



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 #2019-0017
Approved by Planning and Zoning: April 1, 2019
Permission is hereby granted to: Ashford TRS Alexandria LLC
to use the premises located at: 1767 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.

4/1/2019
Date

Karl Moritz (by JF)
Karl Moritz, Director
Department of Planning and Zoning

DATE: April 1, 2019

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

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

SUBJECT: Special Use Permit #2019-0017
Administrative Review for a Change of Ownership
Site Use: Restaurant
Applicant: Ashford TRS Alexandria LLC
Location: 1767 King Street
Zone: KR/King Street Urban Retail

Request

Special Use Permit (SUP) #2019-0017 is an administrative request to change the ownership of an existing restaurant from Ashford Alexandria LP to Ashford TRS Alexandria LLC. The business proposes to continue operating as a coffee shop, under the trade name of Starbucks, offering beverages and light fare in a carry-out setting. The restaurant would maintain the use of eight indoor seats and four outdoor seats for patrons. The restaurant would continue to operate from 6 a.m. to 12 midnight, daily and does not offer delivery, live entertainment, or the sale of alcohol. No other operational changes are proposed.

Background

The subject site is a hotel with two ground floor restaurant tenant spaces: one is approximately 2,300 square feet, and the other, the subject of this report, is approximately 600 square feet in size. SUP #97-0092 was approved in September of 1997 by City Council for a site plan for a hotel and parking reduction. SUP #97-0092 specified that any restaurants opened in conjunction with the hotel would be required to obtain separate Special Use Permit approval.

The subject space, has hosted a Starbucks coffee shop since approval of SUP #2005-0073 in 2005 by City Council. The most recent approval was for an administrative change of ownership in 2018, SUP #2018-0075. Few complaints exist on the site, though a zoning inspection in 2016 revealed a violation of the City's noise ordinance for outdoor speakers, a written warning was issued, and the speakers were removed. The most recent SUP inspection completed in June 2018, revealed full compliance with SUP conditions.

Parking

The restaurant is located within the boundaries of the King Street Transit Parking District which was established to create a walkable community with a mix of uses and to encourage the use of Metrorail for transportation. As such, per section 8-400(B)(8) of the Zoning Ordinance, the first 10,000 square feet of retail or restaurant located in a hotel use is not required to provide parking. The ground floor of the hotel contains two restaurants, a 2,300 square foot operation and the subject 600 square foot Starbucks, because the total restaurant space is less than 10,000 square

feet the applicant is not required to provide any off-street parking. The applicant thus meets the Zoning Ordinance parking requirement.

Community Outreach

Public notice was provided through eNews, via the City’s website, and by posting a placard at the site. In addition, the Old Town Civic Association, Rosemont Citizen’s Association, and Taylor Run Civic Association were sent an email with information about the current application. Staff has not received any public comments about the proposal.

Staff Action

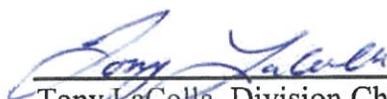
Staff supports the applicant’s request for a change of ownership at this location. As the applicant proposes no other changes, new impacts are not expected from this use on the ground floor of the Hilton Hotel. The continuation of a coffee shop with visibility from King Street Station would contribute to the vitality of the Upper King Street neighborhood and provide a service to hotel guests, commuters, and residents alike in an area with few quick service options.

Staff has carried forward previous SUP conditions and amended conditions to reflect current language standards. Conditions #23 and #24 have been added regarding the City’s Go Alex transportation program.

Staff hereby approves the Special Use Permit request

ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:

Date: April 1, 2019
Action: Approved



Tony LaColla, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2019-0017

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#2005-0073)
2. The hours of operation of the coffee shop shall be limited to 6:00 a.m. to 12:00 midnight daily. (P&Z) (SUP#2005-0073)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z) (SUP #2005-0073)
4. No more than eight indoor seats and four outdoor seats shall be provided at the restaurant. Additional outdoor seats may be provided as generally depicted in the attached plan, pursuant to an approved encroachment permit or a King Street Outdoor Dining Permit, to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP #2016-0073)
5. The design and/or illumination of any signage and any other improvements pertaining to the applicant's business on the exterior façade of 1767 King Street shall be to the satisfaction of the Director of Planning and Zoning. Any proposed signage shall be approved by the Planning Commission before installation. (P&Z) (PC) (SUP #2005-0073)
6. 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. (P&Z) (SUP#2005-0073)
7. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The applicant is to contact the Community Relations Unit of the Alexandria Police Department at (703)746-6796 regarding a security survey for the business and a robbery awareness program for all employees. (Police) (SUP #2005-0073)~~
8. **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 #2018-0075)

9. 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) (SUP#2016-0073)
10. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES) (SUP#2016-0073)
11. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES) (SUP#2016-0073)
12. 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) (SUP #2016-0073)
13. 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 Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES) (SUP #2016-0073)
14. 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) (SUP #2016-0073)
15. 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) (SUP #2016-0073)
16. 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) (SUP#2016-0073)

17. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00 p.m. and 7:00 a.m. (T&ES) (SUP #2016-0073)
18. 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) (SUP #2016-0073)
19. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP #2016-0073)
20. 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 unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES) (SUP #2016-0073)
21. Alcohol sales are not permitted. (P&Z) (SUP #2018-0075)
22. No food, beverages, or other material shall be stored outside unless specified in other conditions. (P&Z) (SUP #2018-0075)
23. **CONDITION ADDED BY STAFF:** 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. (P&Z)
24. **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)
25. ~~**CONDITION ADDED BY STAFF:** The applicant shall contact T&ES parking planner at 703.746.4025 for information about applying to participate in the Discount Parking Program for Employees of Old Town Businesses (or other similar program if one is created) that offers discounted parking at select City parking facilities on evenings and weekends.~~ (P&Z)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2019-0017. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 1767 King Street.

Ashford TRS Alexandria LLC,
a Delaware limited liability company

By: 
Name: Deric S. Eubanks
Its: President

Date