

Subject: [EXTERNAL]Your Planning and Zoning General Comments, Complaints, and Inquiries request (Case# 25-00038476)



Alex311 User:

The following request for service has just been assigned to you:

Request Number: **25-00038476**

Request Type: **Planning and Zoning General Comments,
Complaints, and Inquiries**

Location:

Request Submitted: **10/27/2025**

Estimated Resolution **11/3/2025**

Date:

Customer Comments:

There is a habitual problem of a lack of trash storage at the bar at 1000 Cameron St. This happens at the end of any good weather weekend, such as was the case last weekend. Their trash bins are overflowing until the trash collectors arrive between 8-9:30am. Sending inspectors after this time would not reveal the extent of the problem. To see the overflowing trash and violation of SUP condition #14, inspectors need to go before the trash collectors arrive.

This is particularly relevant given a request for 40% more outdoor seating and hours to allow for an additional weekend dinner service.

Staff Comments:

Please view the complete case history and details in the Alex311 console and take the appropriate actions to complete this request by the estimated resolution date.

Use the Alex311 Console to contact the customer. Do not forward this email to the customer, or to any City staff who are not Alex311 users.

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Internal Correspondence for Staff v3
Planning & Zoning PZ
PZGENER

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November 5, 2025

Via Email Submission to: PlanComm@alexandriava.gov

Alexandria City Planning Commission

301 King Street

Alexandria, Virginia 22314

Lanning Blaser, lanning.blaser@alexandriava.gov

Ann Horowitz, ann.horowitz@alexandriava.gov

**RE: Special Use Permit #2025-000421000 Cameron Street
(amending SUP #2022-00009)**

Docket Number: 5

Date of Public Hearing: November 6, 2025

Dear Members of the Alexandria City Planning Commission,

I am writing on behalf of the property owners of 1006 Cameron Street, to strongly urge the Alexandria City Planning Commission to deny the petition to amend and expand the special use permit (SUP# 2025-00042) related to 1000 Cameron Street, that is scheduled for public meeting on the November 6, 2025 Planning Commission Meeting Docket.

1006 Cameron greatly appreciates and fully supports the additional conditions that the Staff has recommended in the staff report related to this permit, as are the comments by the City Planner related to implicating measures to avoid idling of parked vehicles on the curb/street. While 1006 is fully supportive of these additional conditions, I respectfully urge the Commission *not* to approve the portions of the petition to increase capacity, hours and employees, for the reasons outlined herein. In the alternative, I ask this Commission to defer approval until such time as the pending lawsuit (relating to the very use Petitioners seek to now expand) is fully adjudicated.

Since the issuance of the original special use permit, the owners of the neighboring property have consistently failed to comply with its terms and have engaged in activities that constitute a clear abuse of the privileges granted to them. Their disregard for the conditions set forth in the permit, and their disregard for the property rights of 1006 (the dominant estate who holds an exclusive easement

between the two properties) has resulted in significant disruption and loss of enjoyment of property for the 1006 Cameron St. owners, to the point that at present time, as mentioned above, such use is the subject of a civil action currently pending in the Circuit Court of Alexandria (*Case No.: CL25-2005; Madison Welch, et al. v. La Pluma Coffee and Wine, Inc. et al.*).

A Term Day Praecipe is currently scheduled in that case for November 10, 2025 for a scheduling order and trial date to be set.

The repeated and ongoing unlawful encroachment, trespass, and interference with the dominant estate's property rights, their right to privacy, and their use and enjoyment of the exclusive use easement, forms the basis of the civil action currently pending in the Circuit Court. That action describes LaPluma's continuing violation of the approved special-use permit.

The approval of this permit amendment would inevitably *exacerbate and intensify* the ongoing nuisance, unlawful encroachment, trespass, and tortious interference with the dominant estate's property rights pursuant to the easement, which form the basis of the civil action currently pending. (These ongoing issues have indeed already intensified, to the point that specific individualised tort allegations have been raised, including assault, as articulated in further detail in Alexandria Circuit Court *Case No.: CL25-2005*).

