

SUP2014-0057



APPLICATION SPECIAL USE PERMIT

ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

Change of Ownership Minor Amendment

[must use black ink or type]

PROPERTY LOCATION: 701 S. Washington St Alexandria, VA

TAX MAP REFERENCE: _____ ZONE: CL/Commercial Low

APPLICANT

Name: District Taco Chris Medhurst

Address: 2824 Fallfax Drive Falls Church, VA

PROPERTY OWNER

Name: A&H, Limited Liability Corporation c/o Ahmad Loghman

Address: 901 King Street Alexandria, VA 22314

SITE USE: 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.

Chris Medhurst

Print Name of Applicant or Agent

2824 Fallfax Drive

Mailing/Street Address

Falls Church, VA 22042

City and State Zip Code

Chris Medhurst
Signature

202-340-6702 202-459-2235

Telephone # Fax #

cmedhurst@districttaco.com

Email address

6/18/2014

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. May / 27 / 2013
month day year

5. Describe any proposed changes to the conditions of the special use permit:
Hours of Operation (+5), Parking Spots (+1)

6. Are the hours of operation proposed to change? Yes No
If yes, list the current hours and proposed hours:

Current Hours:
Monday to Sunday
11am to 10pm

Proposed Hours:
Monday to Wednesday
8am to 10pm
Thursday to Sunday
7am to 10pm

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:
NA

Proposed Number of Employees:
12

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.
See Appendix #8

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?
See Appendix #10

11. **Is off-street parking provided for your customers?** Yes ___ No
If yes, how many spaces, and where are they located?
See Appendix #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:	Proposed:
_____	_____
_____	_____
_____	_____

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.

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:	Proposed:
_____	_____
_____	_____
_____	_____

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:

See Appendix #17

SUP2014-0051^{D?}

April 29, 2014

A&H, Limited Liability Corporation
c/o Ahmad Loghman
901 King Street
Alexandria, VA 22314

Re: Administrative SUP Change of Ownership
Former Chicken Out Restaurant - 701 S. Washington Street, Alexandria VA

To Whom It May Concern,

As a duly authorized member of A&H, Limited Liability Corporation, Owner of the above referenced property, I hereby authorized District Taco, LLC and/or it's representatives to apply for a Change of Ownership for the SUP in place governing the prior business, Chicken Out, which is now closed. As Owner, I can attest that A&H, Limited Liability Corporation is in good-faith negotiations with District Taco, LLC to complete a lease for the above-referenced property. I further consent to an Administrative SUP Change of Ownership in order to encompass District Taco's operations as expeditiously as possible.

Should anyone have any questions or wish to discuss further, please do not hesitate to contact me. Thank you!

Sincerely,

A&H, Limited Liability Company

By: 

