

**City of Alexandria, Virginia**

**MEMORANDUM**

DATE: AUGUST 26, 2020

TO: CHAIRMAN NATE MACEK AND MEMBERS OF THE PLANNING  
COMMISSION

FROM: KARL W. MORITZ, DIRECTOR, DEPARTMENT OF PLANNING & ZONING

SUBJECT: DOCKET ITEM #11- SUP #2020-00045 – 3410 MT. VERNON AVENUE

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The purpose of this memorandum is to amend a statement in the SUP #2020-00045 staff report to align with Condition #11E. Staff recommends amending the staff analysis, in the “Outdoor Seating” section on page 8 of the staff report.

The second to the last sentence in this section should be amended as:

“Staff has also recommended Condition #11E to control noise by requiring outdoor dining furniture, outdoor games and activities to be no less than 25 feet from the common property line with the adjacent residential units, as required due to the change of zone between the two properties.”

The addition of “outdoor dining furniture” more closely coordinates with the recommended condition and makes it more apparent in the analysis that dining furniture, including seats and tables, must be 25 feet from the change in zone located along the rear property line.

Staff continues to recommend partial approval of SUP #2020-00045 for amendments to SUP #2017-00091 for the restaurant located at 3410 Mt. Vernon Avenue.

## Anh Vu

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**From:** Ann Horowitz  
**Sent:** Wednesday, August 26, 2020 5:41 PM  
**To:** Anh Vu  
**Cc:** Patrick Silva; Tony LaColla; Ray Roakes  
**Subject:** FW: [EXTERNAL]SUP #2020-00045: 3410 Mount Vernon Avenue Hops 'N Shine Restaurant

Please send this to the PC, too. Thanks!

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**From:** Carissa Alaimo <[carissa.alaimo@gmail.com](mailto:carissa.alaimo@gmail.com)>  
**Sent:** Wednesday, August 26, 2020 12:53 PM  
**To:** Matthew E. Zelasko <[matthew.e.zelasko@gmail.com](mailto:matthew.e.zelasko@gmail.com)>; Ray Roakes <[raymond.roakes@alexandriava.gov](mailto:raymond.roakes@alexandriava.gov)>; Ann Horowitz <[ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)>; Tony LaColla <[Anthony.LaColla@alexandriava.gov](mailto:Anthony.LaColla@alexandriava.gov)>  
**Subject:** [EXTERNAL]SUP #2020-00045: 3410 Mount Vernon Avenue Hops 'N Shine Restaurant

Mr. Roakes, Mr. LaColla, and Ms. Horowitz:

We are writing with respect to Special Use Permit #2020-00045: 3410 Mount Vernon Avenue (Parcel Address: 3408 Mount Vernon Avenue) Hops 'N Shine Restaurant.

Our names are Carissa Alaimo and Matthew Zelasko, and we are residents of Mount Vernon Community Court Association (MVCCA)--the residential neighborhood which abuts Hops 'N Shine--where we live at 116 Sanborn Place.

We moved here in 2017 attracted to Del Ray for its Main Street feel. The Avenue is such a wonderful gem for young professionals and young parents -- one that we hadn't found anything similar in all of the DC suburbs we searched while house-hunting. It quite literally feels unlike any other community in the region, with its small business charm and close-knit neighbors, and lends to the unique effect of a genuinely happy, safe, and comfortable community. Specifically, MVCCA is a haven for first-time homeowners with young families. There are about 15 young children living in the cul-de-sac. In a couple years, we hope to have our own children playing out front with them. At night, all those children are asleep in their bedrooms with windows at the front of the houses facing the fence line with Hops 'N Shine due to the layout of the homes.

If relegated to either the interior or front exterior of the establishment facing Mt. Vernon Avenue, we express our support for any proposed increased capacity and boundaries, expanded hours, music, and games. Amendments to the front exterior increase the vibrancy and streetscape of Mt. Vernon Avenue and the surrounding area, of which our neighbors and us are happy to see flourish.

However, we are writing to express our sincere concern with any expansion of operations on the rear patio that directly faces our residential street. Hops 'N Shine is already in non-compliance with their existing SUP, which required a landscape buffer to be constructed to reduce the disruption to the surrounding citizens. Yet, Hops 'N Shine continues to operate in bad faith with its neighbors and has never indicated a willingness to form an amicable relationship with the MVCCA or engage in open dialogue in the interest of protecting and maintaining Sanborn Place as a family-friendly zone. It is unreasonable to us that the City would consider any additional SUPs from this establishment before they comply with the conditions of their original SUP.

Additionally, since the City's COVID-19 relaxation of operating restrictions for businesses, Hops 'N Shine has moved tables closer to Sanborn Place in order to accommodate social distancing. Our neighbor at 138

Sanborn Place has reported that the increased noise is just barely tolerable but anything more would be detrimental to her family's well-being. Our community understands that businesses need a wide berth right now due to COVID-19 to stay viable. However, the exacerbation of noise that was generated just from the relocation of tables with the existing capacity should be a red flag for any permanent operating changes or expansion in the rear.

The staff comments in the SUP say, "Staff recommends approval of the applicant's request to increase outdoor seating in the existing rear patio by 30 seats to a total of 60 seats. Staff has not received complaints regarding noise from the existing outdoor seating. While an increase to the number of seats will possibly increase noise, it is staff's belief that the noise levels will not exceed City standards." We'd like to ask why staff believe that noise levels will not exceed City standards? No rationale is given.

Before COVID-19 in which the tables were set further back with the existing occupancy, the status quo was tolerable, hence the lack of noise complaints. However, we can guarantee that doubling capacity, permanently relocating tables closer to the property line (to accommodate the increased capacity), games, and music will become a noise-complaint-by-design-setup. The logical end is incessant noise complaints. It just seems ill-fated for all involved. In no way do we want our tax dollars and community protection being preoccupied with never-ending noise complaints instead of the actual work the Alexandria Police needs to do. We would prefer that the ADP be reserved for more important matters than responding to after-hours noise complaints, but we're also adamant that the children who live on Sanborn Place, and whose bedroom windows will take the brunt of traveling noise, deserve peaceful and harmonious homes. We urge the City to recognize its own interest in preventing such a situation altogether.

It's also important to note that these current requests were all contained in Hops 'N Shine's original SUP but were not granted by the City or recommended for approval by planning staff previously. If they weren't satisfactory before, why are they satisfactory now? Nothing has changed with respect to the surrounding residential community. Residents should not have to bear the burden or endure a reduction in quality of life to accommodate a business that chose a poor and inadequate site for its business model (current COVID-19 conditions aside).

We are also writing to request that you reconsider and amend your staff recommendations specifically with respect to games and music for this SUP based upon an existing model in Del Ray. The Garden at 1503 Mt Vernon Ave, Alexandria, VA 22301 was established shortly after Hops N Shine in 2018, and given their comparable business model and proximity, it is the best and most fair comparison to Hops 'N Shine.

That SUP 2018-0067 is here:

<http://imaging.alexandriava.gov/weblink7PZSUP/ElectronicFile.aspx?docid=530575&dbid=0>

Staff recommendations regarding games and outdoor music for that SUP is as follows:

- "Indoor limited live entertainment shall be permitted in the form of small musical ensembles to the extent that no amplified sound is audible outside the restaurant." (Page 12)

- "All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line." (Page 16)

- "Staff also recommends that the outdoor dining and other associated outdoor activities, be set back from the rear property line 45 feet (Condition #37), and that the applicant install landscaping to provide a visual buffer from the residential property to the rear (Condition #39). Though a staff analysis of outdoor dining setbacks adjacent to residential properties shows a 72-foot average, the recommended 45-foot buffer is close to double the required 25-foot zone transition setback as stipulated in Section 7-900 of the Zoning Ordinance for commercial buildings adjacent to residential zones." (Page 9)

- "Staff recommends approval of two sets of outdoor games at the site, as stated in Condition #36. Staff has determined that a limitation of two sets of games would be accessory to the primary function of the restaurant as an eating and drinking establishment. The game area would also be setback 45 feet from the rear property line pursuant to Condition #37. Staff does not object to an outdoor bar pursuant to Condition #37; the bar must not be within 45 feet of the rear property line and no seats are permitted at the bar. Condition #39 also requires that the applicant submit a landscape plan and install a fence to provide a visual buffer from the outdoor restaurant activities and the residence at 404 East Nelson Avenue." (Page 10)

It is clear that the Planning Commission staff in that SUP understood the risk associated with amplified outdoor music and outdoor games/activities within 45-feet of the property line, even acknowledging a 72-foot average seen in the City. We fail to understand why in the case of Hops 'N Shine the staff recommendations are to approve with the bare minimum of 25-feet as well as amplified outdoor music. Therefore, we are writing to ask why the situation is different in this case? If no reasonable difference can be stated, we request that reconsiderations and amendments to staff suggestions be made based upon an existing precedent prior to the Planning Commission meeting.

