

DATE: October 6, 2022

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

FROM: Mavis Stanfield, Urban Planner III
Department of Planning and Zoning

SUBJECT: Special Use Permit #2021-00012
Administrative Review for New Use
Site Use: Restaurant
Applicant: Nahom Debessay
Location: 215 South Union Street
Zone: W-1/Waterfront Mixed Use

Request

Special Use Permit #2021-00012 is a request to expand a restaurant at 215 South Union Street. The applicant, Nahom Debessay, is requesting permission to operate a casual dining café with 46 indoor seats and carry-out service. The café will operate seven days a week between the hours of 7 a.m. and 10 p.m. The applicant anticipates serving approximately 30 – 40 visitors a day and staff about two to four employees per shift. The applicant is adding 860 square feet to the existing 860 square foot restaurant, is increasing the number of seats from 30 to 46 and is creating an area to offer the retail sale of dry food, beverages, beer and wine on and off premises, which is a permitted use in the W-1 zone.

Background

According to Real Estate Assessments, the original portion of the building was constructed around 1830. Prior to the adoption of the 1992 Zoning Ordinance, the property was zoned I-1, industrial. At that time, retail and personal service uses were permitted by-right.

Old Town Coffee, Tea, and Spice had operated at the tenant space for several decades before closing in 2016. The tenant space remained vacant until November of 2018 when SUP #2018-0086 was approved for operation of a restaurant for La Plata Doughnuts. SUP #2019-0051 was approved on July 12, 2019 for an Administrative Review for an SUP Change of Ownership and Minor Amendment to allow the on-premises sale of alcohol for the business/trade name of the current applicant, American Real Estate Investment LLC. The application was approved for 30 seats.

The current SUP New Use application to double the size of the restaurant was submitted in 2021, but, after initial processing, was found to have deficient information. After months of working with the applicant, the current application now accurately reflects the business operation.

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. Notice was also sent via email to the Old Town Civic Association. Staff has not received any comments to cause docketing of the new use request.

Staff Action

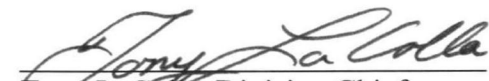
Staff supports the applicant’s request to expand the operation of a restaurant use at 215 South Union Street. This casual dining café is not expected to produce a significant impact as it has operated at this site without complaints since 2019. Standard restaurant conditions in addition to specific conditions related to the site from the previous SUP are included in this staff report for the expanded restaurant to ensure compatibility with the surrounding community.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: October 6, 2022

Action: Approved



Tony LaCoffa, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2021-00012

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)
2. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
3. The number of indoor seats shall comply with the statewide building code. (P&Z)
4. 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)
5. The applicant shall store trash and garbage inside the building. (P&Z)
6. Delivery shall take place by car or van on South Union Street only. No large truck delivery to the premises is permitted. (P&Z)
7. 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)
8. The applicant shall require its employees who drive to use off-street parking. (T&ES)
9. 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)
10. 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)
11. 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)
12. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
13. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)

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 P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (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. (T&ES)
16. 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)
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 6:00am. (T&ES)
19. 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)
20. 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)
21. Food delivery operated and managed by the applicant may be permitted and the applicant shall provide off-street parking when the vehicles are not in use. (P&Z)
22. On and off premises alcohol sales are permitted. (P&Z)

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

Findings:

- F-1 SWM, OEQ Floodplain and Transportation Planning have no comment.
- F-2 SUP must comply with the original conditions and any additional conditions from this review. (DROW)

Conditions:

- R-1 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)

City Code Requirements:

- C- 1 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). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)
- C - 2 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. (T&ES)
- C – 3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Enforcement:

- C-1 A building permit is required.

Health Department:

No comment.

Parks and Recreation:

No comment.

Police Department:

No comment.

Fire:

A fire prevention permit may be required for this new use.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2021-00012. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 215 South Union Street.


Applicant - Signature


Date

Applicant – Printed

Date