

From: [SUSAN SCHMIDT](#)
To: [PlanComm](#)
Subject: [EXTERNAL]Fwd: Hops N Shine (HnS) Expansion of SUP Request (application 2024-00026)
Date: Monday, June 3, 2024 6:32:33 PM

I am resubmitting comments previously sent to the Planning Commission and DRCA. I note, in particular, that HnS did not comply with at least 2 of the 4 conditions for its St. Patrick's Day party (reported to Alex311 and at least 2 non-emergency calls to the police) and other instances when people have had to call HnS because people were still on the back patio after the permitted hours.

Thank you,
Susan Schmidt

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

To: "Mavis.stanfield@alexandriava.gov" <Mavis.stanfield@alexandriava.gov>, "landuse@delraycitizen.net" <landuse@delraycitizen.net>, "nhurto@yahoo.com" <nhurto@yahoo.com>

Date: 05/04/2024 10:35 AM EDT

Subject: Hops N Shine (HnS) Expansion of SUP Request (application 2024-00026)

I support the April 28 comments submitted by the Mount Vernon Court Community

Association and, in particular, opposition to the requested expansion of the SUP for activities on the back patio.

One year ago, the City denied a similar request for expansion of the SUP. Numerous complaints had been lodged. Of particular concerns were, and continue to be, extended hours and music (noise) issues. The current SUP conditions and rejection of that last SUP expansion request have lessened the need for additional complaints and should be retained. The townhomes on Sanborn Place were built 20 years ago, when what today is HnS was Señor Chicken, basically a take-out chicken restaurant. The pending SUP application requests **extending the back patio hours** until 12 AM on Friday and Saturday and 11 PM other days of the week. Even with the current hours, residents must call HnS when the patio is not cleared and patrons have not moved indoors. The noise carries.

The pending expanded SUP application requests "**Outdoor Live Music**" for 12 hours a day Friday and Saturday and 10 hours a day Sunday to Thursday. I don't believe there is a code definition of "amplified soft background music" so the only enforceable legal restriction for that would be noise which exceeds noise ordinances. In fact, in conversations HnS always reiterates that it only has to stay below the limits of the excessive noise ordinance. "Acoustic Musician" is requested for 5 hours on Friday and nine hours Saturday and Sunday.

The recent St. Patrick's Day party demonstrates the risk of allowing outdoor amplified music until 9 PM or 11 PM and even live acoustic music until 9 PM on the back patio with limits only by noise ordinances.

I note two items from that Noise Variance Permit:

(1) HnS was authorized to have "live music with their solo acoustic performers" ... "live music is not approved."

- I got home late that afternoon and heard music down the entire Sanborn Place street.

- HnS had a solo singer with a guitar and amplifier on the back patio.
- Neighbors said it had been going on all day and they could hear the live music in their homes with the windows closed.

- I believe the police were notified by more than one person.

(2) HnS was required to notify residents/businesses surrounding this location of event activities, including start and time of event, prior to the event date.

- Notice was received by mail the Saturday of the event — about 7 PM. The event started at 1 PM. The letter was postmarked Thursday PM.

A SUP must be designed to avoid, minimize or mitigate any potentially adverse effects on the neighborhood as a whole or other properties in the vicinity. Expansion of the SUP risks reverting to the situation before the City imposed the reasonable conditions on HnS a year ago.

For these reasons, the request to expand HnS hours and music on the back patio should be denied. Thank you for consideration of these comments and the welfare of the neighboring community.

Susan Schmidt
