



**Docket Item #3**  
**Special Use Permit #2015-0107**  
**111 South Payne Street – Casa Rosada Artisan Gelato**

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**CONSENT AGENDA ITEM**

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

<b>Application</b>	<b>General Data</b>	
Public hearing and consideration of a request for an addition to an existing restaurant (SUP #2013-0039)	<b>Planning Commission Hearing:</b>	December 1, 2015
	<b>City Council Hearing:</b>	December 12, 2015
<b>Address:</b> 111 South Payne Street	<b>Zone:</b>	CD / Commercial Downtown
<b>Applicant:</b> Benjamin and Perla Umansky represented by David Umansky	<b>Small Area Plan:</b>	Old Town

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

**Staff Reviewers:** Ann Horowitz, [ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)



**Special Use Permit #2015-0107**  
**111 South Payne Street**



## I. DISCUSSION

The applicants, Benjamin and Perla Umanksy, request Special Use Permit approval for an addition to an existing restaurant (SUP #2013-0039), a gelato shop, at 111 South Payne Street.

### SITE DESCRIPTION

The subject property is one lot of record with 19 feet of frontage on South Payne Street, approximately 74 feet of depth, and a lot area of 1,371 square feet. The lot is developed with a two-story townhouse building. A three space parking lot exists at the rear of the building.



The property is surrounded by a mix of commercial and residential uses. A building to the north contains The Pines of Florence restaurant on the first floor and a rooming house on the second floor. A dry cleaning drop off operation is located to the east across South Payne Street. Residential uses are located to the south.

### BACKGROUND

City Council approved SUP#2013-0039 in September 2013 for a 34 seat (16 indoor and 18 outdoor) restaurant that serves homemade gelato, sorbet, and desserts. The business opened in June 2014. The indoor portion of the restaurant is permitted to operate hours between 11 a.m. and 11 p.m., daily. From October 1<sup>st</sup> to May 30<sup>th</sup>, the outdoor seating area of the restaurant is open from 11 a.m. to 9 p.m., daily. Outdoor seating is available until a later hour between May 31<sup>st</sup> to September 30<sup>th</sup> and is scheduled from 11 a.m. to 10 p.m., Sunday through Thursday, and from 11 a.m. to 11 p.m., Friday and Saturday. The business does not offer alcohol service or provide live entertainment.

A recent SUP inspection revealed compliance with all SUP conditions.

### PROPOSAL

The applicant proposes to construct a 320-square foot addition at the rear of the restaurant property. The addition would add a basement and enlarge the first floor, supplementing the existing 980 gross square foot building and creating a total of 1,200 square feet to support gelato production and service. This represents a 31% increase in gross square footage. The added space would be used for production and storage, particularly for a gelato production machine, walk in refrigerator, and walk in freezer.

ZONING/MASTER PLAN DESIGNATION

The property is located in the CD/Commercial Downtown zone. Section 4-503(W) of the Zoning Ordinance allows a restaurant in the CD zone only with Special Use Permit approval.

Pursuant to Sec. 11-511(A)(2)(b)(i)(e) of the Zoning Ordinance, the proposal is not eligible for SUP administrative review as the addition exceeds 20% of the existing floor area. Further, the proposal does not warrant a site plan review given that the proposed addition would be less than 33% of the existing gross floor area, as required in Sec. 11-404(B).

The property is also located within the Old Town Small Area Plan, which designates the site for commercial uses.

PARKING

The subject property is located within the Central Business District (CBD). According to Section 8-300 (B) of the Zoning Ordinance, restaurants located within the CBD are exempt from parking requirements. Currently, the applicants provide three off-street parking spaces at the rear of the property. The number of parking spaces would be reduced to two after construction of the proposed addition and would be used for supply deliveries and employee parking.

**II. STAFF ANALYSIS**

Staff supports the applicant's request to construct a 320-square foot addition at the basement and first floor levels of the existing gelato shop at 111 South Payne Street. The supplemental floor space would provide the applicants with the ability to accommodate additional equipment for the efficient production of their signature homemade gelato, contributing to increased business activity. The added floor area would not negatively impact the neighborhood given that gelato production has been ongoing at the site, and staff has received no complaints related to the restaurant operation. Moreover, the production equipment generates minimal noise and no offensive odors.

Conditions have been carried forward from SUP #2013-0039 and are included in the staff report. Staff has added Condition 24 requiring the applicants to encourage employee use of public transportation and to contact the City's Local Motion coordinator to establish an employee transportation benefits program. The applicants' responsibilities to repair damage to the City right-of-way if damaged during construction and to identify existing private or public utility easements on building plans are stated in Conditions 25 and 26, respectively.

Subject to the conditions contained in Section III of this report, staff recommends approval of the Special Use Permit request.

