



Docket Item# 5

Special Use Permit #2012-0078
3401 Mount Vernon Avenue – Taco Restaurant

Application	General Data	
Consideration of a request to operate a restaurant with a parking reduction.	Planning Commission Hearing:	January 3, 2013
	City Council Hearing:	January 12, 2013
Address: 3401 Mount Vernon Avenue	Zone:	CSL / Commercial Service Low
Applicant: Jose Mario Cabero and Jose Guillermo Cabero by Mabel Tweddle, agent	Small Area Plan:	Potomac West

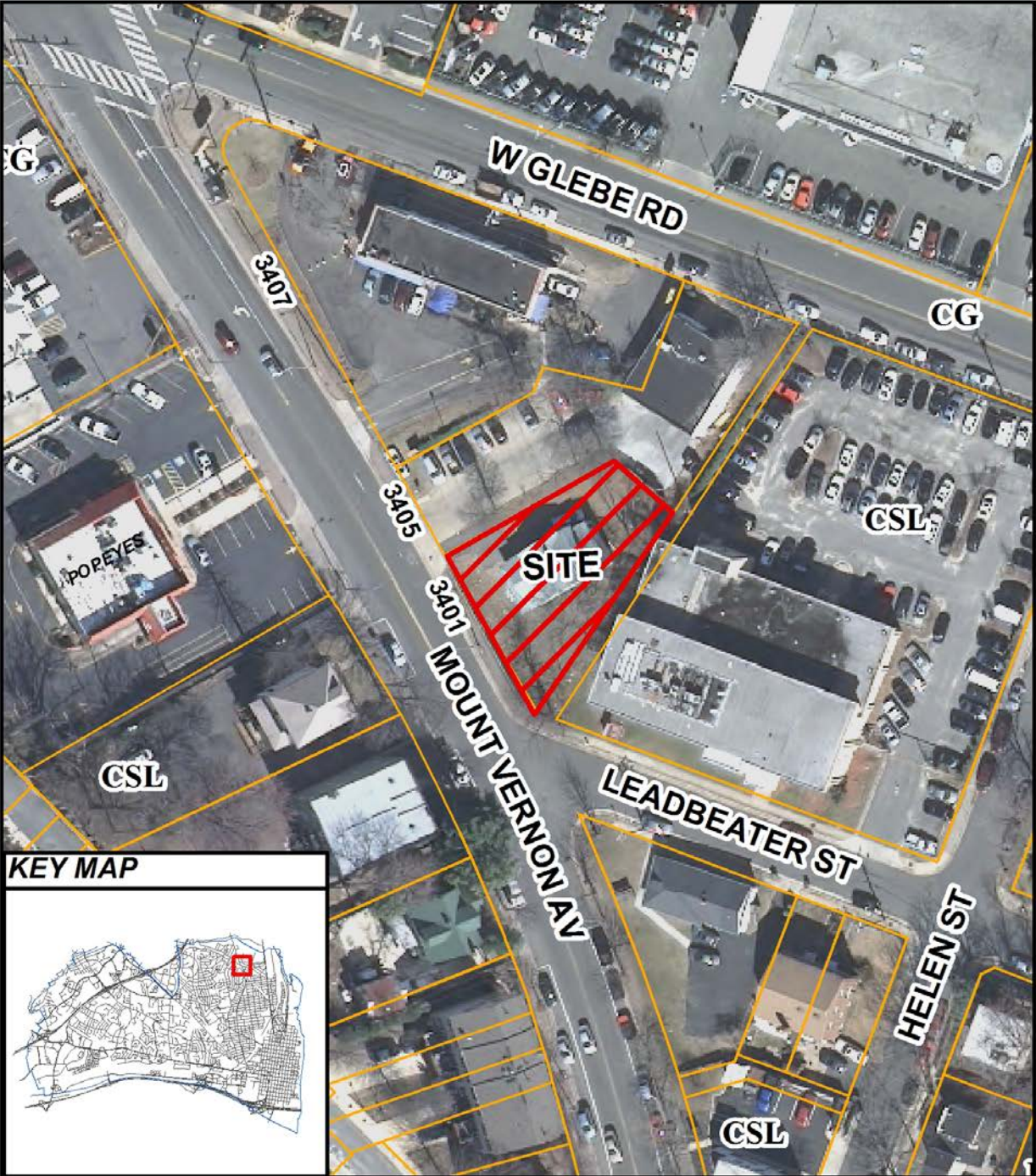
Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewers: Nathan Randall nathan.randall@alexandriava.gov

PLANNING COMMISSION ACTION, JANUARY 3, 2013: On a motion by Ms. Fossum, seconded by Ms. Lyman, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion passed on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:
Mabel Tweddle, representing the applicants, spoke in support of the request.
William Hendricks, 322 East Mason Avenue, spoke in support of the request.
Maria Wasowski, representing the Del Ray Business Association, spoke in support of the request and noted that the proposed renovations are well-designed and represent a big improvement compared to the existing building.



SUP#2012-0078

1/3/2013



I. DISCUSSION

The applicants, Jose Mario Cabero and Jose Guillermo Cabero by Mabel Tweddle, agent, request Special Use Permit approval to operate a restaurant, with a parking reduction, at 3401 Mount Vernon Avenue.

A. SITE DESCRIPTION

The subject property is one lot of record with 91 feet of frontage on Mount Vernon Avenue, 120 feet of depth and a total lot area of 7,480 square feet. The site is developed with a one-story building, originally constructed in the 1920s as a residence.



The property is surrounded by primarily commercial uses, including three restaurants and three automobile-related uses. In addition, a residential apartment building is located to the west across Mount Vernon Avenue and a church is located immediately to the south.

B. BACKGROUND

The existing building on the site was most recently used as a beauty salon in the mid-1990s but has been vacant since that time. In February 2010, City Council approved SUP#2009-0064 to the current applicants and a third business partner to operate a Peruvian chicken restaurant. That proposal involved tearing down the existing structure and constructing a new, 2,500 square-foot restaurant at the site. The proposed new building was mostly one-story in height but was also expected to have a second-level balcony on which outdoor seating would have been located.

Due to internal matters among the business partners, the proposed new building was not constructed and the SUP expired in August 2011.

C. PROPOSAL

The applicants propose to operate an approximately 1,500 square-foot taco restaurant at the site. The existing building will remain, except for a 200 square-foot portion at the rear, and the main building will be extensively renovated. An approximately 520 square foot addition will be constructed to the south of the existing building. The applicants also propose to construct a ground-level, permeable patio in front of the restaurant for outdoor dining and four new parking spaces at the rear of the property accessed from an expanded driveway and slightly widened curb cut.

The applicants propose changes that result in a restaurant operation smaller in scope compared to the 2010 SUP approval. The prior restaurant concept was for Peruvian chicken. The new

proposal is for Mexican and Salvadorian cuisine, including tacos, will be served in a quick-service and carry-out format. A total of 28 seats are proposed for the restaurant, 16 of which will be located inside and 12 of which will be located outside on the proposed patio. Previously, 36 seats (20 indoor and 16 outdoor) were proposed. The requested closing hour of 11 p.m. daily is an hour less than the previously-approved weekend closing hour.

