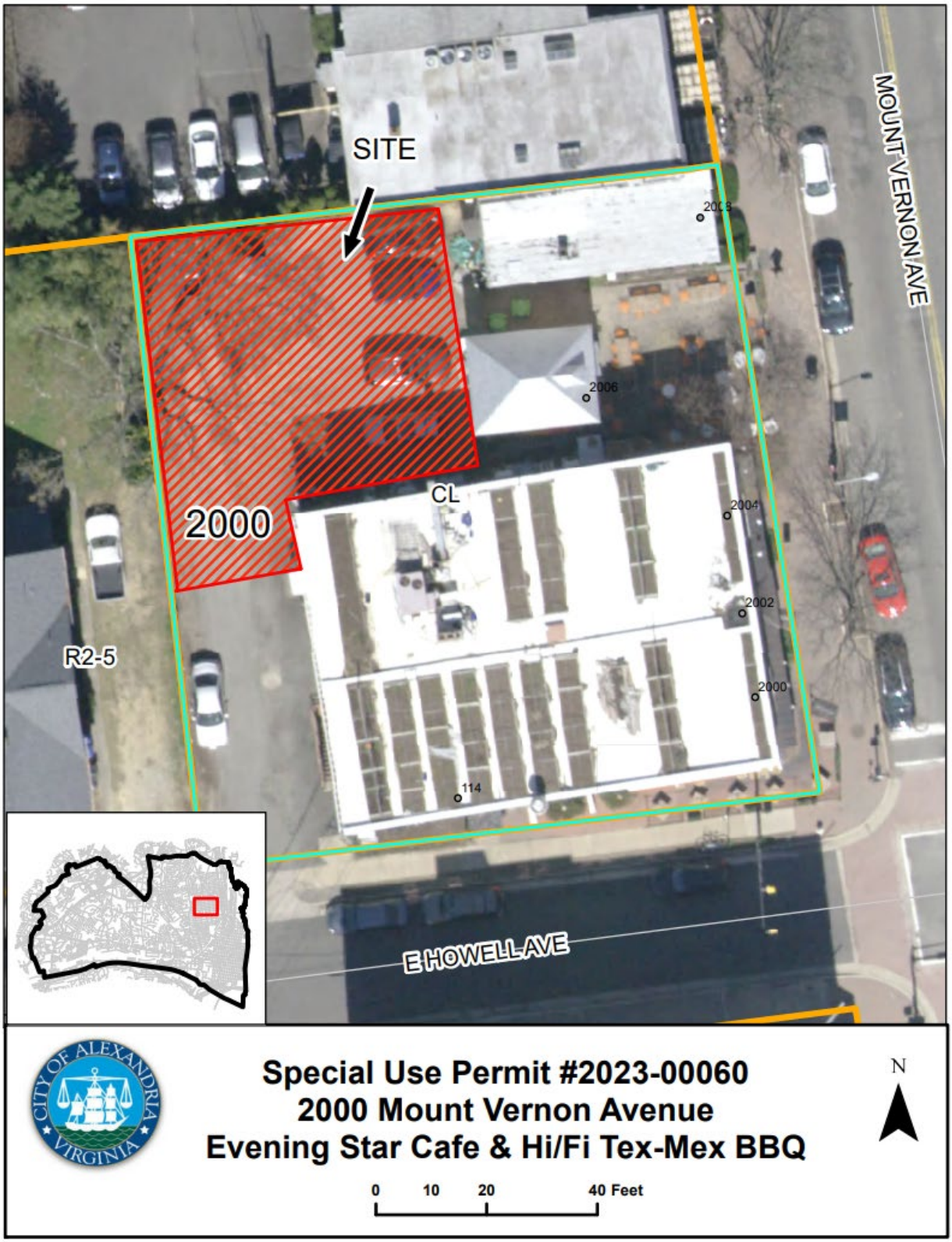
Docket Item #5
Special Use Permit # 2023-00060
2000 Mount Vernon Avenue
Evening Star Café & Hi/Fi Tex-Mex BBQ

Application	**General Data**	
Public Hearing and consideration of a request for additional outdoor seating, expanded outdoor dining hours, outdoor live entertainment, and a temporary trailer at an existing restaurant (amending SUP#2012-00054)	**Planning Commission Hearing:**	October 3, 2023
	City Council Hearing:	October 14, 2023
Address: 2000 Mount Vernon Avenue	**Zone:**	CL/Commercial Low and Mount Vernon Urban Overlay
Applicant: Majestic Grill, Inc., represented by M. Catharine Puskar, attorney	**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 Reviewer: Patrick Silva, patrick.silva@alexandriava.gov Ann Horowitz, ann.horowitz@alexandriava.gov



PROJECT LOCATION MAP

I. DISCUSSION

REQUEST

The applicant, Majestic Grill, Inc., requests Special Use Permit approval to amend Special Use Permit #2012-00054 to permit up to 124 seats of outdoor dining, expand hours of operation for outdoor dining, allow outdoor live entertainment, and permit a temporary trailer used for beverage service.

SITE DESCRIPTION

The subject site is one lot of record with approximately 115 feet of frontage on Mount Vernon Avenue, 112 feet of frontage on East Howell Avenue, and a total lot area of approximately 12,800 square feet (Figure 1). The site is improved with two, two-story commercial buildings. The building at 2000 Mount Vernon Avenue hosts Evening Star restaurant, the Majestic Lounge, and Planet Wine retail beer and wine shop. The second commercial building, at 2006 Mount Vernon Avenue, is currently occupied by restroom facilities and storage. In the northwestern corner of the site is what was previously a 2,940 square foot parking area that the applicant converted to additional outdoor dining during the COVID-19 pandemic emergency pursuant to the City's Temporary Outdoor Business Program.

Figure 1: Site Context

The surrounding area is comprised of a mix of commercial and residential uses, which is common along the Mount Vernon Avenue corridor. Commercial uses, including retail shops and restaurants, are located to the north, south and east along Mount Vernon Avenue. A United States Post Office branch and a stand-alone parking lot are also located immediately to the south across East Howell Avenue. Other residential uses, including multi-family, two-family and single-family dwellings, are located immediately to the west.

BACKGROUND

Business and Zoning Background

A restaurant has operated at this location since 1984. It was known as The Snuggery prior to 1997, when Evening Star Café first opened following City Council approval of SUP#97-00051. Special Use Permit amendments were approved over the subsequent two years to add 20 outdoor dining seats along Howell Avenue (SUP#97-00069), add the Planet Wine shop (SUP#97-00109), and add indoor limited indoor live entertainment (SUP#98-00157). City Council's approval of Special Use Permit#1999-00105 added 35 seats in an upstairs bar and event room as well as to allow a nine-space parking reduction. Most recently, in October 2012, City Council approved Special Use Permit #2012-00054 to add 30 seats of outdoor dining (Figure 2) adjacent to the Planet Wine shop and for a 13-space parking reduction (Figure 3). The indoor restaurant at 2000 Mount Vernon Avenue continues to operate as Evening Star Café, the retail operation continues to operate as Planet Wine, the indoor bar area in the rear of Evening Star Café continues to operate as Majestic Lounge. A COVID-19 Temporary Outdoor Business Program permit allowed for 66 outdoor seats at the rear of the lot and was in effect until September 30, 2022. Temporary outdoor permit holders, who wished to permanently continue their outdoor dining uses on private property after September 30, were to submit SUP applications.