### III. RECOMMENDED CONDITIONS

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

1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP#2013-0039)
2. The hours of operation of the inside portion of the restaurant shall be limited to between 11 a.m. and 11 p.m., seven days/week. For inside seating, food and beverages ordered before 11 p.m. daily may be served, but no new patrons may be admitted and all patrons must leave by 12 midnight daily. From October 1<sup>st</sup> to May 30<sup>th</sup>, the hours of operation for the outdoor seating shall be limited to between 11 a.m. and 9 p.m. seven days/week. From May 31<sup>st</sup> to September 30<sup>th</sup>, the hours of operation for the outdoor seating shall be limited to between 11 a.m. and 10 p.m. Sunday-Thursday and between 11 a.m. and 11 p.m. Friday and Saturday. The outdoor dining area shall be cleared of all customers by 9 p.m. from October 1<sup>st</sup> – May 30<sup>th</sup>, by 10 p.m. Sunday-Thursday from May 31<sup>st</sup> – September 30<sup>th</sup>, and by 11 p.m. Friday and Saturday from May 31<sup>st</sup> – September 30<sup>th</sup>, and shall be cleaned and washed at the close of each business day that it is in use. (P&Z) (PC) (SUP#2013-0039)
3. The maximum number of indoor seats at the restaurant shall be 16. The maximum number of outdoor seats at the restaurant shall be 18. The outdoor seating area shall not include advertising signage, including on umbrellas. (P&Z) (SUP#2013-0039)
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z) (SUP#2013-0039)
5. No live entertainment shall be permitted either inside the restaurant or in the outdoor dining area. (P&Z) (SUP#2013-0039)
6. Delivery of food or beverages to customers shall be limited to pedestrian deliveries only. (P&Z) (SUP#2013-0039)
7. No alcohol sales shall be permitted at the restaurant. (P&Z) (SUP#2013-0039)
8. The applicant shall install fencing to enclose the outdoor dining area to the satisfaction of the Director of Planning & Zoning. (P&Z) (SUP#2013-0039)
9. All lighting installed for use within the outdoor dining area shall be downward-shielded and its placement shall avoid the use of high-level locations to the satisfaction of the Director of Planning & Zoning. (P&Z) (SUP#2013-0039)
10. The applicant shall provide at least one garbage can inside the building and at least one garbage can outside the building for customer use. (P&Z) (SUP#2013-0039)

11. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements and on how to prevent underage sales of alcohol to prevent the underage sale of alcohol. (P&Z) (SUP#2013-0039)
12. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#2013-0039)
13. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP#2013-0039)
14. The applicant shall direct patrons to the availability of parking at nearby public garages and shall provide information about off-street parking and alternative forms of transportation to access the location of the restaurant, via print and electronic promotional materials, posting on the restaurant website, and other similar methods. (P&Z) (T&ES) (SUP#2013-0039)
15. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP#2013-0039)
16. **CONDITION AMENDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. ~~and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on site for employees.~~ (T&ES) (SUP2013-00039)
17. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP#2013-0039)
18. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES) (SUP#2013-0039)
19. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP#2013-0039)
20. 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) (SUP#2013-0039)
21. All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES) (SUP#2013-0039)

22. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-746-6838 regarding a security survey for the business and a robbery readiness program for all employees. (Police) (SUP#2013-0039)~~
23. **CONDITION AMENDED BY STAFF:** 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) (SUP#2013-0039)
24. **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of SUP approval, the business shall contact Local Motion at 703-746-4686 for information on establishing an employee transportation benefits program. (T&ES)
25. **CONDITION ADDED BY STAFF:** Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
26. **CONDITION ADDED BY STAFF:** No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)

**STAFF:** Alex Dambach, Division Chief, Land Use Regulatory Services,  
Department of Planning and Zoning;  
Ann Horowitz, Urban Planner.

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**Staff Note:** In accordance with Section 11-506(c) of the Zoning Ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a Special Use Permit by City Council or the Special Use Permit shall become void.

## CITY DEPARTMENT COMMENTS

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

### Transportation & Environmental Services

#### **Recommendations:**

- R-1 The applicant shall direct patrons to the availability of parking at nearby public garages and shall provide information about off-street parking and alternative forms of transportation to access the location of the restaurant, via print and electronic promotional materials, posting on the restaurant website, and other similar methods. (P&Z) **(T&ES)** (SUP2013-00039)
- R-2 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP2013-00039)
- R-3 The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES) (SUP2013-00039)
- R-4 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP2013-00039)
- R-5 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES) (SUP2013-00039)
- R-6 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP2013-00039)
- R-7 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) (SUP2013-00039)
- R-8 All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES) (SUP2013-00039)

#### **New Conditions:**

- R-9 **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of SUP approval, the

business shall contact Local Motion at 703-746-4686 for information on establishing an employee transportation benefits program. (T&ES)

R-10 **CONDITION ADDED BY STAFF:** Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)

R-11 **CONDITION ADDED BY STAFF:** No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)

### **City Code Requirements:**

C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES) (SUP2013-00039)

C-2 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form. (T&ES) (SUP2011-000020)

C-3 **CODE REQUIREMENT ADDED BY STAFF:** Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

C-4 **CODE REQUIREMENT ADDED BY STAFF:** All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (sec. 5-2-1) (T&ES)

### Code Enforcement:

No comments received

### Fire

No comments or concerns

### Health

#### *Food Facilities*

C-1 An Alexandria Health Department Permit is required for all regulated facilities. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another. Remodels must go through a Plan Review. Permit application and fee are required.