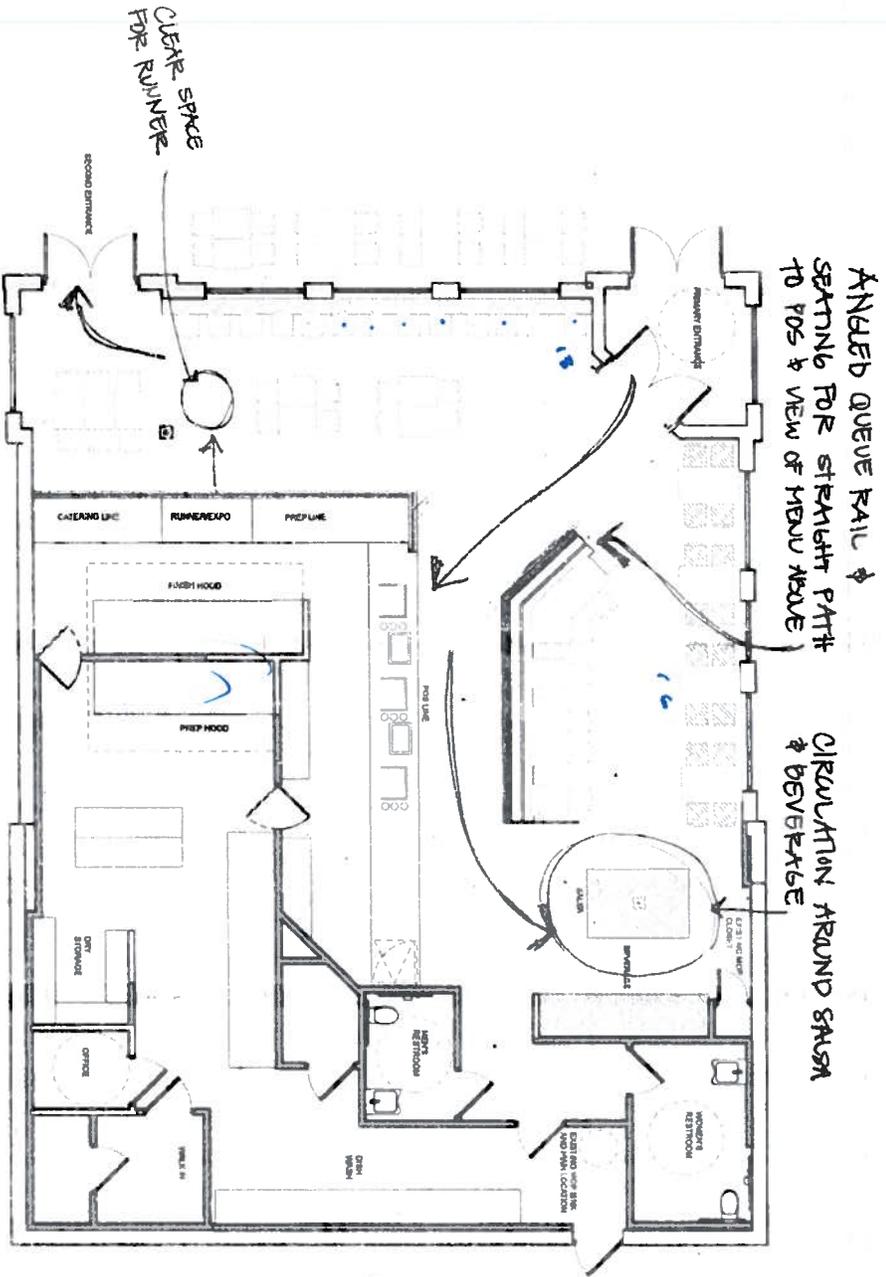
Name: A. Loghman

Its: Partner 4/30/14

Email: parsllc@verizon.net

Phone: 703-836-9028

SUP2014-0057



1
First Floor
 Scale: 1/8" = 1'-0"

Indoor Seats: 67
 Outdoor Seat: 18
 Total Seats: 73

16
 13
 14

CORE

1010 Wisconsin Ave NW, Suite 405
 Washington, DC 20007
 T 202 469 6116 F 202 469 6235
 W coredc.com E gen@coredc.com

District Taco S. Washington Street

P.1

District Taco
 Test Fit
 Project Number: 1401200
 Printed 8/14
 © core studio, pc 2014

