any governmental agency, non-profit organization, or association that lends its support to the market in any way.

Seasonal lease—when a vendor signs for space for the full season and makes payment in accordance with the established fee structure.

Vendor—any seller or exhibitor participating in the market.

Stall—a designated spot within the market boundaries for a vendor to set up shop. A single vendor stall shall be 12’ Wide by 20’ deep.

## Market Management and Rules

### ***Financial Objectives***

The Market will be managed not-for-profit. Any fees collected will be invested back into Market improvements, marketing, and administrative costs.

### ***Market Governance***

1. The market will be sponsored by an independent non-profit association (i.e. Chamber of Commerce, health-related association, or other interested on profit association) and will operate with an independent market governing body.
2. The Market shall strive to operate to in accordance with its stated mission.
3. The Market Governing Body with consist of an executive committee. The positions on the executive committee shall be President, Vice President, and Treasurer. If the acting Market Manager is not already on the executive committee in a dual role, the Market Manager will also be included on the committee.

4. The Market Manager is responsible for the orderly and efficient conduct of the market and for implementing and enforcing the Rule and Regulations. The Market Manager will represent the market and its governing body during market days and in community activities. The Market Manager will assist the market's governing body with developing and implementing a market budget, establishing market policy, vendor recruitment, collecting fees, establishing the operational schedule, and advertising and promotion of the market.

### ***General Operations***

1. The market will be located at 4125, 4121, 4115, and 4109 Mt. Vernon Avenue, within Four Mile Run Park. The market will operate every Sunday, 8am–1pm and will run from April through October.
2. Vendors may arrive as early as 6:30am to begin setup and must stay through at least 12pm to provide a full market to shoppers arriving throughout market hours.
3. Vendors may leave earlier than 12pm only under extenuating circumstances and with the permission of the Market Manager.
4. Vendors must notify the Market Manager no later than 12 hours before market time if they will be absent for that market day.
5. No selling is permitted before the official opening time, as announced by the Market Manager.
6. Parking for vendors and patrons shall be permitted in the area designated by signage and/or the market manager. The decision to provide on-site parking will be revisited annually and is subject to change based on the determination of the market governing body.

### ***Who May Sell at the Market***

1. The use of the market is restricted to those who are bona-fide growers, craftpersons, producers of homemade products, restaurateurs, or other vendors approved by the Market Manager or governing body. Vendors may, on a limited basis, supplement their product line with additional Virginia or Maryland State only products, along as that product is otherwise missing from the market and the Market Manager has given permission for the supplement. This permission is valid for one season only and must be re-applied for each new season.
2. All agricultural products may be sold at the market, including but not limited to locally grown fruits and vegetables, dairy products, meats, flowers, plants, honey products, eggs, herbs, and related products.
3. Craft vendors may sell products that they have hand-produced themselves.
4. Bakers, cheese makers, sausage makers, etc. who have produced the products themselves and who possess the proper licensing from the proper City, County, or State Dept. of Health. A current certificate must remain on file with the market.
5. Products not specifically identified must be pre-approved by the market management.
6. All applicable food safety regulations, both state and local, must be adhered to at all times.
7. All applicable licenses and permits for products sold must be obtained and kept current. Copies of applicable permits and licenses will be kept on file with the market management.

8. To ensure compliance with market rules, the Governing Body reserves the right to direct the Market Manager or appoint a committee to inspect any vendor's farm or establishment with advance notice. Inspections will be made only with the farmer/owner or their representative present unless written permission is given. Vendors must provide any help necessary to thoroughly document products and conditions recorded at the inspection. The vendor will be notified in writing of the results of the inspection within seven days of the inspection.
9. All new vendors will be subject to a ninety (90) day at-will probationary period commencing on the first day of selling in the market.

### ***Guidelines for Selling***

1. All stall spaces must be swept clean and any refuse removed at the end of each market day.
2. All vendors must have a sign clearly showing their name and location.
3. Each vendor will be responsible for all equipment and supplies for the setup of a booth. Displays should be constructed in such a way that they do not block customer walkways nor pose any other hazard to customers.
4. Vendors who provide samples and/or products that will result in waste material, such as cups, rinds, and corn cobs, must provide containers for waste disposal.
5. Vendors are required to keep their market space neat and clear of obstacles, litter, and debris.
6. All produce displayed for sale must be at least 12 inches off the ground or within a container with the exception of heavy or large items such as pumpkins.
7. Sellers must post prices. While it is expected that prices will be fair to consumers, the seller, and fellow sellers, collusion among sellers to attempt to influence prices is strictly prohibited.
8. No smoking, alcoholic beverages, or firearms are permitted at the market.
9. No hawking, proselytizing, or amplified music is permitted at the market. Market Management may arrange for music with approval from the City of Alexandria.
10. All products offered for sale must be of good quality and condition. The Market Manager reserves the right to direct any inferior goods be removed from display. Failure to remove products deemed inferior will be reported to the market's governing body and may result in loss of market privileges.
11. Each vendor in the market must be directly involved with or knowledgeable about the production of the produce or products being sold at the market.
12. All vendors must provide proof of general liability coverage and name the market, the property owner, and the market sponsor as additional insured. A current certificate must remain on file with the market.
13. Vendors are responsible for the actions of their representatives, employees, or agents.

