

# DEL RAY CITIZENS ASSOCIATION

[WWW.delraycitizens.org](http://WWW.delraycitizens.org)

P.O. Box 2233, Alexandria, VA 22301

November 24, 2014

Karl W. Moritz, Acting Director,  
Department of Planning and Zoning  
City of Alexandria  
City Hall, Room 2100  
Alexandria, VA 22314

RE: SUP #2014-0100, ENC#2014-0005  
515 Mt Vernon Avenue, Yates Restaurant Group

On November 11, 2014 the Del Ray Citizens Association (DRCA) Land Use Committee (LUC) reviewed SUP #2014-0100, Yates Restaurant. The applicant requests to operate a restaurant with 74 seats indoors and 76 seats outdoors. The requested hours of operation are 11:00 AM to 11:00 PM Sunday through Wednesday and 11:00 AM to 12:00 AM Thursday through Saturday. The requested hours of operation are for both the indoor and outdoor seating. The applicant anticipates that the business will serve mostly local customers who will walk to the restaurant. The restaurant requires 38 parking spaces and is requesting a parking reduction of 15 spaces. There is also a request for an encroachment to permit outdoor dining seats in a portion of the public right-of-way at the corner of Mt. Vernon Ave and East Braddock Rd. The application was discussed during an open public meeting that included neighbors and nearby business owners.

The meeting attendants were generally in support of the restaurant. However, there were concerns about the impact of the potential late night noise resulting from the outdoor seating. The DRCA LUC feels that an outdoor dining closing time consistent with the restaurants in the Mt. Vernon Overlay District would be more appropriate than the times proposed in the SUP application. This would require the outdoor dining to be closed at 10:00pm Sunday-Thursday and 11:00pm Friday-Saturday.

The LUC also feels that installing a bicycle rack that can accommodate at least 10 bicycles would encourage local patrons to bike to the restaurant in lieu of driving. These bicycle racks should be easily accessible to patrons and not enclosed within the garage. Finally, Land Use feels that a one year review of the

SUP would help to assess the impact of the restaurant on the neighborhood and allow for changes as needed.

At their regular membership meeting on November 12, 2014, the Del Ray Citizens Association voted to support the SUP application to operate a restaurant at 515 Mt. Vernon Ave with the following conditions:

1. Outdoor seating ends at 10:00 PM Sun-Thurs and 11:00 PM Fri-Sat
2. Install a bicycle rack outside the restaurant that will accommodate at least ten bicycles.
3. Planning staff will conduct a review of the SUP one year after operation of the restaurant commences.

Thank you for your consideration.

Sincerely,

Lisa Quandt, Chair  
Del Ray Citizens Association  
Land Use Committee

Jason Nestlerode, President  
Del Ray Citizens Association

Cc: Nathan Randall, Staff Reviewer  
Duncan Blair, Applicant Representative

**From:** Katy Cannady [[mailto:Katy\\_Cannady20@comcast.net](mailto:Katy_Cannady20@comcast.net)]  
**Sent:** Sunday, November 30, 2014 10:30 PM  
**To:** Dunn, Stew; [erwagner@comcast.net](mailto:erwagner@comcast.net)  
**Subject:** Yates proposal does not fit the neighborhood

I am planning to attend planning commission this Tuesday, although I am not hopeful of the outcome regarding my concerns with the Yates corner restaurant SUP.

When the proposal for replacing the old strip shopping on the Braddock-Mt. Vernon corner came forward. I enthusiastically supported it. I stayed very late on a long evening at the planning commission to testify in favor and I then testified to the same opinions when it went to City Council. I believed that the Yates proposal offered an opportunity for real neighborhood serving retail without a large increase in density. When the buildings went up, I was pleased with their appearance.

But now that I have become familiar with the SUP for the restaurant, I do not think it can draw its clientele from my neighborhood and I think that will soon cause problems. I live in the unit block of East Oak and have been here since 1998.

During the last few years my block has turned over. Older residents who were here when I arrived have left and been replaced by young families. I now have seven families with children school age or younger right around me. They are the biggest demographic group on my block. I think, based on the number of young children at the fall block party, the number who attended the Rosemont Fourth of July party featuring children's games and competitions and the number who came to my door on Halloween, that all the streets running parallel to East Oak between Commonwealth and Mt. Vernon have similar demographics. I think a Generous George style pizza restaurant would be very welcome and attract a lot of families who would come on foot.