Figure 2: Front Porch Outdoor Dining Area

Figure 3: Evening Star/ Planet Wine Frontages

Outdoor Smokers

Although the outdoor smokers are not eligible for an SUP review, a background discussion is included in this report given the impacts on nearby residential properties and neighbors' concerns. In early 2023, the applicant began utilizing outdoor smokers in the rear yard area of the subject site in association with their Hi/Fi Tex-Mex BBQ restaurant concept (Figure 4). The outdoor smokers are located approximately 20 feet from the bordering residences, sited in the adjacent R-2-5 zone.

As cooking and food preparation are an integral part of restaurants and outdoor dining, and not accessory to those uses, the presence of the smokers does not comply with Section 4-107 of the

Zoning Ordinance. This details limitations for uses operating in the CL/Commercial Low zone. The Zoning Ordinance does not provide an avenue for City Council approval of an SUP to bypass use limitations. Section 4-107(A) states that all commercial operations shall be conducted within a completely enclosed building, with the exception of outdoor dining and outdoor retail display and sales. The outdoor smokers are not located within a completely enclosed building and, therefore, their use at the site represents a violation of this regulation. In addition, Section 4-107(E) requires that no use shall be conducted in any manner which would render it noxious or offensive by reason of odor, smoke, or fumes. As the use of the smokers elicits odor, smoke, and fumes and has resulted in 12 complaints regarding the odor and smoke it produces, the operation of outdoor smokers represents a violation of the Zoning Ordinance use limitations. Furthermore, there are no existing SUP approvals for outdoor smokers or grills located at restaurants along Mount Vernon Avenue or anywhere in the City at-large, and staff is not aware of any in use.

There have been previous cases for restaurants, that engage in the smoking of food as part of their day-to-day operations, have been approved as part of a restaurant SUP, but in all cases their smoking equipment is located inside and conditions were included to offset smoke and odor impacts. Pork Barrel BBQ, located just three blocks north of the subject site, is one such example. At the time City Council approved its SUP (SUP2010-00011) in May 2010, and in response to community concerns regarding smoke and odors, conditions were included to mitigate the smoke and odor impacts of their indoor smoking operations. These included requiring the applicant to use a natural gas/wood hybrid smoker to minimize smoke and odor, to install ventilation hood filters to better capture grease particles known to cause substantial odors, and to install a dilution fan on the roof of the business to better dilute exhaust from the smoker. Another example is Sweet Fire Donna's BBQ located at 510 John Carlyle Street in the Carlyle Neighborhood. At the time City Council approved SUP2013-00032 in June 2013, there were community concerns relating to the potential for smoke and odor impacts stemming from its own indoor food smoking operations. To mitigate any potential issues relating to smoker and odor, the applicant was also required to utilize a smoker which uses natural gas as its primary fuel and to utilize a dilution fan for the smoker's exhaust system. Since both Pork Barrel BBQ and Sweet Fire Donna's BBQ have been in business, City staff has not received complaints related to smoke and odors for these operations.

Figure 4: Hi/Fi Tex-Mex BBQ Outdoor Smokers

Enforcement Background

Starting in March 2023 when Hi/Fi Tex-Mex BBQ first opened, City staff has received several complaints relating to the existing business operations: 12 regarding smoke and odor and four complaints regarding excessive noise; three of which related to noise from performers playing music. Additional complaints regarding delivery trucks blocking driveways have been more recently received. Staff is actively addressing the enforcement of these violations of the Zoning Ordinance. All citations related to the violations of Sections 4-107 (A) and 4-107(E) have directed the applicant to remove the smokers, which remain in place as of September 20, the staff report deadline.

During a zoning inspector visit earlier in 2023, it was recognized that the outdoor dining seats had not received SUP approval and the applicant was informed that they must apply for an amended SUP, which is the subject of this report along with the other proposals. These are reviewed as after-the-fact requests.

PROPOSAL

The applicant proposes to amend Condition #3 of their Special Use Permit (1) to allow 74 additional outdoor dining seats for a total of 124 (Figure 5); (2) to amend Condition #4 to extend the outdoor hours of operation; (3) to amend Conditions #25 and #26 to permit outdoor live entertainment; and (4) to request approval of a temporary trailer. The hours of outdoor dining are proposed as 7 a.m. to 11 p.m. The outdoor live entertainment would include live musical performances in a 60 square foot cabana located within the outdoor dining area (Figure 7). The applicant requests the ability to conduct outdoor live entertainment on Wednesday through Saturday from 6 p.m. to 10 p.m. The temporary trailer would be located in the outdoor dining area which is intended to house equipment associated with restaurant services, including beverage kegs and lines (Figure 6). A proposed site plan illustrating the proposal is noted as Figure 8.