- C-2 Construction plans shall be submitted to the Health Department located at 4480 King Street and through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria.
- C-3 Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety Code of the City of Alexandria. Plans shall include a menu of food items to be offered for service at the facility and specification sheets for all equipment used in the facility, including the hot water heater.
- C-4 A Food Protection Manager shall be on-duty during all operating hours.
- C-5 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.
- C-6 In many cases, original wooden floors, ceilings and wall structures in historical structures may not be suitable for food service facilities. Wood materials shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent.
- C-7 Facilities engaging in the following processes may be required to submit a HACCP plan and/or obtain a variance: Smoking as a form of food preservation; curing/drying food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; sprouting seeds or beans; and fermenting foods.

Parks and Recreation

No comments received

Police Department

No comments received



**APPLICATION**

**REVISED**

**SPECIAL USE PERMIT**

**SPECIAL USE PERMIT #** 2015-0107

**PROPERTY LOCATION:** 111 South Payne Street. Alexandria VA 22314

**TAX MAP REFERENCE:** 074.01-02-12 **ZONE:** CD

**APPLICANT:**

Name: Casa Rosada Artisan Gelato Benjamin and Perla Umansky

Address: 111 South Payne Street. Alexandria VA 22314

**PROPOSED USE:** Gelato Shop / Cafe - some context taken from prior SUP13-0039

**THE UNDERSIGNED**, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

David Umansky

Print Name of Applicant or Agent

111 South Payne Street.

Mailing/Street Address

Alexandria VA 22314

City and State Zip Code

*David Umansky*  
Signature

9-16-15  
Date

(703) 945-2783

Telephone #

Fax #

david@crgelato.com

Email address

**ACTION-PLANNING COMMISSION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
**ACTION-CITY COUNCIL:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 111 South Payne Street. Alexandria VA 22314, I hereby  
(Property Address)  
grant the applicant authorization to apply for the gelato production and sale use as  
(use)  
described in this application.

Name: Benjamin & Perla Umansky

Phone: (571) 215-5215

Please Print  
Address: 12766 Alder Woods Dr. Fairfax VA 22033

Email: ben@crgelato.com / raquel@crgelato.com

Signature: 

Date: 9-16-15

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

Required floor plan and plot/site plan attached.

Requesting a waiver. See attached written request.

2. The applicant is the (check one):

Owner

Contract Purchaser

Lessee or

Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

Benjamin and Perla Umansky - 70%

David Umansky - 15%

Mark Umansky - 15%

# OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

REVISED

**1. Applicant.** State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Ben and Perla Umansky		70%
2. <del>Ben and Perla Umansky</del>		15%
3. <del>Ben and Perla Umansky</del>		15%

DAVID  
MARK

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 111 South Payne Street, Alexandria VA 22314 (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Ben and Perla Umansky		100%
2. <del>Ben and Perla Umansky</del>		
3. <del>Ben and Perla Umansky</del>	12766 Alder Woods Dr. Fairfax VA 22033	

**3. Business or Financial Relationships.** Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
Benjamin Perla Umansky		
1. <del>Ben and Perla Umansky</del>	NA none	NA
2. <del>Ben and Perla Umansky</del>	NA none	NA
3. <del>Ben and Perla Umansky</del>	NA none	NA

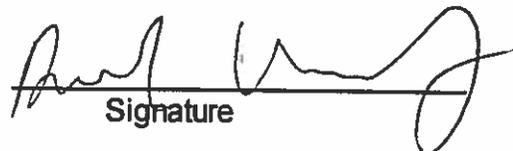
David Umansky  
Mark Umansky

**NOTE:** Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

9-16-15  
Date

David Umansky  
Printed Name

  
Signature

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

[.] **Yes.** Provide proof of current City business license

[ ] **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

**NARRATIVE DESCRIPTION**

**3.** The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

The overall nature of the operation of Casa Rosada Artisan Gelato (to be referenced as CR in remaining narrative) will not change. The indoor layout will not change per SUP13-0039 that was granted to CR in 2013, with all operation aspects of the business staying the same or within the boundaries of what was approved in SUP013-0039

A new, full SUP is being requested as CR is requesting this new SUP so the business can construct additional production and storage space (320 sqft) which is excess 20% of current land for business use per P&Z. 160 sqft will be proposed as a basement, and 160 sqft will be proposed as a above-ground structure.