Section 11-504 of the Zoning Ordinance includes several factors which may be taken into consideration in reviewing the permit application, including "whether the proposed use will interfere with any easements."

11-504 Considerations on review.

(B) *In reviewing the application, the city council may take into consideration the following factors where it determines that such factors are relevant and such consideration appropriate:*

(9) *Whether the proposed use **will interfere with any easements**, roadways, rail lines, utilities and public or private right-of-way.*

(emphasis added)

In the entirety of the staff report, while the "public right-of-way" is mentioned several times, the easement is mentioned *once*, in passing, and that one

mention does not accurately capture the property rights associated with the easement. 1006 is the dominant estate, who enjoys exclusive use of the easement, which is the tract of land immediately adjacent to 1000 Cameron/La Pluma. To be clear, 1006 Cameron is the dominant estate of the easement and not merely one of many users of the easement as the report's single sentence might give the impression. As cited by the Supreme Court in McCarthy Holdings LLC v. Burgher, 282 Va. 267, 273, an easement "creates **a burden on the servient tract** [1000 Cameron/LaPluma] **and requires that the owner of that land refrain from interfering with the privilege conferred for the benefit of the dominant tract.**" Brown, 233 Va. at 216, 355 S.E.2d at 5. (emphasis added)

The easement, where 1000 Cameron St. (LaPluma) is the *servient* estate, and 1006 Cameron St. is the *dominant* estate, is a paved area adjacent to 1000 Cameron and accessible through 1006 Cameron St.'s driveway, patio and garden, and measures almost ten (10) feet wide and fifty feet (50) long. While a fence directly situated on the property line between the easement and 1000 Cameron was not included in the sketches of the revised 2022 permit application (after their first application including such a fence directly on the easement line was rejected), 1000 Cameron/LaPluma nonetheless erected the previously rejected fence following their original permit approval, despite the original submission containing the same having been denied. Their deviations from those plans, including erecting this fence, as well as multiple other deviations, along with their ongoing trespass, harassment, and continuous interference and encroachment of the easement, has resulted in the denial of 1006 Cameron's use and enjoyment of their property and has frustrated the legal rights to which they are entitled as a matter of law.

This exclusive easement, originally created in 2008, provides the owners of 1006 Cameron St. exclusive use and enjoyment of the easement area and requires 1006 Cameron St. to pay the portion of assessed real estate taxes for the easement, and to insure it.

The increased use would inevitably increase the risk associated with the property that the owners of 1006 Cameron are required to insure at their own cost for which use the existing insurance may not cover and was never contemplated when the easement was created.

On or about February 15, 2022, Danny's Painting applied to renovate 1000 Cameron St to build a restaurant and bar called LaPluma Coffee & Wine. In its initial plan, LaPluma/Danny's Painting indicated that the easement would be used as a loading and unloading zone, despite it not having a curb cut for a vehicle to Cameron St. This plan was rejected.

On or about March 4, 2022, Danny's Painting submitted a second application, which no longer showed the easement as a loading zone, converted the six (6) car parking area to patio dining, had a corridor between the easement and building for ingress and egress from Cameron St, no fencing on or adjoining the easement and included a curb cut to North Patrick St. which could be used for deliveries. The City accepted LaPluma/Danny's Painting's second application. Unlike their first application, there is no evidence that the second was advertised for public comment as required of the applicant.

As part of their construction, LaPluma built a fence with an ingress and egress door to the patio and alcove which encroached on the easement narrowing it, added a mechanical unit blocking LaPluma Coffee & Wine's corridor access to Cameron St., reducing proper trash storage space, a full kitchen in the basement, and an additional story which were not in LaPluma Coffee & Wine's special use permit application.

A discharge pipe was also installed under the sidewalk from the bar area of LaPluma Coffee & Wine, which discharges water from their trash area into Cameron St. and puddles in front of the easement and the Welches' driveway.

LaPluma, their owners and employees have repeatedly used the easement and the Welches' driveway portion of Cameron St. as a truck supply delivery area despite having access to an existing curb cut in front of the restaurant and bar and a public alleyway on North Patrick St.