701 S Washington St
Street View



Map data ©2014 Google 500 ft

SURDOW-0057

Next
REALTY

701 S. Washington St

S. Washington St & Franklin St
Alexandria, Virginia

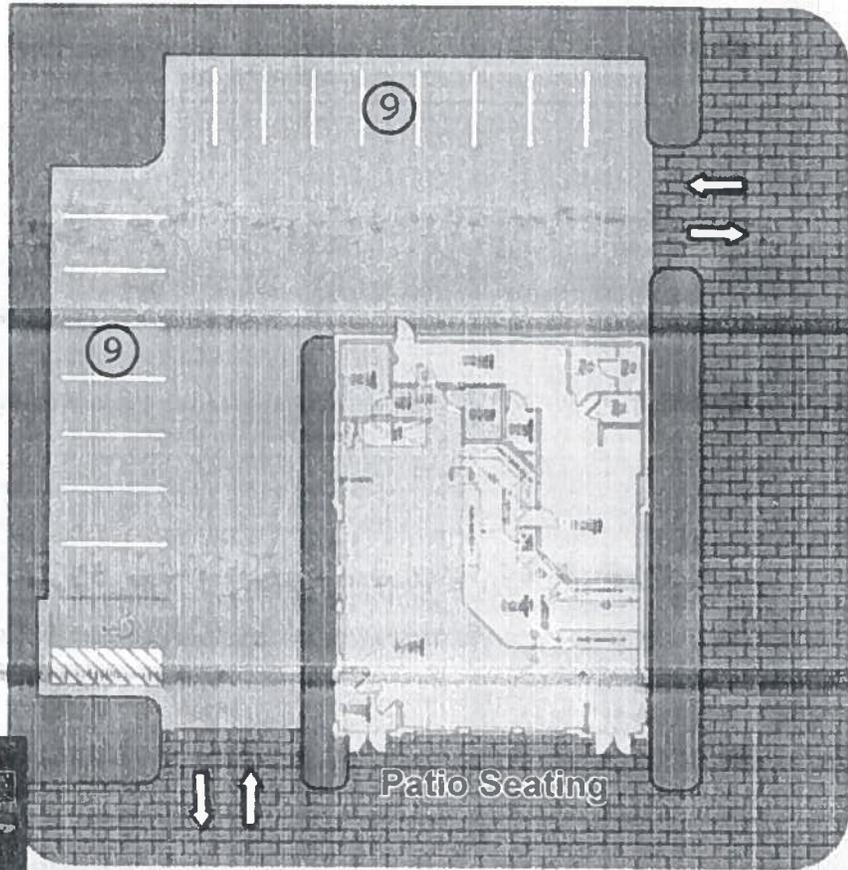
RETAIL SPACE
for LEASE

Alexandria, VA

AVAILABLE

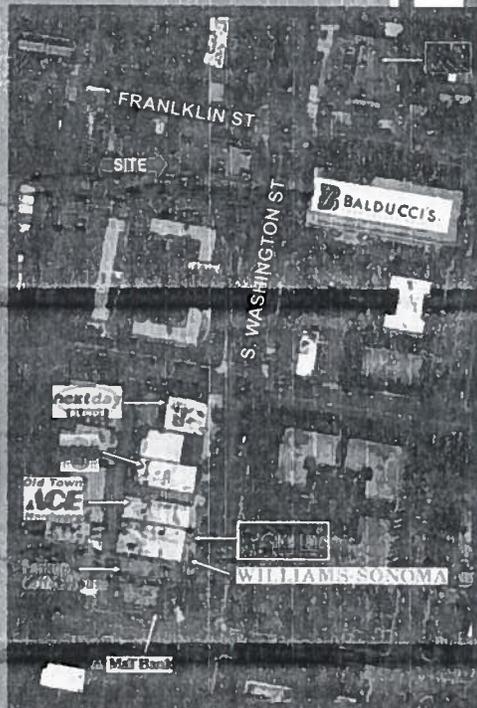
- 3,280 s.f.
Free-Standing Bldg
- 18 on site parking spaces
- Outdoor Seating area

SITE PLAN



S WASHINGTON ST

FRANKLIN ST



For More Information Contact:

ANDREW ROSE
703.442.8837
arose@nextrealty.com

BRYAN DAVIS
703.442.8843
bdavis@nextrealty.com

Information contained herein has been obtained from sources deemed reliable, but we do not guarantee its accuracy

District Taco, LLC

Administrative SUP Change of Ownership Appendices

April 1, 2014

**Appendix #2: Summary of Previous Operation**

Chicken Out the Door, Inc. (trading as "Chicken Out") discontinued operations at 701 S Washington Street shortly after Memorial Day, 2013 (May 27).

- Nature of Operation – Chicken Out operated as a quick service restaurant offering carry-out and delivery services.
- Number of patrons served – Unknown
- Number of employees – Unknown
- Parking availability – 17 spots
- Indoor Seats – 64
- Outdoor Seats – 16
- Total Seats – 80
- Hours of Operation – 11am to 10pm
- Hours of Operation (outdoor dining area) – 11am to 9am
- Alcohol Sales – On-premise only

Appendix #3: Summary of Proposed Operation

- Nature of Operation – Quick Service Restaurant
 - Our Story
 - In 2009, two neighbors got together over some homemade chips, salsa and guacamole and decided to launch District Taco ("The Company" as a food truck. District Taco has since grown and now operates multiple locations in and around Washington DC.
 - Our Mission
 - Our mission is to serve quality Mexican (Yucatan style!) food that is fresh, simple and healthy. All of our food is made fresh daily from quality ingredients. We strive to limit our impact on the environment by serving in environmentally-friendly packaging where possible. As we say, "Orale!" which roughly translates to "Right On!"