With all that being said and those questions asked, the expansion of the northern end of Del Ray and Mount Vernon Avenue seems inevitable, and that with which we look forward to for so many reasons. The commercial upgrades, the infrastructure revitalization, an abundant landscaping plan, the increased walkability, all point to things we are excited about, particularly on this important and busy street corner. But we'd like to partner with the City, Planning Commission and neighboring businesses for a collaborative community approach that will be beneficial for everyone. The families writing and speaking out have localized and detailed concerns but also with great incentive for the enhancement of Del Ray. The property owners of MVCCA are prepared for and excited for growth, but ask for reasonable concessions in order to provide all parties with smart, sustained, positive evolutions.

Sincerely,  
Carissa Alaimo and Matthew Zelasko

116 Sanborn Place  
Alexandria, VA 22305

[carissa.alaimo@gmail.com](mailto:carissa.alaimo@gmail.com)  
[matthew.e.zelasko@gmail.com](mailto:matthew.e.zelasko@gmail.com)

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**FW: [EXTERNAL]SUP #2020-00045 (Hops 'n Shine)**

Ray Roakes &lt;raymond.roakes@alexandriava.gov&gt;

Fri 8/28/2020 10:42 AM

To: Patrick Silva &lt;Patrick.Silva@alexandriava.gov&gt;; Anh Vu &lt;Anh.Vu@alexandriava.gov&gt;

Please see below communication from the community

Thanks,

-Ray Roakes

Planner II

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**From:** Al Havinga <al.havinga@gmail.com>**Sent:** Friday, August 28, 2020 10:31 AM**To:** Ray Roakes <raymond.roakes@alexandriava.gov>**Cc:** Tony LaColla <Anthony.LaColla@alexandriava.gov>; Ann Horowitz <ann.horowitz@alexandriava.gov>**Subject:** [EXTERNAL]SUP #2020-00045 (Hops 'n Shine)

Good morning Ray. We are submitting the comments below on the Hops 'n Shine SUP. Thanks for reaching out to us and keeping us informed.

Al

Dear Members of the Planning Commission:

We are commenting on the proposed revisions and expanded uses to the existing SUP #2017-0091. We are long term residents residing at 104 Sanborn Place of the Mount Vernon Court Community neighborhood of townhouses immediately behind Hops 'n Shine. We are a friendly and lively community of 30 houses composed of children, families and adults

The community may not have liked the result from the March 2018 decisions by the Planning Commission and the City Council regarding the operation of an outdoor beer garden in the parking lot behind the 7-11, Hops 'n Shine (then known as Senor Chicken) and the laundromat, but it has largely accepted them in the subsequent 2 1/2 years. We are not aware of complaints coming from our community nor have we tried to interfere with Hops 'n Shine getting their business started in the intervening time period. We are supportive of Hops 'n Shine as our neighbor and hope they succeed in our neighborhood (back lot outdoor use excepted). We would hope that Hops 'n Shine is likewise supportive of the neighborhood but have concerns when they put in a request for expanded operations within about a year of starting operations without consulting with us and considering our concerns.

There are deficiencies in the current operation of the site. Garbage and cleanliness is a problem. Garbage constantly overflows from the dumpsters and leaks from the containers onto the pavement and down the driveway in violation of condition #26. The stench on a typical summer day and warmer days during the rest of the year is quite bad. The garbage is right adjacent to existing outdoor seating for Hops 'n Shine and the Mount Vernon

Community Court property line. It appears that the daily garbage collection requirement is not being adhered to (condition #6). The current SUP likewise requires the permit holder to pick up litter at least 2 times per day and at the close of business within 75 feet of the premises (condition #7). Our observation is that this condition is not adhered to. The City Council required additional tree density as a buffer between the site and townhouses as a condition of approving the SUP (City Council Action #3). The applicant never complied with this requirement. The side entrance is open and is used for entrance and exit in violation of permit condition #16 (ADA and emergency uses excepted). The facility recently advertised expanded hours of operation -- similar to their request in the SUP #2020-00045 via signs at the entrances of their bar/restaurant and on their website without waiting for approval from Alexandria. It is unclear to us whether they were/are in fact operating these expanded hours. How can the applicant apply for expanded use of this site when they have not complied with current requirements?

We are supportive of their current indoor operation and their requests for an expansion of seating in the front of the business and operating a delivery service out of the bar/restaurant. We do not have concerns about indoor hours or live entertainment within the restaurant. Our concern is the outdoor use -- specifically the outdoor use which abuts the residential community right in the back of the restaurant, 7-11, and laundromat. However, in light of their non-compliance with the existing permit, we think Hops 'n Shine should be in compliance with the existing permit before requesting changes. Alexandria planning staff, the Planning Commission and the City Council should take current compliance into consideration before proceeding with consideration of expanded and revised uses.

We believe that Hop's 'n Shine mistakes our community's acquiescence to the existing permit approved in March 2018 as support for expanded uses out back. When the SUP was approved about 2 1/2 years ago we thought it would be the end of the issue. But Hops 'n Shine is back for greatly expanded use of the back lot. Our concern is that at some point in the future they could take over the laundromat and keep requesting approval until they get their requested seating for 100 people out back and all the other changes they are requesting. The site certainly can accommodate 100 people and substantially more. So what is stopping these expanded uses? Is it just a matter of time? Is the applicant going to keep asking for more? What is the end of this process? If staff, the Planning Commission, and City Council thought that the March 2018 conditions they imposed ( 72' from the property line, 30 outdoor seats, no outside music, no bar or cooking outside, hours to 9 pm, etc. were reasonable accommodations then, what has changed to now support an expanded use? There is no discussion of this issue or rationale given by the applicant or the staff report. Did something change? What? Other than the usual ownership turnover in our neighborhood and the addition of new babies and toddlers, we are the same neighborhood that existed in 2017/2018.

There are limitations to the site, which as currently used, may lead to nuisances to the neighborhood unless care is taken to mitigate these limitations through planning and proper operation. The back of the site where the outdoor use occurs was formerly a parking lot and the area was used for deliveries and trash receptacles. It directly abuts a

residential community behind it which looks down on the site. The site has the additional limitation of being all hardscape asphalt bordered by concrete block buildings which reflect sound up and back to the residential community. Typically, Alexandria restaurants and bars face the street side (temporary Covid rules excepted) to give voice and interest to the neighborhood. This use of this site in this manner in the back lot -- out of sight and out of view -- is unusual in Alexandria. Perhaps good design could mitigate those impacts. We are not aware of any consideration given by the applicant in applying landscape or design principles to mitigate these site defects. Since the March 2018 approval, while the applicant has incurred significant expenses making inside renovations, very little if any improvements to the site have occurred outside -- other than placement of umbrellas, tables and chairs, and a few planters. Since the applicant is asking for more seating outside than inside we believe that they should address the impacts of this expanded outdoor use through proper design principles.

Our request is that the applicant go back to the drawing board and reimagine this site. We have requested to work with the applicant on developing a plan that all could live with. We commit to working with the applicant to achieve this goal. The plan should include:

- Being in compliance with the current SUP requirements and showing sound operation with garbage, litter and landscaping;
- Working with the neighborhood and affected communities on proposed changes;
- Exploring whether outdoor seating could be in the front of the bar -- street side -- like other restaurants and bars in Alexandria;
- Developing a site plan which addresses the issues of sound and light coming from the pavement and buildings to the adjacent neighborhood;
- Addressing storm water runoff issues; and
- Addressing ingress and egress from the site in the back including where the additional exit will be if this facility is ever approved for occupancy above 49 persons.

