



City of Alexandria, Virginia
Department of Planning & Zoning

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 SUP #2017-0063

Approved by Planning and Zoning: July 21, 2017

Permission is hereby granted to: Thomas Lee / Deborah Hoppe

to use the premises located at: 1503 King 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.

July 21, 2017
Date

Karl Moritz / AD
Karl Moritz, Director
Department of Planning and Zoning

DATE: July 21, 2017

TO: Alex Dambach, Division Chief
Department of Planning and Zoning

FROM: Madeleine Sims, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0063
Administrative Review for New Use
Site Use: Restaurant
Applicants: Thomas Lee and Deborah Hoppe
Location: 1503 King Street
Zone: KR / King Street Retail

Request

Special Use Permit #2017-0063 is a request to operate a quick-service restaurant of 42 indoor seats on the two floors, and eight outdoor seats at 1503 King Street, which formerly housed an office use. The applicant proposes operating hours of 6:30 a.m. to 10 p.m. Sunday through Thursday, and Friday and Saturday 8 a.m. to 12 midnight. The operation would also provide a carry-out option for its patrons, as well as the retail sale and use of board games. The applicant intends to include a retail component, selling board games; patrons can use the displayed board games at no cost before purchasing them. The board games will remain accessory to the primary function of the restaurant use. The restaurant will serve coffee, alcohol, and a full menu of breakfast, lunch and dinner items. The business plans to operate under the name Café Au Play.

Parking

According to Section 8-200(A)(17) of the Zoning Ordinance, restaurants within the Central Business District are not required to provide parking for their proposed use. Nonetheless, the applicant provides four tandem parking spaces at the rear of the building in an on-site parking lot.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Upper King Street Neighborhood Association, Braddock Station Civic Association, Old Town Civic Association, and the Rosemont Citizens Association were sent notified of this request. Staff has not received any comments or concerns related to the request.

Staff Action

Staff supports the applicant's request to operate a restaurant at 1503 King Street. Staff finds this use to be reasonable and a welcome addition to the dining scene along Upper King Street.

Condition #13 has been added to restrict the amusement enterprise component to an accessory use unless a Special Use Permit is approved. Standard conditions have been added for outdoor

dining (Conditions #5- #8), alcohol (Condition #10), hours (Condition #3), trash (Conditions #19 and #20), and noise (Condition #24). Staff has also analyzed the request in accordance with the Old Town Restaurant Policy, on parking, litter, late-night hours and alcohol.

Parking

Staff does not anticipate parking impacts as there exists many form of alternative transportation to the site via the nearby metro station, Metro Bus, King Street Trolley, and BikeShare. Nearby parking garages can also absorb any additional impact created by drivers. The quick-service and carry-out aspects of the restaurant would attract nearby residents and office workers, more so than patrons who drive to the restaurant. Nevertheless, staff has added standard conditions that encourage patrons to use public transportation, park off street and require employees who drive to utilize off-street parking.

Litter

Although the proposed use may have the potential to generate litter, the applicant is required to survey the site for litter three times a day, as stated in Condition #28.

Alcohol and Late Night Hours

The applicant proposes to close by 10 p.m. Sunday through Thursday, and 12 midnight on Friday and Saturday. These hours are standard for restaurants on King Street, and would not contribute to alcohol impacts in the neighborhood. Staff has included standard conditions regarding education its employees on the prevention of underage drinking.

Diversity of Uses

Staff does not believe that a restaurant at this location would result in an imbalance of uses. The addition of a restaurant would complement nearby commercial uses on King Street.

Staff hereby approves this Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: July 21, 2017

Action: Approve



Alex Dambach, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2017-0063

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 corporation in which the applicant has a controlling interest. (P&Z)
2. The maximum number of indoor seats shall be 40. The maximum number of outdoor seats shall be 10. (P&Z)
3. The hours of operation for the restaurant shall be 6:30 a.m. to 10 p.m., Sunday through Thursday and 6:30 a.m. and 12 a.m. midnight, Friday and Saturday. Meals ordered before the closing hour may be served, but no new patrons may be admitted and all patrons must leave by 11 p.m., Sunday through Thursday, and 1 a.m., Friday and Saturday. (P&Z)
4. The hours of operation for the outdoor dining area shall be limited to between 6:30 a.m. and 10 p.m., Sunday through Thursday and 6:30 a.m. to 11 p.m., Friday and Saturday. All outdoor dining must be cleared of customers by the closing hour. (P&Z)
5. Outdoor dining, including all its components such as planters and barriers, shall not encroach onto the public right-of-way unless authorized by an encroachment ordinance. (P&Z)
6. No live entertainment shall be allowed either inside the restaurant or in the outdoor dining area. (P&Z)
7. The design of the outdoor dining areas and all its components must comply with the King Street Outdoor Dining guidelines. Any outdoor seating areas, including umbrellas, shall not include advertising signage. The applicant shall submit illustrations and specifications to the Director of Planning and Zoning for review and approval. (P&Z)
8. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
9. No live entertainment shall be permitted at the restaurant. (P&Z)
10. On-premises alcohol sales are permitted. No off-premises alcohol sales are permitted. (P&Z)
11. No delivery of food to customers may operate from the restaurant. (P&Z)
12. No food, beverages, or other material shall be stored outside. (P&Z)
13. The applicant shall maintain the board game activities as an accessory use to the restaurant. (P&Z)

14. All windows shall remain transparent. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. (P&Z)
15. 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 to prevent the underage sale of alcohol. (P&Z)
16. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
17. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
18. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
19. 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. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
20. 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)
21. 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)
22. 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)
23. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES).
24. The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)

25. 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)
26. The applicant shall direct patrons to the availability of parking at nearby public garages and shall participate in any organized program to assist with both employee and customer parking for businesses that is formed as a result of suggested parking strategies in the King Street Retail Strategy (Old Town Area Parking Study). (T&ES)
27. 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)
28. 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.
27. 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)
28. 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)
30. 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 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-2 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
- R-3 If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
- R-4 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. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
- R-5 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-6 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-7 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-8 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES).
- R-9 The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)

- R-10 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-11 The applicant shall direct patrons to the availability of parking at nearby public garages and shall participate in any organized program to assist with both employee and customer parking for businesses that is formed as a result of suggested parking strategies in the King Street Retail Strategy (Old Town Area Parking Study). (T&ES)
- R-12 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-13 From Section 11-513(C) of the Zoning Ordinance:

General standards for all administrative uses:

(5) The applicant shall require its employees who drive to work to use off-street parking.

(9) Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least twice during the day and at the close of the business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation.

- C-1 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 SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)
- C-2 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-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Enforcement:

No comments received.

Health Department:

No comments received.

Parks and Recreation:

No comments received.

Police Department:

No comments received.

Fire:

F-1: Due to the number of proposed occupants, a fire prevention permit is required for this location.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2017-0063. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 1503 King Street.


Applicant - Signature

24 JUL 17
Date

Thomas LEE
Applicant - Printed

24 JUL 17
Date