District Taco, LLC

Administrative SUP Change of Ownership Appendices

April 1, 2014



- The Ordering Process
 - Customers enter the restaurant and place their order with one of our cashiers.
 - Customers are given their receipt and a Mexican Bingo card, which we later use to match customers to their orders.
 - Orders are sent to the kitchen for preparation. Customers may be seated or choose to stand for carry out orders.
 - Once the order is prepared, our "Food Runner" delivers the order to the customer's table (or hands the order directly to carry out customers who have chosen not to sit).
 - Alcoholic beverages are not served to carry out customers, and are delivered by Food Runners to seated customers only
- Hours of Operation – 7am to 10pm
- Hours of Operation (outdoor dining area) – 11am to 9am
- Indoor seats – 64
- Outdoor Seats – 16
- Total Seats – 80
- Parking Spots – 18
- Employees per shift – 12
- Estimated customers served per day - 300
- Average customers served per hour - 20
- Delivery? - No
- Carry Out? – Yes (approximately 63% of total sales)
- Alcohol? – On premise. Beer only.
- Disposable tableware? – Yes

Appendix #8: Renovations*

District Taco plans to conduct renovations and alterations to the premises to prepare for opening. Interior renovations would include; new finishes, updated plumbing, updated HVAC, updated electrical, updated commercial kitchen exhaust system, new kitchen equipment, and new furniture. Exterior alterations would be limited to a new sign (subject to city approval), and possible updates to the waste receptacle housing area behind the restaurant. No changes will be made to the building footprint,

District Taco, LLC

Administrative SUP Change of Ownership Appendices

April 1, 2014



façade, external appearance, etc. Initial cost estimates for the construction are approximately \$600,000, and would be completed in 4 to 6 weeks.

Summary of Floor Area Use (square feet)

Building Total.....	2,773.13
• Back of House Total (Kitchen)	1,214.47
○ Office.....	31.41
○ Storage Total	161.20
▪ Walk-in Cooler	85.42
▪ Mop Room	4.66
▪ Storage Closet.....	33.75
▪ Dry Storage	37.37
• Front of House Total	1,558.66
○ Beverage Area & Salsa Bar.....	195.32
○ Queueing Area	261.84
○ Restrooms.....	222.07
• Seating Total.....	957.54
○ Indoor Seating Total.....	779.91
▪ Indoor Seating (South).....	429.48
▪ Indoor Seating (East).....	350.43
○ Outdoor Seating Total.....	177.63

**See attachment "20140401 – 701 S Washington St - Test Fit Annotated" for preliminary drawings.*

Appendix #10: Parking

Special Use Permit #2012-0040 granted to Chicken Out the Door, Inc. permission to have 80 total seats for 17 parking spots. District Taco does not offer delivery service; and therefore, intends for all 18 spots currently available on the property to be used for customer parking. Employees will be permitted to use the off-street parking, but The Company will encourage the use of public transportation whenever possible. More specifically, The Company will install a message board a post

District Taco, LLC

Administrative SUP Change of Ownership Appendices

April 1, 2014



information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. The company will also consider offering a stipend to encourage the use of public transportation. Historically, the overwhelming majority of employees will opt to use public transportation, and only a very limited number of employees actually own their own vehicles at each restaurant.

Appendix #17: Summary of Ownership Interest

"Schedule A" is an excerpt from District Taco, LLC's most recent Operating Agreement dated October 20, 2013. Outstanding common units and their allocations are shown before dilution.