Similar to the prior proposal, on-premises beer and wine service will be offered and no live entertainment will be available. Additional elements of the applicants' current proposal are as follows:

<u>Proposed Hours of Operation:</u>	7 a.m. – 11 p.m. daily
<u>Previously-Approved Hours:</u>	8 a.m. – 11 p.m. Sunday-Monday 7 a.m. – 11 p.m. Tuesday-Thursday 7 a.m. – 12 midnight Friday-Saturday
<u>Number of Seats</u>	16 indoor, 12 outdoor – 28 total seats (current) 20 indoor, 16 outdoor – 36 total seats (previous)
<u>Type of Service:</u>	Counter service and takeout
<u>Customers:</u>	Average of 45 each day
<u>Alcohol:</u>	On-premises alcohol sales (beer and wine) only
<u>Entertainment:</u>	No live entertainment is proposed
<u>Delivery:</u>	No delivery service is proposed
<u>Noise:</u>	No noise impacts are expected
<u>Trash/Litter:</u>	Trash will be collected from the site three times per week. Employees will closely monitor site to prevent litter.

D. PARKING

According to Section 8-200(A)(8) of the Zoning Ordinance, one off-street parking space is required for every four restaurant seats. The 28-seat restaurant is therefore required to provide seven off-street parking spaces. The applicants partially satisfy this requirement with the provision of four new off-street parking spaces at the rear of the property. They have applied for a three-space parking reduction to meet the remainder of their requirement. The applicants have also applied for a parking reduction to reduce the width of the driveway aisle to 18 feet and to reduce the size of the new parking spaces to a minimum of 7 feet wide by 16 feet long.

E. ZONING/MASTER PLAN DESIGNATION

The property is located in the CSL / Multi-Family Residential zone. Section 4-303 (Y) of the Zoning Ordinance allows a restaurant in the CSL zone by Special Use Permit when the restaurant does not meet the standards for Administrative SUP approval. Given that full wait service will not be available and a parking reduction has been requested, the proposal is not eligible for administrative approval.

The property is also located within the Potomac West Small Area Plan, which designates the site for uses consistent with the CSL zone.

II. STAFF ANALYSIS

Staff supports the applicants' proposal. A restaurant was approved here just a little over two years ago and this remains a good location for activity, connecting Del Ray and Arlandria on Mount Vernon Avenue. The request also represents an important rehabilitation of the property, which has been in disrepair for years.

Although the proposal is for fast food and other fast-food restaurants are located in the immediate area, this proposal is not significantly different from the prior one which was approved by City Council and supported by the neighborhood. The previously-approved restaurant at the site had very few seats and would have served Peruvian chicken for both dine-in and carry-out customers. The new proposal, which will offer tacos and similar fare, also has limited indoor seating, seasonal outdoor seating, and will focus on carry-out business. In addition, the proposed fast-food business is not a national chain with a standardized menu and building design. It will be locally owned. The proposal is not, therefore, a fast-food restaurant in the typical, formulaic sense of the term.

Although some residences are located in the vicinity, the surrounding area is primarily commercial in character. Generally speaking, a restaurant is appropriate at this location and should not present significant neighborhood impacts, especially given the specific operational elements proposed. For example, no late night hours are planned and no live entertainment will be offered. Certain elements of the proposal, including a minor reduction in hours and the reduction in the number of seats, actually represent slight decreases in intensity compared to the prior approval. To reduce the potential for impacts from arising in the future, staff has included several standard conditions to address matters such as noise, odors, and litter.

Staff also supports both portions of the requested parking reduction. The applicants will meet their parking requirement for the year-round indoor seating, but are requesting the three-space reduction in order to allow for outdoor dining. The reduction is justified given that outdoor seating is season in nature and, particularly in this location, is a feature worth incentivizing. Staff also notes that if the restaurant were located a short distance to either the north or the south, the outdoor dining would be exempt from parking requirements as provided for in the NR zone (Arlandria) and the Mount Vernon Urban Overlay zone.

The second part of the reduction request, regarding the reduced driveway width and parking space sizes, is also supportable. The applicants initially proposed parallel parking spaces along the side of the building, but these spaces proved inadequate, even as a practical matter, due to their narrow width. Staff then worked with the applicants to reach the current parking plan, which shifts the parking in the back of the lot in the general area approved in the prior SUP. The plan, with a minimum 18-foot drive aisle and a minimum parking space size of seven feet wide by 16 feet long, contains widths that are slightly below standard Zoning Ordinance requirements. However, these sizes are adequate from a practical perspective and only one space is expected to be as narrow as seven feet in width. The reduction will allow the applicant to maximize the number of parking spaces on the site and will also help provide sufficient room for additional landscaping.

Staff has also discussed two additional matters with the applicants that are related to the driveway and parking. First, to mitigate the additional pavement that is being introduced to the site as a part of this proposal, staff asked the applicants to consider adding landscaping to the site. They have agreed to install a green fence along the northern property line, near the new driveway, and this feature has been recommended as Condition #6 of this report. The new plantings, which were proposed in the prior SUP case, will help to balance the effect of additional pavement and will offer a visual break between this property and the adjacent surface parking lots located immediately to the north. Second, the existing curb cut for the property is essentially double-wide and shared with the business immediately to the north. Under the applicants' initial plan, the portion of that curb cut dedicated for this business would have been as wide as 22 feet, resulting in an overall curb cut width of over 55 feet. In an effort to be more pedestrian friendly, staff is recommending in Condition #7 that the portion of the curb cut in front of the restaurant be limited in width, likely down to 12 feet.

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 business or entity in which the applicant has a controlling interest. (P&Z)
2. The hours of operation for the restaurant shall be limited to between 7 a.m. and 11 p.m. daily. For indoor patrons, meals ordered before 11 p.m. may be served, but no new patrons may be admitted and no alcoholic beverages may be served after 11 p.m., and all patrons must leave by 12 midnight. (P&Z)
3. The outdoor dining area shall be closed and cleared of all customers by 11 p.m. daily and shall be cleaned at the close of each business day that it is in use. The outdoor seating area shall not include advertising signage, including on umbrellas. (P&Z)
4. The maximum number of indoor seats at the restaurant shall be 16. The maximum number of outdoor seats at the restaurant shall be 12. (P&Z)
5. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
6. The applicant shall install a “green fence” or other landscaping along the northern property line to the satisfaction of the Director of Planning & Zoning. (P&Z)
7. The width of the future curb cut for the business on Mount Vernon Avenue shall be limited to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services. (P&Z) (T&ES)
8. On-premises alcohol service may be permitted but off-premises alcohol sales shall be prohibited. (P&Z)
9. No live entertainment shall be allowed at the restaurant. (P&Z)
10. No delivery service of food to customers shall operate from the restaurant. (P&Z)
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. (P&Z)
12. No food, beverages, or other material shall be stored outside. (P&Z)
13. Litter on the site and on public right-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up by the applicant at least twice a day, and more often if necessary, to prevent an unsightly and unsanitary accumulation on such day that the business is open to the public. (T&ES)

14. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
15. 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)
16. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
17. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line.(T&ES)
18. Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
19. 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)
20. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security assessment for the business and robbery readiness training for all employees. (P&Z)
21. 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)

STAFF: Barbara Ross, Deputy Director, Department of Planning and Zoning;
Nathan Randall, Urban Planner.