Since its opening, LaPluma Coffee & Wine's customers, some with pets, employees, trashmen, and the public have used the Welches driveway and the easement as an ingress and egress to enter LaPluma Coffee & Wine's rear gate and loiter in the easement and driveway.

LaPluma Coffee & Wine's employees haul and drag garbage multiple times per day through the easement, leaving trash bags on the sidewalk on Cameron St.,

often leaving trails of used cooking oil and other substances when moved. Because it is blocked by mechanical equipment, they are unable to directly access the trash area via the gate depicted in the photograph from the Staff Report:

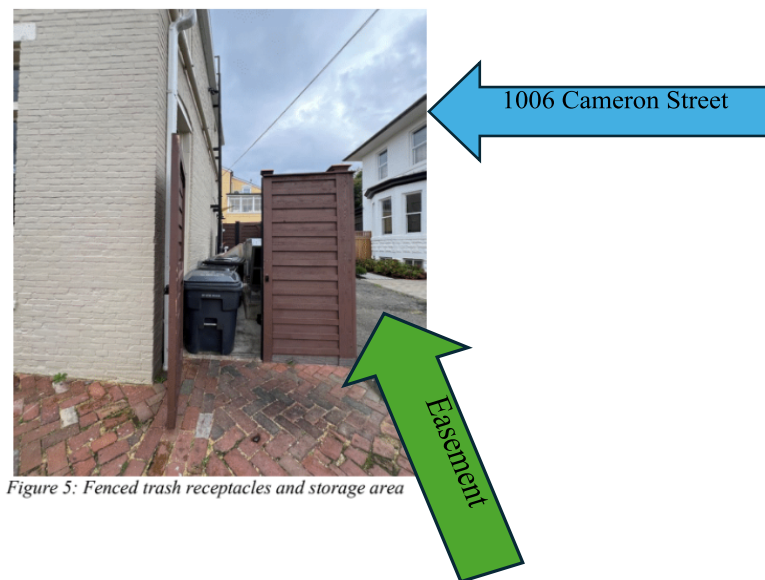


Figure 5: Fenced trash receptacles and storage area

Instead, they have used a door they erected on the fence that opens directly into the easement and 1006 Cameron St.'s driveway.

Since May 2025, LaPluma, their owners, employees, service providers and customers have continued to unlawfully and physically enter into the easement and Welches' driveway (which they own and possess). LaPluma, built an encroaching fence with gateway on the easement, using it and the Welches' driveway as a loading delivery area, and access for customers, employees, delivery persons, trashmen, and strangers to enter into or loiter around the restaurant and bar.

Additionally, because of failing to have proper draining and grading, when LaPluma Coffee & Wine's employees wash the patio and alcove, the runoff, which contains food debris, puddles on the easement and the Welches' driveway leaving food particle remnants. LaPluma Coffee & Wine's failing to seal and store their garbage, trash bags, food and cooking oil waste, and properly draining the patio and alcove washing runoff has created a rodent problem on and about the easement and on the properties.

Further, in June 2025, Allison Melia (an owner of 1006 Cameron Street) returned from work to pull into her own driveway only to find a LaPluma

employee (the owners' son) lurking during the evening, a couple feet from her car. She observed him taking photographs and as she tried to exit her vehicle (parked on her own property), he forced his way past her in the narrow space available, causing her to be wedged against her car in fear. After she managed to get away from him and head into her home, he set off her car alarm. He now curses at and threatens Mr. Welch every time he sees him. When moving trash, he also moves the trash across the rooftop of the Welches' car before disposing of it in the trash area.

These are only a few examples of the *ongoing and particularized harm* that the owners of 1006 have suffered at the hands of LaPluma/1000 Cameron St. since the initial permit was approved and following the commencement of their business operation. They have used the special use permit previously issued to them as justification for their ongoing misuse and abuse of the property. The Planning Commission should not allow LaPluma to continue this behavior under the guise that such behavior is somehow "approved" by the Commission.