<u>SCHEDULE A</u>			
Name and Address of Member	Common Units (pre- Effective Date)	Common Units (post- Effective Date)	Ownership Percentage (post -Effective Date)
Abelardo Osiris Hoil Pech 2612 North Potomac Street Arlington, VA 22207 Email: osiris@districttaco.com	400,000	402,704	29.27%
Marc R. Wallace 5723 North 27th Street Arlington, VA 22207 Email: mwallace@districttaco.com	400,000	402,704	29.27%
Paul Cushman Robinson, Jr. 2816 N Harrison St Arlington, VA 22207 Email: d90us@yahoo.com	200,000	204,506	14.86%
Daniel Arthur Estrada Unit #3 3044 R Street, N.W. Washington, DC 20007 Email: danestrada66@gmail.com	150,000	150,000	10.90%
Christopher Ryan Sexton 1313 Mayflower Dr. McLean, VA 22101 Email: csexton@gmail.com	50,000	50,901	3.70%
Sean Flanagan 6130 18th Road North Arlington, VA 22205 Email: sean.flanagan@capitalone.com	28,900	31,153	2.26%

District Taco, LLC

Administrative SUP Change of Ownership Appendices

April 1, 2014



Kevin Joseph 2358 N. Oakland Street Arlington, VA 22207 Email: kevin@josephgrpllc.com	22,250	24,503	1.78%
Dave McCready 2637 N. Florida St. Arlington, VA 22207 Email: dmccread@gmail.com	22,250	22,791	1.66%
Peter Springett 5105 North 26th Road Arlington, VA 22207 Email: pete.springett@gmail.com	20,000	21,352	1.55%
James McCracken 5119 27th Rd N Arlington, VA 22207 Email: jwmccracken@gmail.com	15,575	20,081	1.46%
Thad Bingel 6035 N 28th St. Arlington, VA 22207 Email: tmbingel@commandcg.com	15,575	15,935	1.16%
Damon Love 2700 N. Florida St. Arlington, VA 22207 Email: lovedam@hotmail.com	15,575	15,935	1.16%
Tom Martin 4167 S Four Mile Run Dr #403 Arlington, VA 22204 Email: tommartin279@gmail.com	4,450	6,252	0.45%
Total Cusp, LLC 6844 McLean Province Cir. Falls Church, VA 22043 Email: sbrown@mosaiclegalgroup.com	0	4,507	0.33%
Christopher Medhurst 2133 N Tazewell Ct. Arlington, Virginia 22207 Email: cmedhurst@districttaco.com	2,225	2,676	0.19%
Total	1,346,800	1,376,000	100.00%

DATE: June 28, 2012

TO: Barbara Ross, Deputy Director
Department of Planning and Zoning

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2012-0040
Administrative Review for Change of Ownership
Site Use: Restaurant
Applicant: Chicken Out the Door, Inc.
Location: 701 South Washington Street
Zone: CL/Commercial Low

Request

Special Use Permit #2012-0040 is a request to change ownership of an existing restaurant from Chicken Out, Inc. and URS Corporation to Chicken Out the Door Inc. No changes to the operation are proposed, and the applicant expects to continue serving rotisserie chicken and other country-style cuisine under the trade name of "Chicken Out."

Background

City Council approved construction of the restaurant building and use in 1997 (SUP#97-0057) and approved an SUP amendment in 1999. In June 2000, the applicant was approved for an SUP amendment and an encroachment (ENC#2000-0004) to add 16 outdoor seats with a four-space parking reduction. The most recent SUP approval, SUP#2002-0089, was granted for an additional one-space parking reduction to allow the temporary siting of environmental remediation equipment in a required parking space. The equipment was necessary for several years to remediate soil and water contamination at the site. Although all remediation work was complete as of 2008, the storage building constructed for the remediation equipment is still standing.

On June 27, 2012, staff visited the subject property and found no violations of the conditions of Special Use Permit #2002-0089. Staff has not received any complaints that would require staff to docket the Special Use Permit for public hearing.