### ***Stall Fees and Assignment***

1. Stalls will be assigned by the Market Manager on a first-come first-serve basis.

2. The stall fees and payment schedule will be assessed annually by the market's governing body. Stalls may be rented on a seasonal basis or on a daily basis. Daily fees will be due and payable to the Market Manager prior to setting up for the day.
3. Farmers with a seasonal lease will be assigned a permanent spot for the duration of the season except when the footprint of the market must be expanded or contracted due to significant changes in number of vendors over time. The market may also be forced to shift within the footprint of the Four Mile Run open space as required by the Alexandria Dept of Recreation, Parks, and Cultural Activities. Reserved spaces will generally be reserved each year for the seasonal vendor, provided that all stall fees are kept current.
4. Reserved market spaces must be occupied at least 30 minutes prior to opening of the market day. After that time, daily vendors will be permitted to set up in those spaces, as assigned by the Market Manager. Seasonal leaseholders, arriving after that time, will be re-assigned to another space for the day if the space is occupied by a daily vendor.
5. Daily vendors will be assigned space by the Market Manager on a first-come first-serve basis, as space is available. Space in the market is not guaranteed, nor is it guaranteed that daily vendors will be assigned the same space each week that they are in the market.
6. No subletting of a seasonal booth is permitted and rents are not reimbursable, either in whole or in part.
7. To ensure the safety of market patrons, any vendor arriving after market opening may be required to set up on the periphery of the market.

## ***Compliance***

1. All complaints must be addressed in writing to the Market Manager.
2. Complaints against another vendor must be accompanied by a \$50 "good faith" check. The Market Manager will then conduct an investigation and/or farm inspection against the accused vendor. If the complaint is found to be valid, the \$50 "good faith" check will be returned. If the complaint is found to be unfounded, the check will be forfeited and deposited in the market's general funds with a letter of explanation sent to the complainant.
3. All other complaints will be reviewed by the Market Manager in an attempt to resolve the issue. If the manager is unable to resolve the complaint, then a written follow up may be made to the market's governing body. The governing body will address the complaint at the next regularly scheduled meeting. If the complaint is of an immediate nature, the Market Manager may ask for a special convening of the market's governing body to address the complaint. The decisions of the governing body are final.
4. The submission of application for admission to the market serves as the vendor's agreement to abide by the rules of the market, as established by the market's governing body and enforced by the Market Manager. Violations of the rules of the market may be grounds for warnings, dismissal from the market, or both.
  - The first violation of the rules will result in a verbal warning by the Market Manager. Documentation of the warning will be kept on file by the Market Manager.

- The second violation of the rules will result in a written warning, given by the Market Manager. A copy of the letter will be kept on file by the Market Manager, along with any documentation of the violation.
  - The third violation of the rules will result in a one-week suspension of selling privileges.
  - The fourth violation of the rules will result in a two-week suspension of selling privileges.
  - The fifth violation of the rules will result in dismissal from the market.
5. At the discretion of the Market Manager, when a violation occurs that jeopardizes the health of a customer, another vendor, market management, or the overall health of the market, the manager may convene the market’s governing body to request a suspension of the compliance procedure and call for immediate dismissal from the market. The dismissal will require documented proof of an egregious violation. The vendor will be given an opportunity to review the documentation, prepare a defense, and appear before the governing body.
  6. During the probationary period for new vendors, when a violation occurs, the market manager may convene the market’s governing body to request a suspension of the compliance procedure and call for immediate suspension or dismissal from the market. The suspension or dismissal will require documented proof of a violation. The new vendor will be given an opportunity to review the documentation, prepare a defense, and appear before the governing body.
  7. If after receiving a warning or suspension, a vendor is in disagreement with the Market Manager over the infraction, the vendor may make written application to the market governing body to be heard on the issue. Both the vendor and the Market Manager will appear before the governing body and present their sides of the issue. The decision of the governing body is final.

## Market Startup

### *Assumptions*

Liability coverage is not required of the Market Governing Body.

### *Requirements*

Administrative SUP approval gives the Market the right to operate on designated City Park Property.

### *Expenses*

Item	Cost	Frequency
ASUP submission fee	\$250	Startup
Signage for market days	\$300	Startup
EBT Terminal	\$1200	Startup
Marketing	\$500	Annually

## ***Timeline***

- 5/14 – Submit ASUP application to P&Z (21 day process)
- Ongoing – Pursue vendors
- 5/29 – Tentative date for site clean-up and prep
- 6/4 – Earliest approval date
- 6/12 – Final site prep (post banners, paint parking lines, etc)
- 6/20 – First Market Day (assuming minimum of 3 vendors)