That is not the restaurant described in the SUP application.

Another notable thing about my street and the others parallel to it is that we all have a kind of pedestrian rush hour of people going to Metro in the morning and coming back in the evening. It occurs during the same hours as the automobile rush hour. I'm sure the applicant will say that a parking reduction will be workable because of the nearness to Metro. The proposed hours do not even attempt to take advantage of Metro's morning rush hour. The restaurant will not open for breakfast when many of the commuters would want to stop in before getting on Metro.

A third important fact is that East Oak and the other streets are very narrow. On each street no parking is allowed on one side and there are many curb cuts even where parking is allowed.

THE SUP ASKS FOR A PARKING REDUCTION. It asks for 75 interior seats and 74 outside. It asks to remain open until midnight three nights a week. Despite whatever is likely to be said on Tuesday, I do not believe customers will come on Metro that late at night. Rightly or wrongly many people believe the area very near the Braddock Metro is dangerous late at night.

Given the number of seats and the complete lack of available spill over parking on the residential streets, I do not think any parking reduction should be granted. I strongly believe that seating patrons in the outdoor dining area should end at 9 p.m.

I am very sorry to see what could have been a welcome neighborhood gathering place, transformed into the kind of restaurant that hopes to make its profit on liquor sales. It will fail in time I am sure. But in the meantime the neighborhood will suffer noise from patrons trying to use it as a place to park and doubtless incidents of cars parking quickly across a curb cut blocking residents from coming and going.

By the way Poul Hertel and his wife will be moving to Fairfax County shortly to the suburban area near Mt. Vernon. They decided Alexandria has no interest in protecting the quality of life for homeowners. I think they are right.

Dear Sirs:

Although I also hope to attend tonight's meeting in person, I ask that the Planning Commission consider the following in regard to Special Use Permit #2014-0100 and Encroachment #2014-0005 for a restaurant at 515 Mount Vernon Avenue, docket item no 8 on the agenda.

For the past four years, I have resided at 323 East Oak Street, across from both Yates Automotive and Yates Corner (the location of the proposed restaurant). In that time, I have found Jason Yates and his businesses to be trustworthy and responsible, as well as good neighbors to the community, and I previously expressed my support for the overall development of Yates Corner. I likewise now express my general support for the pending requests by Yates, with the understanding that city staff have suggested certain conditions intended to limit any impacts on neighbors (e.g., earlier closing hours for outdoor dining).

However, I strongly oppose one condition that has been proposed by city staff; although well-intentioned, it is likely to have negative outcomes. In particular, the second sentence of no. 13 (on p. 8 of the report for SUP #2014-0100; see also the top of p. 7) would prohibit Yates from blocking access to vehicles "through the parking structure ... at any time the restaurant is open to the public." I understand that Yates currently uses traffic cones to prevent vehicles from using the west entrance to Yates Corner as a shortcut between Mount Vernon Avenue and Braddock Road. I believe that Yates should be allowed to continue to do so. On many occasions from my house and yard, I have seen vehicles attempt to misuse the Yates property as a pass-through, only to be deterred by the cones. Drivers should not be encouraged to seek any advantage to shave a few seconds off their travel time – especially given that Yates Corner attracts numerous pedestrians (including children from the neighborhood and the nearby middle school). Essentially, the condition that staff has proposed would make parking slightly easier for restaurant patrons arriving by car but at a cost to public safety. That trade-off simply does not make sense, and should be withdrawn.

Jol Silversmith  
323 East Oak Street  
Alexandria, VA 22301  
(703) 371-5616  
[jol@thirdamendment.com](mailto:jol@thirdamendment.com)

**From:** Reuter, Gayle <Gayle.Reuter@mail.house.gov>  
**Sent:** Tuesday, December 02, 2014 2:31 PM  
**To:** PlanComm  
**Cc:** Reuter, Gayle  
**Subject:** Yates Corner - Docket Item #8

Dear Members of the Planning Commission,

I write in strong support of tonight's Docket Item #8 for Yates Restaurant Group. There are few business owners in Alexandria that have such a well respected reputation as Jason Yates. For over 40 years, his family has been on the corner of Mt. Vernon & Braddock and Jason himself has been there for over 36 years. Not only have they year after year received Beautification Awards, Best Decorated Business at Halloween & Christmas but have been consistent and important supporters of our schools and community events. This is an individual that has long invested in our community and we are lucky that he wants to continue to do so.