CR will continue to produce, formulate, and sell gelato, sorbet and other dessert related items to the general public and to surrounding restaurants. CR is requesting to change the purpose of one of three parking spaces within the property. The parking spot closest to our current facility will be converted into 160 square-feet of additional building and a 160sqft basement (320 total sqft). In the new production space, CR will add a secondary batch freezer (gelato production machine), walk in refrigerator and walk in freezer to allow our growing business more adequate space to operate. The proposed basement would be for additional dry storage or the proposed walk in refridgeration units (if allowed by VA/Alexandria department of health).

CR believes they have made a meaningful impact on the Alexandria community, participating in and donating to fundraisers, nonprofits and charities within the DMV. We provide a product we believe to be of the highest and most honest quality, providing desserts to families and residents, leaving them happier than when they first entered the store. Patrons love to let CR know that DMV residents are coming from Maryland, parts of DC and the outskirts of NoVA to try our product. Transparency and honesty has contributed to our sucess. Patrons know exactly what is going into the gelato they eat and they can see us make it with their own eyes.

CR believes the proposed additions to will facilitate the operation of the business in the summer. We are at a point where there is not enough space for the milk used to produce the necessary amount of gelato, requiring daily delivery of milk. A walk in freezer and refridgerator would be an enormous help.

Additional details as to the specific layout and dimensions of our request are presented at the end of the application.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**USE CHARACTERISTICS**

4. The proposed special use permit request is for (*check one*):

- a new use requiring a special use permit,
- an expansion or change to an existing use without a special use permit,
- an expansion or change to an existing use with a special use permit,
- other. Please describe: \_\_\_\_\_

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect?  
Specify time period (i.e., day, hour, or shift).  
Per prior SUP13-0039; On average, 50 patrons per hour

B. How many employees, staff and other personnel do you expect?  
Specify time period (i.e., day, hour, or shift).  
Per prior SUP13-0039; Up to 4 employees for production/operating purpose (8AM-cloe); production only occurs 8AM-8PM

6. Please describe the proposed hours and days of operation of the proposed use:

Day: <u>Sunday - Saturday</u>	Hours: <u>11AM-11PM</u>
_____	_____
_____	_____
_____	_____
_____	_____

7. Please describe any potential noise emanating from the proposed use.

A. Describe the noise levels anticipated from all mechanical equipment and patrons.  
Per SUP13-0039; Production equipment doesn't operate more than 10 minutes per batch and only poduces as much noise as a standard hair drier or blender

B. How will the noise be controlled?  
Per SUP13-0039 - production equipment will only be operated between 8AM-8PM. See plot map for reference. There will be no live music or entertainment.

8. Describe any potential odors emanating from the proposed use and plans to control them:

Per SUP13-0039; No offensive odors

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9. Please provide information regarding trash and litter generated by the use.

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)  
Per SUP13-0039; food wrappers, containers, plastic jugs, plastic silverware, cardboard or Styrofoam cups

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B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)  
Per SUP13-0039; up to 4 bags (33 gallon bag) of trash per day, 1 recycling load

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C. How often will trash be collected?  
Per SUP13-0039; trash will be collected daily

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D. How will you prevent littering on the property, streets and nearby properties?  
Per SUP13-0039; Easily accessible garbage cans located in both seating and productions areas

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10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes.                       No.

If yes, provide the name, monthly quantity, and specific disposal method below:

NA

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11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

[ ] Yes. [x] No.

If yes, provide the name, monthly quantity, and specific disposal method below:

NA

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12. What methods are proposed to ensure the safety of nearby residents, employees and patrons?

Per SUP13-0039; Employees will receive safety and ice cream operation training (equipment cleaning process, gelato preparations/components, business opening/closing procedures. Work procedures for each employee reference)

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**ALCOHOL SALES**

13.

A. Will the proposed use include the sale of beer, wine, or mixed drinks?

[ ] Yes [x] No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

NA per SUP13-0039

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**PARKING AND ACCESS REQUIREMENTS**

14. A. How many parking spaces of each type are provided for the proposed use:  
 2 employee: **NOTE FROM CR: 1 spot dual purpose (employee/loading are identical); Dual purpose spot is what unintentionally is being practiced now.**  
 \_\_\_\_\_ Standard spaces  
 \_\_\_\_\_ Compact spaces  
 \_\_\_\_\_ Handicapped accessible spaces.  
 \_\_\_\_\_ Other.

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A \_\_\_\_\_

Does the application meet the requirement?  
 Yes  No

- B. Where is required parking located? (check one)  
 on-site  
 off-site

If the required parking will be located off-site, where will it be located?

NA

**PLEASE NOTE:** Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

**NA - Parking reduction requested; see attached supplemental form**

15. Please provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are available for the use? 1

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 \_\_\_\_\_

Does the application meet the requirement?  
 Yes  No

B. Where are off-street loading facilities located? NA

C. During what hours of the day do you expect loading/unloading operations to occur?  
7AM - 6PM

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
Daily

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Per SUP13-0039; Street access is adequate and no new improvements are necessary to minimize impact of traffic flow

**SITE CHARACTERISTICS**

17. Will the proposed uses be located in an existing building?  Yes  No

Do you propose to construct an addition to the building?  Yes  No

How large will the addition be? 320 sqft square feet.