Figure 5: Hi/Fi Tex-Mex BBQ Outdoor Dining

Figure 6: Proposed Temporary Trailer

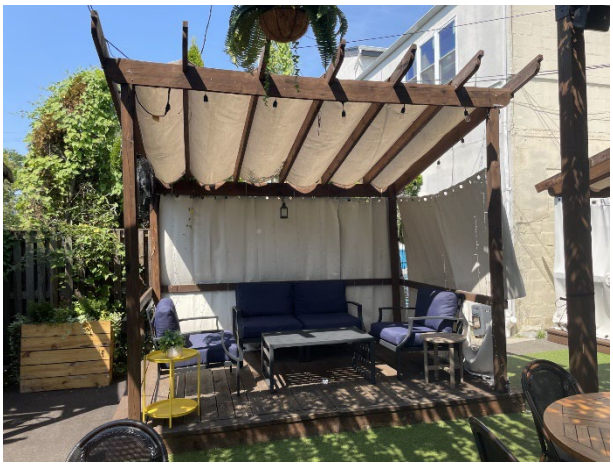


Figure 7: Proposed Live Entertainment Area

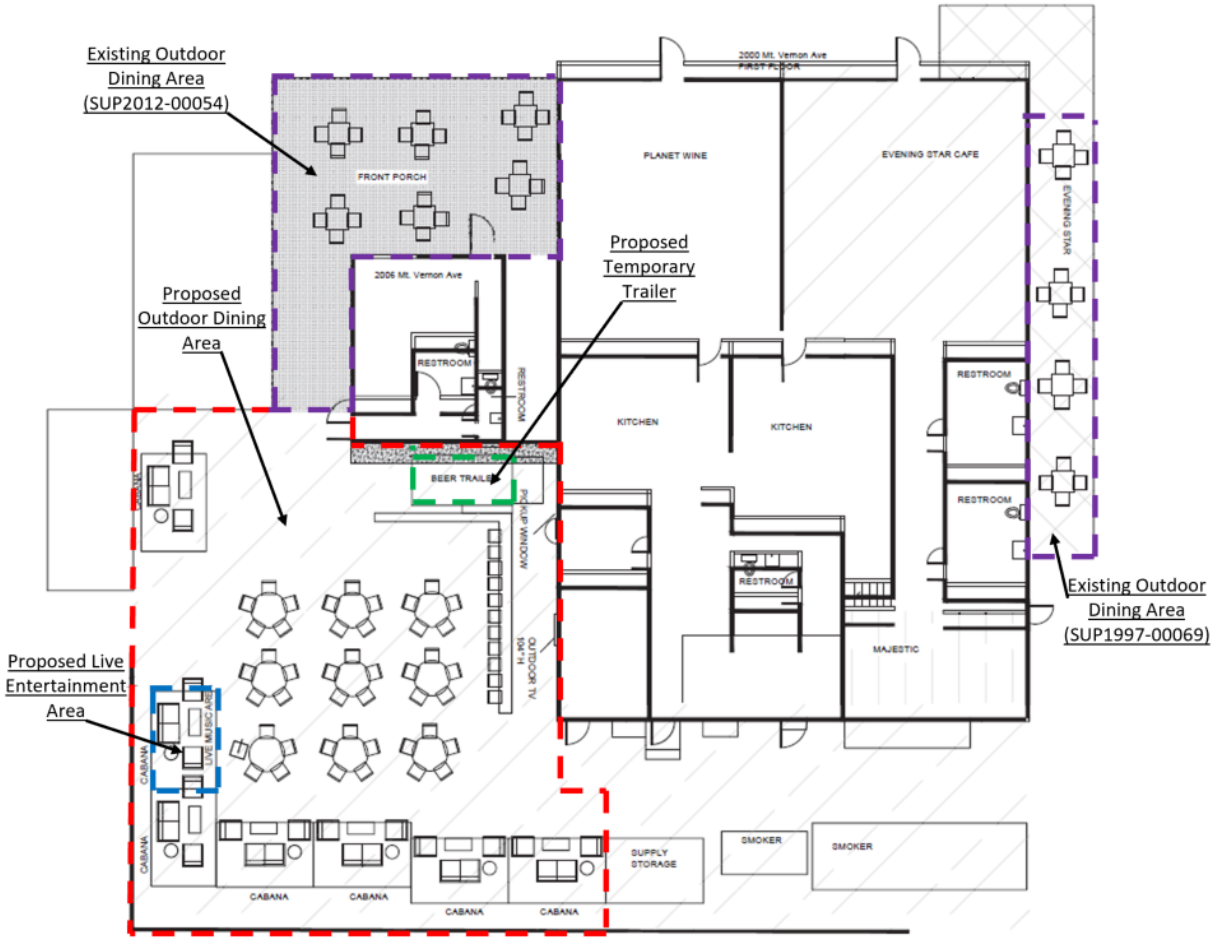


Figure 8: Site Plan

Details of the applicant's proposed restaurant operational changes as compared with the existing business model are:

Hours of operation:	Existing (Outdoor only):	8 a.m. – 10 p.m., daily
	Proposed (Outdoor only):	7 a.m. – 11 p.m., daily
Number of Outdoor Seats:	Existing:	50 seats
	Proposed:	124 seats

PARKING

The indoor restaurant occupies 9,440 square feet of floor area and 124 outdoor dining seats are proposed. Pursuant to Section 8-200(A)(17)(a) of the Zoning Ordinance, a restaurant located within the City's Enhanced Transit Area is required to provide a minimum of one off-street parking space for every 1,000 square feet of floor area. In addition, pursuant to Section 8-200(A)(17)(c) of the Zoning Ordinance, for portions of a restaurant devoted to outdoor dining, the area occupied by the first 20 outdoor seats is exempt from parking requirements, but the area occupied by each seat over 20 seats is calculated as 15 square feet per seat. With 124 outdoor seats requested, this would add an additional 1,560 square feet for purposes of off-street parking requirement calculations. Furthermore, the 128 square foot temporary trailer would also be factored into the off-street parking requirement calculations. This brings the total floor area value used for off-street parking requirement calculations to 11,128 square feet and, as such, the parking requirement would be 12 off-street spaces. Because the business has an existing parking reduction of 13 spaces pursuant to SUP2012-00054, the applicant is not required to provide any off-street parking.

ZONING/MASTER PLAN DESIGNATION

The subject property is located within the CL/Commercial Low zone and is located within the Mount Vernon Urban Overlay zone. Section 4-102.1 (B) of the Zoning Ordinance allows for a restaurant with an Administrative Special Use Permit while Sections 4-103(A.1) and 4-103(J.1) allow for outdoor dining with over 40 seats and live entertainment, respectively, in the CL/Commercial Low zone only with Special Use Permit approval. Section 7-1011(C) allows for a temporary trailer used for commercial purposes with approval of a Special Use Permit. The proposed uses are consistent with the Potomac West chapter of the Master Plan which designates the property for commercial use.

II. STAFF ANALYSIS

Staff recommends approval for amendments to Condition #3 regarding the increase in outdoor dining seats; Condition #4 for the expanded hours of operation; and Conditions #11 and #26 to allow amplified outdoor entertainment, but not live performances. Staff also recommends approval

of the temporary trailer for a two-year term in Condition #44.

Increase in Outdoor Seating and Hours of Operation

Regarding the requested amendment to Condition #3, an analysis of existing restaurants with outdoor seats located near residences identifies two approved SUPs with a similar number of seats and hours of operation as that proposed (Table 1). A nearby example includes SUP#2021-00017 for The Garden, located at 1503 Mount Vernon Avenue. This approval permits a maximum of 146 outdoor seats and allows the applicant to operate the outdoor dining until 11 p.m. Sunday to Thursday and until midnight on Friday and Saturday, with the rear area located closest to residents closing at 10 p.m., daily. The business has not received any violations in response to noise from diners. Another example includes SUP#2018-00060 for Augie's Mussel House, located at 1106 & 1108 King Street. This approval permits a maximum of 86 outdoor seats and allows the applicant to operate the outdoor dining until 11 p.m., Sunday to Wednesday and until 1 a.m. on Thursday to Saturday. Likewise, the business has not received any violations in response to noise from diners. Staff is supportive of the applicant's request to increase the number of outdoor dining seats, with 84 seats at the rear of the property, given the lack of impacts proven at these two restaurants. To mitigate any negative impacts which may stem from the increased outdoor dining seating, including noise, Condition #4 has been amended to stipulate the outdoor dining area close and the area cleaned by 11 p.m., daily.