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

- F-1 Due to site limitations, the applicant has proposed a parking lot area that does not meet certain zoning ordinance requirements:
- a. The width of the spaces will not meet zoning ordinance requirements
 - b. The drive aisle width from Mt. Vernon Avenue to the rear parking area is below zoning ordinance requirements.
 - c. The driveway entrance is narrowed to below zoning ordinance requirements.

Despite not meeting the technical zoning ordinance requirements, T&ES supports the proposed parking layout. There are several reasons for this support:

- The size of the lot, specifically the lot width, limits the ability to create parking space widths that meet zoning ordinance requirements. The required ADA parking space requires a minimum 8' wide space with a minimum 8' wide access aisle, which therefore requires each of the non-ADA spaces to be approximately 6 inches narrower than required by the zoning ordinance in order to fit within the lot boundary.
- The 18' drive aisle between Mt. Vernon Avenue and the parking area is consistent with an 18' shared drive aisle for two businesses across the street that have a similar rear parking area behind the building. Using an 18' drive aisle instead of the 20' drive aisle allows for a wider green space buffer between the drive aisle and the building. The low speed and low volume nature of the drive aisle also lends support to an 18' wide drive aisle.
- The driveway entrance is shared with the adjacent parcel (currently a JiffyLube), thereby creating a very wide curb cut. T&ES supports narrowing the curb cut on the applicant's property from 18' to 12'. This will reduce the overall width of the shared curb cut from approximately 42' to 36', thereby improving the pedestrian experience for pedestrians on Mt. Vernon Avenue. The reduction in curb cut width also minimizes the impact to an existing retaining wall and will minimize the grading required on the property.
- When compared to the originally submitted parking layout configuration, the presently proposed layout now allows all parked vehicles to turn around on site; no vehicles will have to back out onto Mt. Vernon Avenue from the driveway.

- R-1 Litter on the site and on public right-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up by the applicant at least twice a day, and more often if necessary, to prevent an unsightly and unsanitary accumulation on such day that the business is open to the public. (T&ES)

- R-2 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)

- R-3 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)
- R-4 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
- R-5 All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line.(T&ES)
- R-6 Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-7 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)
- 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)
- 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). (AUP2007-00003)

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, for information about completing this form. (T&ES)

Code Enforcement

- F-1 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Acting Plan Review Supervisor at ken.granata@alexandriava.gov or 703-746-4193.
- C-1 A building permit is required for this project. Five sets of *construction documents* that fully detail the construction as well as layout and schematics. If a design professional prepares drawings for the project the plans must bear the seal of the design professional in accordance with the Code of Virginia Section 54.1-410B.

- C-2 Any proposed future alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 Before a building permit can be issued on any proposed future alterations, a certification is required from the owner or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos.
- C-4 Please comply with the IBC 1027.3 code to design exit discharge location.
- C-5 Before a building permit can be issued on any proposed future alterations, a certification is required from the owner or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos.
- C-6 The applicant shall provide a building code analysis with the following building code data on the plan: a) use group; b) number of stories; c) type of construction; d) floor area per floor; e) fire protection plan.
- C-7 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.
- C-8 A seating/table layout complete with dimensions showing all aisle and passageway clearances will be required for review and approval prior to occupancy (USBC 1004.2).
- C-9 Sufficient toilet rooms must be provided to accommodate the total occupancy load for restaurant staff per USBC.
- C-10 Prior to the issuance of a permit a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will be taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-11 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-12 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
 - (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
 - (b) How food stuffs will be stored on site.
 - (c) Rodent baiting plan.
- C-13 The following code requirements apply where food preparation results in the development of grease laden vapors:
 - (a) All cooking surfaces, kitchen exhaust systems, grease removal devices and hoods are required to be protected with an approved automatic fire suppression system.

- (b) A grease interceptor is required where there is drainage from fixtures and equipment with grease-laden waste located in food preparation areas of restaurants. Food waste grinders can not discharge to the building drainage system through a grease interceptor.

Health

- F-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 or location to another.
- F-2 Plans shall be submitted to the Health Department 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.
- F-3 Plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food and Food Handling 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.
- F-4 Facilities engaging in the following processes may be required to submit a HACCP plan: Smoking as a form of food preservation; curing food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; and sprouting seeds or beans.
- F-5 A Certified Food Manager shall be on-duty during all operating hours.
- F-6 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.
- F-7 Wood flooring in eating areas shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent. In many cases, original wooden flooring in historical structures may not be suitable for food service facilities.

Police Department

- F-1 No comments received

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 3401 Mount Vernon Avenue I hereby
(Property Address)
grant the applicant authorization to apply for the Specific Use Permit use as
(use)
described in this application.

Name: Jose Mario Cabero Phone 571-220-9484
Please Print

Address: 1413 South Oakland Street, Arlington, VA 22204 Email: mariocabero@aol.com

Signature:  Date: October 24th, 2012

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.

Jose Mario Cabero

Jose Guillermo Cabero

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.)

We are requesting a SPECIAL USE PERMIT to renovate the property located on 3401 Mount Vernon Avenue, and operate a TACO Restaurant.

The Property is located on the northern border with Del Ray Neighborhood of Alexandria. Is a one-story wood building; built in 1920 with basement. The proposed project includes the complete renovation of the existing building, minus a 203 sq.ft. that will be demolished, and an addition of 521 sq.ft..

The Restaurant, will be a moderately priced restaurant catering to families, businesses in the area, and a going-out crowd during weekends; with sixteen (16) seats inside, located on the ground floor, and seasonal outdoor dining in the patio, for a total of twelve (12) seat outdoor.

The Restaurant is compatible with the existing residents; commercial uses on site. The Restaurant will count with four (4) parking spaces for customers located on the side and behind the building, and will includes one parking space for handicap. We are requesting a three-space parking reduction for the 12 outdoor seats

The menu focuses on Mexican and Peruvian cuisine. The Restaurant, will offer the typical Tacos, carne asada (Grilled chopped steak), and chicken; also will offer diners a selection of salads and housed-based sandwiches.

The Restaurant will offer a business lunch menu featuring specials every day. Prices will be competitive with other casual restaurants in the area. However, it is the strategy of the Taco Place, to give a perception of higher value than its competitors, through its high-quality ingredients, atmosphere, and service.

The Restaurant will open seven days a week. The decor will feature original and sustainable materials, permeable driveway, and patio, and an organic herb garden around the patio, that will provide shade and screening for the restaurant patrons, and to further promote pedestrian traffic. It is the goal of the owner and designers to incorporate Green Building Technology throughout the building renovation and addition.

Even though this is a fast food restaurant, the service will be attentive, professional, and very friendly, and will hire the best people in the neighborhood.