**NOTE FROM CR: 160 sqft will be above ground (on top of existing parking space, 160 sqft will be below ground (inside existing parking space))**

18. What will the total area occupied by the proposed use be?  
980 ~~300~~ sq. ft. (existing) + 320 sq. ft. (addition if any) = 1200 sq. ft. (total)  
*(gross)*

19. The proposed use is located in: (check one)  
 a stand alone building  
 a house located in a residential zone  
 a warehouse  
 a shopping center. Please provide name of the center: \_\_\_\_\_  
 an office building. Please provide name of the building: \_\_\_\_\_  
 other. Please describe: 111 S. Payne shares a single wall with neighboring property 113 S Payne

End of Application



# SUPPLEMENTAL APPLICATION

## RESTAURANT

NOTE FROM CR: NO CHANGES REQUESTED SINCE SUP13-0039 UNLESS NOTED

All applicants requesting a Special Use Permit or an Administrative Use Permit for a restaurant shall complete the following section.

- How many seats are proposed?  
Indoors: 16                      Outdoors: 24                      Total number proposed: 40
  
- Will the restaurant offer any of the following?  
Alcoholic beverages (**SUP only**)                      \_\_\_\_\_ Yes                       No  
Beer and wine — on-premises                      \_\_\_\_\_ Yes                       No  
Beer and wine — off-premises                      \_\_\_\_\_ Yes                       No
  
- Please describe the type of food that will be served:  
Gelato, ice cream, cakes, pasteries other desserts and coffee. All gelato and ice cream will be produced on-site while all other dessert will be produced off-site from other recognized producers.
  
- The restaurant will offer the following service (check items that apply):  
\_\_\_\_\_ table service                      \_\_\_\_\_ bar                       carry-out                       delivery
  
- If delivery service is proposed, how many vehicles do you anticipate? None -restricted to walking distance  
Will delivery drivers use their own vehicles?                      \_\_\_\_\_ Yes                       No  
Where will delivery vehicles be parked when not in use?  
NA
  
- Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?  
\_\_\_\_\_ Yes                       No  
If yes, please describe:  
NA

**Parking impacts.** Please answer the following:

1. What percent of patron parking can be accommodated off-street? (check one)
  - 100%
  - 75-99%
  - 50-74%
  - 1-49%
  - No parking can be accommodated off-street
  
2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
  - All
  - 75-99%
  - 50-74%
  - 1-49%
  - None
  
3. What is the estimated peak evening impact upon neighborhoods? (check one)
  - No parking impact predicted
  - Less than 20 additional cars in neighborhood
  - 20-40 additional cars
  - More than 40 additional cars

**Litter plan.** The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

**Alcohol Consumption and Late Night Hours.** Please fill in the following information.

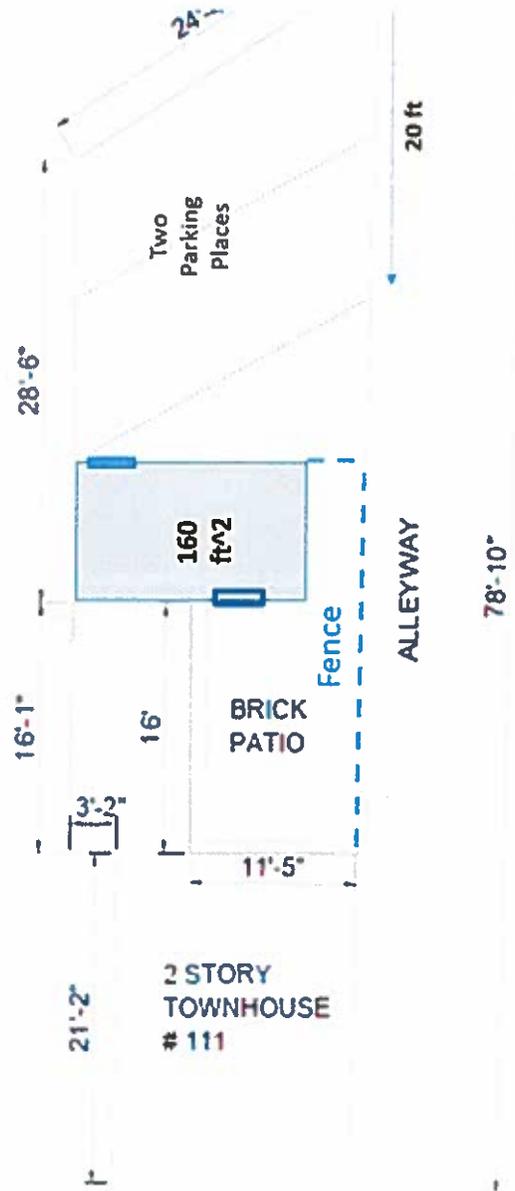
1. Maximum number of patrons shall be determined by adding the following:
  - Maximum number of patron dining seats
  - +  Maximum number of patron bar seats
  - +  Maximum number of standing patrons
  - =  Maximum number of patrons
  