Restaurant	Address	Distance to residents	Number of outdoor seats/location	Hours of outdoor operation
Augie's Mussel House	1106 King St.	11 feet	86/side	7 a.m. - 11 p.m. Sun-Wed 7 a.m. - 1 a.m. Thu-Sat
The Garden	1503 Mount Vernon Ave.	45 feet	146/ front, side, & rear	7 a.m. – 11 p.m., Sun-Thu 7 a.m. – 12 a.m., Fri-Sat 7 a.m. 10 p.m., daily (rear)
Sunday in Saigon	682 N. St. Asaph St.	84 feet	40/side	11 p.m., Sun-Thu 12 a.m., Fri-Sat
Stracci Pizza	106 Hume Ave.	55 feet	46/side	7 a.m. - 10 p.m., daily

Dos Hermanos	1603 Commonwealth Ave.	55 feet	40/side	10:30 p.m. Mon-Fri 10:30 p.m. Sat-Sun
Hops 'N Shine	3410 Mount Vernon Ave.	53 feet	60/rear & 8/front	9 a.m. – 10 p.m., daily
Hi/Fi Tex-Mex BBQ (current request)	2000 Mount Vernon Ave.	20 (proposed) -100 feet	84/rear (proposed), 24/front, 16/side	7 a.m. – 11 p.m., daily (proposed)

Table 1: Outdoor Dining Comparisons

Temporary Trailer

Regarding the request for approval of the temporary trailer, staff does not anticipate any negative impacts relating to trash, noise, or odor stemming from use of the trailer which is exclusively used for housing equipment associated with beverage service. Staff has included new Condition #44 permitting the trailer to remain on-site for two years from the time of its approval, which will allow the applicant sufficient time to find a permanent solution for housing their beverage equipment.

Outdoor Live Entertainment

Staff does not support approval of the request to amend Conditions #25 and #26 for outdoor live entertainment given the repeated noise complaints about live performers at the cabana stage location (see Figure 7) within approximately 60 feet from the closest residences. Though the Mount Vernon Avenue Business Area Plan of the Potomac West Small Area Plan encourages live entertainment as a component of restaurant uses in order to promote a unique customer experience, staff believes the potential for negative impacts stemming from outdoor live entertainment counter the potential benefits such a use would bring to the neighborhood at-large. In addition, no examples of SUP approvals for outdoor live entertainment in the Mount Vernon Avenue Business Area Plan area exist in rear outdoor dining areas that abut residences. However, staff recommends revising Condition #11 to permit outdoor speakers for recorded background music as long as they are located and pointed away from residential properties and their use ceases at 11 p.m. To provide the applicant with more flexibility for indoor entertainment, staff recommends amending Condition #25 to remove the restriction of two indoor limited live entertainment events per week and the requirement that indoor limited live entertainment cease by 10 p.m.

Supply Deliveries

Given nearby resident reports of restaurant supply delivery vehicles blocking their Howell Avenue driveways, staff recommends that the applicant direct its suppliers to exclusively use the designated loading zones at 2001-2003 Mount Vernon Avenue and 205 E. Howell Avenue, as noted in Condition #45.

Miscellaneous Amended and New Conditions

Staff has carried over the conditions of approval from Special Use Permit#2012-00054. Several have been amended to reflect present-day condition language. Examples include Condition #2 which has been updated to reflect the City's standard condition of deferring to the state building code to determine an indoor seating maximum. In keeping with the City's current standard approach of providing maximum flexibility to restaurant operators with regard to alcohol sales, Condition #5 has been updated to allow on and off premises alcohol sales in compliance with VA ABC requirements. To minimize the potential for environmental impacts, chiefly noise, after the business has closed for the day, Condition #29 has been amended to require that all customers leave the indoor restaurant premises by one hour after closing. To better address parking impacts stemming from the use and encourage use of transit by employees, Condition #34 has been updated to remove references to mass transit, a topic which is now covered by new Conditions #41 and #42, requiring the applicant to encourage their employees to commute to work via mass transit and contact T&ES for information on establishing an employee transportation benefits program respectively.

A number of standard conditions related to street vibrancy and environmental protection have also been added by staff. To encourage an active pedestrian scale experience along Mount Vernon Avenue, Condition #37 has been added requiring that all windows remain transparent and unobstructed. As measures to avoid any contamination of the sewer system and water table, Condition #38 has been added requiring that power washing of the buildings at the subject site is not undertaken using any detergents, Condition #39 has been added requiring the chemical products stored outside be kept in an enclosure with a roof, and Condition #40 specifies the conditions under which cooking oil stored outside must be kept. Finally, to reduce any lighting impacts from the outdoor dining area adjacent to residents, Condition #43 has been added which requires light fixture shielding with lighting directed only within the applicant's property.

Pursuant to the conditions outlined 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) (SUP #97-0051)

2. **CONDITION AMENDED BY STAFF:** The maximum number of indoor seats at the restaurant shall comply with the statewide building code ~~be 100~~. (P&Z) (~~SUP2012-00054)~~

3. **CONDITION AMENDED BY STAFF:** The maximum number of outdoor seats at the restaurant shall comply with the statewide building code ~~50, which may be located in the two outdoor dining areas identified in the current application~~. Outdoor dining, including all its components such as planters, wait stations, and barriers shall not encroach onto the public right of way unless authorized by an encroachment ordinance. No ~~advertising~~ signage shall be permitted in the outdoor dining area, including on any umbrellas. (P&Z) (~~SUP2012-00054~~)

4. **CONDITION AMENDED BY STAFF:** ~~The hours during which the restaurant is open to the public shall be restricted to between 7:00 A.M. and 11:00 P.M. Sunday through Thursday, and between 7:00 A.M. and 12:00 Midnight on Friday and Saturday.~~ Hours of operation for the outdoor dining area shall be limited to between ~~8~~7:00 A.M. to 11~~0~~:00 P.M., daily. The outdoor dining area shall be cleared of all diners ~~by 10:00 P.M.~~ and the area cleaned and washed ~~at the end of each business day~~ by 11 p.m. ~~The hours during which the retail business is open to the public shall be restricted to between 9:00 A.M. and 11:00 P.M., Monday through Saturday, and between 9:00 A.M. and 10:00 P.M. on Sunday.~~ (City Council) (P&Z) (~~SUP2012-00054~~)

5. **CONDITION AMENDED BY STAFF:** ~~Beer or wine coolers may be sold only in 4-packs, 6-packs, or bottles of more than 40 fluid ounces. Wine may be sold in bottles of at least 375 ml. Fortified wine (wine with an alcohol content of 14% or more by volume) in the form of dessert wines, premium ports and sherries, and similar wines may be sold. Alcohol service in the restaurant may be provided for o~~ On and off premise alcohol sales are permitted in compliance with Virginia ABC requirements ~~consumption only~~. (P&Z) (~~SUP #98-0157~~)

6. **CONDITION AMENDED BY STAFF:** No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z) (~~SUP-97-0051~~)

7. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be stored inside or ~~placed~~ in sealed containers that ~~which~~ do not allow odors to escape, ~~and shall be stored inside or in a closed container which does not allow~~ invasion by animals, or leaking. No trash and debris shall be allowed to accumulate on-site outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of Planning & Zoning

and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z)(~~SUP 97-0051~~)