Businesses and residential neighborhoods which coexist best are in a symbiotic relationship. The best of these partnerships work because each side gets something out of the arrangement. Businesses in Alexandria typically address neighborhood concerns about noise, lighting, site ingress and egress, hours, site operations, etc. by working with the neighborhood to earn and retain goodwill. Hops 'n Shine has asked for an expansion of hours, increase in seating, outdoor live music; an outdoor bar, outdoor cooking, encroachment to within 10 feet of the property line, games, etc. without apparently considering the impact on the community all while being in non-compliance of their existing permit. We request that the applicant first show compliance with the current requirements. Until the applicant shows that they are in compliance with existing requirements, this request should be withdrawn. Should the applicant then decide to go forward with changes, we would ask that they work with the residential communities affected before they submit it to the Alexandria Planning Department.

Thank you for your consideration.

Sincerely,

Al Havinga and Susan Lewis  
104 Sanborn Place  
Alexandria, VA 22305

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**Fwd: [EXTERNAL]Fwd: SUP #2020-00045 (Hops 'n Shine)**

Ann Horowitz <ann.horowitz@alexandriava.gov>

Sat 8/29/2020 1:11 PM

To: Patrick Silva <Patrick.Silva@alexandriava.gov>; Anh Vu <Anh.Vu@alexandriava.gov>

Cc: Ray Roakes <raymond.roakes@alexandriava.gov>

To be added to Mr. Havinga's earlier email. Thanks!

Begin forwarded message:

**From:** Al Havinga <al.havinga@gmail.com>

**Date:** August 29, 2020 at 11:46:57 AM EDT

**To:** Ray Roakes <raymond.roakes@alexandriava.gov>

**Cc:** Tony LaColla <Anthony.LaColla@alexandriava.gov>, Ann Horowitz <ann.horowitz@alexandriava.gov>

**Subject:** [EXTERNAL]Fwd: SUP #2020-00045 (Hops 'n Shine)

Hi Ray -- would you include the attached picture I took on July 5, 2020 to comments we submitted. The picture depicts the use of the side entrance as an entrance to the outdoor patio in violation of condition #16. The posting of new hours violates condition #13.

Al Havinga



**FW: [EXTERNAL]Fwd: SUP #2020-00045: 3410 Mount Vernon Avenue Hops 'N Shine Restaurant**

Ray Roakes <raymond.roakes@alexandriava.gov>

Fri 8/28/2020 3:01 PM

To: Patrick Silva <Patrick.Silva@alexandriava.gov>

Cc: Ann Horowitz <ann.horowitz@alexandriava.gov>

Please see community comment below.

Thanks,

-Ray Roakes

Planner II

-----Original Message-----

From: Meagan Donlea <meagan.donlea@gmail.com>

Sent: Friday, August 28, 2020 2:42 PM

To: Ann Horowitz <ann.horowitz@alexandriava.gov>; Tony LaColla

<Anthony.LaColla@alexandriava.gov>; Ray Roakes <raymond.roakes@alexandriava.gov>

Subject: [EXTERNAL]Fwd: SUP #2020-00045: 3410 Mount Vernon Avenue Hops 'N Shine Restaurant

Good afternoon,

We are writing to voice our concerns with the SUP changes requested by Hops N Shine. We live in 132 Sanborn Pl in Mount Vernon Court, the community directly behind the shopping center containing various businesses including Hops N Shine and Popeyes. Over the years, we have been in contact with you and other city staff regarding SUP and noise violations from the Popeyes located in front of our home (thank you again for your help with resolving those issues). We know how complicated and frustrating the process can be. Documenting a violation and then issuing a citation is a drain on the city staff, the APD, and the residents affected by late night noise violations.

We want to prevent more of these problems and do not support Hops N Shine's proposed expansion of outdoor hours, increased seating, and outdoor amplified music. We have an infant and a toddler and we fear that the noise of 60 people plus music will disrupt our family's sleep. We know that the burden of reporting SUP violations falls to the residents. That small space behind the shopping center and in front of our homes does not lend itself to expansion without significant disruption to its neighbors.

We want to support Hops N Shine. We wish the business would reach out to the residents of Mount Vernon Court, so we could work together to figure out the best ways to benefit the north Del Ray community. If the business wanted to expand its front patio or indoor operations, we would support that. Fulfilling the promise of improved landscaping (and less garbage) on the property line would help. Neighborly communication and compromise is a key component of enhancing our city.

Thank you for your consideration,

Meagan and Tim Donlea

132 Sanborn Pl

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**FW: [EXTERNAL]Special Use Permit (SUP) for Hops N Shine**

Ray Roakes &lt;raymond.roakes@alexandriava.gov&gt;

Fri 8/28/2020 1:12 PM

**To:** Patrick Silva <Patrick.Silva@alexandriava.gov>

Patrick, please see below community communication.

Thanks,  
-Ray Roakes  
Planner II

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**From:** Nicolas Brodzinski <brodzinskinicolas@gmail.com>**Sent:** Friday, August 28, 2020 12:57 PM**To:** Ann Horowitz <ann.horowitz@alexandriava.gov>**Cc:** Ray Roakes <raymond.roakes@alexandriava.gov>**Subject:** [EXTERNAL]Special Use Permit (SUP) for Hops N Shine

Good afternoon, local constituents.

I am opening this correspondence to convey my thoughts as a resident of Alexandria, VA, in regards to the Special Use Permit application submitted by a local business which I frequent, Hops n Shine (3410 Mt Vernon Ave).

*In regards to the ownership partners' requests for extension of operating hours for the outdoor space, as well as including provisions for amplified sound equipment, I would like to offer my FULL support for these additions. I happen to live just up the street, and have desired for quite some time for there to be extended outdoor hours, with consideration for live music and sports broadcast.*

*I, as well as several dozen others have been regularly frequenting this establishment since it's grand opening at the start of 2019. The staff are professional, courteous, friendly, and helped to create a sense of community that, in my experience, had been deficient in the area for quite some time.*

*As a patron of this fine establishment and this community, I believe that the added provisions via this Special Use Permit would enhance the quality of our neighborhood, offering yet another wonderful service to the list that keeps growing at Hops n Shine.*

*Thank you for your time and consideration.*

Best regards,

Nicolas Brodzinski

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**Fwd: [EXTERNAL]Fwd: Hops and Shine Permit for Patio Expansion**

Ann Horowitz &lt;ann.horowitz@alexandriava.gov&gt;

Sun 8/30/2020 11:21 PM

**To:** Anh Vu <Anh.Vu@alexandriava.gov>; Patrick Silva <Patrick.Silva@alexandriava.gov>

Begin forwarded message:

**From:** Catherine Delisle <catherinedelisle2@gmail.com>**Date:** August 30, 2020 at 8:40:51 PM EDT**To:** Ray Roakes <raymond.roakes@alexandriava.gov>, Ann Horowitz <ann.horowitz@alexandriava.gov>**Subject:** [EXTERNAL]Fwd: Hops and Shine Permit for Patio Expansion

I am writing in support of Hops N Shine's patio expansion for music, expanded hours, and capacity. As a local small business, Hops N Shine invests in its community, even during the current pandemic. As a volunteer with a local non profit, I have seen their generosity first hand. Not only do they provide kindness and generosity to their community, they serve great food, meals that cater to all ages and provide a family friendly and pet friendly atmosphere for folks to gather to socialize while maintaining the current safety restrictions. This business helps keep the positive spirit alive, which we all need right now.

Hops N Shine seeks permission to expand its patio and operations. As a cornerstone of Del Ray, this would be positive change. It would allow Hops N Shine to provide the best possible atmosphere all year long for the neighborhood, allow the community to have more options for outdoor gathering, encourage investment in green space long after the pandemic (hopefully) ends, and turn a back alley into an oasis. In addition, it helps a local business that weathered the pandemic while taking care of its community and staff with opportunities to generate revenue and makeup for the severe and devastating setbacks of the pandemic. It allows the community to say thank you, give back to local business, and ensure their survival.

I fully support Hops N Shine's application and request that you approve it.

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**Fwd: [EXTERNAL]Neighbors Writing in Support of Hops N' Shine (3410 Mt Vernon Ave, Alexandria)**

Ann Horowitz <ann.horowitz@alexandriava.gov>

Sun 8/30/2020 11:19 PM

To: Anh Vu <Anh.Vu@alexandriava.gov>; Patrick Silva <Patrick.Silva@alexandriava.gov>

For pc

Begin forwarded message:

**From:** Chris Sullivan <csullivan610@gmail.com>

**Date:** August 30, 2020 at 4:41:23 PM EDT

**To:** Ann Horowitz <ann.horowitz@alexandriava.gov>, Ray Roakes <raymond.roakes@alexandriava.gov>

**Cc:** Taylor Sparks <sparks.taylor@gmail.com>

**Subject: [EXTERNAL]Neighbors Writing in Support of Hops N' Shine (3410 Mt Vernon Ave, Alexandria)**

Dear Mr. Roakes and Ms. Horowitz:

As residents of Warwick Village in Alexandria (253 Tennessee Avenue), we are writing in support of Hops n' Shine's application for outdoor low volume music, longer hours and expanded capacity.