The restaurant Mr. Yates has proposed is exactly the family, community type gathering place that would fit perfect at this site and that so many of us hoped for when he announced developing this corner. There is great demand in Del Ray for outdoor seating and currently long waits so this additional seating will be a welcomed addition. Also, I believe strongly that a good deal of his business will be neighbors either walking home from the Metro or just walking from their homes. As a homeowner who lives next door to St Elmo's and across the street from Del Ray Pizzeria, I observe first hand the volume of walkers who support our locally owned businesses. Parking should not be an issue.

As someone who frequents both the service station and 7-Eleven, I have also observed certain patterns that cause me to urge the Planning Commission to support the position of the developers and that is to not allow cut through from the entrance to the west where they currently have cones. With many pedestrians cutting through that way and then cars trying to cut through and miss the light that has a "no turn on red", I think we are risking potential danger that is not necessary.

Thank you for your consideration.

With regards,

Gayle Reuter  
110 E. Del Ray Avenue  
Alexandria, VA 22301



H. CARTER LAND, III  
F. ANDREW CARROLL, III  
RICHARD S. MENDELSON  
DUNCAN WARDMAN BLAIR  
MARTIN J.A. YEAGER (VA, DC, & MD)  

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BRENT J. SCHULTHEIS

524 KING STREET  
ALEXANDRIA, VA 22314-3104  
703-836-1000  
FAX 703-549-3335  
WWW.LANDCARROLL.COM

December 2, 2014

**BY ELECTRONIC MAIL AND HAND DELIVERY**

Eric Wagner, Chairman and  
Commissioners, Alexandria Planning Commission  
301 King Street, Room 2100  
Alexandria, VA 22314

***Re: Docket Item 8, December 2, 2014 Planning Commission Public Hearing  
Special Use Permit #2014-0100 and Encroachment #2014-0005  
515 Mount Vernon Avenue***

Dear Chairman Wagner and Commissioners:

I am writing on behalf of our client, Yates Restaurant Group, LLC, a Virginia limited liability company, the applicant requesting the Special Use Permit, to amend Conditions Numbers two (2) and thirteen (13) as follows:

**Condition 2.** The maximum number of indoor seats at the restaurant shall be 85. The maximum number of outdoor seats at the restaurant shall be 65.

As the design of the restaurant has matured, the seating layout has evolved. The applicant would maintain the maximum of 150 seats, but allocate 85 seats indoors and 65 seats outdoors.

**Condition 13.** The applicant shall provide at least 15 on-site parking spaces for the restaurant use on evenings and weekends, in addition to the 23 on-site parking spaces available for the restaurant use at all times. **Patron** access to these spaces and through the parking structure shall not be blocked at any time the restaurant is open to the public.

Patrons have a right to be in the parking lot to get to and from the parking spaces for the project. As written, the staff is recommending that there be a public access easement to the parking spaces. The driveway at the rear building is not a pedestrian walkway, nor is it intended as a vehicular shortcut to bypass the Braddock Road and Mt.

Vernon Avenue intersection. The driveway is intended to permit patrons of Yates Corner to park their cars and walk to the restaurant, office space or the dry cleaners. That right is implied as with any parking lot associated with a use. As part of the site plan approval, certain areas of the project were designated to be public access easements. The driveway was not. The shortcut by vehicles and pedestrians is a safety issue. The applicant is working with concerned neighbors to end the cut through practice. It is for this reason, that the term public access be amended to patron access.

I have discussed this matter with the Department of Planning & Zoning and they are in agreement with the requested amendment.

If you have any questions concerning this matter, please do not hesitate to contact me.

Best Regards,  
LAND, CARROLL & BLAIR, PC



Duncan W. Blair, Esq.

cc: Nathan Randall  
Alex Dambach  
Jason Yates  
Lisa Quandt