



City of Alexandria, Virginia
Department of Planning & Zoning

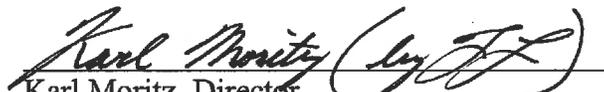
SPECIAL USE PERMIT CERTIFICATE

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 #2019-0052
Approved by Planning and Zoning: July 12, 2019
Permission is hereby granted to: Laurence Smallman
to use the premises located at: 5412 Eisenhower Avenue
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.

7/12/2019
Date


Karl Moritz, Director
Department of Planning and Zoning

DATE: July 12, 2019

TO: Tony LaColla
Division Chief, Land Use Services,
Department of Planning and Zoning

FROM: Cara DelVecchio
Non-development Case Unit Intern, Land Use Services,
Department of Planning and Zoning

SUBJECT: Special Use Permit #2019-0052
Administrative Review for a Minor Amendment
Site Use: Amusement Enterprise
Applicant: Laurence Smallman
Location: 5412 Eisenhower Avenue
Zone: OCH/Office Commercial High Zone

Request

Special Use Permit #2019-0052 is a request for a minor amendment to offer the on-premises sale of alcohol. No additional changes to the current operations are proposed. The business would continue to operate as Scramble, an indoor child's play place and amusement enterprise with an accessory café where beverages would be served.

Background

The site was rezoned from I-2/Industrial to OCH as part of the 1992 City-wide rezoning. Some existing uses became noncomplying, such as an automobile sales and general repair facility, and those uses continue to operate on the site today. City Council approved two 'umbrella' SUPs (SUP #97-0107 and SUP #2002-0098) for a parking reduction of 50 spaces as well as for certain special uses to occupy space at the site without a requirement for individual SUP approvals. In 2014, City Council approved four SUPs for private commercial schools and most recently granted SUP #2016-0081 for a private and fraternal club at the industrial/flex-space center. A health and athletic club and an automobile repair business operated in the tenant spaces prior to this amusement enterprise which was approved in May 2017 as SUP #2017-0007.

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 from residents or adjacent businesses.

Staff Action

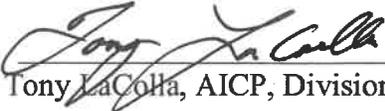
Staff supports the applicant's request for a minor amendment for alcohol sales at 5412 Eisenhower Avenue. Staff has amended conditions to reflect present day standard condition language and Condition #7 was deleted and replaced with Condition #15 to reflect the applicant's request.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: July 12, 2019

Action: Approved



Tony LaColla, AICP, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2019-0052

The 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) (SUP #2017-0007)
2. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation process, to discuss all special use permit provisions and requirements. (P&Z) (SUP #2017-0007)
3. The hours of operation shall be limited to between 8 a.m. and 10 p.m., daily. (P&Z) (SUP #2017-0007)
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z) (SUP #2017-0007)
5. The on-site snack bar must remain accessory to the overall amusement enterprise use. The snack bar may not operate when the amusement enterprise use is closed and may not have a separate entrance. (P&Z) (SUP #2017-0007)
6. No live entertainment shall be allowed at the amusement enterprise. (P&Z) (SUP #2017-0007)
7. ~~**CONDITION DELETED AND REPLACED WITH CONDITION #15: No alcohol consumption shall be permitted at the amusement enterprise.**~~ (P&Z) (SUP #2017-0007)
8. 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) (SUP #2017-0007)
9. 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) (SUP #2017-0007)
10. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP #2017-0007)
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) (SUP #2017-0007)
13. The Special Use Permit shall be reviewed by the Director of Planning & Zoning, with notice to the community, five years from approval (May 2022) in order to assess the redevelopment potential of the site and the compatibility of the use with other uses in the area. If the Director determines the use to be incompatible with surrounding uses or anticipated redevelopment, the Director shall docket the Special Use Permit for Planning Commission and City Council to take such action as they deem appropriate at the time. Notwithstanding the staff review, City Council shall review the Special Use Permit ten years from approval (May 2027) in order to assess the redevelopment potential of the site and the compatibility of the use with other uses in the area to take such action as they deem appropriate at the time.(P&Z) (SUP #2017-0007)
14. **CONDITION AMENDED 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) (SUP #2017-0007)
15. **CONDITION ADDED BY STAFF:** On-premises alcohol sales are permitted. (P&Z)

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

No Comments received.

Code Enforcement:

No comments received.

Health Department:

No comments received.

Parks and Recreation:

No comments received.

Police Department:

No comments received.

Fire:

No comments received.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2019-0052. The undersigned also hereby agrees to obtain all applicable licenses and permits required for an amusement enterprise use at 5412 Eisenhower Avenue.

L Smallman

Applicant – Signature

16 Jul 2019

Date

LAURENCE SMALLMAN

Applicant – Printed

16 Jul 2019

Date