Hops n' Shine is a family-friendly establishment a short walking distance from our home in Warwick Village. Ever since our first visit with our newborn son in early 2019 shortly after its opening, we've felt that Hops N' Shine is an important part of our community and we have greatly enjoyed getting to know its owners and staff, who always go the extra mile for young families. We've met several of our neighbors there who have become good friends and regularly meet up for dinner and drinks on their back patio.

We supported Hops N' Shine during the pandemic by ordering takeout and have been impressed with their ability to safely return to business during the first phases of reopening. The back patio has been an important place for many local families looking for a place to safely socialize and try to unwind during the pandemic.

As neighbors to Hops N' Shine, we completely support its application and would appreciate your consideration of our thoughts.

Thanks,  
Chris and Taylor Sullivan

**FW: [EXTERNAL]SUP #2020-00045 (Hops 'n Shine)**

Ray Roakes &lt;raymond.roakes@alexandriava.gov&gt;

Mon 8/31/2020 11:50 AM

**To:** Ann Horowitz <ann.horowitz@alexandriava.gov>**Cc:** Patrick Silva <Patrick.Silva@alexandriava.gov>

Please see the community communication below.

Thanks,

-Ray Roakes

Planner II

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**From:** Danielle Harms <danikulta@gmail.com>**Sent:** Monday, August 31, 2020 11:47 AM**To:** Ray Roakes <raymond.roakes@alexandriava.gov>**Cc:** Tony LaColla <Anthony.LaColla@alexandriava.gov>; Ann Horowitz <ann.horowitz@alexandriava.gov>; Stephen Harris <sharris5@gmail.com>; Joonas Järvinen <mkt.joonas@gmail.com>**Subject:** [EXTERNAL]SUP #2020-00045 (Hops 'n Shine)

Dear Mr. Roakes, Mr. LaColla and Ms. Horowitz:

I am the owner of property at 138 Sanborn Place (since 2008), located immediately behind the Hops 'n Shine Biergarten. My husband Joonas Järvinen and I also wrote to you regarding the original SUP and spoke against this SUP at all the initial hearings regarding the Biergarten. We are writing again to echo our HOA and neighbors' pleas that no additional changes (Extended hours, live music or streamed music and extended seating from 30-60) be granted for the backyard area of the Hops 'n Shine establishment. We are happy to support any business growth inside the location or in front of the business.

As mentioned in previous e-mails on this issue, our property line begins less than 15 feet from what is now the garden part of the Biergarten. Since the Biergarten opened in 2018, we have been living with a steady stream of chatter from Hops 'n Shine that has become a daily annoyance inside our home. The proximity of the Biergarten to our living room and children's bedrooms (ages 7 & 10) at the front of our house enables us to hear entire conversations from those sitting at the Biergarten - it is as if they are in our home with us. This has hindered our ability to use the front half of our home and for our children to sleep at night. Since the Biergarten is open all day long and my husband and I also both work from home, it also affects our ability to perform our jobs as there is a great deal of noise pollution from the Biergarten throughout the day. We often also smell cigarette and cigar smoke in our home that comes over the fence from the Biergarten. As someone with severe asthma, this has been especially concerning for me as I now have to use a great deal more medication to manage my disease with the toxins coming into our home.

All of this has been especially aggravated by the COVID social distancing efforts that now permit the Biergarten to have chairs and tables located directly at the fence contrary to the actual 40ft buffer zone mandated by the approved SUP. We understand that the COVID pandemic is a special situation and that the Biergarten's extended hours and proximity of customers to the fence will expire on November 22. We have tolerated these temporary conditions and have restrained ourselves from calling in noise complaints against the Biergarten (though we have had cause to do so) out of respect for the police, and because we know these changes are temporary. Now that Hops 'n Shine is asking to making them permanent, and even asking to expand beyond these temporary allowances to expand hours permanently, incorporate music, games, and double the capacity of the backyard area, we must protest. We are extremely concerned about the increase in noise and smoke this will create. We expect this will create a daily situation where we would be well within our rights to call-in successful noise complaints to the city.

Our hope is that we can prevent this situation by holding the Biergarten to its original SUP limitations and that any additional permissions granted to Hops 'n Shine would only be for internal use or at the front of the establishment. We are also duly concerned about the slippery slope created if the city now approves items that it clearly denied less than two years ago. Nothing has changed in those circumstances to now permit the inconvenience to our neighborhood that your previously protected. Furthermore, as there has been no effort by Hops 'n Shine to comply with the landscaping requirements of the original SUP, it shows their poor faith in addressing the concerns of our neighborhood. We, however, also doubt that basic landscaping would do much to alter the noise levels coming from the Biergarten, especially considering the proximity to our homes, but they should have at least tried to comply with the requirements of the original SUP.

We agree with everything that our HOA President and neighbor Steve Harris has outlined below (as we agree with others who have written in) and we strongly urge you to apply decision-making that honors the original SUP as outlined and takes a uniform approach to all outdoor drinking/eating establishments across Del Ray/City of Alexandria. Hops 'n Shine and its owners (who are not residents of the City) do not deserve special treatment beyond other Del Ray business owners, and certainly should not outweigh the reasonable and valid concerns of your tax-paying residents. We hope you agree.

Sincerely,  
Danielle Harms, Esq. and Joonas Järvinen

----- Forwarded message -----

From: **Steve Harris** <[sharris5@gmail.com](mailto:sharris5@gmail.com)>

Date: Sat, Aug 29, 2020 at 11:18 AM

Subject: SUP #2020-00045 (Hops 'n Shine)

To: Ray Roakes <[raymond.roakes@alexandriava.gov](mailto:raymond.roakes@alexandriava.gov)>

Cc: <[Anthony.LaColla@alexandriava.gov](mailto:Anthony.LaColla@alexandriava.gov)>, <[ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)>

To: Ray Roakes, Tony LaColla, Ann Horowitz, City of Alexandria

From: Mount Vernon Court Community Association

Subject: Special Use Permit 2020-00045: Hops 'N Shine Restaurant, 3410 Mount Vernon Avenue

Dear Mr. Roakes, Mr. LaColla, and Ms. Horowitz,

The Mount Vernon Court Community Association ("MVCCA" or "we") writes regarding our concerns with SUP 2020-00045 ("Beer Garden SUP") located at 3410 Mount Vernon Avenue ("Hops n Shine" or "Beer Garden").

MVCCA is a community of 30 residential homes, mostly made up of families, with approximately 20 children under six years old, directly behind the Beer Garden. In fact, several units are less than 25 yards from the Beer Garden's back fence. We first approached the City of Alexandria ("City") in 2017 when the Beer Garden initially proposed its concept in SUP 2017-0091 ("initial SUP") and, in good faith, have tried to work with both owner Abe Hadjiesmaeloo and the City to reach agreements favorable to the existing homeowners, a local business owner, and the City. While we support small businesses and favor reasonable development in our neighborhood, the proposed expansion of Hops n Shine does not consider the next-door residential community.

Hello Mr. Roakes,

My name is Fahim Ghiacy and I am a self-proclaimed regular at Hops N Shine in the historic Del Ray neighborhood. I was born and raised in Alexandria, Virginia. I am a graduate of TC Williams High School Class of 2009. I consider myself a foodie and frequent most of the restaurants in the Alexandria area as I currently live in Del Ray. Hops N Shine has become a place that is very dear to myself and my fiancé. The staff and owners provide a space that is both welcoming and friendly to all customers. I truly consider Hops N Shine a hidden gem which caught my attention through social media. As a dog lover, I saw local neighbors post about Hops N Shine's "Yappy Hour" on various social media platforms. CJ Cross, a partner at Hops N Shine, organized regular happy hours with animal/dog rescue nonprofit organizations. Through these "Yappy Hours" customers can donate to the nonprofits and learn how to adopt dogs who are in need of a good home. As a consumer, I truly value small businesses that are motivated to give back to the communities they serve and respect and value causes that are important to their consumers.