Parking

According to Section 8-200(A)(8) of the Zoning Ordinance, one off-street parking space is required for every four restaurant seats. One additional off-street parking space is required for every one delivery vehicle. The restaurant is therefore required to provide a total of 22 off-street parking spaces for its approved 84 total seats and one delivery vehicle. The applicant provides 17 off-street parking spaces in the surface lot on the property and was approved for a four-space parking reduction in 2000. The balance of the parking requirement (one space) was reduced in 2002, but this reduction expired in 2008 pursuant to Condition #43 of SUP#2002-0089.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, staff informed the Southwest Quadrant Civic Association and the Old Town – Hunting Creek Civic Association of the current application. Staff received one comment from a nearby resident who asked for a trash can to be placed in the outdoor dining area of the restaurant to curb potential litter problems.

Staff Action

Staff does not object to the change of ownership request. It has included several amendments to condition language to incorporate a citizen request and to address a various changes at the property since the most recent SUP was approved 10 years ago.

The restaurant would appear to have a one-space parking deficit based on its approved 68 seats [*staff edit*] and since the storage building added to the site in 2002 has not been removed. However, staff has observed that only 64 seats are actually present inside the restaurant, which eliminates the need for one parking space and brings the restaurant into compliance in terms of parking. Staff has therefore reduced allowable indoor seating from 68 to 64 seats in Condition #2 to formalize this arrangement. Although the applicant could choose to demolish the storage building, or eliminate its delivery vehicle, the elimination of four seats, which are approved but not present at the site today, is the most convenient solution to the potential parking deficit.

Conditions #37-40 have been removed since they related specifically to the environmental remediation process or equipment. Condition #41, which stipulated a six-year expiration date, has also been removed from this approval since the condition was intended to apply only to the one-space parking reduction needed during the remediation process and not to the entire restaurant use. Finally, staff has also included new Condition #44 to require the applicant to install a trash can in the outdoor dining area in an effort to curb the potential for litter from disposable utensils and food packaging.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: July 2, 2012
Action: Approved

Barbara Ross, Deputy Director

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

CONDITIONS OF SPECIAL USE PERMIT #2012-0040

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. (P&Z) (SUP #97-0057)
2. Seating inside the restaurant shall be provided for no more than ~~68~~ 64 patrons. (P&Z) (~~SUP#2000-0067~~)[*Staff edit*]
3. Outside dining facilities shall be provided for no more than 16 patrons as depicted on the attached plan. The applicant shall provide a landscaping plan for the planters for review and approval by the Director of Planning and Zoning. The applicant shall maintain the landscaping in good condition. (P&Z) (SUP#2000-0067)
4. No live entertainment shall be provided at the restaurant. (P&Z) (SUP #97-0057)
5. The hours of operation shall be limited to 11:00 AM to 10:00 PM, daily. The hours of operation for the outdoor dining area shall be limited to 11:00 AM to 9:00 PM daily. The outdoor dining area shall be cleared of all diners by 9:00 PM and the area cleaned and washed by 10:00 PM. (P&Z) (SUP#2000-0067)
6. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)(SUP #97-0057)
7. **CONDITION AMENDED BY STAFF:** On-premise sales of beer and wine shall be permitted, but off-premises alcohol sales shall be prohibited. (CC) (P&Z) (~~SUP #98-0169~~)
8. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #97-0057)
9. Condition deleted. (SUP #98-0169)
10. 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 or debris shall be allowed to accumulate on-site outside of those containers. The dumpster shall be screened to the satisfaction of the Director of Planning and Zoning. (P&Z) (PC) (SUP #98-0169)
11. 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)(SUP #97-0057)

12. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP #97-0057)
13. **DUPLICATE CONDITION DELETED BY STAFF (See Condition #41):** ~~No amplified sound shall be audible at the property line. (P&Z) (SUP #97-0057)~~
14. **CONDITION AMENDED BY STAFF:** The applicant shall require that its employees who drive to work use off-street parking. The applicant shall encourage its employees 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) (SUP #98-0169)
15. **CONDITION DELETED BY STAFF:** ~~One parking space shall be designated with signage and maintained for the delivery vehicle only. (P&Z) (SUP #97-0057)~~
16. **CONDITION AMENDED BY STAFF:** Not more than one delivery vehicle shall be used at any one time to deliver food to customers and delivery service shall be allowed only between 11:00 AM and 9:00 PM, daily. The delivery vehicle shall be parked off-street at all times it is in the vicinity of the restaurant. (P&Z) (SUP #97-0057)
17. **CONDITION AMENDED BY STAFF:** Supply deliveries and all loading and unloading activities shall occur only during the restaurant's off-peak hours, and may not occur earlier than between the hours of 11:00pm and 7:00 AM or at night. (P&Z) (SUP #97-0057)
18. 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) (SUP2002-0089)
19. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit one year after approval 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) (SUP#2000-0067)

