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	#2019-0049
Approved by Planning and Zoning:	June 15, 2019
Permission is hereby granted to:	Oswaldo A. Salinas
to use the premises located at:	3901 B Mount Vernon 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.

6/13/19
Date

Karl Moritz (by [illegible])
Karl Moritz, Director
Department of Planning and Zoning

DATE: June 17, 2019

TO: Tony LaColla, Division Chief
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 #2019-0049
Administrative Review for New Use
Site Use: Restaurant
Applicant: Oswaldo A. Salinas
Location: 3901 B Mount Vernon Avenue
Zone: CL/Commercial Low

Request

Special Use Permit #2019-0049 is a request to operate a restaurant at 3901 B Mount Vernon Avenue of approximately 8,820 square feet on the first-floor space. The subject lot is part of a larger site developed with a one-story building with three tenant spaces and a large parking lot to the north of the building.

The applicant proposes to operate the restaurant as a Mexican Taqueria called "Taqueria Senora Lola" and would offer a variety of tacos and other Mexican food. The applicant proposes to operate the restaurant as primarily dine-in with the option to carry-out. There are to be 99 seats located within the space and the daily hours of operation would be from 10:00 a.m. to 12:00, midnight, daily. The restaurant will offer alcohol service. There is no live entertainment or delivery proposed.

Elements of the proposal include:

Proposed Hours of Operation:	10:00 a.m. to 12:00, midnight
Proposed Seating:	99 seats
Type of Service:	Dine-in, carry-out
Delivery:	No delivery proposed
Alcohol:	On-premises alcohol sales proposed
Live Entertainment:	No live entertainment proposed
Employees per Shift:	6
Noise:	Minimal noise is expected.

Odors: Minimal odors from a restaurant are expected.

Parking

According to Section 8-200(A)(8) of the Zoning Ordinance, a restaurant requires one parking space for every 1,000 square feet of floor area. A restaurant with approximately 8.820 seats is required to provide 9 off-street parking spaces. The applicant has a shared lot to the north of the restaurant that has enough spaces to accommodate the required parking. Since the peak demand for restaurant parking will occur after the other businesses in the building have closed, staff believes that the parking arrangement will be sufficient.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, Arlandria Civic Association, North Ridge Citizen's Association, and Del Ray Citizen's Association were sent an email notification of the current application. Staff did not receive any comments regarding the application.

Staff Action

Staff supports the applicant's request for a restaurant at this location. A restaurant has operated previously at this location and the proposed restaurant would continue to offer a convenient and diverse food option for nearby businesses and residents.

Staff has included standard restaurant conditions in the SUP report.

Staff hereby approves this special use permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: June 17, 2019
Action: Approved

Tony LaColla, AICP, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2019-0049

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 corporation in which the applicant has a controlling interest. (P&Z)

2. The maximum number of indoor seats shall be 99. Outdoor dining is not permitted. (P&Z)

3. The hours of operation for the restaurant shall be 10:00 a.m. to 12:00, midnight, daily. All patrons must leave the premises one hour after closing. (P&Z)

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

5. No live entertainment shall be permitted at the restaurant. (P&Z)

6. On-premises alcohol sales is permitted. (P&Z)

7. No food, beverages, or other material shall be stored outside with the exception of materials specified in other conditions. (P&Z)

8. 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 the underage sales of alcohol. (P&Z)

9. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site 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)

10. Food delivery operated and managed by the applicant shall not be permitted. (P&Z)

11. 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)

12. 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)

13. 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)

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

15. The applicant shall require its employees who drive to use off-street parking. (T&ES)

16. 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)

17. 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)

18. The applicant shall encourage patrons to park off-street through the provision of information about nearby garages on advertising and on the restaurant's website. (T&ES)

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

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

21. 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)

22. 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)

23. 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)

24. 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 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 Used cooking oil shall be stored inside and the drum shall be kept securely closed when not receiving used oil. (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 11:00 p.m. and 7:00 a.m. (T&ES)

R-9 The use must comply with the city's noise ordinance and no amplified sounds shall be audible at the property line after 9:00 p.m. (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 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:

C-1 A fire prevention permit is required for this occupancy condition - assembly

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2019-0049. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a restaurant use at 3901 B Mount Vernon Avenue.

Applicant – Signature

6-17-19
Date

Oswaldo A. Salinas
Applicant – Printed

6-17-19
Date