

Docket Item #10  
SPECIAL USE PERMIT #2008-0042

Planning Commission Meeting  
September 4, 2008

**ISSUE:** Consideration of a request for a special use permit to operate a restaurant (Starbucks Coffee).

**APPLICANT:** Westin Management Company East  
by John Varghese

**STAFF:** Nathan Randall  
[nathan.randall@alexandriava.gov](mailto:nathan.randall@alexandriava.gov)

**LOCATION:** 2040 Jamieson Avenue  
(Parcel Address: 2050 Jamieson Avenue)

**ZONE:** CDD#1/Coordinated Development District

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**STAFF RECOMMENDATION:** Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



SUP2008-00042  
2040 Jamieson Ave

## I. DISCUSSION

### REQUEST

The applicant, Westin Management Company East by John Vargese, requests special use permit approval for the operation of a Starbucks restaurant located at 2040 Jamieson Ave.

### SITE DESCRIPTION

The subject property is one lot of record known as Carlyle Block F. The property has approximately 320 feet of frontage on Jamieson Avenue, 185 feet of frontage on Courthouse Square, 145 feet of frontage on Ballenger Avenue, and a total lot area of 55,927 square feet. The applicant is requesting to occupy 1,367 square feet of retail space, currently vacant, located to the east of the Jamieson Condominium entrance, and fronting Jamieson Ave. The site is developed with the Westin Alexandria hotel and the Jamieson Condominium. The surrounding area is occupied by a mix of residential, office, retail, and restaurant uses.



### BACKGROUND

On April 18, 1990, City Council granted Special Use Permit #2253 in what was the first development plan for Carlyle. It has been amended many times since, including SUP#2003-0016, which was approved by City Council on June 14, 2003. Among other changes, this SUP permitted the transfer of office and hotel floor area to residential use at Block F.

### PROPOSAL

The applicant proposes to operate a Starbucks restaurant with up to 14 indoor seats and six outdoor seats.

Hours: Monday-Friday, 6:30am-8:00pm  
Saturday, 8:00am-3:00pm  
Sunday, 8:00am-5:00pm

Number of seats: 14 indoor seats  
6 outdoor seats

Type of Service: Carry-out or self-serve seating. No table service will be offered.

Noise: Typical noises of a coffee shop confined within premises. Outdoor dining area noise will be minimal - primarily customer

conversations.

Odors: Typical coffee shop odors. No baking will take place on premises.

Trash/Litter: Trash will be picked up daily as required.

#### PARKING

Parking requirements for the subject building were specified in the Carlyle Transportation Management Plan (Special Use Permit#2254) and DSP2003-0041. Only two carpool parking spaces for employees of the retail establishments in Block F are required. No customer parking is required, nor is any non-carpool parking required for employees. The carpool spaces for employee use are located in the existing hotel parking garage.

#### ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CDD#1/Coordinated Development District zone. Section 5-602(A) of the Zoning Ordinance identifies OC/Office Commercial zone as the underlying zone which allows a restaurant only with a special use permit.

SUP#2253 and DSP#2003-0041 approved Block F of Carlyle for 5,500 square feet of ground-floor retail. This restaurant represents the first 1,367 of that 5,500 square feet.

The proposed use is consistent with the Eisenhower East Small Area Plan chapter of the Master Plan which designates the property for a use consistent with the CDD #1 zone.

## **II. STAFF ANALYSIS**

Staff supports this new Starbucks restaurant on Jamieson Ave in the Carlyle neighborhood. This restaurant, and its accompanying outdoor dining, will promote an active street presence and occupy vacant retail space.

Staff understands concerns regarding the balance between quick-service and full-service restaurants in the Carlyle neighborhood. However, with the Jamieson Grille and Trademark Bar in the same building, staff believes that a coffee shop is an appropriate use. The presence of Starbucks at this location will promote a more active street life, occupy vacant space, and provide food and beverage options to hotel guests and neighborhood residents.

While the original proposal called for earlier closing hours each day, particularly Saturday and Sunday, and later opening hours on the weekends, staff has conditioned additional operating hours to provide the applicant with greater flexibility.

Subject to the conditions listed in Section III, staff recommends approval of the special

use permit request.