As COVID-19 hit the world and the pandemic had taken a toll, not only on our physical health but our mental health, Hops N Shine stepped up to the plate. In compliance with the CDC guidelines Hops N Shine opened their doors to customers again but first made it a priority to ensure that they could provide a safe dining environment. During Phase II, restaurants were allowed to open doors and allow customers to dine in if outdoor seating was available. I was elated once I heard the news. Although I was a bit skeptical and nervous to venture back out into the 'real world' once again, the team at Hops N shine took my safety and fellow patrons' safety very seriously. They proposed the "10 patio commandments" to ensure that all customers and staff abide by the CDC health guidelines. The "commandments" were enforced by the staff members and I felt comfortable spending time at their establishment.

Hops N Shine to me is a place that is very dear to my heart. I have gained so many relationships with staff members and customers and these relationships will last a lifetime. The establishment has become a staple in my community and a part of my life and hopefully for years to come.

If you have any questions or concerns do not hesitate to contact me.

Kindest regards,

Fahim Ghiacy

571-527-8271

(307 E Glendale St. Alexandria, VA)

**Fwd: [EXTERNAL]Special Use Permit (SUP) for Hops N Shine**

Ann Horowitz &lt;ann.horowitz@alexandriava.gov&gt;

Sun 8/30/2020 11:20 PM

To: Anh Vu &lt;Anh.Vu@alexandriava.gov&gt;; Patrick Silva &lt;Patrick.Silva@alexandriava.gov&gt;

For PC

Begin forwarded message:

**From:** mccafferyjp18 <mccafferyjp18@mail.vmi.edu>**Date:** August 30, 2020 at 5:50:58 PM EDT**To:** Ray Roakes <raymond.roakes@alexandriava.gov>, Ann Horowitz <ann.horowitz@alexandriava.gov>**Subject:** [EXTERNAL]Special Use Permit (SUP) for Hops N Shine**Good Evening Zoning Officials.**

**My name is James McCaffery and I wish to convey my thoughts as a resident of Alexandria, VA, (for over 20 years) in regards to the Special Use Permit application submitted by a local business which I am a regular: Hops n Shine. (Located at 3410 Mount Vernon Ave)**

*In regards to the ownership partners' requests for extension of operating hours for the outdoor space, as well as including provisions for amplified sound equipment, I would like to offer my FULL support for these additions. I happen to live just up the street, and have desired for quite some time for there to be extended outdoor hours, with consideration for live music and sports broadcast, along with other varying events both public and private.*

*I have been a regular of this establishment since it's grand opening at the start of 2019. The staff are professional, courteous, friendly, and above all like a family to me.*

*I believe that the added provisions via this Special Use Permit would enhance the quality of our neighborhood, offering yet another wonderful service to the list that keeps growing at Hops n Shine.*

*Thank you for your time.*

*All the best,*

**James McCaffery**

# FW: [EXTERNAL]Hops N Shine Special Use Permit

Ray Roakes <raymond.roakes@alexandriava.gov>

Mon 8/31/2020 1:40 PM

To: Abe Hadjiesmailoo <abehadjiesmailoo@gmail.com>

Please see below communication from the community.

Thanks,  
-Ray Roakes  
Planner II

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**From:** Joseph Kasper <jlkasper@gmail.com>  
**Sent:** Monday, August 31, 2020 1:08 PM  
**To:** Ray Roakes <raymond.roakes@alexandriava.gov>  
**Subject:** [EXTERNAL]Hops N Shine Special Use Permit

Dear Zoning Board,

I am Joe Kasper, an Alexandria resident, who is writing to support Hops N Shine's application for a Special Use Permit to expand their rear patio. Hops N Shine has been a great addition to our community. My wife and I go there all the time and really enjoy their patio space. I believe that allowing them to expand their patio and add sound outside would be great for Alexandria. There are few places in Alexandria with such a great outside space, staff and owners. I have lived in Alexandria for just over five years and have found few places I enjoy as much as Hops N Shine. Hops N Shine is helping revitalize the North Del Ray area. Approving their Special Use Permit would allow a local business to thrive during the current crisis and for years to come.

Thank you,

Joseph Kasper  
9 Russell Rd Apt C  
Alexandria, VA 22301  
(708) 287-7160

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**Fwd: [EXTERNAL]Hops n shine Special Use Permit**

Ann Horowitz &lt;ann.horowitz@alexandriava.gov&gt;

Sun 8/30/2020 11:22 PM

**To:** Anh Vu <Anh.Vu@alexandriava.gov>; Patrick Silva <Patrick.Silva@alexandriava.gov>

Begin forwarded message:

**From:** jbirkbeck40 <jbirkbeck40@yahoo.com>  
**Date:** August 30, 2020 at 9:24:24 PM EDT  
**To:** Ann Horowitz <ann.horowitz@alexandriava.gov>, Ray Roakes <raymond.roakes@alexandriava.gov>  
**Subject:** [EXTERNAL]Hops n shine Special Use Permit

Good Evening,

I'm writing this email to support the Hops n Shine efforts to obtain a special use permit for extended hours and music on their back patio.

The patrons who frequent the hops n shine establishment are very courteous and polite as is the entire staff. As hops had gone above and beyond to support our community during the covid pandemic, they've proven over and over again that they're genuinely in the business of making delray an amicable place to live. This special use permit would allow them to continue their dedicated work towards making our community an even better place to call home.

Very Respectfully,  
Josh Birkbeck

Sent from my T-Mobile 4G LTE Device

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**Fwd: [EXTERNAL]Hop N Shine**

Ann Horowitz &lt;ann.horowitz@alexandriava.gov&gt;

Sun 8/30/2020 11:19 PM

**To:** Anh Vu <Anh.Vu@alexandriava.gov>; Patrick Silva <Patrick.Silva@alexandriava.gov>

Begin forwarded message:

**From:** Kellie Gunderman <kellie@vipalexandriamag.com>  
**Date:** August 30, 2020 at 5:31:11 PM EDT  
**To:** Ray Roakes <raymond.roakes@alexandriava.gov>, Ann Horowitz <ann.horowitz@alexandriava.gov>  
**Subject:** [EXTERNAL]Hop N Shine

August 30, 2020

Mr. Roakes and Ms. Horowitz,

My name is Kellie Gunderman. I am not only a proud resident of Alexandria but a small business owner as well. I write to you today on behalf of C.J. Cross and Hops N Shine in Del Ray.

It has come to my attention that this establishment is seeking approval via application for low volume music, expanded hours and capacity. I am happy to show my support of this request and kindly ask that the following be considered when making your decision.

As the Owner and Publisher of VIP Alexandria Magazine, I have had the unique opportunity to work closely with many small business owners in our community as they were forced to navigate the unknown of the COVID-19 pandemic. As you know, this unprecedented situation created unique challenges for all business owners, but our local eateries appeared to have been detrimentally affected the most. C.J. and his team at Hops N Shine not only rose to the occasion, keeping their small business afloat despite losing their ability to serve patrons on-site, but also made it their mission to ensure their energy was not always focused inward. In addition to quickly pivoting their business model, they went above and beyond to support first responders by providing meals, created cost-effective family meals that, in many cases, became the only well-balanced meal that many local families were able to enjoy each week due to the financial strain that COVID-19 created on them AND used their social media platforms and other marketing channels to support other small businesses in our community.

So what does all of this have to do with low volume music, expanded hours and capacity? In my opinion, it's quite simple. The Alexandria community needs more businesses like Hops N Shine. We need more small business owners like C.J. Cross. If this business is able to thrive beyond COVID-19 due to these few, small, reasonable requests, I can't help but think of what this will mean for Del Ray and all of Alexandria as we continue to move forward.

The Hops N Shine team has proven time and time again that social distancing and CDC safety guidelines are a top priority, whether an individual is simply picking up an order or choosing to stay and enjoy the new outdoor dining area. This is why this small business invested so much into creating such a large space that is able to accommodate the social distancing requirements set forth by the state of Virginia. If this space is able to accommodate more individuals while still adhering to social distancing, I believe that declining their request would be nothing more than placing an unnecessary harm on a small business that has already sacrificed so much for the sake of our community.

