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 #2017-0127
Approved by Planning and Zoning:	January 3, 2018
Permission is hereby granted to:	Gravina, LLC
to use the premises located at:	110 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.

January 3, 2018
Date

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

DATE: January 3, 2018

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

FROM: Madeleine Sims, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0127
Administrative Review for Change of Ownership
Site Use: Restaurant
Applicant: Gravina, LLC
Location: 110 King Street
Zone: KR / King Street Retail

Request

Special Use Permit #2012-0075 is a request to change ownership of an existing restaurant from Charles B., Carol Ann, and Lynne Lindsay to Gravina LLC. The applicant would continue to sell ice cream to visitors and residents of Old Town. The applicant would maintain the current operating hours of 8 a.m. to 1 a.m., daily as well as the 40 previously approved seats. No other changes to the operation are proposed.

Background

On May 5, 2017, staff visited the subject property and found no violations of the conditions of Special Use Permit #1658. In 2015, this business, and multiple others who share access to the same alley, were noted for trash violations such as full dumpsters and trash compactors. All violations were abated.

Parking

As the subject building is located on a lot of less than 10,000 square feet within the Central Business District and meets the requirements of Section 8-300 of the Zoning Ordinance regarding exemptions from parking requirements, the applicant is not required to provide any off-street parking.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Old Town Civic Association was sent an e-mail with information about the current application. Staff has not received any complaints that would require staff to docket the special use permit for public hearing.

Staff Action

Staff does not object to the change of ownership request. The continuation of this type of restaurant would continue to serve the visitors of Old Town. Staff does not anticipate any new or intensified impacts, nevertheless, staff has updated and added conditions to reflect current standards.

Staff deleted Condition #3 as outdoor dining is allowed through a separate permit granted through the King Street Outdoor Dining program. Staff has also updated Condition #5 to reflect current language on outdoor storage, and updated Condition #8 to reflect current language pertaining to litter pickup. Conditions #11 through #18 have been added, these conditions are standard to SUP requests and pertain to the transparency of windows, prohibition of live entertainment, alcohol sales, and early morning deliveries. Finally Condition #18 details the City's enforcement and review process for SUPs..

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: January 3, 2018
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 #2017-0127

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. That the permit be granted to the applicant or to any corporation in which the applicant has controlling interest only. (P&CD) (SUP #1658)

2. That seating be provided inside for no more than 40 patrons. (P&CD) (SUP #1658)

~~3.~~ **CONDITION DELETED BY STAFF:** ~~That no outside dining facilities be located on the premises. (P&CD) (SUP #1658)~~

4. That the hours during which the business is open to the public be restricted to between 8 a.m. and 1 a.m., daily. (P&CD) (SUP #1658)

5. **CONDITION AMENDED BY STAFF:** ~~That~~ No food, beverages, or other material shall be stored outside. ~~(P&CD) (SUP #1658)~~ (PZ)

6. That trash and garbage be stored inside and processed through city compactor on Fayette Alley. (P&CD) (T&ES) (PC) (SUP #1658)

7. Condition deleted. (CC) (SUP #1658)

8. **CONDITION AMENDED BY STAFF:** That litter on the site and on public rights of way and spaces adjacent to or within 75 feet of the premises be picked up at least twice a day ~~daily~~, and more often if necessary, to prevent an unsightly and unsanitary ~~insanitary~~ accumulation, on each day that the business is open to the public. ~~(P&CD) (SUP #1658)~~ (PZ)

9. Condition deleted. (CC) (SUP #1658)

10. That the applicant install an automatic fire suppression system. (Fire) (SUP #1658)

11. **CONDITION ADDED BY STAFF:** At least 80% of 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)

12. **CONDITION ADDED BY STAFF:** The applicant shall post the hours of operation at the entrance of the business. (P&Z)

13. **CONDITION ADDED BY STAFF:** No live entertainment shall be permitted at the restaurant. (P&Z)

14. **CONDITION ADDED BY STAFF:** No alcohol sales are permitted. (P&Z)

15. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (P&Z)

16. **CONDITION ADDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (P&Z)

17. **CONDITION ADDED BY STAFF:** 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. (P&Z)

18. **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 operation of the use and that new or revised conditions are needed. (P&Z)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2017-0127. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 110 King Street.

Edward Guerrero
Applicant - Signature

December 22, 2017
Date

EDWARD GUERRERO
Applicant – Printed

December 22, 2017
Date