20. Condition deleted. (SUP 2002-0089)
21. **CONDITION SATISFIED AND AMENDED BY STAFF:** The applicant shall ~~construct~~ maintain the existing wall a low screen wall, 36 inches in height, along the property line on South Washington Street, between the driveway entrance and the southwest corner and along the property line on Franklin Street, between the driveway and the northeast corner. ~~The design of the wall shall be approved by the Board of Architectural Review.~~ (P&Z) (SUP #97-0057)
22. **CONDITION SATISFIED AND AMENDED BY STAFF:** A “no left turn” sign shall be ~~posted~~ maintained on the exiting side of the South Washington Street driveway. (P&Z) (SUP #97-0057) (PC)
23. Condition deleted. (SUP 2002-0089)
24. Condition deleted. (SUP 2002-0089)
25. Condition deleted. (SUP 2002-0089)
26. Condition deleted. (SUP 2002-0089)
27. Condition deleted. (SUP 2002-0089)
28. Condition deleted. (SUP 2002-0089)
29. Condition deleted. (SUP 2002-0089)
30. Condition deleted. (SUP 2002-0089)
31. Trees by the trash dumpster shall be limbed up to a minimum of six feet. (Police Department) (SUP #97-0057)
32. Lighting in the parking lot to be to the satisfaction of the Director of Transportation and Environmental Services and Chief of Police. (Police Department) (SUP #97-0057)
33. Condition deleted. (SUP 2002-0089)
34. Condition deleted. (SUP 2002-0089)
35. **CONDITION AMENDED BY STAFF:** ~~The applicant shall replace all dead, dying or missing landscaping as required by the approved landscaping plan and screen the transformer by September 17, 2000, to the satisfaction of the Director of Planning and Zoning. Thereafter~~ All landscaping at the site, including required

landscaping shown in the approved site plan, shall be maintained in good condition. (P&Z) (~~SUP#2000-0067~~)

36. **CONDITION AMENDED BY STAFF:** The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and a robbery awareness program for employees. (Police) (~~SUP#2000-0067~~)
37. **CONDITION DELETED BY STAFF:** ~~The environmental remediation structure and equipment shall occupy no more than one parking space. (P&Z) (SUP2002-0089)~~
38. **CONDITION DELETED BY STAFF:** ~~All waste/recovered products from the remediation system including, but not limited to, organic compounds shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP2002-0089)~~
39. **CONDITION DELETED BY STAFF:** ~~Noise abatement measures including, but not limited to, insulation, mufflers, vibration dampeners shall be used for remediation system so that noise levels at the property line will not exceed maximum permissible noise levels per the City of Alexandria's Noise Control Code, Title 11, Chapter 5. (T&ES) (SUP2002-0089)~~
40. **CONDITION DELETED BY STAFF:** ~~Applicant shall copy all their correspondence regarding the remediation system with the Virginia Department of Environmental Quality to Transportation and Environmental Services, Division of Environmental Quality (DEQ). (T&ES)~~
41. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP2002-0089)
42. The applicant shall conduct employee training sessions on an ongoing basis, and shall discuss all Special Use Permit provisions and requirements as part of that training. (P&Z) (SUP2002-0089)
43. **CONDITION DELETED BY STAFF:** ~~This special use permit shall expire six years from approval by City Council. (PC) (SUP2002-0089)~~
44. **CONDITION ADDED BY STAFF:** The applicant shall install one trash can for customer use within the outdoor dining area to the satisfaction of the Director of Planning & Zoning. (P&Z)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2012-0040. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 701 South Washington Street.

Applicant - Signature

Date

Applicant – Printed

Date