

*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 #2013-0031

Approved by Planning and Zoning: June 20, 2013

Permission is hereby granted to: Deni H. Jung

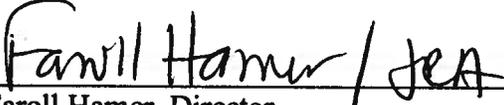
to use the premises located at: 1900 North Beauregard Street

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.

6/20/2013

Date

  
Faroll Hamer, Director  
Department of Planning and Zoning

DATE: June 20, 2013

TO: Joanna Anderson, Acting Deputy Director  
Department of Planning and Zoning

FROM: Nathan Randall, Planner  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2013-0031  
Administrative Review for Change of Ownership and Minor Amendment  
Site Use: Restaurant  
Applicant: Deni H. Jung  
Location: 1900 North Beauregard Street  
Zone: CDD #4 / Coordinated Development District #4

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### **Request**

Special Use Permit #2013-0031 is a request for minor amendment and a change of ownership at an existing restaurant in a three-story office building at 1900 North Beauregard Street. The change of ownership request will transfer the SUP from Mark V O Corporation to Deni H. Jung. The minor amendment request will extend the opening hour of the business from 7:30 a.m. to 6:30 a.m. daily. No other changes to the business are expected. The applicant plans to continue operating the deli-style restaurant under the name of "Café Gloria."

### **Background**

City Council first approved an SUP for a restaurant at this site in February 1994 (SUP#2764). Most recently, staff administratively approved a change of ownership in January 1997 (SUP#96-0185). Staff has not received any complaints about this business dating back to 1994.

### **Community Outreach**

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Seminary Heights and Seminary West Civic Associations were sent written notification of the current application. Staff has not received any comments from residents or adjacent businesses.

### **Staff Action**

Staff does not object to the applicant's requests. The change of ownership is appropriate and no significant changes to the restaurant concept are expected. The minor amendment will result in a very small change in the opening hour of the business from 7:30 a.m. to 6:30 a.m. The one-hour difference, which is eligible for minor amendment approval since it represents an increase of two hours or less pursuant to Section 11-511(A)(2)(b)(i)(a) of the Zoning Ordinance, is a reasonable change to better accommodate breakfast customers and should not have a negative impact on the surrounding area.

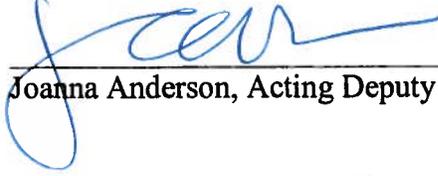
Staff has added or amended several conditions in this report for consistency with modern standard condition language. For instance, it has included a new prohibition on live entertainment (Condition #16) since it was not proposed in the most recent SUP, and it has removed a condition requiring a trash can be installed in the public right-of-way (Condition #13). The latter change is consistent with staff's practice in recent years, directed by City Council, to not require such trash cans. New standard conditions regarding employee training, odors, and a one-year review have also been included in this report.

Staff hereby approves the Special Use Permit request.

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

Date: 6/20/2013

Action: Approved



Joanna Anderson, Acting Deputy Director

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

**CONDITIONS OF SPECIAL USE PERMIT #2013-0031**

The new 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 business or entity in which the applicant has a controlling interest. (SUP #2764)(P&Z)
2. Seating shall be provided inside for no more than 34 patrons. (SUP #2764) (P&Z)
3. No outside dining facilities shall be located on the premises. (SUP #2764)(P&Z)
4. **CONDITION AMENDED BY STAFF:** The hours of operation shall be limited to ~~7:30 A.M.~~ 6:30 a.m. to 4:30 P.M., Monday through Friday. Meals ordered before 4:30 p.m. may be served, but no new patrons may be admitted after 4:30 p.m. and all patrons must leave by 5:30 p.m. (~~SUP #2764~~) (P&Z)
5. No alcoholic beverages shall be sold. (SUP #2764)(P&Z)
6. No food, beverages, or other material shall be stored outside. (SUP #2764)(P&Z)
7. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be stored inside or in a dumpster. 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 or debris shall be allowed to accumulate on site outside of those containers. (~~SUP #2764~~)-(P&Z)
8. Trash and garbage shall be collected every day that service is available. (SUP #2764) (P&Z)
9. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (SUP #2764) (T&ES)
10. **CONDITION AMENDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building, and no amplified sound shall be audible at the property line. (~~SUP #2764~~)(P&Z) (T&ES)
11. The applicant shall post the hours of operation at the entrance to the restaurant. (SUP #2764)(P&Z)
12. At least one trash container shall be located in the parking area for the use of patrons, and the container shall not be permitted to overflow, and the areas around the container shall be kept clean. (SUP #2764) (P&Z)

13. **CONDITION DELETED BY STAFF:** ~~One standard City trash container shall be furnished to the City of Alexandria for installation by the City on the adjacent public right of way. (SUP #2764)(P&Z)~~
14. 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. (SUP #2764)(P&Z) (T&ES)
15. No food delivery to customers shall be permitted. (SUP #2764)(P&Z)
16. **CONDITION ADDED BY STAFF:** No live entertainment shall be offered at the restaurant. (P&Z)
17. **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 SUP provisions and requirements. (P&Z)
18. **CONDITION ADDED BY STAFF:** 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)
19. **CONDITION ADDED BY STAFF:** 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)
20. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
21. **CONDITION ADDED BY STAFF:** 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)
22. **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, or (c) the Director has determined that there are problems with the

SUP2013-0031  
1900 North Beauregard Street

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 Existing conditions of SUP#96-0185 carried forward:
9. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (SUP #2764) (T&ES)
  10. **Condition Amended by Staff:** All loudspeakers shall be prohibited from the exterior of the building, and no amplified sound shall be audible at the property line. (SUP #96-00185) (~~P&CD~~ T&ES)
  14. 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. (SUP #96-00185) (~~P&CD~~-T&ES)
- R-2 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)
- R-3 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-4 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-5 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)
- C-1 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-2 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 City Council 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)

### Code Administration

- F-1 No comments received

### Health Department

#### *Food Facility*

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 or location to another.
2. Plans shall be submitted to the Health Department through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200 plan review fee payable to the City of Alexandria.
3. Plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food and Food Handling 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.
4. Facilities engaging in the following processes may be required to submit a HACCP plan: Smoking as a form of food preservation; curing foods; using food additives to render food non-potentially hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; and sprouting seeds or beans.
5. A Certified Food Manager shall be on duty during all operational hours.
6. The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.
7. Wood flooring in eating areas shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent. In many cases, original wooden flooring in historical structures may not be suitable for food service facilities.

Parks & Recreation

F-1 No comments received

Police

F-1 No objection

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2013-0031. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 1900 North Beauregard Street.

  
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Applicant - Signature

6/20/2013  
Date

Deni H Jung  
Applicant - Printed

6/21/2013  
Date