As with all requests regarding hours and music, the local community must be taken into consideration. This is completely understandable. However, Hops N Shine is located in a commercial building, surrounded by other daytime businesses; not in the center of a neighborhood, surrounded by single family homes. Their location begs to argue that low volume music and expanded hours would not inconvenience anyone. Additionally, I trust in the integrity of C.J. and his staff. They would not be making these requests if they were not 100% convinced that it would not put any patrons at risk or any neighboring businesses/homeowners in a disturbing situation.

Lastly, I would like to address the beauty of music and what it does for the human mind and soul. I'm sure this seems like a capricious point to preach, but these are stressful and chaotic times for us all. It is important to provide our family, friends, colleagues, neighbors and even ourselves with as much normalcy as possible — especially as a new school year begins and many of us parents are about to take on the challenge of juggling our professional lives with being a teacher. Music has been proven to be a healing factor in everything we do as human beings, and at the moment there is no other community meeting place where we can come together to enjoy it. In Del Ray, Hops N Shine would be it — providing so many of us with the escape we need in such troublesome times.

I hope that you will consider Hops N Shine's requests, which are not only meant to support this one business and its staff, but to provide support to our community as a whole.

I can be reached by telephone at 703-303-1772 or by email at [kellie@vipalexandriamag.com](mailto:kellie@vipalexandriamag.com) should you have any additional questions.

V/R,

**Fwd: [EXTERNAL]Support for Special Use Permit #2020-00045**

Ann Horowitz &lt;ann.horowitz@alexandriava.gov&gt;

Sun 8/30/2020 11:20 PM

**To:** Anh Vu <Anh.Vu@alexandriava.gov>; Patrick Silva <Patrick.Silva@alexandriava.gov>

Begin forwarded message:

**From:** Meghan K <kissellm@gmail.com>**Date:** August 30, 2020 at 6:48:00 PM EDT**To:** PlanComm <PlanComm@alexandriava.gov>, Gloria Sitton <Gloria.Sitton@alexandriava.gov>**Cc:** Ray Roakes <raymond.roakes@alexandriava.gov>, Ann Horowitz <ann.horowitz@alexandriava.gov>**Subject: [EXTERNAL]Support for Special Use Permit #2020-00045**

As an Alexandria resident for nearly twenty years, I want to express my support for Hops N Shine's Special Use Permit request #2020-00045.

Hops N Shine is the best example of a business being part of the community. I have brought my niece and nephew (both under 7 years old) over to hang out on the porch, for popsicles in the summer and s'mores in the winter. I've also brought my parents (both over 70 years old) over for dinner. Pre-Covid-19, this was a great place to come listen to local acoustic musicians and to celebrate as a community when the Nationals won the World Series. The owners are all personally involved and very supportive of the local community, having supported local charities, and going above and beyond to help support their staff and the community during the pandemic.

Extending the hours of operation for the porch will allow more community members to come to Hops N Shine as a safe gathering place. Morning hours will allow local runners to resume using Hops as the start & end point for weekend runs. Extending the evening hours for the patio and allowing music will enable local musicians to return to their livelihoods. Expanded patio hours will allow those of us in the community without our own outdoor space, to enjoy being social while being safe. Not everyone is ready to sit inside, and the patio allows Hops to continue to be a neighborhood hub.

While I am sensitive to concerns raised by abutters, their concerns seem to be focused on potential nuisance problems. These problems did not exist before the pandemic, and there is no reason to think that the volume would increase dramatically now.

I hope the Planning Commission will approve Special Use Permit #2020-00045.

Sincerely,

Meghan Kissell  
1625 Fitzgerald Lane  
Alexandria, VA 22302  
571-643-3526

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**Fwd: [EXTERNAL]SUP #2020-00045 (Hops 'n Shine)**

Ann Horowitz &lt;ann.horowitz@alexandriava.gov&gt;

Sat 8/29/2020 1:10 PM

**To:** Anh Vu <Anh.Vu@alexandriava.gov>; Patrick Silva <Patrick.Silva@alexandriava.gov>**Cc:** Ray Roakes <raymond.roakes@alexandriava.gov>

For PC - thanks.

Begin forwarded message:

**From:** Steve Harris <sharris5@gmail.com>**Date:** August 29, 2020 at 11:18:42 AM EDT**To:** Ray Roakes <raymond.roakes@alexandriava.gov>**Cc:** Tony LaColla <Anthony.LaColla@alexandriava.gov>, Ann Horowitz <ann.horowitz@alexandriava.gov>**Subject:** [EXTERNAL]SUP #2020-00045 (Hops 'n Shine)**To:** Ray Roakes, Tony LaColla, Ann Horowitz, City of Alexandria**From:** Mount Vernon Court Community Association**Subject:** Special Use Permit 2020-00045: Hops 'N Shine Restaurant, 3410 Mount Vernon Avenue

Dear Mr. Roakes, Mr. LaColla, and Ms. Horowitz,

The Mount Vernon Court Community Association ("MVCCA" or "we") writes regarding our concerns with SUP 2020-00045 ("Beer Garden SUP") located at 3410 Mount Vernon Avenue ("Hops n Shine" or "Beer Garden").

MVCCA is a community of 30 residential homes, mostly made up of families, with approximately 20 children under six years old, directly behind the Beer Garden. In fact, several units are less than 25 yards from the Beer Garden's back fence. We first approached the City of Alexandria ("City") in 2017 when the Beer Garden initially proposed its concept in SUP 2017-0091 ("initial SUP") and, in good faith, have tried to work with both owner Abe Hadjiesmaeloo and the City to reach agreements favorable to the existing homeowners, a local business owner, and the City. While we support small businesses and favor reasonable development in our neighborhood, the proposed expansion of Hops n Shine does not consider the next-door residential community.

We support many of the items in the new Beer Garden SUP, notably anything that does not directly affect our community, such as extending the inside bar hours and adding eight outdoor seats in the front of the establishment. However, the impact of all operations in the back of the property will extend beyond the Beer Garden property and significantly infringe on our community. We urge you to consider the impact of any growth in the Beer Garden to our community.

We appreciate the City's recommendations to not support a number of the requests in the Beer Garden SUP, notably not recommending approval of the applicant's request for live outdoor music or outdoor cooking. However, we request reconsideration of other recommendations:

1. Failure to meet conditions of initial SUP. As Zoning Inspectors reported in the Staff Report for SUP 2020-00045, three terms of the initial SUP have not been met. We recommend rejecting this SUP until all previous conditions are met.
  - a. Conditions 6 & 26: Trash. The original SUP and staff report require garbage collection daily and that trash be stored in sealed containers. The inspectors visited on Thursday, July 9, 2020, four days after the conclusion of the holiday weekend. It is not reasonable to assume the garbage had accumulated because the City had not collected garbage at all that week. We can attest to the bad odors emanating from the Beer Garden's garbage since the source is feet from our community.
  - b. Condition 15d: Landscaping Plan. As mentioned in the staff report, the original SUP and staff report included Condition 15d: "A landscaping plan shall be subject to the approval of the Director of Planning and Zoning." Nearly three years later, we have yet to see a landscaping plan or action. A landscaping plan alone is insufficient to ameliorate the noise, but also would be an essential minimum condition. Approval for this SUP should be predicated on the satisfactory installation of the landscaping to include trees, planters, and anything else that might assuage the additional noise that the expanded outdoor seating (and requested bar, music and gaming entertainment) will create. We appreciate your good faith in the applicant, but that good faith does not conform with experience and we strongly recommend rejecting this SUP until Condition 15d of the original SUP is met and fully implemented.
  
2. Condition 10: Outdoor hours. While we have no objection to extending outdoor hours until 10 p.m. for the seats in front of the establishment, we strongly urge you to reconsider extending the back hours. Condition 13 of the original SUP requires the outdoor dining hours to be cleared of all customers by 9 p.m. daily, and no new patrons admitted into the outdoor dining area after 8 p.m. daily. We strongly urge you to revert to the original SUP's recommendations concluding Beer Garden operations by 9 p.m. daily.
  
3. Condition 11a: Expansion of capacity. Our community strongly supports the initial SUP's condition 15a that the maximum number of outdoor patrons is limited to 30. The absence of noise complaints about the current Beer Garden does not support a recommendation to double its capacity. The current capacity of 30 produces volume that can be heard inside the homes adjacent to the Beer Garden – an annoyance, but not illegal and necessitating official complaints to the City. Further, we smell cigar and cigarette smoke from Beer Garden patrons on our street. Doubling outdoor capacity would, without a doubt, escalate the noise, generate unacceptable volumes, and expand the smoke, negatively impacting our properties and their families (many of which include young children). Finally, given current COVID-19 restrictions, social distancing measures could not be met with a capacity of 60. Now is an inappropriate time to increase capacity and we recommend deferring this

decision until COVID-19 is under control and social distancing is a distant memory.