Through proper training, motivation, and encouragement, we aim to retain the friendliest, more efficient staff possible.

USE CHARACTERISTICS

REVISED

- 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).
 - Weekday: Monday - Friday Breakfast / Lunch - up to 30 patrons
 - Weeknight: Monday - Thursday Dinner - up to 45 patrons
 - Weekend: Saturday - Sunday Breakfast / Lunch - up to 40 patrons
 - Weekend Nights: Saturday - Sun. Dinner - up to 55 patrons
 - B. How many employees, staff and other personnel do you expect?
Specify time period (i.e., day, hour, or shift).
 - Weekday Breakfast - Lunch shift - 3 employees
 - Weekend Breakfast - Lunch shift - 4 employees
 - Weeknight dinner shift - 3 employees
 - Weekend dinner shift - 4 employees

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

Day: <u>Sunday - Monday</u> <u>Tuesday - Wednesday - Thursday</u> <u>Friday - Saturday</u> 	Hours: <u>7</u> 8:00 am - 11:00 pm <u>7:00</u> am - 11:00 pm 8:00 am - 11:00 pm
--	--

- 7. Please describe any potential noise emanating from the proposed use.
 - A. Describe the noise levels anticipated from all mechanical equipment and patrons.
 It is not anticipated that noise levels will exceed permitted levels under the
Alexandria City Code.

- B. How will the noise be controlled?
 It is not anticipated that patron noise will be a source of complaints, as such, no extraordinary
noise mitigation and control measures are warranted.
The project will follow the Alexandria City Code Regulations.

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

It is not anticipated that offensive odors will emanate from the use of the property as a Restaurant
The only cooking conducted will be in the charcoal grill, and this will have a mechanical control.
The kitchen design, will provide a mechanical control system consistent in exhaust hood, filters, etc.

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)
The volume type of trash and garbage generated by the restaurant will be mainly from the products received (cardboard boxes), and disposable items used in serving of products sold and consumed by patrons at the restaurant.

~~Trash and garbage will be deposit and stored in commercial dumpsters within the project site.~~

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

We expect that the restaurant will generate approximately 3 bags of trash per day, and 2 bags per day of recyclables (bottles, cans and cardboard)

C. How often will trash be collected?

Trash will be collected by a commercial collector, at least three (3) days a week

D. How will you prevent littering on the property, streets and nearby properties?

Litter is not an anticipated problem, however, the restaurant staff will maintained the restaurant site and sidewalk.

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:

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. No.

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

Small quantities of organic compounds, generally recognized to be appropriate for use by restaurants in the operation of the business. This will be stored safely and disposed of in accordance with applicable regulations, and great effort will be made to use environmentally friendly materials and disposal methods.

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

The location and hours of operations of the restaurant, should provide a safe environment for its patrons and staff.

Low voltage lighting fixtures will be positioned around the building to illuminate the parking lot and sidewalks. The patio, will provide light fixture with glare reduction control and uniform lighting.

ALCOHOL SALES

13.

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

Yes 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.

On-premise consumption of beer. Alcohol will be served to patrons who are seated on a table, and will be consumed by patrons eating a lunch or dinner meal.

PARKING AND ACCESS REQUIREMENTS

14. A. How many parking spaces of each type are provided for the proposed use:

 2 Standard spaces
 1 Compact spaces
 1 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?

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.

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? one

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? N/A

C. During what hours of the day do you expect loading/unloading operations to occur?

It is anticipated that loading and unloading activities will occur Monday - Friday from 8:00 am - 4:00pm.
After or before restaurant pick-hours.

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

It is anticipated that there will be three (3) deliveries per week.

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?

Street access to the property is adequate.

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? 521 square feet.

18. What will the total area occupied by the proposed use be?

999 sq. ft. (existing) + 521 sq. ft. (addition if any) = 1,520 sq. ft. (total)

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: _____

End of Application

SUP # 2012 6078
Admin Use Permit #



SUPPLEMENTAL APPLICATION

RESTAURANT

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

1. How many seats are proposed?
Indoors: 16 Outdoors: 12 Total number proposed: 28

2. 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

3. Please describe the type of food that will be served:
The restaurant will offer the typical Tacos, Grilled chopped steak, and chicken plates.
Also will offer a selection of salads and housed-based sandwiches.

4. The restaurant will offer the following service (check items that apply):
 table service bar carry-out delivery

5. If delivery service is proposed, how many vehicles do you anticipate? N/A
Will delivery drivers use their own vehicles? Yes No
Where will delivery vehicles be parked when not in use?

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?
 Yes No
If yes, please describe:

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:

	<u>16</u>	Maximum number of patron dining seats
+	<u>0</u>	Maximum number of patron bar seats
+	<u>0</u>	Maximum number of standing patrons
=	<u>16</u>	Maximum number of patrons

2. 4 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

B
22



APPLICATION - SUPPLEMENTAL

PARKING REDUCTION

Supplemental information to be completed by applicants requesting special use permit approval of a reduction in the required parking pursuant to section 8-100(A)(4) or (5).

1. Describe the requested parking reduction. (e.g. number of spaces, stacked parking, size, off-site location)

The project will comply to provide 4 off-street parking spaces, and we are requesting a 3 parking spaces reduction for twelve seasonal outdoor seats.

2. Provide a statement of justification for the proposed parking reduction.

The project will meet the parking requirement for all interior seating, and we are requesting a three (3) parking reduction for the outdoor - seasonal seating.

3. Why is it not feasible to provide the required parking?

Due to the size and shape of the lot, and the location of the existing building that will be re-use, we are not able to provide parking spaces for the seasonal seating.

4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces?

 Yes. ✓ No.

5. If the requested reduction is for more than five parking spaces, the applicant must submit a **Parking Management Plan** which identifies the location and number of parking spaces both on-site and off-site, the availability of on-street parking, any proposed methods of mitigating negative affects of the parking reduction.

6. The applicant must also demonstrate that the reduction in parking will not have a negative impact on the surrounding neighborhood.

(For informational purpose only - case is not Administrative)

OUTDOOR DINING

2012-0078

Zoning Ordinance Section 11-513(M)

Qualify for Administrative Review?

Is the proposed outdoor dining accessory to an approved indoor restaurant? Yes ___ No

Will the hours for outdoor dining be the same as those approved for the indoor restaurant? Yes ___ No

Will the outdoor dining have 20 seats or fewer? Yes ___ No

Will live entertainment be **prohibited** from the outdoor seating area? Yes ___ No

Will advertising be **excluded** from the outdoor seating area? Yes ___ No

Will an employee be assigned to the outdoor dining area to make sure it is cleared and washed at the close of each business day? Yes ___ No

If yes to all questions, the business qualifies for administrative review. If no to any question, speak to P&Z staff about the full SUP process. A layout plan must be reviewed and approved for the outdoor dining.

Note: This process does not apply to businesses within the King Street Retail Overlay. Please speak to P&Z staff about a different administrative process for outdoor dining.

WORKSHEET – Answer each question. Attach a separate sheet of paper if necessary.