The ongoing litigation mentioned above relating to this misuse makes it inappropriate to consider any amendment that expands the capacity, number of employers, or hours of operation at this time. The approval of this permit amendment would inevitably *exacerbate and intensify* the ongoing encroachment, trespass, and interference with the dominant estate's property rights pursuant to the easement, which, as mentioned above, form the basis of the civil action currently pending.

While the Staff Recommendation Report refers to a "modest increase" in the number of outdoor seats, the percent increase from 28 seats to 40 seats is an increase of approximately **42.86%**. Allowing such an increase would inevitably increase the particularized harm (i.e. encroachment, interference, trespass, nuisance) already suffered by the owners of 1006 Cameron by a similar percentage. It should also be noted that there is no mention in the Staff Report of the requested **increase in the number of employees** that is included in the Petitioner's application. The application requests an increase from 4-6 employees to 7-10 employees. That equates to an increase of anywhere between a 75% increase (4 employees increased to 7 employees), and a 150% increase (4

employees increased to 10 employees) all who would use the easement to enter and exit the patio gateway in the encroaching fence.

As noted in the Staff Report, a parking lot previously existed on the site where the outdoor dining is now located. 1000 Cameron/LaPluma decided to eliminate that lot, and as such, eliminated all parking and loading areas. They now use 1006 Cameron St.'s property for such activities, often blocking the owners of 1006 Cameron from entering and exiting their property despite having a public alleyway within walking distance on North Patrick St to make deliveries for the restaurant.

Section 11-504 of the Zoning Ordinance allows the Commission to consider

*“(5) Whether **adequate access roads or entrance or exit drives will be provided** and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.”*

1006 Cameron/LaPluma has failed not only to include “adequate” access roads or entrance or exit drives, but have included **none**, as none exist.

Section 11-504 also includes the following for the Commission to consider:

(10) Whether the proposed use will have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare”

and

(15) Whether off-street parking and loading areas will be provided in accordance with the standards set out in Article VIII of this ordinance, and whether such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect.”

Providing **no parking and no loading zones whatsoever** has had a substantial, undue adverse effect on 1006 Cameron St. while LaPluma has been operating under the initial special use permit granted to them, and approving an expansion of such operation, by way of the amendment requested, will only increase these adverse effects. Since opening, LaPluma/1000 Cameron has blatantly disregarded the Welches' right to exclusive use of the easement and the

quiet enjoyment of 1006 Cameron St, by using the easement and the Welches' driveway for its business operations which the City rejected in their initial special use permit application.

A new condition added by Staff in the Staff Report reads: “*CONDITION ADDED BY STAFF: Delivery vehicles operated and managed by the applicant are permitted. Delivery vehicles must be parked off-street when not in use.*” It should be noted that this does not give LaPluma or 3rd party delivery drivers the right to use the driveway of neighbors, violate their property rights, or barricade their driveway. To comply with this requirement, any parked delivery vehicles would need to be in new, legal off-street parking or loading zones as none currently exist.

Additionally, multiple conditions were found in violation of Special Use Permit #2022-00009, which have not in fact been corrected as LaPluma has represented to the Staff and they continue today.

The Virginia Supreme Court has articulated a two-part test to determine whether a party who does not own the property that is the subject of a locality's land use permit approval can challenge the decision in court. In *Friends of the Rappahannock v. Caroline County Board of Supervisors*, the Court held that a plaintiff can only establish standing by meeting two criteria:

1. The party owns or occupies real property within or in close proximity to the property that is the subject of the land use determination (the “proximity” requirement); and
2. The party must allege facts that show “particularized harm” to a personal or proprietary right that is distinct from that suffered by the public in general (the “particularized harm” requirement).

Clearly, the owners of 1006 Cameron St. meet this strict definition, due to their proximity and particularized harm. Approval would also not only negatively impact the surrounding community as a whole, but more specifically and independently would further negatively impact the owners of 1006 Cameron St., whose distinct and established rights are greater than those of the “general public” with respect to the subject permit/property, and who have suffered - and continue to suffer - *particularized* harm.

Given the above and the unresolved legal dispute, it would be premature and inappropriate for the Commission to consider any amendment or expansion of 1000 Cameron/LaPluma's special use permit until the matter is fully adjudicated.

