

- R-10 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-11 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (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

Fire Department:

No comments received

Health:

No comments received.

Recreation Parks and Cultural Activities:

No comments received

Police Department:

No comments received

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

23. 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 complaint 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 ore revised conditions are needed. (P&Z).

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 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)
- R-2 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)
- R-3 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-4 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)
- R-5 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-6 Chemicals, detergents, cleaners and used cooking oils shall be stored inside the building. (T&ES)
- R-7 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-8 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-9 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)

CONDITIONS OF SPECIAL USE PERMIT #2019-0011

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 business or entity in which the applicant has a controlling interest. (P&Z)
2. The number of indoor seats at the restaurant may not exceed 20. The number of outdoor seats may not exceed 20. (P&Z)
3. The hours of the operation shall be limited to between 7 a.m. and 10 p.m. daily for both indoor and outdoor operations. Orders placed before 10 p.m. may be served, but no new patrons may be admitted and all patrons must leave by 11 p.m. (P&Z)
4. The applicant shall post the hours of operation at the entrance to the business. (P&Z)
5. 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)
6. No delivery service shall be permitted. (P&Z)
7. On premises alcohol sales are permitted. (P&Z)
8. No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z)
9. Outdoor dining, including all its components such as planters, wait stations and barriers, shall not encroach onto the public right of way unless authorized by an encroachment ordinance. (P&Z)
10. No live entertainment shall be permitted. (P&Z)
11. Outdoor seating areas shall not include advertising signage, including on umbrellas. (P&Z)

12. 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)
13. 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)
14. The applicant shall require its employees who drive to use off-street parking. (T&ES)
15. 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)
16. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
17. Chemicals, detergents, cleaners and used cooking oils shall be stored inside the building. (T&ES)
18. 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)
19. 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)
20. 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)
21. 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)

DATE: March 7, 2019

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

FROM: Max Ewart, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit # 2019-0011
Administrative Review for a New Use
Site Use: Restaurant with Outdoor Dining
Applicant: Eulogia Torrez
Location: 3401 Mount Vernon Avenue
Zone: CSL / Commercial Service Low

Request

The applicant, Eulogia Torrez, proposes a restaurant and outdoor dining at 3401 Mount Vernon Avenue. The applicant proposes 20 indoor seats and four outdoor seats for the Bolivian and Latin American restaurant with on-premises alcohol service. The fast-casual restaurant would be open from 7 a.m. – 10 p.m. for sit-down and carry-out service. The lot also contains a five-space parking lot. Loading and unloading would occur between 6 a.m. and 7 a.m., twice a week. The applicant does not propose live entertainment.

Background

The building was constructed in the 1920s as a single-family dwelling and later contained commercial uses. Several SUPs were approved by City Council but have all since expired. Most recently, staff approved SUP #2017-0025 for a restaurant use. Renovations commenced but the applicant failed to open the restaurant and the Special Use Permit expired on October 25, 2018.

The building has been previously cited for tall grasses and weeds, which were immediately removed by the property owner.

Parking

Pursuant to Section 8-200(A)(17)(a) of the Zoning Ordinance, restaurants within the enhanced transit area are required to provide a minimum of one parking space per 1,000 square feet of floor area. The approximately 1,017 square foot structure would require two parking spaces. Outdoor dining up to 20 seats are exempt from providing parking spaces. Section 8-100(A)(9) of the Zoning Ordinance exempts nonresidential uses from providing parking if the requirement is two spaces or less. Therefore, the applicant does not have to satisfy a parking requirement. Nonetheless, an on-site parking lot provides five spaces for restaurant patrons.

Community Outreach

Public notice was provided through the City's eNews, via the City's website, and by posting a placard at the site. In addition, the Del Ray Citizens Association, The Mount Vernon Court

Community Association, Arlandria Civic Association and Herbert Station Homeowners Association were notified of the restaurant application.

Staff Action

Staff supports the applicant's request to operate a restaurant at a long-vacant building along the Mount Vernon Avenue corridor. As residences are located approximately 200 feet away, the small-scale restaurant is not expected to produce neighborhood impacts.

Standard conditions for restaurants have been included in the SUP report. Staff does not support the request for loading between 6 a.m. and 7 a.m., all loading and unloading would have to occur between 7 a.m. and 11 p.m. (Condition #22). Although the applicant has requested four outdoor seats, staff has increased the allowable outdoor seats to 20, the maximum permissible with administrative SUP approval in Condition #2. The increase in exterior seating allows the applicant flexibility if she wishes to expand the outdoor dining aspect of the business in the future.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: March 7, 2019

Action: Approved



Tony LaColla, Division Chief

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

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2019-0011. The undersigned also hereby agrees to obtain all applicable licenses and permits required for an automobile service station and convenience store at 3401 Mount Vernon Avenue.


Applicant – Signature

03-08-19
Date

Euloggia d. Torrez
Applicant – Printed

03-08-19
Date