PART OF APPROVED INDOOR RESTAURANT

Outdoor dining must be connected to an approved indoor restaurant.

What restaurant is the outdoor dining connected to? Taco Restaurant

LOCATION ON PRIVATE PROPERTY

Outdoor dining, including seats, planters, wait stations and barriers, must be located on private property unless authorized by an encroachment ordinance.

Will the outdoor dining be located only on private property? Yes

What steps will you take to ensure that components, such as planters and barriers, do not encroach onto the public sidewalk? the patio is next to the building and with setback of 14'-0" from the public sidewalk

NUMBER OF SEATS

Only 20 seats may be located at outdoor tables in front of the restaurant.

How many seats will be included in the outdoor seating? 12

ALCOHOL SERVICE

Alcohol service, to the extent allowed for indoor dining, is permitted; no off-premise alcohol sales are permitted.

Is on-premise alcohol service proposed? on premise service only

OUTDOOR DINING PLAN

Please submit a detailed plan with your application

A plan for layout of the outdoor dining must be submitted for review and approval by the director. The business must maintain compliance with the approved layout. Any changes to the approved layout may require further review by staff.

Complete the Administrative Special Use Permit Application on the following pages.

PROPERTY: 3401 MOUNT VERNON AVENUE

MAP-BLOCK-LOT NUMBER: 015.04-03-02

LEGAL DESCRIPTION: LOT 30 - SEC. 2 - ST. ELMO

PRIMARY PROPERTY CLASS: GENERAL COMMERCIAL - CSL

LOT SIZE = 7,480 Sq.Ft.

PROPERTY = 1,202 Sq.Ft.

Property Area + 30% Addition = 1,562.60 Sq.Ft.

Demo Area = 203 Sq.Ft.

Existing to Remain = 999 Sq.Ft.

Addition = 521 Sq.Ft.

Total	1,520 Sq.Ft.
--------------	---------------------

Proposed Permeable Areas:

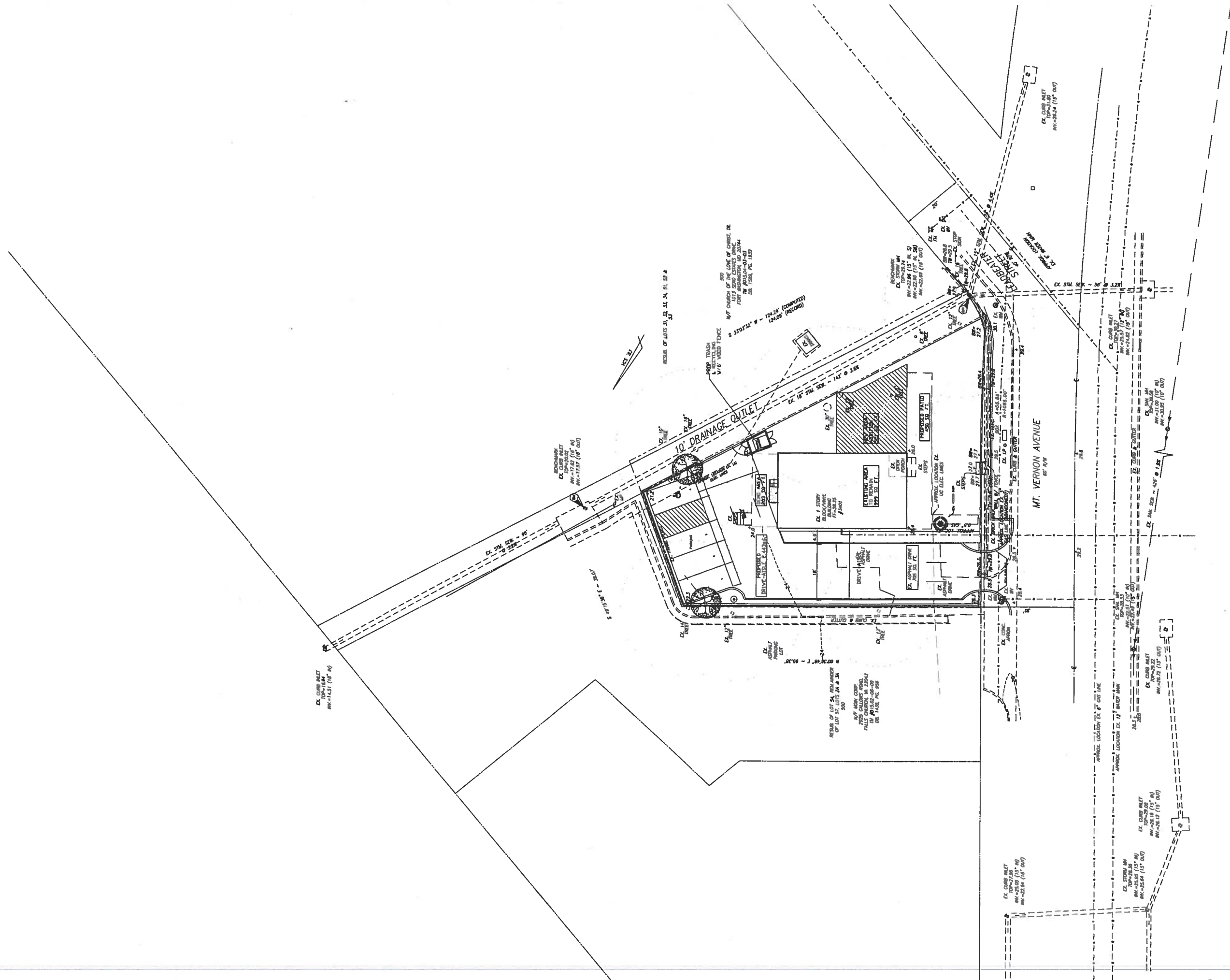
Existing Asphalt Drive Aisle 704 Sq.Ft.

Proposed Permeable Patio = 450 Sq.Ft.

Proposed Permeable Drive-Aisle 2,030 Sq.Ft.

Total	1,776 Sq. Ft.
--------------	----------------------

Design:	
Type of Food Service:	Taco Restaurant - Fast Food Service
Sitting:	2 tables of 4 + 8 bar seats = 16 seats
	3 tables + bench area for outdoor seasonal seating = 12 seats



27



CONCEPT.0 LLC
eco-design

7445 GILLINGHAM ROW, ALEXANDRIA, VA 22315
 703.732.4411
 CONCEPT.0@LIVE.COM

CABERO BROTHERS
 TACO RESTAURANT

3401 Mount Vernon Avenue
 Alexandria, VA

PROPOSED SITE PLAN
 Parking Layout

Project Number: 2012.007
 Date: December 14th., 2012
 Scale: 1" = 30'

