

DATE: August 10, 2017

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

FROM: Madeleine Sims, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0080
Administrative Review for New Use
Site Use: Outdoor Dining
Applicants: Phil J. Chong
Location: 261 South Van Dorn Street
Zone: CG / Commercial General

Request

Special Use Permit #2017-0080 is a request for outdoor dining at an existing, by-right restaurant, The Club, located in Van Dorn Plaza shopping center. The applicant requests Special Use Permit approval for 16 outdoor seats, with operating hours between 11 a.m., and 10 p.m., the same hours as the indoor portion of the restaurant. The outdoor dining area would be located on the sidewalk outside of the restaurant.

Parking

Pursuant to Section 11-513 (M) (3) of the Zoning Ordinance, a restaurant is not required to provide parking for up to 20 outdoor dining seats. Therefore, the restaurant is not required to provide additional parking.

Community Outreach

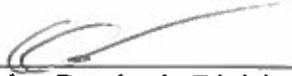
Public notice was provided through eNews, via the City's website, and by posting a placard on the site. Staff has not received any comments or concerns related to the request.

Staff Action

Staff supports the applicant's request for outdoor dining. An outdoor dining component in the Van Dorn Plaza shopping center, would create enliven the sidewalk and create a visual buffer for the sidewalk from the expanse of the parking lot. Staff does not anticipate impacts from the outdoor dining as the area is buffered by a large parking lot and will have limited hours. Though the outdoor dining area would be located on private property, staff has added standard conditions pertaining to outdoor dining.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: August 10, 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 #2017-0080

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 outdoor seats shall be 16. (P&Z)
3. The hours of operation for the outdoor dining area shall be limited to 11 a.m. to 10 p.m., daily. All outdoor dining must be cleared of customers by the closing hour. (P&Z)
4. 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)
5. No live entertainment shall be allowed in the outdoor dining area. (P&Z)
6. 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)
7. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
8. On-premises alcohol sales are not permitted in the outdoor dining area. No off-premises alcohol sales are permitted in the outdoor dining area. (P&Z)
9. No food, beverages, or other material shall be stored outside. (P&Z)
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)
11. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
12. 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)
13. 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 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-2 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-3 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)
- 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:

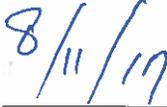
No comments or concerns.

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 outdoor dining at 261 South Van Dorn Street.



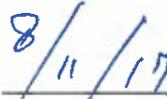
Applicant - Signature



Date

Phil J Chong

Applicant - Printed



Date