



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 #2019-0051
Approved by Planning and Zoning: July 12, 2019
Permission is hereby granted to: American Real Estate and Investment, LLC
to use the premises located at: 215 South Union 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.

7/12/2019
Date

Karl Moritz (by E&E)
Karl Moritz, Director
Department of Planning and Zoning

DATE: July12, 2019

TO: Tony LaColla
Division Chief, Land Use Services,
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 #2019-0051
Administrative Review for a Change of Ownership
and Minor Amendment
Site Use: Restaurant
Applicant: American Real Estate and Investment, LLC
Location: 215 South Union Street
Zone: W-1/Waterfront Mixed Use

Request

Special Use Permit #2019-0051 is a request for a change of ownership from La Plata Doughnuts, LLC to American Real Estate and Investment, LLC. A minor amendment is requested to offer the on-premises sale of alcohol. No additional changes to the current operations are proposed. The business would operate as a coffee and crepe shop under the tradename, Café Du Soleil from 6 a.m. to 12 a.m., daily and have 30 seats. The restaurant would offer coffee, crepes, and other related items.

Background

According to Real Estate Assessment, the original portion of the building was constructed around 1830. Old Town Coffee, Tea, and Spice had operated at the tenant space for several decades before closing in 2016. The tenant space has remained vacant since that time, until November 2018 when SUP #2018-0086 was approved for operation of a coffee and doughnut shop.

Prior to the adoption of the 1992 Zoning Ordinance, the property was zoned I-1, industrial. At that time, retail and personal service uses would have been allowed as a by-right use. After the adoption of the ordinance, the parcel was zoned W-1 which required a special use permit to allow retail and personal service establishments. On June 23, 1993, City Council approved Special Use Permit #2645 to operate a retail sales business and tailor shop. On February 20, 1993, City Council approved Special Use Permit #2645-A to operate retail sales and personal service uses at the site.

Parking

Pursuant to Section 8-300 (B) of the Zoning Ordinance, parking requirements do not apply to restaurants located within the Central Business District.

Community Outreach

Public notice was provided through eNews, via the City’s website, and by posting a placard on the site. In addition, Old Town Civic Association was sent an email notification of the current application. Staff has not received any comments from residents or adjacent businesses.

Staff Action

Staff supports the applicant’s request for a change of ownership and minor amendment for on premises alcohol sales at 215 South Union Street. The proposed coffee shop will continue to benefit nearby residents and the addition of alcohol sales will add to the variety of options for customers. Staff has updated conditions to current language and Condition #7 was deleted and replaced with Condition #26 to reflect the applicant’s request.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: July 12, 2019
Action: Approved



Tony LaColla, AICP, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2019-0051

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 other business entity in which the applicant has a controlling interest. (P&Z) (SUP #2018-0086)
2. The indoor hours of operation for the restaurant shall be limited to 6 a.m. to 12 a.m., daily. (SUP #2018-0086)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z) (SUP #2018-0086)
4. The maximum number of indoor seats at the restaurant shall be limited to 30 seats. (P&Z) (SUP #2018-0086)
5. There shall be no outside seats. (P&Z) (SUP #2018-0086)
6. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION #25: No customer delivery services shall be available from restaurant.** (P&Z) (SUP #2018-0086)
7. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION #26: On and off premises alcohol sales are not permitted.** (P&Z) (SUP #2018-0086)
8. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises, including the rear alley, 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 #2018-0086)
9. The applicant shall store trash and garbage inside the building. (P&Z)
10. Delivery shall take place by car or van on South Union Street only. No large truck delivery to the premises is permitted. (P&Z) (SUP #2018-0086)
11. Neither the applicant nor its customers shall use reserved parking spaces in the adjacent parking lot to the north or park in the alleyway to the west of the restaurant. (P&Z) (SUP #2018-0086)
12. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP #2018-0086)
13. 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 #2018-0086)

14. 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) (SUP #2018-0086)
15. The applicant shall contact the T&ES parking planner at 703.746.4025 for information about applying to participate in the Discount Parking Program for Employees of Old Town Businesses (or other similar program if one is created) that offers discounted parking at select City parking facilities on evenings and weekends. (T&ES) (SUP #2018-0086)
16. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES) (SUP #2018-0086)
17. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES) (SUP #2018-0086)
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) (SUP #2018-0086)
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) (SUP #2018-0086)
20. The applicant shall control 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 #2018-0086)
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)
22. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 6:00am. (T&ES) (SUP #2018-0086)
23. 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 after 9:00 PM. (T&ES) (SUP #2018-0086)

24. **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 #2018-0086)
25. **CONDITION ADDED BY STAFF:** Food delivery operated and managed by the applicant shall not be permitted. (P&Z)
26. **CONDITION ADDED BY STAFF:** On premises alcohol sales are permitted. (P&Z)

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

No Comments received.

Code Enforcement:

No comments received.

Health Department:

No comments received.

Parks and Recreation:

No comments received.

Police Department:

No comments received.

Fire:

No comments received.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2019-0051. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a restaurant use at 215 South Union Street.

Mara Zeleke
Applicant – Signature

07/31/2019
Date

Maramamit Zeleke
Applicant – Printed

07/31/2019
Date