8. **CONDITION AMENDED BY STAFF:** Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residues be washed into the streets, alleys or storm sewers. (T&ES) (~~SUP 97-0051~~)

9. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)(SUP 97-0051)

10. 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. (P&Z)(T&ES) (SUP 94-0341)

11. **CONDITION AMENDED BY STAFF:** ~~All~~ Outdoor ~~loud~~speakers, including outdoor TVs, shall be located and pointed away from residential properties ~~prohibited from the exterior of the building, and no music or amplified sound shall be audible at the property line~~. The use of outdoor speakers is not permitted after 11 p.m. (P&Z) (T&ES) (~~SUP2012-00054~~)

12. Condition deleted. (P&Z) (SUP2012-00054)

13. Dumpster or trash storage shall not occur on the East Howell frontage of the property. (P&Z) (SUP2012-00054)

14. The applicant shall maintain all existing landscaping at the site to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP2012-00054)

15. Condition deleted. (P&Z) (SUP2012-00054)

16. Condition deleted. (P&Z) (SUP2012-00054)

17. Condition deleted. (P&Z)(SUP 97-0069)

18. The Howell Street door shall not be used by patrons after 10:00 p.m. (P&Z) (SUP 94-0069) (PC)

19. A restaurant employee shall staff the back room when patrons are present. (City Council) (SUP #96-0192)

20. **CONDITION DELETED BY STAFF:** ~~The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey for the business and a robbery awareness program for all employees. (Police)(SUP 97-0051)~~

21. All exterior work shall be in compliance with the Mount Vernon Avenue Guidelines.

(P&Z)(SUP 97-0051)

22. Condition deleted. (P&Z)

23. 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) (SUP2012-00054)

24. Condition deleted.

25. **CONDITION AMENDED BY STAFF:** Indoor ~~L~~limited, live entertainment may be ~~permitted~~ offered and must comply with the City's noise ordinance ~~inside the restaurant provided that it is limited to two events per week and does not operate later than 10:00 p.m. each night~~. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment. (P&Z) (~~SUP2012-00054~~)

26. Live ~~entertainment~~ performances ~~shall be limited to inside the restaurant only, and~~ shall not be permitted in the outdoor seating area or the adjacent gourmet shop. (P&Z) ~~(SUP #98-0157)~~

27. Condition deleted. (City Council) (SUP 99-0105)

28. **CONDITION AMENDED BY STAFF:** ~~No d~~ Delivery vehicles operated and managed by the applicant are permitted. Delivery vehicles must be parked off-street when not in use. ~~service may be offered from the restaurant~~. (P&Z) (~~SUP2012-00054~~)

29. **CONDITION AMENDED BY STAFF:** ~~Meals ordered before the closing hour may be sold, but no new patrons may be admitted and a~~All patrons must leave the premises ~~by~~ one hour after the closing hour. (P&Z) (~~SUP2012-00054~~)

30. 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) (SUP2012-00054)

31. The applicant shall diligently pursue additional parking to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services. P&Z) (T&ES) (SUP2012-00054)

32. The applicant shall participate in a shared parking program at such time as a shared parking program is implemented in Del Ray. (T&ES) (SUP2012-00054)

33. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP2012-00054)

34. **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) (~~SUP2012-00054~~)

35. **CONDITION AMENDED BY STAFF:** All waste products including but not limited to organic compounds (solvents and cleaners), shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES) (~~SUP2012-00054~~)

36. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit one year after approval, 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) (~~SUP2012-00054~~)

37. **CONDITION ADDED BY STAFF:** All windows shall remain transparent. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. (P&Z)

38. **CONDITION ADDED BY STAFF:** Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)

39. **CONDITION ADDED BY STAFF:** Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)

40. **CONDITION ADDED BY STAFF:** If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)

41. **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)

42. **CONDITION ADDED BY STAFF:** The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)

43. **CONDITION ADDED BY STAFF:** All lights shall be shielded from residential properties and directed so as to confine the area of diffusion only to the applicant's property. (T&ES)

44. **CONDITION ADDED BY STAFF:** The temporary trailer shall be permitted at the site for two years after Special Use Permit approval and until October 13, 2025. (P&Z)

45. **CONDITION ADDED BY STAFF:** The applicant shall ensure that all vehicles associated with supply deliveries, loading, and unloading activities shall park in the designated on-street loading zones located in front of 2001-2003 Mount Vernon Avenue or in front of 205 E. Howell Avenue. (P&Z)

STAFF: Patrick Silva, Urban Planner, Department of Planning and Zoning
Ann Horowitz, Principal Planner, Department of Planning and Zoning
Tony LaColla, Division Chief, Department of Planning and Zoning

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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.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

F-1 TES/OEQ does not support the use of outdoor smokers in the outdoor dining area due to close proximity to residential neighbors and inability to control odors and prevent odors from becoming a nuisance to neighboring properties, as required through SUP condition 23 and as seen with the history of odor complaints related to its use.

F-2 TES/OEQ does not support the approval of a live music area in the outdoor dining area due to close proximity to residential neighbors. The applicant shows a live music area on the outdoor layout.

F-3 TES/OEQ recommends the hours for the outdoor area remain unchanged and require outdoor area be cleared of patrons by 10pm.

R-1 All lights used by the owner or operator of the commercial property shall be shielded or directed so as to confine the area of diffusion to the property which it is intended to illuminate. (T&ES)

R-2 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least twice during the day and at the close of the business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation.

R-3 Outdoor speakers, including outdoor TVs, shall be located and pointed away from residential properties. All uses must comply with the city's noise ordinance and use of outdoor speakers is not permitted after 11 p.m.

R-4 Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residues be washed into the streets, alleys or storm sewers.

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)

R-6 Live entertainment shall be limited to inside the restaurant only, and shall not be permitted in the any outdoor seating areas or the adjacent gourmet shop.

R-7 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

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 and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)

C-1 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 SUP 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)

C-2 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-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Enforcement:

C-1 Permit submissions are required for the following:

1. New Certificate of Occupancy is required to increase occupant load
2. A building permit is required for review to increase interior occupant loads.
3. Outdoor barbecue – Building permit.
4. Gazebo (covered) – Building permit.
5. Trellis – Building permit
6. Electrical wires – Electrical permit
7. Beer trailer – Building permit
8. New means of egress plans are needed after relocating smoker.

Health Department:

No comments or concerns.

Parks & Recreation:

No comments received.

Police Department:

No comments received.

Fire Department

C-1 The fire department does not oppose an increase in occupant load, but more detail is required to assess this request:

1) Although it appears to be adequate, applicant shall provide an occupant load calculation based on the square footage of the outdoor area, seating and possible standing room customers to ensure that the additional seating and patrons do not exceed the maximum number of permitted occupants for the area.
2) Calculation shall include seating calculation and occupant load based on number of tables and chairs, possible standing customers, and facility staff working in that area.
3) Aisle widths, exit paths, and exit locations shall be included and clearly shown on scaled plan.
4) Provide width of emergency egress/accessible gate.
5) If primary exit is not available, what is the alternative?