4. Condition 11b: Outdoor bar. Our community strongly supports the initial SUP's condition 15b that outdoor bars were not permitted. As the Staff Report states, "...increase of noise from the outdoor patio due to the sales of alcohol." Nothing has changed. We agree with that assessment and urge you to reconsider.
5. Condition 11d: Landscape design. As previously mentioned, recommend deferring action on the entire SUP until this condition is met. This condition was required from the original SUP and never met. We strongly urge you to require this condition be satisfactorily met, with an inspection by City staff, as a condition of approving a new SUP.
6. Condition 11e: Dining Furniture and Games. Staff's recommendation to have games/furniture no less than 25 feet from the property line should be reconsidered. Games can and do generate more noise than that of normal conversation. The proposed locations of the cornhole and Connect-Four games should be moved closer to the building to decrease the likelihood of increased noise by patrons.
7. Condition 14: Music. We urge you to reconsider "outdoor amplified music." As written, it is vague and difficult to enforce; we can already hear voices from the Beer Garden in our houses. Adding outdoor music into the mix will absolutely cause those voices to increase in volume and will likely result in regular violation of the noise ordinance. Short of some sort of active decibel meter being positioned outdoors to monitor and record noise levels, it is unlikely and unreasonable to trust that Hops n Shine staff will have any ability or inclination to remedy the increase in noise and would handicap any ability of others to effectively enforce the ordinance. We also want to note that the original analysis completed by Staff found that the average distance between the dining areas and the nearest residential dwelling is 72 feet. The original configuration of Hops n Shine's outdoor seating was 89 feet from our residential area. With the addition of the new seating arrangement now significantly reducing that distance to a mere 10 feet, the noise will be both closer and amplified.
8. Condition 22: Controlling Air Pollution. As previously noted above, a strong odor of cigar and cigarette smoke can be detected near the fence bordering Hops n Shine during times of peak capacity. Hops n Shine has no way to control the odor, and as such does not meet Condition 22 on its face. It is not our place to offer a suggestion for how they can resolve this problem. As it stands, Hops n Shine is unable to control the current hazardous, toxic smoke odor, and the increase in capacity will only exacerbate today's reality.
9. Condition 30: Violations/Complaints. There have been documented violations of trash accumulating outside of the dumpster. City staff have photographs of these violations. Hops n Shine has not been consistent with addressing their trash problems and we fully expect this to continue, and possibly get worse with their expansion. More patrons mean more trash piling

up. If Hops n Shine is unable to control their trash issues now, what evidence is there that they will after expansion? We posit none.

MVCCA appreciates the City staff notifying us as to the Beer Garden proposed expansion. Members of our community have had communication with Mr. Hadjiesmaeiloo over the past few years to try to reach amicable solutions that protect our community while supporting a local business. However, despite knowing our interest, he again failed to approach us with his latest plans, appealing directly to the City without consideration for the communities he is negatively impacting. His interests continue to be his sole consideration, even when they are adverse to those of others. It is difficult to support expansion of a business in our community that has no respect for the well-being of its immediate neighbors (many of whom would like to continue to patronize his Beer Garden).

If the Planning Commission and staff do not plan to hold Hops n Shine accountable for their previous, current, and likely future violations of many of the conditions for their SUP, we are at a loss as to what their mandate is. We would expect the City to enforce the rules on Hops n Shine or rescind their SUP. At the very least, we expect this new SUP to be denied in full until Hops n Shine has proven it can and will meet the conditions of its original SUP. Only then should you consider supporting its requested expansion and, in that future consideration, give due consideration to the legitimate concerns we raise in this submission.

Respectfully,

Mount Vernon Court Community Association

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**Fwd: [EXTERNAL]SUP #2020-00045: 3410 Mount Vernon Avenue Hops 'N Shine Restaurant**

Ann Horowitz <ann.horowitz@alexandriava.gov>

Sat 8/29/2020 5:44 PM

To: Anh Vu <Anh.Vu@alexandriava.gov>; Patrick Silva <Patrick.Silva@alexandriava.gov>

For PC-thanks

Begin forwarded message:

**From:** Sharon Andre <sharon.andre1@gmail.com>

**Date:** August 29, 2020 at 4:01:15 PM EDT

**To:** "Matthew E. Zelasko" <matthew.e.zelasko@gmail.com>, Ray Roakes <raymond.roakes@alexandriava.gov>, Ann Horowitz <ann.horowitz@alexandriava.gov>, Tony LaColla <Anthony.LaColla@alexandriava.gov>

**Subject: [EXTERNAL]SUP #2020-00045: 3410 Mount Vernon Avenue Hops 'N Shine Restaurant**

August 29, 2020

RE: Special Use Permit (SUP) #2020-00045: 3410 Mount Vernon Avenue (Parcel Address: 3408 Mount Vernon Avenue) Hops 'N Shine Restaurant.

Dear Mr. Roakes, Mr. LaColla, Mr. Zelasko and Ms. Horowitz:

I'm Rev. Sharon M. Andre a resident of Mount Vernon Community Court Association (MVCCA)--the residential neighborhood which abuts Hops 'N Shine—my home is at 3306 Mt. Vernon Ave.

The expansion that Hops 'N Shine is proposing is surprising given that they have not yet complied with their already approved SUP. Given their current state of non-compliance I have zero faith that they will make good on what they have already agreed to let alone abide by any new promises.

I've lived at this residence since 2018 and appreciate much about the area and community. Our quaint enclave enjoys a cul de sac where kids and dogs play. Each evening I walk my dog, Finn, to the area that shares a fence with Hops 'N Shine. The odor from trash, cigarette and cigar smoke is pungent and distasteful. It sounds as though the street area of Sanborn Place is part of the bar- loud voices, exclamations, laughing – all of which are fine unless it's in your front yard or living room. It's as though the fence isn't even there, this situation has gotten significantly worse since COVID19. I simply cannot imagine how unbearable the noise, garbage and smells will be by doubling the allowable occupancy and having amplified music and games until the wee hours of the morning.

Presently, Patrons of Hops 'N Shine park in front of my house on Mt Vernon Ave. Currently, I clearly hear voices, car doors slamming and engines starting late into the night. Extending the hours to the early morning will wreak havoc for those of us facing Mt. Vernon Ave. At least twice I feared that disagreements from Hops 'N Shine patrons might end in physical altercations on the sidewalk in front of my home.

Although I very much Hops 'N Shine to thrive it should not be predicated on negatively impacting the property value/salability, livability and the health of a neighboring community. Many of the restaurants and bars in the Alexandria area have expanded in the front; I support expansion that is not directly next to where people live. Perhaps they can make the backyard area into parking.

I strongly request that the City consider homeowners quality of life by rejecting the SUP regarding any increase in occupancy, outside games, amplified music and extended hours for Hops 'N Shine.

Thank you for your service and consideration.

Sincerely,

Rev. Sharon M. Andre  
Senior Hospice Chaplain  
Capital Caring Health  
3306 Mt Vernon Ave.  
Alexandria, VA 22305

Rev. Sharon M. Andre, MBA, Mdiv, BCC

[sharon.andre1@gmail.com](mailto:sharon.andre1@gmail.com)

949-533-8198

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**Fwd: [EXTERNAL]Hops N Shine**

Ann Horowitz &lt;ann.horowitz@alexandriava.gov&gt;

Sun 8/30/2020 11:21 PM

**To:** Anh Vu <Anh.Vu@alexandriava.gov>; Patrick Silva <Patrick.Silva@alexandriava.gov>

Begin forwarded message:

**From:** Shawn Rose <shawnrose90@gmail.com>**Date:** August 30, 2020 at 7:00:26 PM EDT**To:** Ray Roakes <raymond.roakes@alexandriava.gov>, Ann Horowitz <ann.horowitz@alexandriava.gov>**Subject:** [EXTERNAL]Hops N Shine

Hello,

My name is Shawn Rose and I currently live in Warwick Village - right behind the wonderful Hops N Shine. I have been going there since the day they opened their doors and am a frequent regular. The staff there is one of a kind, friendly, and well organized. Once COVID hit, I was a little disappointed because I wasn't sure when I would be able to go back to my favorite bar.

