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 #2021-00003

Approved by Planning and Zoning: February 18, 2021

Permission is hereby granted to: Kinfe Demissie

to use the premises located at: 225 Reinekers Lane

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.

2/18/2021 Karl Moritz (by T. LaColla)
Date Karl Moritz, Director
Department of Planning and Zoning
DATE:       February 18, 2021

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 #2021-00003
            Administrative Review for a Special Use Permit for a Change of Ownership
            Site Use: Restaurant with outdoor dining
            Applicant: Kinfe Demissie
            Location: 225 Reinekers Lane
            Zone: OCH/Office Commercial High Zone

Request
Special Use Permit #2021-00003 is a request to change ownership of an existing restaurant from Seok Yoon Chang to Kinfe Demissie. The applicant would continue to operate a restaurant under the name, June’s Coffee. The restaurant will continue to offer 12 indoor and outdoor seats. The hours of operation shall be between 7 a.m. and 11 p.m., daily. No live entertainment, alcohol sales or restaurant-managed delivery are proposed. No other changes to the operation are proposed.

Background
On September 13, 2003, City Council granted SUP #2003-00069 to Bae Kim Group to operate a restaurant. In 2010, staff approved SUP #2010-00026, granting an administrative request to change the ownership from Bae Kim Group to Seok Yoon Chung. The business continued to operate under the name June’s Coffee. In 2019, staff approved SUP #2019-00058, granting an administrative SUP request to add 12 seats for indoor and outdoor use.

The previous business owner had not received any zoning violations in the past five years.

Parking
The restaurant is located in the King Street Metro Parking District, where the first 10,000 square feet of restaurant use in an office building is not required to provide parking, pursuant to Section 8-400(B)(8) of the Zoning Ordinance. Given that the applicant’s 1,163-square foot restaurant is the only restaurant in the office building, it does not have a 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 Upper King Street Neighborhood Association received notification of the SUP request. Staff has not received any comments or concerns related to the request.
**Staff Action**
Staff finds the change of ownership request to be reasonable as it supports the continuance of a restaurant at a prominent central location in the office building above.

Additionally, conditions have been carried forward from Special Use Permit #2019-00058. Several have been amended to reflect the September 2020 text amendments related to restaurant conditions.

Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:**

Date: February 18, 2021
Action: Approved

[Signature]
Tony LaColla, Division Chief

Attachments: 1) Special Use Permit Conditions
2) Statement of Consent
CONDITIONS OF SPECIAL USE PERMIT #2021-00003

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) (SUP#2019-00058)

2. **CONDITION AMENDED BY STAFF:** The hours during which the business is open to the public shall be restricted to between 7:00 a.m. to 11:00 p.m. daily. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP#2019-00058)

3. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#2019-00058)

4. **CONDITION AMENDED BY STAFF:** Delivery service is permitted only by foot or bicycle. Delivery vehicles operated and managed by the applicant are permitted. Delivery vehicles must be parked off-street when not in use. (P&Z) (SUP#2019-00058)

5. 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 and debris shall be allowed to accumulate on-site outside of those containers. (P&Z) (SUP#2019-00058)

6. **CONDITION AMENDED BY STAFF:** Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES) (SUP#2019-00058)

7. 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 and Environmental Services. (T&ES) (SUP#2019-00058)

8. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES) (SUP#2019-00058)

9. 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. (P&Z) (SUP#2019-00058)

10. **CONDITION DELETED BY STAFF:** The applicant shall require its employees who drive to work to use off-street parking and/or 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. (P&Z) (T&ES) (SUP#2019-00058)
11. Condition deleted.

12. The applicant shall conduct employee training sessions on an ongoing basis, and shall discuss all SUP provisions and requirements, as part of that training. (P&Z) (SUP#2019-00058)

13. Meals ordered before the closing hour may be served, but no new patrons may be admitted, and all patrons must leave by one hour after the closing hour. (P&Z) (SUP#2019-00058)

14. 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#2019-00058)

15. **CONDITION AMENDED BY STAFF:** No more than 12 indoor or outdoor seats shall be provided for customers. (P&Z) (SUP#2019-00058)

16. **CONDITION AMENDED BY STAFF:** No alcohol sales shall be permitted at the restaurant. On and off premises alcohol sales are permitted in compliance with Virginia ABC requirements. (P&Z)

17. No live entertainment shall be permitted at the restaurant. (P&Z) (SUP#2019-00058)

18. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP#2019-00058)

19. Condition deleted.

20. 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#2019-00058)

21. 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) (SUP#2019-00058)
22. Food delivery operated and managed by the applicant shall not be permitted. (P&Z) (SUP#2019-00058)

23. 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#2019-00058)

24. Exterior power washing of the building shall not be completed using any kind of detergents. (P&Z) (SUP#2019-00058)

25. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (P&Z) (SUP#2019-00058)

26. 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. (P&Z) (SUP#2019-00058)

27. 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. (P&Z) (SUP#2019-00058)

28. The use must comply with the city’s noise ordinance. (P&Z) (SUP#2019-00058)

29. Outdoor dining furniture shall not encroach into the public right-of-way. (P&Z) (SUP#2019-00058)

30. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. (P&Z)
STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2021-00003. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a restaurant at 225 Reinekers Lane.

[Signature]
Applicant - Signature

[Date]
Date

[Printed Name]
Applicant - Printed

[Date]
Date