2.  Maximum number of employees by hour at any one time
  
3. Hours of operation. Closing time means when the restaurant is empty of patrons.(check one)
  - Closing by 8:00 PM
  - Closing after 8:00 PM but by 10:00 PM
  - Closing after 10:00 PM but by Midnight
  - Closing after Midnight
  
4. Alcohol Consumption (check one)
  - High ratio of alcohol to food
  - Balance between alcohol and food
  - Low ratio of alcohol to food

**111 South Payne Street, Alexandria VA 22314**  
**Old Town Artisan Gelato LLC dba Casa Rosada Artisan Gelato**  
**David Umansky**  
**980 gross interior square footage**

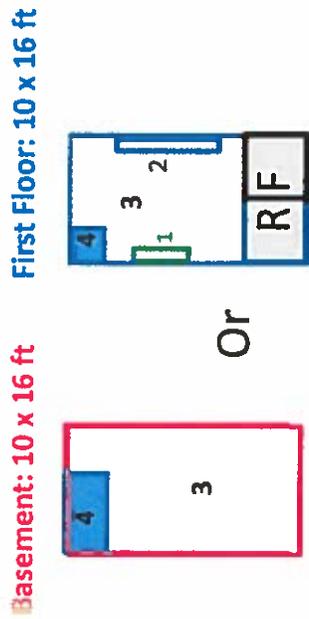




**111 S. Payne St**  
**New Addition Plot plan**  
Blue portion=new addition first floor ~9x16 ft  
Red Portion=new basement ~9x20 ft  
One new window