A-01



CONCEPT.0, LLC
ECO-DESIGN

*Architecture
Interiors*

7445 Gillingham Row
Alexandria, VA 22315
Phone: 703 732-4411
E-mail: concept0@live.com
www.concept0.net

Issue: Special Use Permit Date: 10/24/2012

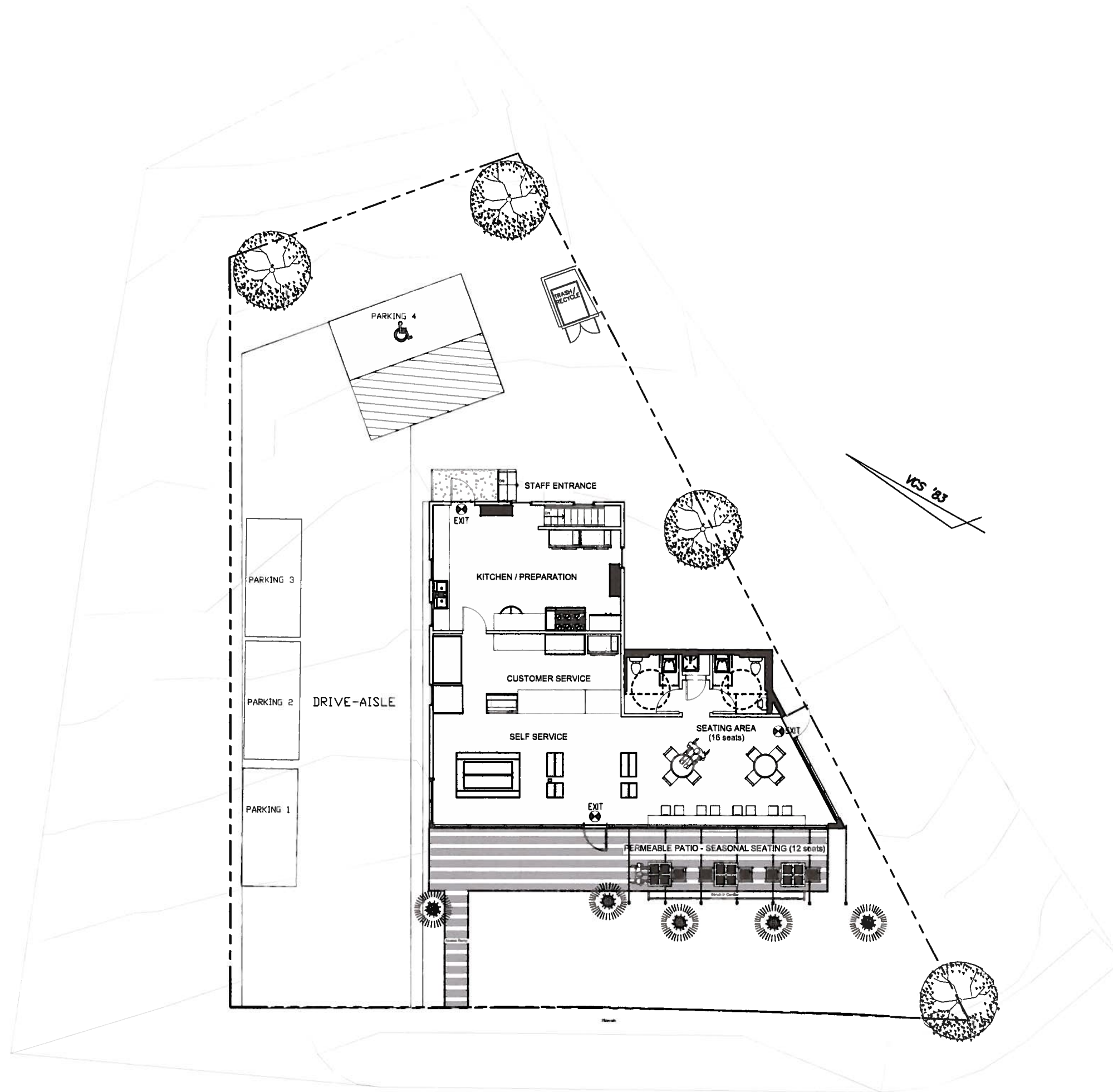
CABERO BROTHERS- TACO RESTAURANT

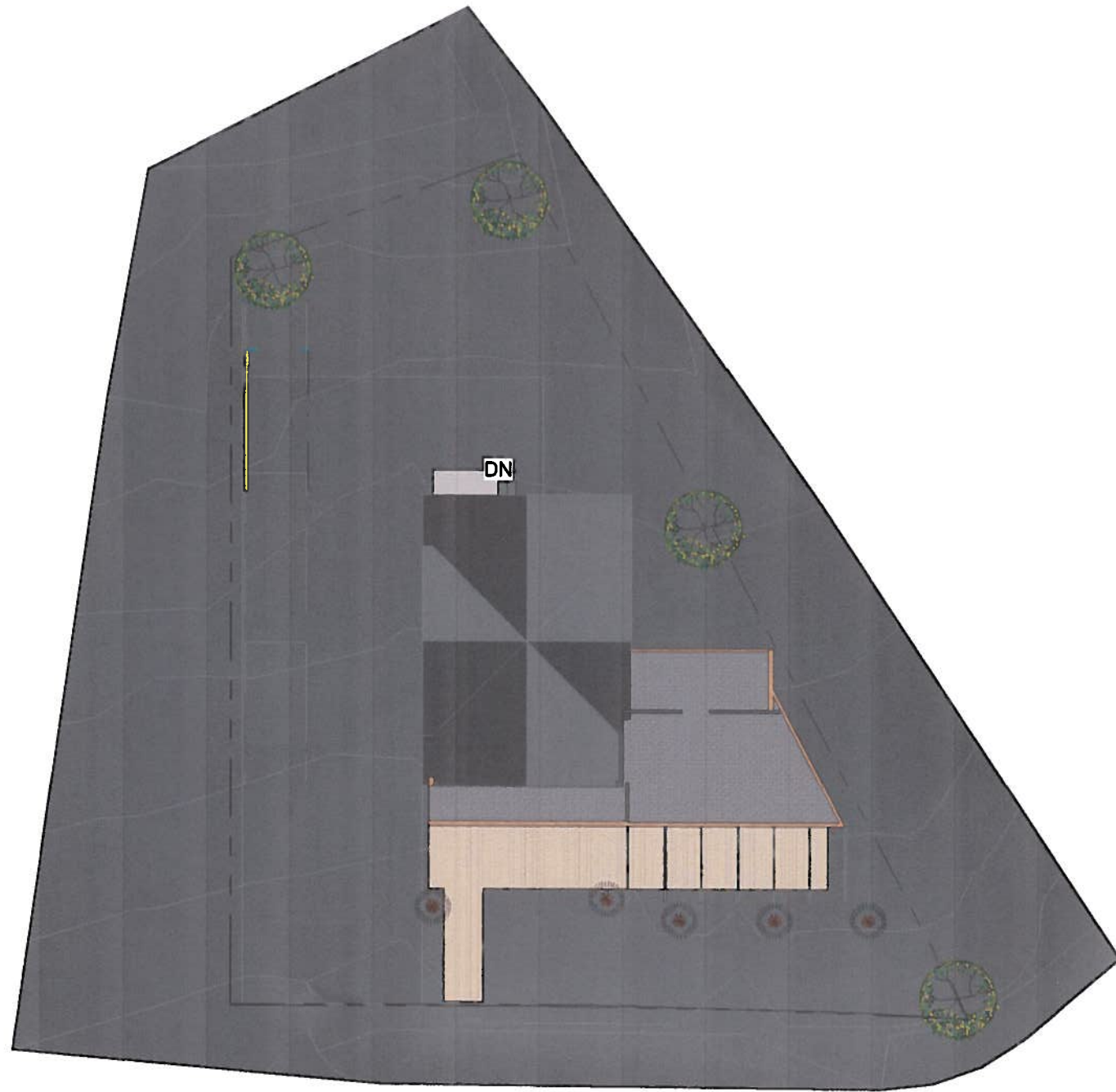
3401 MOUNT VERNON AVENUE
ALEXANDRIA, VA 22310

