

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 #2020-00058

Approved by Planning and Zoning: September 2, 2020

Permission is hereby granted to: Scott Shirley

to use the premises located at: 1552 Potomac Greens Drive

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.

September 2, 2020

Date

Karl Moritz (by T. LaColla)

Karl Moritz, Director
Department of Planning and Zoning

DATE: September 2, 2020

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

FROM: Kaliah Lewis, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2020-00058
Administrative Review for Change of Ownership
Site Use: Restaurant
Applicant: Scott Shirley
Location: 1552 Potomac Greens Drive
Zone: CDD #10/Coordinated Development District #10

Request

Special Use Permit #2020-00058 is a request to change ownership of an existing restaurant, approved by SUP #2015-00079. The ownership will change from Slater's Market, LLC to Scott Shirley. No changes to the restaurant operations are proposed and the applicant proposes to continue operating as a deli-style restaurant combined with a by-right retail wine shop. The name of the establishment will remain Slater's Market.

Background

In 2003, City Council approved the Potomac Plaza Development Project, DSP#2002-0028, as a retail plaza containing retail, office, and restaurant uses. The subject site is one of eight tenant spaces within Potomac Plaza.

Slater's Market has operated at this location since December 2012. Operating as a specialty market, gourmet items such as fresh breads, deli sandwiches, charcuterie, ice cream, wine and craft beer are available for purchase. The restaurant offers counter and carry-out services, and also features 12 indoor seats and four outdoor seats. The menu features deli-style sandwiches as well as on-premises sales of beer and wine. All deliveries will occur behind the Slater's Market.

Parking

Potomac Plaza contains 68 shared off-street parking spaces to accommodate the businesses within the plaza. According to Section 8-200(A)(17), an 800 square foot restaurant within an enhanced transit area is required to provide a minimum of one parking space. Given the abundant parking provided in the off-street parking lots this zoning requirement is exceeded.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. The Northeast Citizen's Association were sent an e-mail with information about the current application. Staff did not receive any comments regarding

the proposal for a change of ownership.

Staff Action

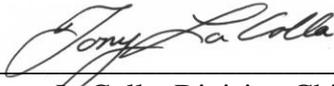
Staff supports the change of ownership request for the continued operation of Slater's Market, as it has operated at this location for several years in a location convenient to several adjacent neighborhoods. In addition, it contributes to the commercial neighborhood's dining options and ambiance. Staff believes the change of ownership is unlikely to generate or intensify any negative impacts. Staff has carried forward the previous conditions from SUP #2015-00079 and amended and added conditions to reflect current language and standards.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: September 2, 2020

Action: Approved



Tony LaColla, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2020-00058

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) (SUP #2015-00079)
2. The maximum number of indoor seats permitted at the restaurant shall be 12. The maximum number of outdoor seats at the restaurant shall be 4. (P&Z) (SUP #2015-00079)
3. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #2015-00079)
4. The hours of operation shall be limited to between 8 a.m. – 10 p.m, daily. Meals ordered before 10 p.m., may be served, but no new patrons may be admitted and no alcoholic beverages may be served after 10 p.m. All patrons must leave by 11 p.m. daily. (P&Z) (SUP #2015-00079)
5. Outdoor dining shall be closed and cleared of all customers by 10 p.m., daily. The area shall be cleaned and washed at the close of each business day that it is in use. (P&Z) (SUP #2015-00079)
6. **CONDITION AMENDED BY STAFF:** Outdoor dining at the restaurant shall be substantially consistent with the plan submitted. The applicant shall ~~submit~~ maintain final design specifications for all chairs, tables, barriers, umbrellas, planters, wait stations, other components to be located within the outdoor dining area, and such additional information as the Director may reasonably require, ~~for the review and approval by the Director of Planning & Zoning.~~ The outdoor seating area shall not include advertising signage, including on umbrellas. (P&Z) (~~SUP #2015-00079~~)
7. Outdoor dining, including all its components such as planters and barriers, shall not encroach onto the public right-of-way unless authorized by an encroachment ordinance. (P&Z) (SUP #2015-00079)
8. No live entertainment shall be allowed at the restaurant either inside or in the outdoor dining area. (P&Z) (SUP #2015-00079)
9. The applicant shall provide signage inside the restaurant and information on its website directing patrons to the availability of off-street parking. (P&Z) (SUP #2015-00079)
10. All signage at the site shall comply with Condition #2 of DSUP#2002-0028 and all other applicable codes and ordinances. (P&Z) (SUP #2015-00079)

11. 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 #2015-00079)
12. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2015-00079)
13. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP #2015-00079)
14. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION #15:** ~~On and off premises alcohol sales may be permitted at the restaurant. (P&Z) (SUP #2015-00079)~~
15. **CONDITION AMENDED BY STAFF:** On-premises alcohol service and off-premises alcohol sales may be permitted, including the delivery of alcoholic beverages for off-premises consumption, ~~may be allowed~~. (P&Z) (SUP #2015-00079)
16. Not more than one delivery vehicles used to deliver food and beverages to customers shall operate from the restaurant at any one time. Delivery vehicles shall not park on public streets. (P&Z) (SUP #2015-00079)
17. 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 #2015-00079)
18. 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 #2015-00079)
19. 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 #2015-00079)
20. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP #2015-00079)
21. 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 #2015-00079)
22. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP #2015-00079)

23. **CONDITION AMENDED 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. ~~Within 60 days of SUP approval, the business shall contact the Transportation Planning Division at 703-746-4686 for information on establishing an employee transportation benefits program.~~ (T&ES) (SUP #2015-00079)

24. 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 #2015-00079)

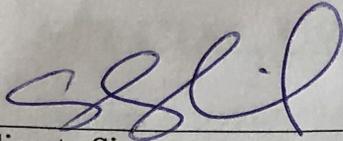
25. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were 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 or revised conditions are needed. (P&Z) (SUP #2015-00079)

26. **CONDITION ADDED BY STAFF:** The applicant shall provide information about alternative forms of transportation to access the location of the use, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. (P&Z)

27. **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. (T&ES)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2020-00058. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant use at 1552 Potomac Greens Drive.



Applicant - Signature

9/4/2020

Date

SCOTT SHIVELY

Applicant - Printed

9/4/2020

Date