### III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

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)
2. The hours of operation of the restaurant shall be limited to 6:30am-10:00pm, 7 days/week. (P&Z)
3. The maximum number of indoor seats shall be 14, and the maximum number of outdoor seats shall be six (6).
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
5. No live entertainment shall be provided inside the restaurant or in the outdoor dining area. (P&Z)
6. No alcohol service shall be provided. (P&Z)
7. No food, beverages, or other material shall be stored outside. (P&Z)
8. Loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (P&Z)(T&ES)
9. No sound amplification shall be permitted in the outdoor seating area. (P&Z)
10. The outdoor dining area shall be operated such that an unobstructed pedestrian pathway with a minimum width of 8 feet shall be provided at all times. (P&Z)
11. Any permanent structures which are required for the outdoor seating area shall be subject to review and approval by the Carlyle DRB. (P&Z)
12. Any outdoor seating areas shall not include advertising signage. (P&Z)
13. The design of the outdoor seating shall be compatible with the design of the building. (P&Z)
14. The outside dining area shall be cleaned at the close of each day of operation. (P&Z)

15. Prior to the opening of the outdoor dining area, the applicant shall submit an outdoor dining plan to the satisfaction of the Director of Planning & Zoning. The plan shall indicate where the outdoor dining area will be located and shall demonstrate how the outdoor dining plan conforms with the conditions of this SUP approval. (P&Z)
16. Employees who carpool to work shall be offered use of free garage parking in two designated employee carpool spaces. (P&Z)
17. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)
18. Food items ordered before the closing hour may be sold, but no new patrons may be admitted after the closing hour and all patrons must leave by one hour after the closing hour. (P&Z)
19. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be store 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)
20. 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. (P&Z)
21. 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, (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)
22. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
23. 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)

24. Per SUP#2007-0094, deliveries, loading, and unloading activities shall not occur between the hours of 10:00pm and 7:00am. (P&Z)(T&ES)
25. The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
26. 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)
27. Per SUP2007-0094, applicant shall provide the City \$1000.00 for one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60-days of approval). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation. (T&ES)
28. Existing landscaping on property shall be well maintained and be free of weeds, debris, and litter at all times. Replace dead or missing plants as needed. (Parks)
29. Property owner shall control weeds along public sidewalks, curb lines and within tree wells which are within 12 feet of the owner's front property line. (City Ord. No. 2698, 6/12/82, Sec. 2; Ord. No. 2878, 11/12/83, Sec. 1)(Parks)
30. The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)
31. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and regarding robbery readiness training for all employees. (Police)

STAFF: Richard Josephson, Deputy Director, Department of Planning and Zoning;  
Nathan Randall, Urban Planner.

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Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

#### IV. CITY DEPARTMENT COMMENTS

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

##### Transportation & Environmental Services:

- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
- R-2 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)
- R-3 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.(T&ES)
- R-4 Per SUP#2007-0094, deliveries, loading, and unloading activities shall not occur between the hours of 10:00pm and 7:00am. (T&ES)
- R-5 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
- R-6 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-7 Per SUP2007-0094, applicant shall provide the City \$1000.00 for one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60-days of approval). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation. (T&ES)
- R-8 The applicant shall require its employees who drive 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. (T&ES)

- C-1 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.
- C-2 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).

Code Enforcement:

- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-3 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-4 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC 508.
- C-5 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.
- C-6 The following code requirements apply where food preparation results in the development of grease laden vapors:
  - (a) All cooking surfaces, kitchen exhaust systems, grease removal devices and hoods are required to be protected with an approved automatic fire suppression system.
  - (b) A grease interceptor is required where there is drainage from fixtures and equipment with grease-laden waste located in food preparation areas of restaurants. Food waste grinders can not discharge to the building drainage system through a grease interceptor.
- C-7 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
  - (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
  - (b) How food stuffs will be stored on site.

(c) Rodent baiting plan.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. Permits are not transferable.
- C-2 Permits must be obtained prior to operation.
- C-3 Five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for plans review of food facilities.
- C-4 Certified Food Managers must be on duty during all hours of operation.
- C-5 Food must be protected to the point of service.
- C-6 The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions, both indoors and at the outside dining areas.
- C-8 Restrooms, including those in common areas, serving the restaurant, are to meet Alexandria City Code, Title 11, Chapter 2 requirements.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Parks & Recreation:

- R-1 Existing landscaping on property shall be well maintained and be free of weeds, debris, and litter at all times. Replace dead or missing plants as needed.
- R-2 Property owner shall control weeds along public sidewalks, curb lines and within tree wells which are within 12 feet of the owners front property line. (City Ord. No. 2698, 6/12/82, Sec. 2; Ord. No. 2878, 11/12/83, Sec. 1)

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding robbery readiness training for all employees.
- F-1 The applicant is not seeking an A.B.C. permit. The Police Department concurs.

**REPORT ATTACHMENTS  
AVAILABLE IN THE PLANNING AND ZONING OFFICE**