Job No.: 20120007

A-101

NOT FOR CONSTRUCTION





1 Site
1" = 20'-0"



2 3D View 6

29



CONCEPT.0 LLC
eco-design

7445 Gillingham Row Alexandria, VA 22315
703.313.0377 concept.0@live.com

**CABERO BROTHERS
TACO PLACE**

No.	Description	Date

SITE PLAN

Project number 2012007
Date October 24th, 2012
Drawn by mt
Checked by mt

A100
Scale 1" = 20'-0"



1 Level 1
1/8" = 1'-0"

30

CONCEPT.0 LLC
eco-design

7445 Gillingham Row
703.313.0377

Alexandria, VA 22315
concept.0@live.com

CABERO BROTHERS
TACO PLACE

No.	Description	Date

FIRST FLOOR PLAN

Project number	2012007
Date	October 24th, 2012
Drawn by	Author
Checked by	Checker

A101
Scale 1/8" = 1'-0"



31

CONCEPT.0 LLC
eco-design

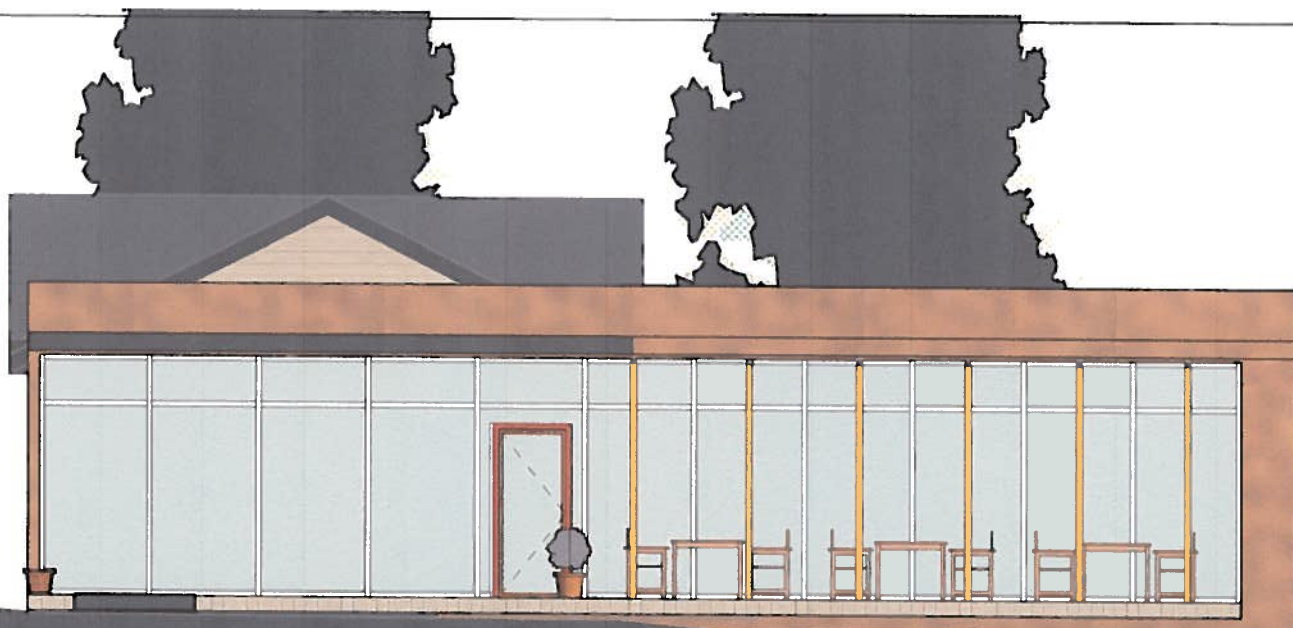
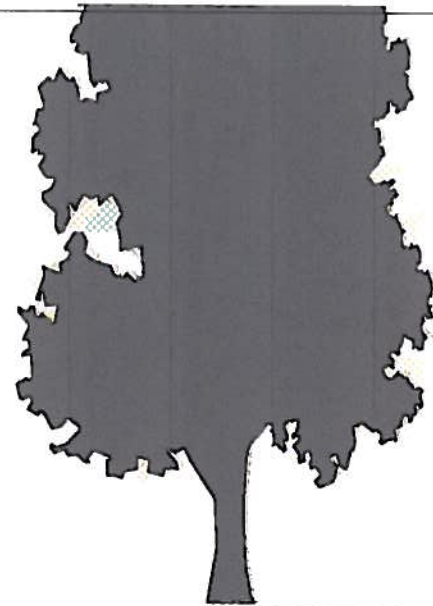
7445 Gillingham Row
703.313.0377

Alexandria, VA 22315
concept.0@live.com

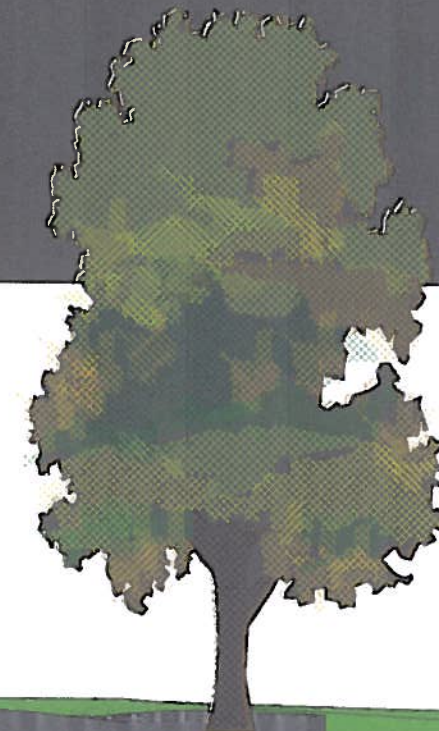
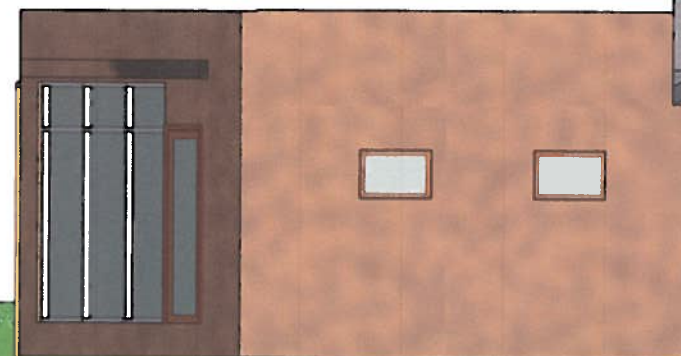
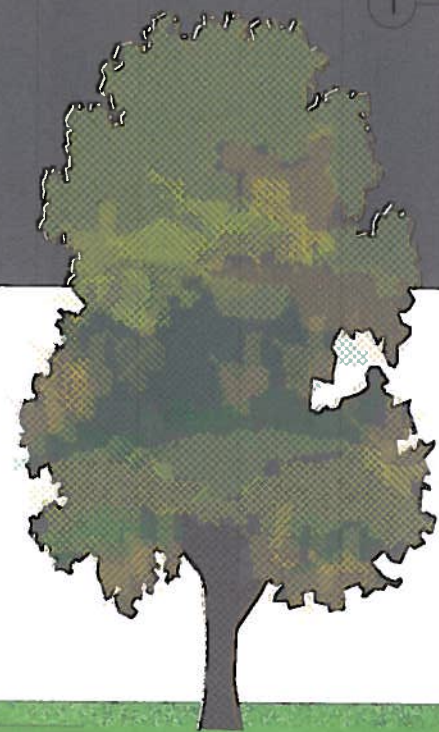
CABERO BROTHERS
TACO PLACE