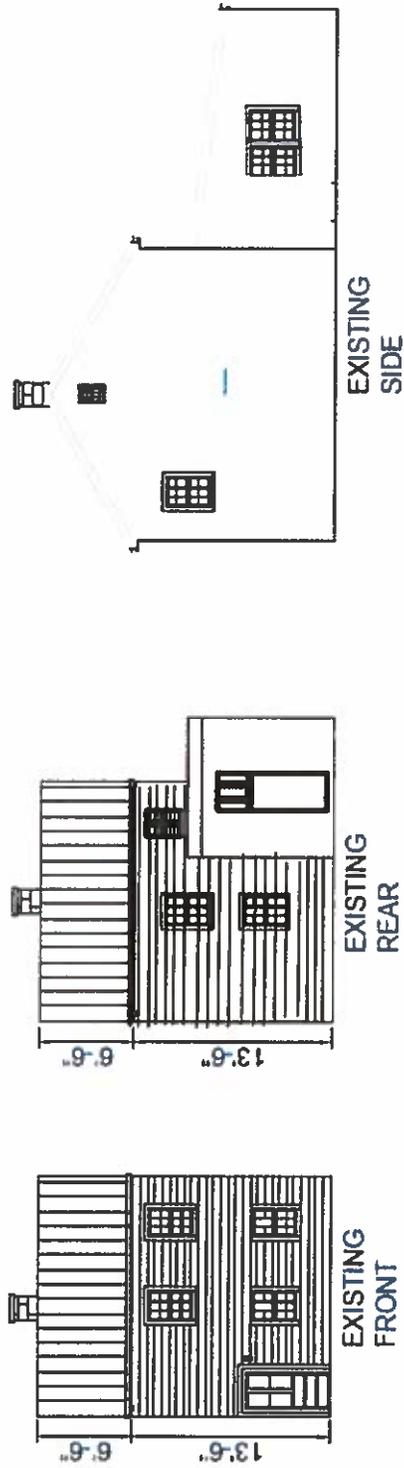


# New Equipment Location and Storage Area

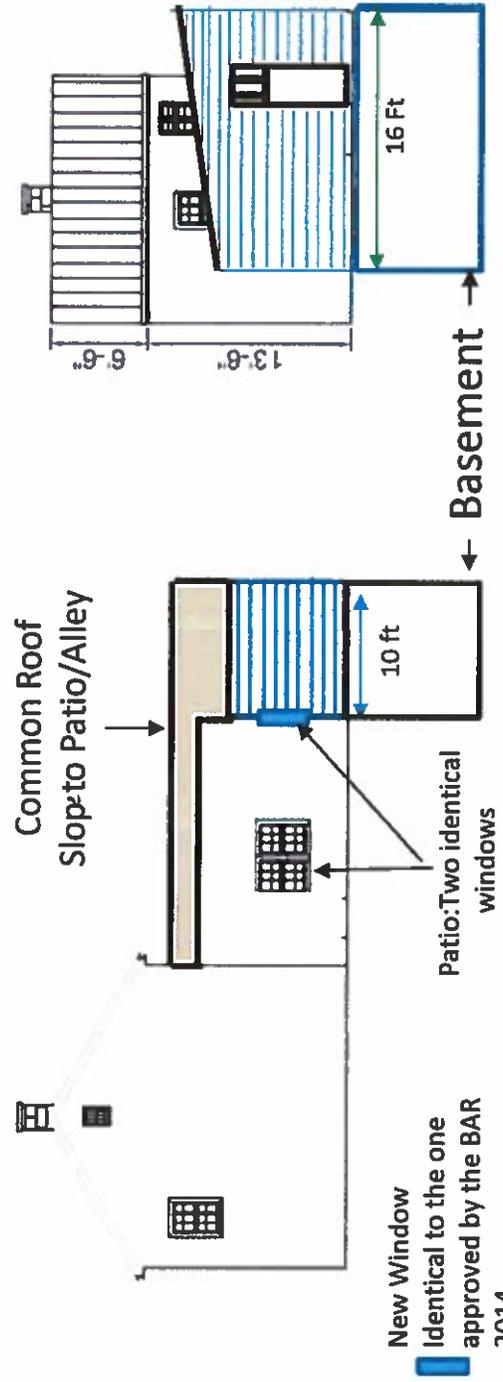


- R: Walking Refrigerator; ~5 x 7 ft
  - F: Walking Freezer; ~5 x 7 ft
  - 1: Batch Freezer will be located in the first floor
  - 2: S Steel 3 compartment table
  - 3: Solid storage area
  - 4: Stair to basement
- SS table, F, R and batch freezer locations subject to Alexandra Health Department approval

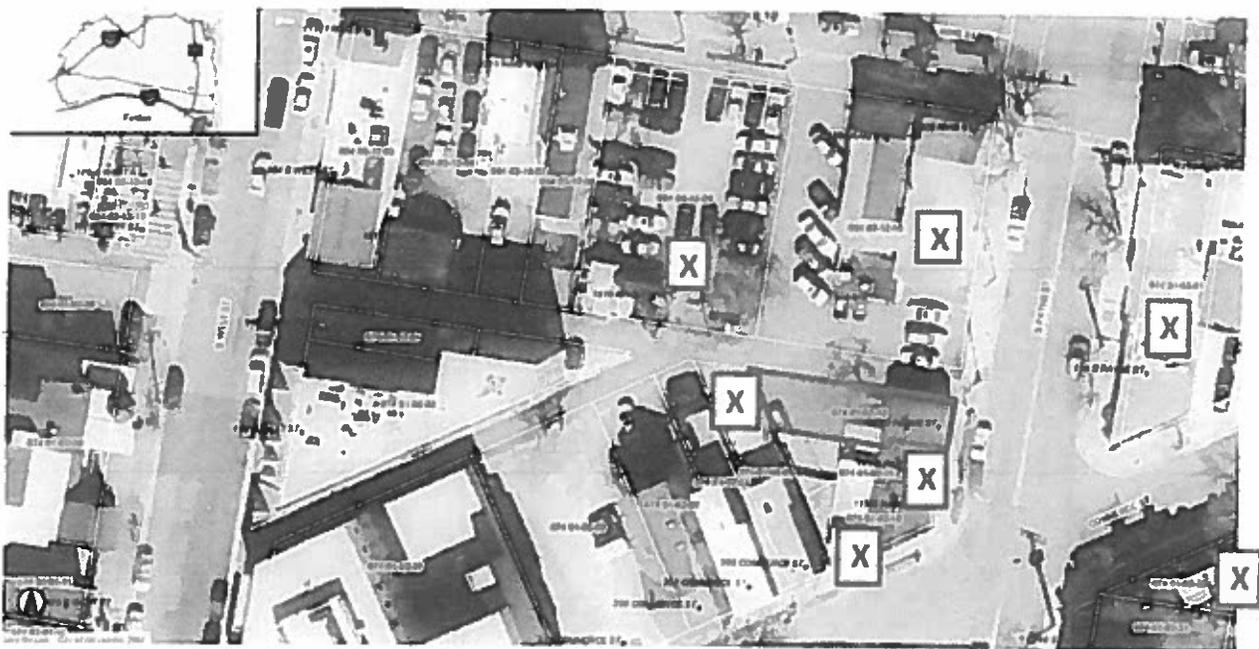
Current Property Status: Existent windows and doors



New Addition: 1<sup>st</sup> Floor plus Basement < 323 ft<sup>2</sup>  
 Proposed Addition: First Floor ~160ft<sup>2</sup>  
 Basement ~160 ft<sup>2</sup>