F-2 Temporary Trailer to store kegs and serve – No comments or concerns.

APPLICATION
SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2023-00060

PROPERTY LOCATION: 2000 Mt Vernon Avenue

TAX MAP REFERENCE: 034.04-06-14 **ZONE:** CL/Commercial Low and Mt.Vernon Urban Overlay

APPLICANT:

Name: Majestic Grill, Inc.

Address: 2000 Mt Vernon Avenue

PROPOSED USE: Amendment to SUP 2012-0054 to permit additional outdoor dining, live entertainment, a temporary trailer, associated improvements, and to update conditions

☑ 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.

M. Catharine Puskar	MC Puskar	08/25/2023
Print Name of Applicant or Agent	Signature	Date
Walsh, Colucci, Lubeley & Walsh, P.C., 2200 Clarendon Boulevard, Suite 1300, Arlington, Virginia 22201	703-528-4700	703-525-3197
Mailing/Street Address	Telephone #	Fax #
Arlington, Virginia 22201	cpuskar@thelandlawyers.com	
City and State Zip Code	Email address	

PROPERTY OWNER'S AUTHORIZATION See attachments

As the property owner of _____, I hereby
(Property Address)

grant the applicant authorization to apply for the _____ use as
(use)

described in this application.

Name:_____ Phone_____
Please Print

Address:_____ Email: _____

Signature:_____ **Date:** _____

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 three percent.

See attachments.

_____

_____

_____

_____

2000 Mt. Vernon Avenue, LLC
2000 Mt. Vernon Avenue
Alexandria, Virginia 22301

Karl Moritz
301 King Street
City Hall, Room 2100
Alexandria, Virginia 22314

Re: Consent to File Application for a Special Use Permit and Related Requests
2000 Mt. Vernon Avenue, Tax Map No. 034.04-06-14 (the "Property")

Dear Mr. Moritz:

As owner of the above-referenced Property, 2000 Mt. Vernon Avenue, LLC hereby consents to the filing of a Special Use Permit application and any other related applications to facilitate the expansion of outdoor dining and associated improvements on the Property by Majestic Grill, Inc.

Very truly yours,

2000 MT. VERNON AVENUE, LLC

Stephanie Babin

By:_____

Name: Stephanie Babin

Title: Member

Date: June 29, 2023

Majestic Grill, Inc.
2000 Mt. Vernon Avenue
Alexandria, Virginia 22301

Karl Moritz
301 King Street
City Hall, Room 2100
Alexandria, Virginia 22314

Re: Authorization to File Application for a Special Use Permit and Related Requests
2000 Mt. Vernon Avenue, Tax Map No. 034.04-06-14 (the "Property")

Dear Mr. Moritz:

Majestic Grill, Inc. hereby authorizes Walsh, Colucci, Lubeley & Walsh, P.C. to act as agent on its behalf for the filing and representation of a Special Use Permit application and any other related applications to facilitate the expansion of outdoor dining and associated improvements on the Property.

Very truly yours,

MAJESTIC GRILL, INC.

By: Stephanie Babin

Name: Stephanie Babin

Title: Vice President

Date: 6/29/2023

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

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 three 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. Stephanie Babin	308 Hume Avenue, Alexandria, Virginia	51%
2. Michael Babin	304 Aspen Place, Alexandria, Virginia	49%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 2000 Mt. Vernon Avenue (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three 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. Stephanie Babin	308 Hume Avenue, Alexandria, Virginia	50%
2. Michael Babin	304 Aspen Place, Alexandria, Virginia	50%
3.		

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 the12-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.)
1. Stephanie Babin	None	None
2. Michael Babin	None	None
3.		

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.

08/25/2023	M. Catharine Puskar, Attorney/Agent	MC Puskar
Date	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.

N/A

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.)

See attached.

Narrative Description
2000 Mt Vernon Ave; Tax Map 034.04-06-14
Majestic Grill, Inc. (the "Applicant")

The Applicant, Majestic Grill, Inc., proposes to amend its existing Special Use Permit, SUP 2012-0054, to permit live entertainment, additional outdoor dining, a temporary trailer, and associated improvements and to update the conditions associated with the existing SUP for the property located at 2000 Mt. Vernon Avenue (the "Property").

The Property is located in Del Ray, but more specifically, is included within the Potomac West Small Area Plan and the Mt. Vernon Avenue Urban Overlay zone. The Potomac West Small Area Plan was the result of a 2003 City/community effort to adopt a new vision for the neighborhood, which states "Mt. Vernon Avenue is a vibrant and welcoming Main Street that reflects the surrounding neighborhoods' diversity, integrity and small-town charm. The Avenue is comprised of enthusiastic, successful and responsible community partners. We offer an eclectic and friendly living, working, and shopping environment for Alexandrians and visitors alike." Having opened the Evening Star restaurant in 1997, the Applicant was one of the original "enthusiastic, successful and responsible community partners" that helped drive the vision for the Small Area Plan and served as a catalyst for investment in, and creation of, the vibrant, mixed-use neighborhood that Del Ray has become over the past 26 years.

The Potomac West Small Area Plan included guiding principles for the local retail market to "strengthen efforts to retain existing independent businesses, focus on recruiting unique retail stores that are locally owned and operated and compatible with the character of the Avenue, and focus on retail sectors that pose the greatest opportunity for growth in a main street environment." The Plan further stated that "the development and success of restaurants along Mt. Vernon Avenue continues to be one of the Avenue's defining characteristics" and that "in Del Ray, the greatest opportunity for restaurant growth is in the dinner-oriented casual table-service market."

With the passage of time, the Evening Star went from renters to owners of the Property and its existing 1930's building within the Avenue's Historic Core. Along the way, this locally owned, independent business continued to invest time, talent and resources to evolve the commercial uses on the Property to ensure an eclectic and friendly environment that reflects the small town charm of Del Ray, through the addition of the No. 9 Lounge, the Majestic Lounge, a rooftop garden providing ingredients for the meals served in the restaurant, the Planet Wine Retail Shop, and the Front Porch outdoor dining area. The Evening Star and its associated uses have a neighborhood gathering place, known for its friendly vibe and convivial setting and continues to shine with a fiercely loyal customer base.

During Covid, understanding that creativity was key for existing businesses and their employees to survive, the Applicant partnered with its parent company, the Neighborhood Restaurant Group, to pivot to an online market providing gourmet food, beer, wine, spirits and pantry needs to its local customers. In addition, with the assistance of a Citywide

emergency initiative, the Applicant also expanded its outdoor dining to the existing parking lot behind the building. Coming out of the pandemic, as restaurants struggle to recover, it has become clear that creativity and flexibility are the key in allowing restaurants to provide new concepts to attract patrons, while providing opportunities for growth that can sustain the business. As such, the Applicant has built upon its Covid era outdoor dining concept to create Hi/Fi Tex Mex BBQ, a casual table-service, family-friendly dining opportunity envisioned in the Plan and facilitated through the more flexible zoning provisions of the Mt. Vernon Avenue Urban Overlay zone.

