

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 #2021-00075
Approved by Planning and Zoning: August 26, 2021
Permission is hereby granted to: Sprig's, LLC
to use the premises located at: 2050 Ballenger Avenue
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.

August 26, 2021

Karl Moritz (by T. LaColla)

Date

Karl Moritz, Director
Department of Planning and Zoning

DATE: August 25, 2021

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

FROM: Patrick Silva, Urban Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2021-00075
Administrative Review for New Use
Site Use: Restaurant
Applicant: Sprig's, LLC
Location: 2050 Ballenger Avenue
Zone: CDD #1 / Coordinated Development District #1

Request

Special Use Permit #2021-00075 is a request to operate a 2,088 square foot restaurant, known as Sprig's, at 2050 Ballenger Avenue. The restaurant will offer dine-in and carry out service with operational hours of 7 a.m. to 7 p.m., daily. Approximately 250 patrons per day would be served by the business and between three and four employees will work during the hours of operation.

Background

Planning Commission approved Development Special Use Permit #2005-00015 in May 2005 for the construction of an office building at Block J (2050 Ballenger Avenue) in Carlyle with ground floor commercial space. Subsequently, in January 2010, City Council approved Special Use Permit #2009-00068 which amended the Carlyle Special Use Permit (SUP2253) to allow additional retail uses in the ground floor retail areas and reduce the retail parking requirement for Block J. In December 2014, Administrative Special Use Permit #2014-00116 was approved for a New Use at 2050 Ballenger Avenue in the form of a restaurant with live entertainment, called the Carlyle Club. In September 2020, City Council approved Special Use Permit #2020-00039 to allow Catholic Universities of American to operate a private academic use in the form of a satellite campus on the second floor of 2050 Ballenger Avenue. Most recently, in June 2021, City Council approved Special Use Permit #2021-00022 amending the Carlyle Special Use Permit (SUP2020-00065) to permit business and professional offices, a private school, and a restaurant on the ground floor on Block J.

Parking

Parking for the building's commercial uses is accommodated in the 104-space on-site underground parking garage.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. The subject address is not located within the boundaries of a civic association and, thus, did

not require notice to be sent to one. Staff did not receive any comments regarding the request.

Staff Action

Staff supports the applicant’s request for a restaurant at this location. It will serve to activate a vacant ground floor commercial space in the building at 2050 Ballenger Avenue at a site where a restaurant has previously operated without any issues.

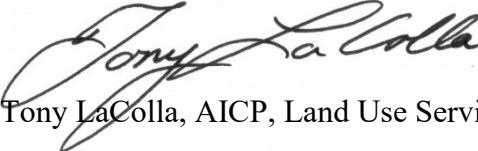
Standard conditions for restaurants are included in this report.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: August 25, 2021

Action: Approve



Tony LaColla, AICP, Land Use Services Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2021-00075

The new 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 corporation in which the applicant has a controlling interest. (P&Z)
2. All patrons must leave the premises one hour after the closing hour. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. The maximum number of indoor seats at the restaurant shall comply with the state building code. (P&Z)
5. 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)
6. No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z)
7. On and off premises alcohol sales are permitted in compliance with Virginia ABC requirements. (P&Z)
8. Delivery vehicles operated and managed by the applicant are permitted. Delivery vehicles must be parked off-street when not in use. (P&Z)
9. Indoor limited, live entertainment may be offered and must comply with the City's noise ordinance. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment. (P&Z)
10. 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)
11. Exterior power washing of the building shall not be completed using any kind of detergents. (P&Z)
12. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (P&Z)

13. 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)
14. 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 Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (T&ES)
15. 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. (P&Z)
16. 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)
17. 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)
18. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
19. The use must comply with the city's noise ordinance. No amplified sound shall be audible at the property line. (T&ES)
20. The applicant shall require its employees who drive to use off-street parking. (T&ES)
21. 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)
22. 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)
23. 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)
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. (P&Z)

25. 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)

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 The applicant shall require its employees who drive to use off-street parking. (T&ES)

- R-2 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)

- R-3 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)

- R-4 The applicant shall encourage patrons to park off-street through the provision of information about nearby garages or lots in the business' advertising and website. (T&ES)

- R-5 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. (T&ES)

- R-6 The applicant shall control odors, smoke and any other air pollutants 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-7 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)

- R-8 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

- R-9 The use must comply with the city's noise ordinance. No amplified sound shall be audible at the property line. (T&ES)

Code Enforcement:

- C-1 A building permit is required for new restaurant construction.

Health Department:

C-1 Plans were already submitted to the Health Department. No additional comments or information is necessary.

Parks and Recreation:

No comments

Police Department:

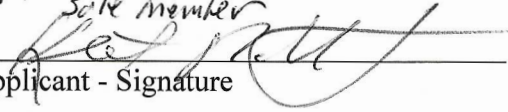
No comments received

Fire:

C-1 If occupancy and use is classified Assembly and occupant load is greater than 50, Fire Prevention permit is required. If occupancy is less than 50 and classified B use, no fire prevention permit is required.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2021-00075. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 2050 Ballenger Avenue.

Sprig's, LLC
By: Catholic Charities USA, its
sole member


Applicant - Signature

8/26/2021
Date

Keith R. Styles
Applicant - Printed

8/26/2021
Date