When they reopened and redesigned their patio to allow for social distancing the group of regulars started thinking of ideas as to how to better the space. The ideas were great and the owners advised they would apply for longer hours and low volume music. I know I am speaking for a vast amount of people in support of their application for these accommodations and we'd greatly appreciate the approval!

Respectfully,  
A Loyal Hops N Shine Customer,  
Shawn Rose

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**Fwd: [EXTERNAL]SUP #2020-00045 (Hops 'n Shine)**

Ann Horowitz &lt;ann.horowitz@alexandriava.gov&gt;

Sat 8/29/2020 9:05 AM

**To:** Anh Vu <Anh.Vu@alexandriava.gov>; Patrick Silva <Patrick.Silva@alexandriava.gov>**Cc:** Ray Roakes <raymond.roakes@alexandriava.gov>

to send to PC - thanks

Begin forwarded message:

**From:** SUSAN SCHMIDT <susanmschmidt@comcast.net>  
**Date:** August 28, 2020 at 8:29:43 PM EDT  
**To:** Ray Roakes <raymond.roakes@alexandriava.gov>  
**Cc:** Tony LaColla <Anthony.LaColla@alexandriava.gov>, Ann Horowitz <ann.horowitz@alexandriava.gov>  
**Subject:** [EXTERNAL]SUP #2020-00045 (Hops 'n Shine)

Dear Members of the Planning Commission:

I submit these comments on the proposed revisions and expanded uses to the existing SUP #2017-0091. I am a resident of the adjacent Mount Vernon Court to the Hops 'n Shine.

How Hops 'n Shine decides to use its indoor space (doubling capacity, among others) and its street facing spaces would seem to be consistent with similar establishments in Del Ray/Mt. Vernon Avenue.

My focus is on the back patio outdoor requests. I raise two considerations.

1) I support the Staff Report recommendation against the request for live outdoor music. At the same time, the Staff Report recommends "to allow outdoor amplified music in the form of background music." It would be helpful for the Planning Commission, if it accepts this second Staff Recommendation, to clearly define "amplified background music" as "amplified" and "background" seem to be inherently inconsistent. Moreover, the Staff Report recognizes that city noise ordinances would apply to any noise, but the responsibility, in practical terms, to monitor decibel levels seems to fall on the residents of our community, who would have to report suspected violations to city officials or the police department. The opportunity for creating discord or potential abuse is great.

2) The expanded seating capacity raises a similar consideration, which experience has taught us is not theoretical. The original SUP recognized that potential noise from the back patio needs to be ameliorated. For that reason, additional landscaping to buffer sound was a condition. However and as confirmed in additional City site visits, that condition has not yet been met. The current Staff Report now recommends: "... a landscaping plan be submitted within 30 days of approval." As history has shown, merely filing a plan does not ensure follow through on

implementing the plan. Thus, if the Planning Commission grants the expanded patio capacity, that grant and use should be conditioned on verified prior compliance with the additional landscaping plan by inspections from the City.

As an additional note: The Staff Recommended Condition #11E to control noise that requires outdoor games and activities to be no less than 25 feet from the common property line with the adjacent residential units acknowledges the likelihood of increased noise. This is another important consideration to contain that additional noise that should be included in any Planning Commission approval.

On another issue, expanded capacity will mean expanded garbage. The original SUP application contemplated 5 bags of garbage a day. The Staff Report notes:

Existing: Trash and garbage anticipated to be typical of restaurants.

**Proposed:** No change to type of garbage

However, it is not the *type* of garbage that would accompany a doubling + of capacity, but the *quantity*. It would seem prudent for the Planning Commission to receive an updated prediction on the amount of garbage so that it can establish conditions that ensure whatever it approves can be managed under any expanded operations.

Again, the indoor space requests and the street facing requests seem consistent with other restaurants and a business decision. The outdoor uses are likely to be much more disruptive. I hope that the Planning Commission's decision on the new application will ensure the amicable co-existence of the community and the restaurant/beer garden. I enjoy going to Hops 'n Shine, and hope to be able to continue to support them in the future.

Thank you,

Susan Schmidt  
112 Sanborn Place

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**Fwd: [EXTERNAL]Hops and Shine Permit For Patio Expansion**

Ann Horowitz &lt;ann.horowitz@alexandriava.gov&gt;

Sat 8/29/2020 1:09 PM

**To:** Anh Vu <Anh.Vu@alexandriava.gov>; Patrick Silva <Patrick.Silva@alexandriava.gov>**Cc:** Ray Roakes <raymond.roakes@alexandriava.gov>

For Pc- thanks!

Begin forwarded message:

**From:** Tara Zurawski <tara@project-secondchance.org>**Date:** August 29, 2020 at 11:18:41 AM EDT**To:** Ray Roakes <raymond.roakes@alexandriava.gov>, Ann Horowitz <ann.horowitz@alexandriava.gov>**Subject:** [EXTERNAL]Hops and Shine Permit For Patio Expansion

I am writing in support of Hops N Shine patio expansion for music, expanded hours, and capacity.

Hops N Shine is a local small business that invests in its community and has given back even during a pandemic when its own business survival is at stake. I can personally attest to this as I run a local nonprofit that benefits from the kindness and generosity of this establishment, its owners, and staff. Alexandria is lucky to have this caring business as a neighbor.

Moreover, Hops N Shine gives life to its end of the neighborhood, serving amazing food, family meals, serving as a community gathering space while it maintains strict covid-safety restrictions. This business keeps a positive spirit alive when the pandemic is fatiguing all of us. I'm so grateful for that.

Hops N Shine seeks permission to expand its patio and operations. As a cornerstone of Del Ray, this would be positive change. It would allow Hops N Shine to provide the best possible atmosphere all year long for the neighborhood, allow the community to have more options for outdoor gathering, encourage investment in green space long after the pandemic (hopefully) ends, and turn a back alley into an oasis. In addition, it helps a local business that weathered the pandemic while taking care of its community and staff with opportunities to generate revenue and makeup for the severe and devastating setbacks of the pandemic. It allows the community to say thank you, give back to local business, and ensure their survival.

Hops N Shine maintains a family-friendly and low-key atmosphere and I have zero concerns that this would create issues for surrounding homeowners. I hope that you will help this business thrive long-term and continue to weather the pandemic. We need more businesses that care about the community like Hops N Shine.

I fully support Hops N Shine's application and request that you approve it.

Thank you.

Tara Zurawski

Executive Director

Project Second Chance, Inc.

For more information, please visit our website at

[www.project-secondchance.org](http://www.project-secondchance.org)

FB: @projectsecondchanceforsatos

IG: project\_second\_chance

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**FW: [EXTERNAL]Hops n shine****Ray Roakes** <raymond.roakes@alexandriava.gov>

Tue 9/1/2020 10:38 AM

**To:** Patrick Silva <Patrick.Silva@alexandriava.gov>**Cc:** Ann Horowitz <ann.horowitz@alexandriava.gov>

Please see communication from the community below.

Thanks,  
-Ray Roakes  
Planner II

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**From:** Melissa McMahon <[REDACTED]>**Sent:** Tuesday, September 1, 2020 10:36 AM**To:** Ann Horowitz <ann.horowitz@alexandriava.gov>; Ray Roakes <raymond.roakes@alexandriava.gov>; Tony LaColla <Anthony.LaColla@alexandriava.gov>**Subject:** [EXTERNAL]Hops n shine

Hi!

Just a couple quick observations from my site visit to this property:

The back fence was open and the sign on it called it an entrance, which does not appear to be in keeping with the current and proposed SUP.

The trash area was "fine" but not pretty. Can the applicant improve and increase the height of the fencing around the trash bins?

The owner is storing miscellaneous stuff behind the shed in the back, which becomes visible to the neighbors on the hill above. Recommend asking applicant to store that IN the shed.

The trees at the back are almost dead. They should focus on planting tall bushy bushes, not tall trees, IMHO.

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**PLEASE  
WAIT TO BE  
SEATED BY  
A STAFF  
MEMBER**  
THANK YOU!

  
**Patio Entrance**  
Welcome!  
See bartender inside to order!

**NEW HOURS**  
TENTATIVE SCHEDULE, SUBJECT TO CHANGE  
**SUNDAY-THURSDAY**  
**5AM-9PM**





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