Hi/Fi Tex Mex BBQ includes approximately 84 seats in a cozy, backyard gathering place with cabanas, dining tables, turf, a trellis with greenery and accent lighting, background music through outdoor speakers and a bar. As the name implies, the menu features classic, affordable, Tex Mex and BBQ offerings including small bites, taco and platters, as well as craft beer, chilled wines, cocktails on draft, and frozen drinks. Smokers, a critical component to the concept, are also located on the Property and used to smoke the meats offered on the menu.

While the smokers produce smoke, the amount of smoke is commensurate with outdoor fireplaces, firepits or wood and charcoal grills and smokers throughout the residential neighborhood. The smoke is controlled and exhausted upward into the atmosphere through a pipe, similar to a fireplace chimney, so as not to become a nuisance to neighboring properties. And while food production creates a scent, it is a pleasant smell and not an odor that constitutes a nuisance to the neighborhood.

The existing SUP permitted a parking reduction of 13 spaces. The current SUP envisions a maximum of 50 outdoor seats. There are currently 40 outdoor seats associated with other outdoor dining areas on the site (16 adjacent to the Evening Star and 24 at the Front Porch). With the new outdoor dining concept, there will be up to 74 additional outdoor seats beyond the current SUP, for a total of 124 outdoor seats. The 124 seats may be reallocated between outdoor dining areas so long as they are in compliance with the Code requirements for spacing. Since the 2012 SUP approval, parking requirements have been updated and the requirements for restaurant parking have been significantly reduced. With the updated parking requirements and the outdoor dining, there should be no parking requirement for the site given the 13-space reduction that has already been granted through the prior approvals.

The Applicant also proposes limited live entertainment in the outdoor dining area Wednesday through Saturday from 6:00pm to 10:00pm. Live music at Hi/Fi is incidental and will not be played louder than ambient, pre-recorded music played over the sound system when there are no live performers. As such, it will not interfere with dining level conversation; the food and beverage offerings and the overall environment are the showcase attractions. Live entertainment will generally consist of solo artists or small combos (it would be significantly space constrained for any larger groups in any event, as the “stage” area is about 10’ x 6’), and it will not limit seating as there is sufficient spacing within the overall outdoor area to allow reconfiguration to maintain the seating count when live music is happening. There will be no cover charge when live music is featured; the

intention is to provide an outlet for the local community of musical performers while adding an ambient attraction to the dining experience.

In addition, the applicant requests approval of a temporary trailer. The temporary trailer is a refrigerated unit used for holding the lines, kegs and taps for beer being served to customers.

In addition to any new conditions associated with the outdoor dining and temporary trailer requests, the Applicant requests that the conditions be updated to require the maximum number of indoor seats to comply with the state building code, to remove the indoor hours of operation, to require on and off premises alcohol sales to be permitted in compliance with Virginia ABC requirements, to update the condition on live entertainment, and to remove the limitation on delivery service.

Building upon the success of the original Evening Star, the individuals behind Majestic Grill, Inc. have not only expanded their footprint in Alexandria with Rustico, Buzz, Vermilion, and Josephine's, but have opened successful, award winning, concepts throughout Northern Virginia and beyond. Hi/Fi Tex Mex BBQ, the teams' most recent addition to its family of restaurants, has been very well received to date and is a logical continuation of the outdoor dining venue established during Covid. The Applicant is ready and willing to discuss mitigation measures to ensure that the operation of the proposed use remains compatible with their residential neighbors, while allowing this positive addition to the neighborhood remain in operation.

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).

Approximately 300 patrons per day (2:00pm - Closing)

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

8 Employees per day (2:00pm - Closing)

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

Day:	Hours:
Sunday-Saturday - OUTDOOR DINING	7:00am - 11:00pm

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

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

Noise levels will be in compliance with the noise ordinance.

B. How will the noise be controlled?

Noise will be in compliance with the noise ordinance. Staff will monitor the property for compliance and will take necessary steps to control the volume as needed.

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

Normal odors from food preparation associated with a restaurant.

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)

Trash will be food waste, paper and other garbage typical of a restaurant this size

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

Approximately 6 to 8 bags of trash per day.

C. How often will trash be collected?

Trash will be collected five days a week.

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

Staff will monitor the premises and vicinity for trash

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:

All cleaning materials stored on-site will be typical of restaurant use and stored and disposed of in accordance with all applicable local, state, and federal requirements.

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

Staff will monitor the premises and conduct training sessions to ensure staff preparedness.

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.

The Applicant requests on and off-premise alcohol sales and will comply with applicable ABC licensing requirements. The Applicant requests that Condition #5 be amended accordingly.

PARKING AND ACCESS REQUIREMENTS

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

0 _____ Standard spaces

_____ Compact spaces

_____ Handicapped accessible spaces.

* _____ Other. *13 space parking reduction approved with SUP 2012-0054

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

N/A

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? 0 _____

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? loading will occur on the street

C. During what hours of the day do you expect loading/unloading operations to occur?
Between 7:00am to 11:00pm

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

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 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? _____ square feet.

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

12,380* sq. ft. (existing) + _____ sq. ft. (addition if any) = 12,380* sq. ft. (total)

**Total Indoor SF = 9,440. Total Outdoor SF = There is 2,940 SF of existing outdoor dining area for Hi/Fi Tex Mex BBQ only. No additional square footage is being added, only additional seating.*

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: on-site outdoor dining

End of Application

SUP # 2023-00060

SUPPLEMENTAL APPLICATION

RESTAURANT

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

1. How many seats are proposed?
   Indoors: _____
   Outdoors: 74 additional outdoor seats for Hi/Fi Tex Mex BBQ, for a total of 124 outdoor seats*
   (84 for Hi/Fi Tex Mex BBQ, 24 existing at Front Porch, and 16 existing at Evening Star Cafe)
   **The total 124 seats may be reallocated between dining areas so long as they are in compliance with Code requirements for spacing.*

2. Will the restaurant offer any of the following?Alcoholic beverages
   On-premises Yes ☑ No ☐
   Off-premises Yes ☑ No ☐

3. The restaurant will offer the following service (check items that apply):

   ☑ table service ☑ bar ☑ carry-out ☑ delivery

4. 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?
   N/A

Department of Planning & Zoning
Special Use Permit Application Checklist

Supplemental application for the following uses:

- ☐ Automobile Oriented
- ☐ Parking Reduction
- ☐ Signs
- ☐ Substandard Lot
- ☐ Lot modifications requested with SUP use

Interior Floor Plan

- ☐ Include labels to indicate the use of the space (doors, windows, seats, tables, counters, equipment)

If Applicable

- ☑ Plan for outdoor uses

Contextual site image

- ☑ Show subject site, on-site parking area, surrounding buildings, cross streets

M. Catharine Puskar
(703) 528-4700 Ext. 5413
cpuskar@thelandlawyers.com

WALSH COLUCCI
LUBELEY & WALSH PC

July 12, 2023

Via E-Mail Only

Antoine Pierce
City of Alexandria
Planning and Zoning
301 King Street, Suite 2100
Alexandria, VA 22314

Re: Case: Special Use Permit #2023-00060
Address: 2000 Mt. Vernon Avenue

Dear Mr. Pierce:

Below is a summary of our responses to review comments received from Staff on July, 7, 2023.