No.	Description	Date

BUILDING ELEVATIONS		A102
Project number	2012007	
Date	October 24th, 2012	
Drawn by	Author	
Checked by	Checker	
Scale 1/8" = 1'-0"		



① South
1/8" = 1'-0"



② North
1/8" = 1'-0"

22



CONCEPT.0 LLC
eco-design

7445 Gillingham Row Alexandria, VA 22315
703.313.0377 concept.0@live.com

CABERO BROTHERS
TACO PLACE

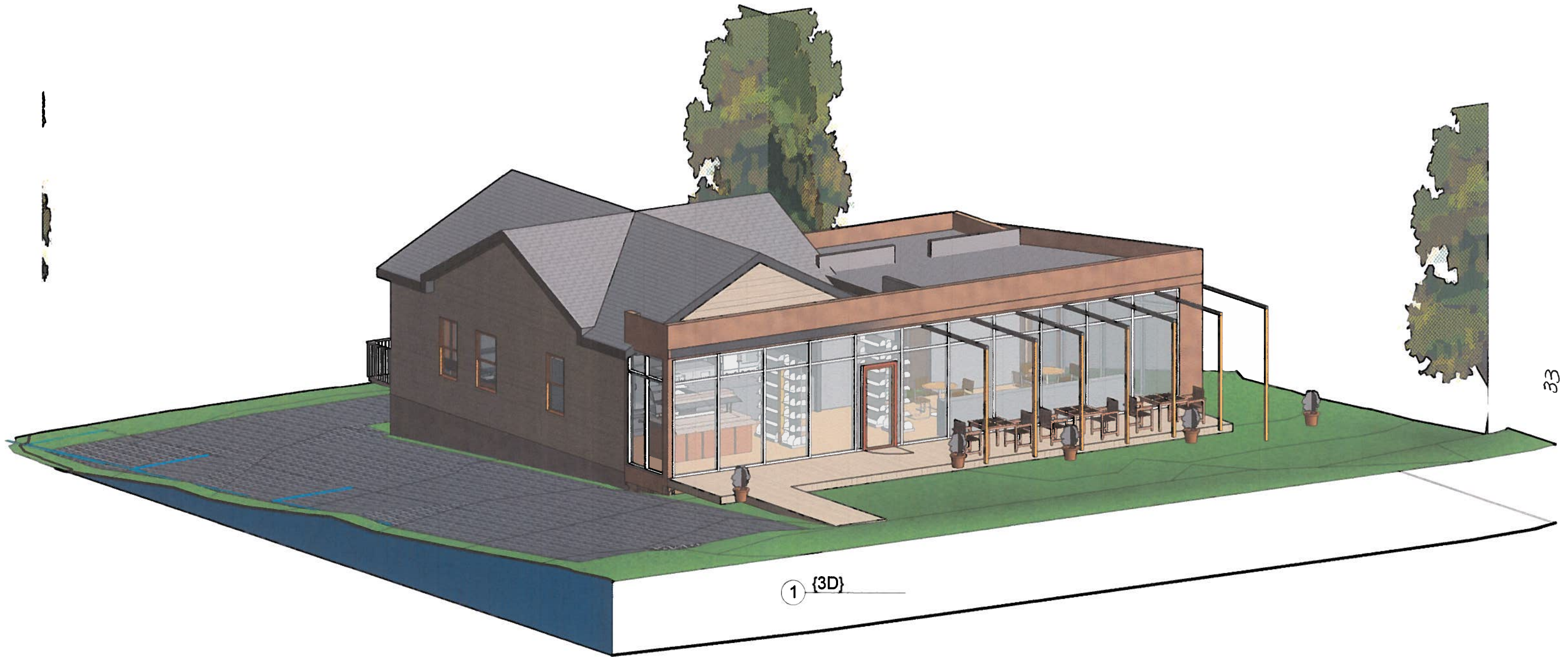
No.	Description	Date

FRONT & BACK ELEVATION

Project number 2012007
Date October 24th, 2012
Drawn by Author
Checked by Checker

A103

Scale 1/8" = 1'-0"



No.	Description	Date

VIEWS		A104
Project number	2012007	
Date	October 24th, 2012	
Drawn by	Author	
Checked by	Checker	
		Scale



34

1 {3D - ConceptO}


CONCEPT.0 LLC
 eco-design
 7445 Gillingham Row Alexandria, VA 22315
 703.313.0377 concept.0@live.com

CABERO BROTHERS
TACO PLACE

No.	Description	Date

EXTERIOR VIEW		A105
Project number	2012007	
Date	October 24th, 2012	
Drawn by	Author	
Checked by	Checker	
Scale		

From: Joan Robertson [<mailto:joanlrobertson@hotmail.com>]
Sent: Thursday, December 20, 2012 7:51 AM
To: Nathan Randall; landuse@delraycitizen.net
Subject: Use Permit for 3401 Mt. Vernon Ave

Hello Mr. Randall and Mr. Mirshak

I was unable to attend the Land Use Committee meeting on December 13, so want to comment on the proposal for 3401 Mt. Vernon Avenue.

I live at 100 Sanborn Place, which is part of the Mt. Vernon Court townhouse community. It would be great to have something in lieu of the empty building that is at 3401 now, I would not like to see something that adds to the traffic and parking congestion in that area. On week ends, the streets in that area are blocked by the lines of cars using the car wash and causing significant congestion. These lines block parking in the surrounding blocks, pushing parking to the residential areas. In the evenings the parking along Mt. Vernon in front of Mt. Vernon Court is full.

Therefore, I would not want to see a parking waiver granted for any business in that area.

Thank you.

Joan Robertson