Since the original permit was issued, 1000 Cameron/LaPluma has consistently failed to comply with its terms and have abused the privileges granted, resulting in significant disruption to neighboring properties. Multiple violations remain unresolved, and these issues persist despite repeated efforts to have them addressed. To approve an expansion or amendment under such circumstances would only further erode the credibility and enforceability of the special use permitting process. More concerning is their brazen disregard for the conditions that the Commission expressly attached when granting the original special use permit. They have repeatedly deviated from the plans they previously submitted to this Commission, failing to adhere to the representations made during their initial application process. These deviations have not been minor oversights but rather sustained actions in direct contradiction of the commitments made to the City. Such actions undermine not only the integrity of the permitting process but also the trust that must exist between applicants and the Commission.

As such, I strongly urge this Honorable Commission to not allow 1000 Cameron/LaPluma to continue to flout the authority of this Commission and to continue to violate the property rights of 1006 Cameron St., and in furtherance of such, respectfully request that not only their application to amend the special use permit be denied, but that the Commission also considers revoking the originally granted special use permit if any additional violations occur, due to 1000 Cameron/LaPluma's disregard for the privileges bestowed upon them therein.

Thank you for your attention to this matter. I thank you in advance for the opportunity to speak at the upcoming meeting regarding this issue, and I am available to provide further details or documentation as needed. I truly appreciate your careful consideration of these concerns.

Sincerely,

/s/ Amy L. Melia

AMY L. MELIA

*Written on behalf of the owners of 1006
Cameron Street*

/s/ Madison Welch, Allison Melia

MADISON WELCH, ALLISON MELIA

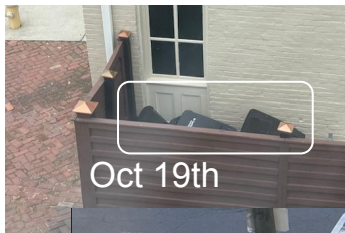
Cc:

*Tony LaColla, AICP, Division Chief,
Land Use Services Department of Planning and Zoning;
Ann Horowitz, Principal Planner, ann.horowitz@alexandriava.gov;
Lanning Blaser, Urban Planner, lanning.blaser@alexandriava.gov*

Docket Item #5 LaPluma's request for a 43% increase in outdoor bar's capacity and later hours

- Planning and Zoning has done a lot of hard work with a difficult, non-compliant bar. They have documented 7 SUP violations, which averaged more than 1 per month.
- The repeated failure to adhere to the SUP has created a nuisance in the neighborhood and required sustained intervention by the City and an ongoing lawsuit by the neighbors.
- The advised restrictions should be implemented, but the 43% increase in outdoor capacity and extended hours denied.
- Despite telling the city they had fixed their issues in August, these slides document their continuing violations of SUP conditions. These will be made worse by larger capacity and hours. These include:
 - Violating SUP #14 with unsanitary trash conditions. Trash containers are overflowing and not in sealed containers.
 - Violating 12VAC5-421-2970 and the spirit of SUP #30 with a deluge of water into the neighbors and sidewalk when washing the patio.
 - Violating SUP #18 with deliveries outside of required hours and deliveries pallets left in neighbor's driveway.
 - Frequent trespassing and violation of property rights, which require a new SUP condition (see slide 7)
 - Violating SUP #9 with overcapacity patio crowds during the late evening in which entertainment is not subordinate to dining.
- Finally,
 - The two example restaurant patios cited in the report are not analogous as they are separated from residences by 2-story brick walls. Therefore those restaurants have taken far more mitigations and there is no precedent that supports LaPluma's request.
 - LaPluma is involved in a lawsuit about these issues, which would be exacerbated by larger capacity or hours. That must be resolved prior to the city approving new SUP privileges.