**Subject site and abutting Properties For 111 S. Payne Street, Alexandria  
(Seven Properties)**

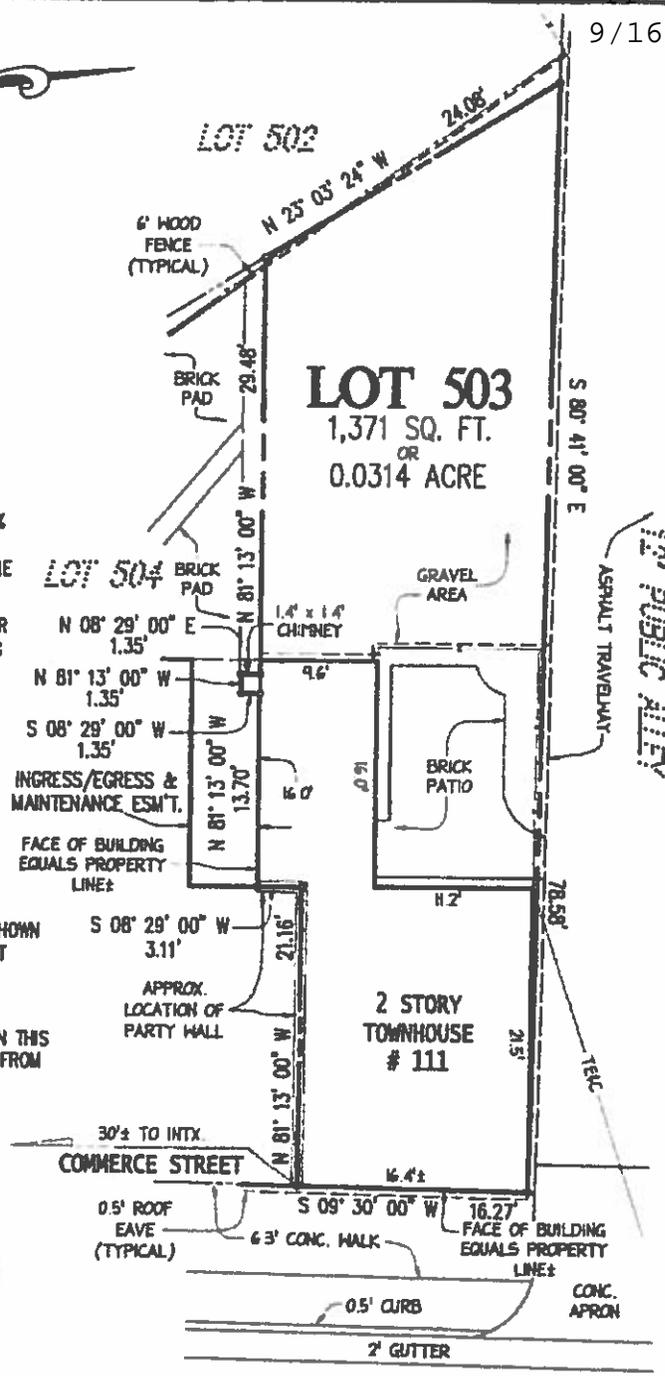


9/16/2015



NOTES:

- 1) THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
- 2) THE LOT SHOWN HEREON APPEARS TO PLOT IN FLOOD ZONE "X" AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON F.E.M.A. MAP# 5115590041E EFFECTIVE DATE: JUNE 18, 2011
- 3) THIS SURVEY WAS NOT PREPARED FOR CONSTRUCTION PURPOSES. (INCLUDING FENCES)
- 4) LOCATION OF FENCES (IF ANY) ARE APPROXIMATE AND DO NOT CERTIFY TO OWNERSHIP.
- 5) THE PROPERTY SHOWN ON THIS PLAT IS LOCATED BY MAP BLOCK LOT # 074.01-02-12
- 6) PROPERTY CORNERS NOT SET PER WAIVER REQUEST.
- 7) EASEMENTS, E.R.L.S & MERIDIAN, IF SHOWN HEREON, ARE AS DELINEATED ON PLAT RECORDED IN DEED BOOK 1342, PAGE 1774 (UNLESS NOTED OTHERWISE).
- 8) NO CORNER MONUMENTATION FOUND IN THIS AREA. BOUNDARY LINES ESTABLISHED FROM EXISTING PHYSICAL EVIDENCE.



HOUSE LOCATION SURVEY  
**LOT 503**  
**RECKER**  
CITY OF ALEXANDRIA, VIRGINIA

**SOUTH PAYNE STREET**  
(VARIABLE WIDTH)

- LEGEND:
- I.P.F. DENOTES IRON PIPE FOUND
  - X- DENOTES FENCE LINE
  - T,E&C- DENOTES OVERHEAD TELEPHONE, ELECTRIC, AND CABLE LINES

<b>B.W. SMITH AND ASSOCIATES, INC.</b>			FIELD CREW: J. SEEGER
PROFESSIONAL LAND SURVEYING MANASSAS, VIRGINIA (703) 368-5866 1(800) 682-0996			
DFT: B.G.T.   CHK: M.K.S.   NO TITLE REPORT FURNISHED			JOB# 20130527
SCALE = 1" = 10'			DATE: 3/11/13