



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 #2020-0011

Approved by Planning and Zoning: May 7, 2020

Permission is hereby granted to: Escape Room Live LLC

to use the premises located at: 814 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.

May 7, 2020

Date

Karl Moritz (by T. LaColla)

Karl Moritz, Director
Department of Planning and Zoning

DATE: May 7, 2020

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

FROM: Anna Kohlbrenner, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2020-00011
Administrative Review for a Special Use Permit for a Change of Ownership
Site Use: Amusement Enterprise
Applicant: Escape Room Live LLC
Location: 814 King Street
Zone: KR/King Street Urban Retail Zone

Request

Special Use Permit #2020-00011 is a minor amendment request to amend Special Use Permit #2015-0047 for increased hours at the Escape Room at 814 King Street. The business currently operates Monday-Thursday, 4-9 p.m.; Friday, 4-10 p.m.; and Saturday-Sunday, 12-10 p.m. The applicant proposes adding one additional hour to the closing hours on all days except for Friday. The proposed hours would be: Monday-Thursday, 4 -10 p.m. and Saturday-Sunday, 12-11 p.m. No other changes to the operation are proposed.

Background

The subject site at 814 King Street is developed with a four-story, commercial building. In June 2015, City Council approved Special Use Permit #2015-0047 to operate the Escape Room as an amusement enterprise on the second floor for a 26 space parking reduction.

The business owner received one zoning violation in the past five years. The violation was for operating hours that exceeded those required in Condition #2 of Special Use Permit #2015-0047. The business operator addressed the issue soon after learning of the violation by applying for this current Special Use Permit for a Minor Amendment.

Parking

According to Section 8-200 (A)(13) of the Zoning Ordinance, an amusement enterprise requires one parking space for every 200 square feet of floor area. City Council approved Special Use Permit #2015-0047 requesting a full parking reduction.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Old Town Civic Association and West Old Town Citizens Association were sent an email with information about the current application. The staff did not receive comments from the community about the minor amendment change.

Staff Action

Staff finds the change of ownership request to be reasonable. This will allow the business to expand offerings and would not impact surrounding businesses.

Additionally, conditions have been carried forward from Special Use Permit #2015-0047. The amended operational hours are reflected in Condition #2. In addition to Condition #2, Condition #16 and #18 have been amended to reflect present day standard condition language.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: May 7, 2020

Action: Approved



Tony LaColla, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2020-00011:

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. That 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 #2015-0047)
2. **CONDITION AMENDED BY STAFF:** The hours of operation for the amusement enterprise establishment shall be Monday-Thursday, 4-9 p.m.; Friday: 4-10 p.m. and Saturday-Sunday, 12-10 p.m. No other changes to the operation are proposed. (P&Z) (SUP #2015-0047)
3. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF:** ~~Plans shall be designed by a registered design professional prior to plan submittal.~~ (Code) (SUP #2015-0047)
4. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF:** ~~Advanced review plan review service is recommended for this project by the Department of Code Administration.~~ (Code) (SUP #2015-0047)
5. No food or beverages shall be sold at the premises. Catering may be provided by outside parties. (P&Z) (SUP #2015-0047)
6. Litter on site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least once 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 #2015-0047)
7. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2015-0047)
8. 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. (P&Z) (SUP #2015-0047)
9. 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 #2015-0047)
10. **CONDITION DELETED BY STAFF – ADDRESSED THROUGH THE ZONING ORDINANCE:** ~~Any outside signage or exterior alterations shall be approved in accordance with Board of Architectural policies and procedures.~~ (P&Z) (SUP #2015-0047)

11. 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 #2015-0047)
12. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP #2015-0047)
13. 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 #2015-0047)
14. The applicant shall direct patrons to the availability of parking at nearby public garages and shall participate in any organized program to assist with both employee and customer parking for businesses that is formed as a result of suggested parking strategies by the Old Town Area Parking Study (OTAPS) Work Group. (T&ES) (SUP #2015-0047)
15. The applicant shall maintain a parking arrangement with garages, by which the regular parking price at those garages is discounted by at least \$1 for customers. The applicant shall post information regarding the availability of parking at those garages for patrons online and at the business, and shall include such notice in any advertising. (T&ES) (SUP #2015-0047)
16. **CONDITION AMENDED BY STAFF:** ~~The applicant shall promote public transit options to the site on their website and encourage patrons to use public transit or carpool when patrons make reservations.~~ 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 & P&Z) (SUP #2015-0047)
17. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP #2015-0047)
18. **CONDITION AMENDED BY STAFF:** ~~The applicant shall provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees.~~ 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 #2015-0047)
19. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF:** ~~The applicant shall provide staff with a general plan for managing transportation related to corporate training events for more than 50 people. This plan should include details about~~

~~the City's motorcoach parking locations and regulations. The plan shall be approved by staff prior to distribution to patrons. (T&ES) (SUP #2015-0047)~~

20. **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 #2015-0047)~~

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

Findings:

1. No new conditions required for the change in hours. (T&ES)
2. T&ES/OEQ does not have any comments on this SUP application. (T&ES)

Comments:

Replace Condition 16 from staff report with:

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)

Replace Condition 18 from staff report with

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)

Code Enforcement:

No comments

Health Department:

No comments received

Parks and Recreation:

No comments

Police Department:

No comments received

Fire:

No comments

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of Special Use Permit SUP #2020-00011. The undersigned also agrees to obtain all applicable licenses and permits required for an amusement enterprise at 814 King Street.



Applicant - Signature

5/7/2020

Date

Ginger Flesher, Owner

Applicant - Printed

5/7/2020

Date