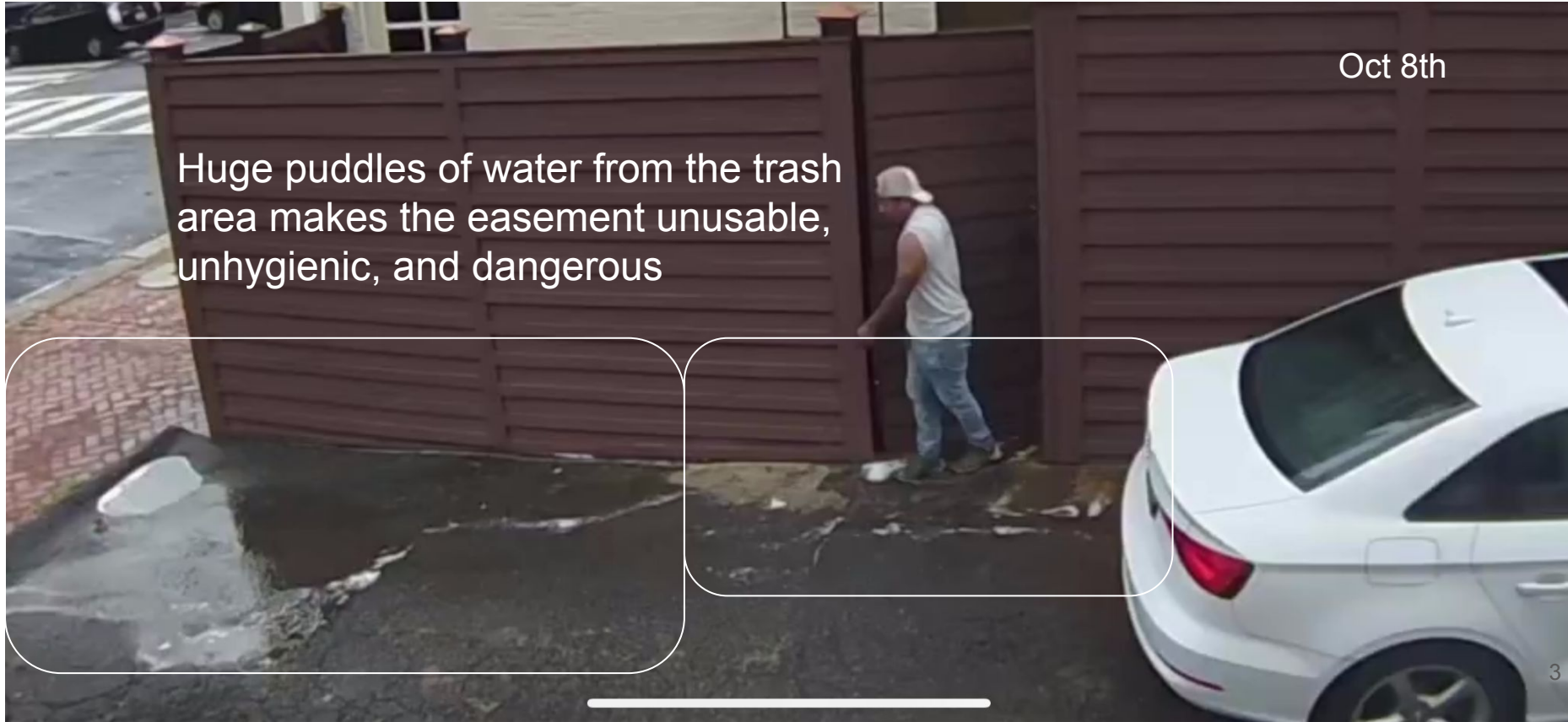
Trash still piling up outside of containers: Violating SUP #14
Sept 5th, 29th & Oct 6th, 19th, 27th



**Deluge from washing food particles into the neighbor's property and sidewalk:
Violates 12VAC5-421-2970 and the spirit of the new SUP requirement #30**

12VAC5-421-2970. *"Outdoor walking and driving surfaces, graded to drain."*

New SUP requirement #30 *"The outdoor dining area shall be cleared and washed at the close of each business day that it is in use"*



