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 #2017-0093
Approved by Planning and Zoning: September 25, 2017
Permission is hereby granted to: Kimberly P. Sickmen
to use the premises located at: 727 North Henry 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.

September 25, 2017
Date

Karl Moritz, Director
Department of Planning and Zoning
DATE: September 25, 2017

TO: Alex Dambach, Division Chief
    Land Use Regulatory Services, Department of Planning and Zoning

FROM: Ann Horowitz, Urban Planner
      Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0093
         Administrative Review for New Use
         Use: Restaurant
         Applicant: Kimberly P. Sickmen
         Location: 727 North Henry Street
         Zone: CSL / Commercial Service Low

Request
Special Use Permit #2017-0093 is a request to operate a restaurant at 727 North Henry Street. The proposed 525-square foot restaurant would operate as Grateful Juice, serving hand-crafted juices, coffee, and a small menu of breakfast and lunch items on a carry-out basis. Customers would have the option of ordering at an indoor counter or at an outdoor walk-up window. The restaurant would provide no seating. The hours of operation are proposed as 6:30 a.m. to 8 p.m., Monday through Thursday, 6:30 a.m. to 3 p.m., Friday, and 8 a.m. to 2 p.m., Saturday and Sunday. The applicant estimates that three employees would serve 70 customers a day.

Parking
Section 8-200(A)(17) of the Zoning Ordinance requires restaurants with no seats to provide one parking space for every 400 square feet. The applicant would be required to provide two parking spaces for a restaurant of this size with no seating. City Council, however, approved SUP #2017-0079 in September 2017 which granted a full parking reduction for the tenants of the building at 727 North Henry and 1008-1012 Madison Streets. The applicant, therefore, is not required to provide parking at this location.

Community Outreach
Public notice was provided through eNews, via the City’s website, and by posting a placard on the site. In addition, the Braddock Metro Citizens Coalition and West Old Town Citizens Association have been informed of the application. Staff has not received any comments or concerns.

Staff Action
Staff supports the applicant’s request to operate a restaurant at 727 North Henry Street. The proposed restaurant is one of four businesses that would occupy a commercial building to be renovated in the Braddock neighborhood. The juice bar would add a quick-service dining option in the increasingly dense residential neighborhood. Although the applicant’s proposal does not
include seating, patrons of the business may share the use of outdoor furniture that the property owner may furnish for all building tenants and their customers, as stated in SUP #2017-0079.

As the proposed restaurant is separated from residential uses, staff does not anticipate quality of life impacts. Nonetheless, standard conditions for restaurants have been included in the Special Use Permit. Staff has standardized the hours of operation as 6:30 a.m. to 8 p.m., daily to offer the applicant operational flexibility on Friday through Sunday in Condition 3.

Staff hereby approves the Special Use Permit request.

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

Date: September 25, 2017  
Action: Approved

Alex Dambach, Land Use Division Chief

Attachments:  
1) Special Use Permit Conditions  
2) City Department Comments  
3) Statement of Consent
CONDITIONS OF SPECIAL USE PERMIT #2017-0093

The applicant 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)

2. Seating shall be not be permitted. (P&Z)

3. The hours the restaurant will be open to the public between 6:30 a.m. and 8 p.m., daily. Meals ordered before 8 p.m. may be served, but no new patrons may be admitted and all patrons must leave by 9 p.m., daily (P&Z)

4. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)

5. On and off premises alcohol service is not permitted. (P&Z)

6. No outside dining facilities shall be located on the premises. (P&Z)

7. Live entertainment is not permitted at the restaurant. (P&Z)

8. Delivery of food to customers may not operate from the restaurant. (P&Z)

9. 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)

10. Food, beverages or other material shall not be stored outside. (P&Z)

11. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)

12. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)

13. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung 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)

14. 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)
15. 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)

16. 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)

17. 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)

18. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

19. 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)

20. 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. (T&ES)

21. All windows shall remain transparent. The placement or construction of items that block the visibility of the interior of the commercial space from the street and sidewalk (e.g. storage cabinets, carts, shelving, boxes, coat racks, storage bins, closets, etc.) shall be prohibited. (P&Z)

22. 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 a result of a compliant that rises to the level of a violation, 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 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 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:

C-1 A building permit, plan review and inspections are required for the information listed in the SUP application.

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 #2017-0093. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 727 North Henry Street.

[Signature]
Applicant - Signature

[Signature]
Applicant - Printed

10.11.17
Date

10.11.17
Date