Discharge pipe dumping water from the trash area into the street

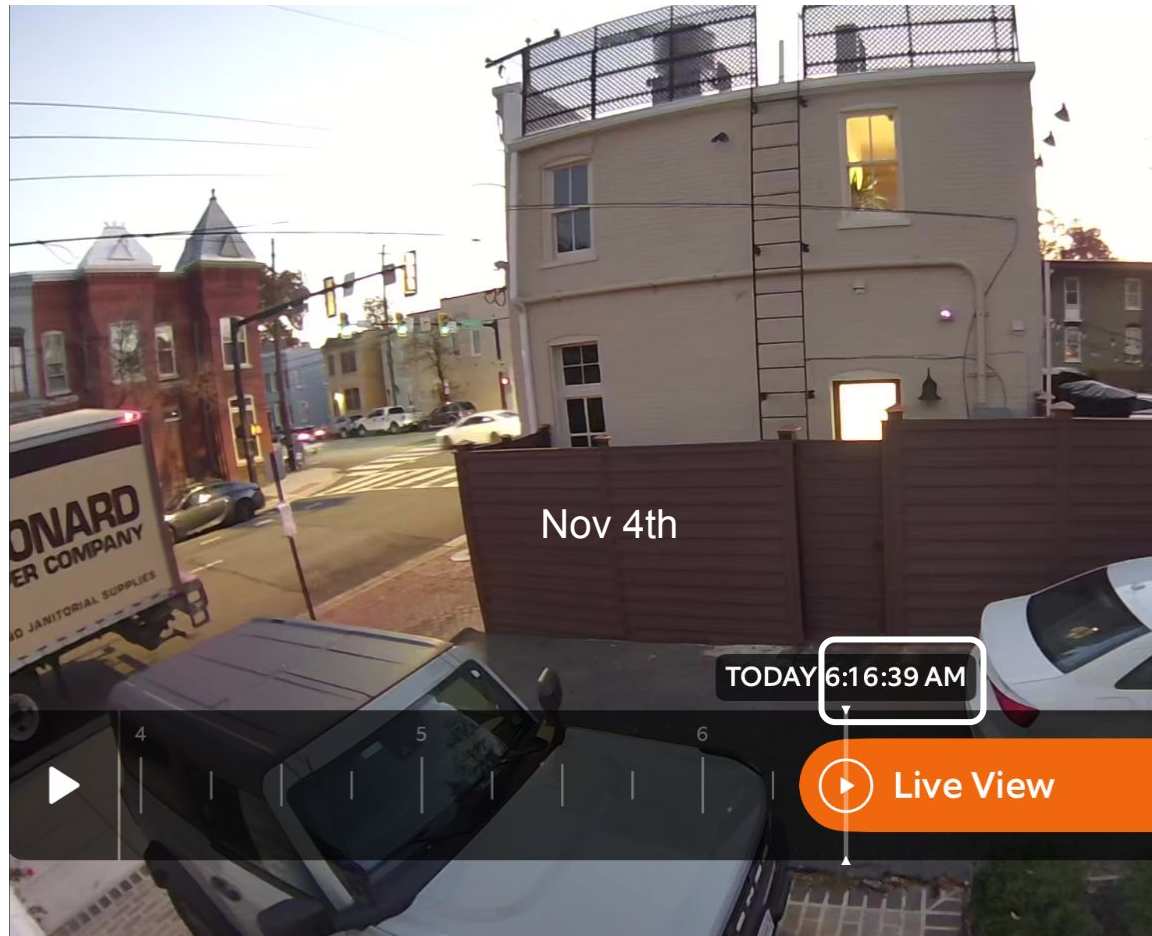


Violates 12VAC5-421-2600, which states:

"Outdoor storage surface for refuse, recyclable, and returnables shall be ... sloped to a drain"

And violated the spirit of the new SUP requirement #30 *"The outdoor dining area shall be cleared and washed at the close of each business day that it is in use"*

Deliveries occur after hours despite assurances to Planning and Zoning.
Violates SUP #18 two days before Planning Commission Hearing.



Two after hours deliveries.
One blocking the driveway until moving to
accommodate a second truck (also before 7am).
They disturbed the sleep of the community.

Deliveries occur after hours despite assurances to Planning
and Zoning: Violates SUP #18

Jumping the curb,
trespassing,
violating property
rights, and
blocking both of
1006's Cameron
St's Cars

Aug 29th

TODAY 6:35:19 AM

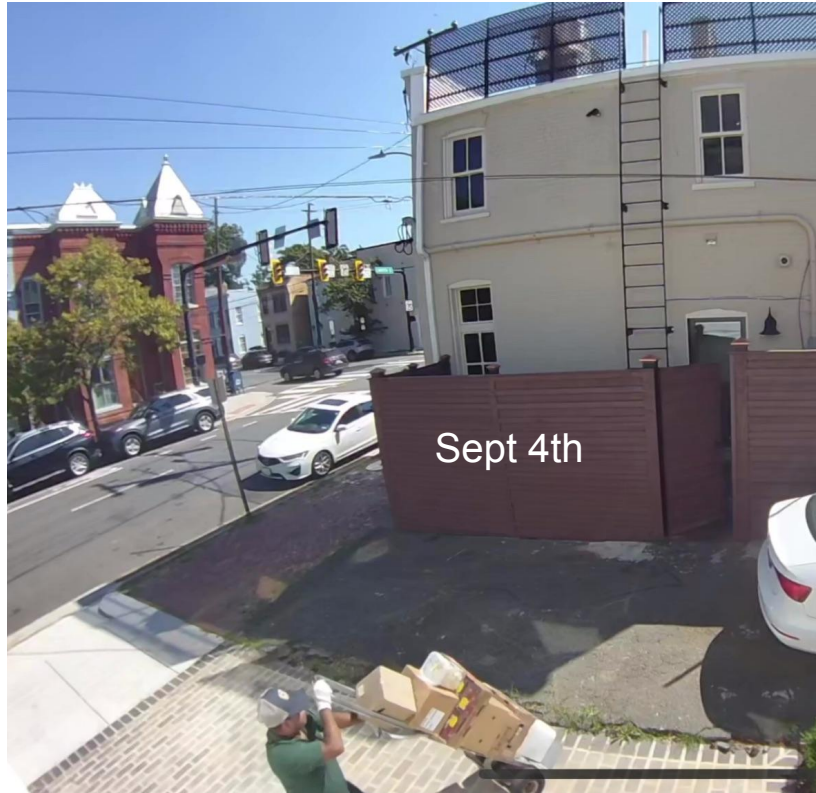
Person Detected

Person Detected

Pallets are have been left
violating neighbor's property
rights and blocking their cars

Sept 2nd

Trespassing during deliveries disregarding property rights



Necessary new SUP condition: "All deliveries, loading, trash removal, or other activities shall not interfere with the neighbors' driveway or easement. They shall be done via the door opening to sidewalk or via the patio exit on North Patrick St"

Regular parties that vastly exceed capacity specified by fire codes based on SUP #5

And violate SUP #9 "All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment"

Oct 16th
Nighttime party



Oct 16th
Nighttime party
clogs sidewalk



Example outdoor patios are not analogous and have far more significant mitigations



Both of the example patios are separated by 2 story brick walls or buildings from residences. Neither is open in the morning.

No precedent exists for LaPluma's desired changes without a wall being constructed.

FW: [EXTERNAL]Special Use Permit 2025-00042

You don't often get email from dave.m.hellman@gmail.com. [Learn why this is important](#)

Dear Mr. Blaser,

I am writing in support of Special Use Permit 2025-00042 for 1000 Cameron Street. As you know, the owners are requesting to add outdoor seating and expand their hours of operation. My family and I have found LaPluma to be a very welcome addition to the neighborhood. In addition, Mr. Lopez and his staff obviously respect the historic nature of this building by not making any adverse alterations that would negatively affect its design. Adding additional outdoor seating and expanding the hours of operation will in no way negatively impact the surrounding area. Instead, it will enhance the area. The tall fence surrounding the outdoor eating area buffers the area from the adjacent properties while also protecting the diners from any traffic disruptions on North Patrick Street. The customers of LaPluma are not loud and raucous, so expanding the hours of operation on Sundays will not in any way disrupt the community.

In summary, I support the Special Use Permit.

Please let me know what else I can do to support this application.

Sincerely,
David Hellman

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