Comment 1 (Page 1 (Cover Page)): Please add CL/Commercial Low zone to "ZONE" field.

Response: Provided. See Application.

Comment 2 (Page 1 (Cover Page)): Please remove verbiage "and associated improvement and to update conditions" from the "PROPOSED USE" field and include reference to specific condition numbers (including an amendment to Condition #4 for hours of operation and Condition #5 regarding alcohol sales) that the applicant may wish to amend. These cannot include a request for outdoor smokers, subject to Section 4-107(A) of the Zoning Ordinance.

Response: This is not a completeness item. The Applicant does not agree with the City's interpretation of the Ordinance and, as such, does not agree to remove the language. The City can address it in the staff report if they choose.

Comment 3 (Pages 3 & 4 (Property Owner Authorizations)): Please remove the verbiage "and associated improvements" from authorization letters and include reference to specific condition numbers (including an amendment to Condition #4 for hours of operation and Condition #5 regarding alcohol sales) that the applicant may wish to amend. These cannot include a request for outdoor smokers, subject to Section 4-107(A) of the Zoning Ordinance.

Response: This is not a completeness item. The Applicant does not agree with the City's interpretation of the Ordinance and, as such, does not agree to remove the language. The City can address it in the staff report if they choose.

Comment 4 (Pages 7, 8, & 9 (Narrative Statement)): Please remove any mention of outdoor smokers. Please include reference to specific condition numbers (including an amendment to Condition #4 for hours of operation and Condition #5 regarding alcohol sales) that the applicant may wish to amend.

Response: This is not a completeness item. The Applicant does not agree with the City's interpretation of the Ordinance, as such, does not agree to remove the language. The City can address it in the staff report if they choose.

Comment 5 (Page 14 (Q18)): Please clarify what the 2,940 exist square footage covers. Please identify the square footage for the additional rear outdoor dining space in the "addition if any" field.

Response: Provided. See Application.

Comment 6 (Page 15 (Supplemental Restaurant Application - Q1)): Please clarify that an additional 70 outdoor seats are being request, for a total of 120 approved outdoor seats.

Response: Correct. See Application for clarification.

Comment 7 (Page 18 (Site/Outdoor Dining Plan)): Please provide an additional outdoor dining plan which shows the existing outdoor dining layout. In addition, please remove the outdoor smoker from the plan details.

Response: Provided. See attached.

Comment 8 (Additional Materials Required): Please provide a contextual site image which shows the site's surrounding context.

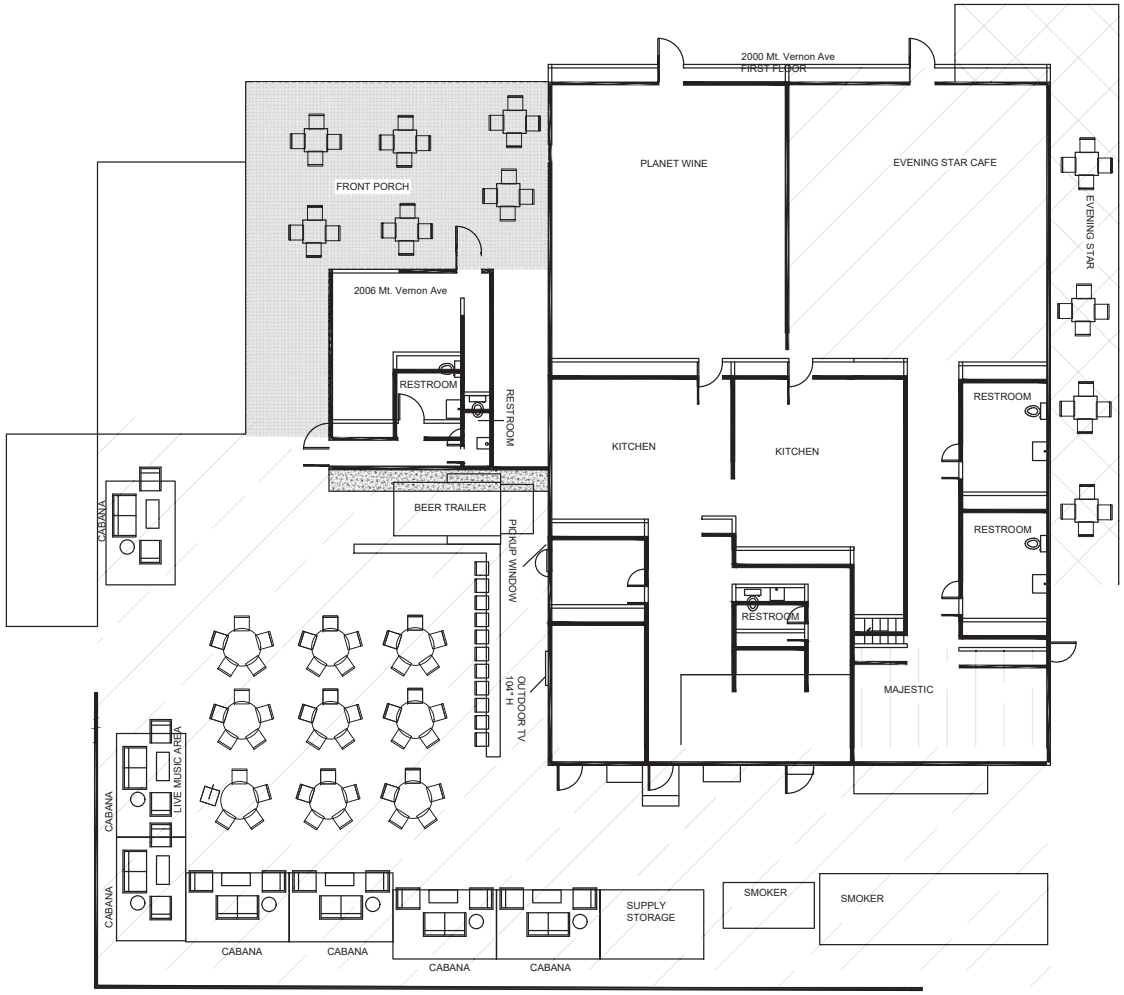
Response: Provided. See attached.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.

MCPuskar

M. Catharine Puskar



N·R·G

Project 2000 AND 2006 MT VERNON AVE

Drawing Outdoor Dining

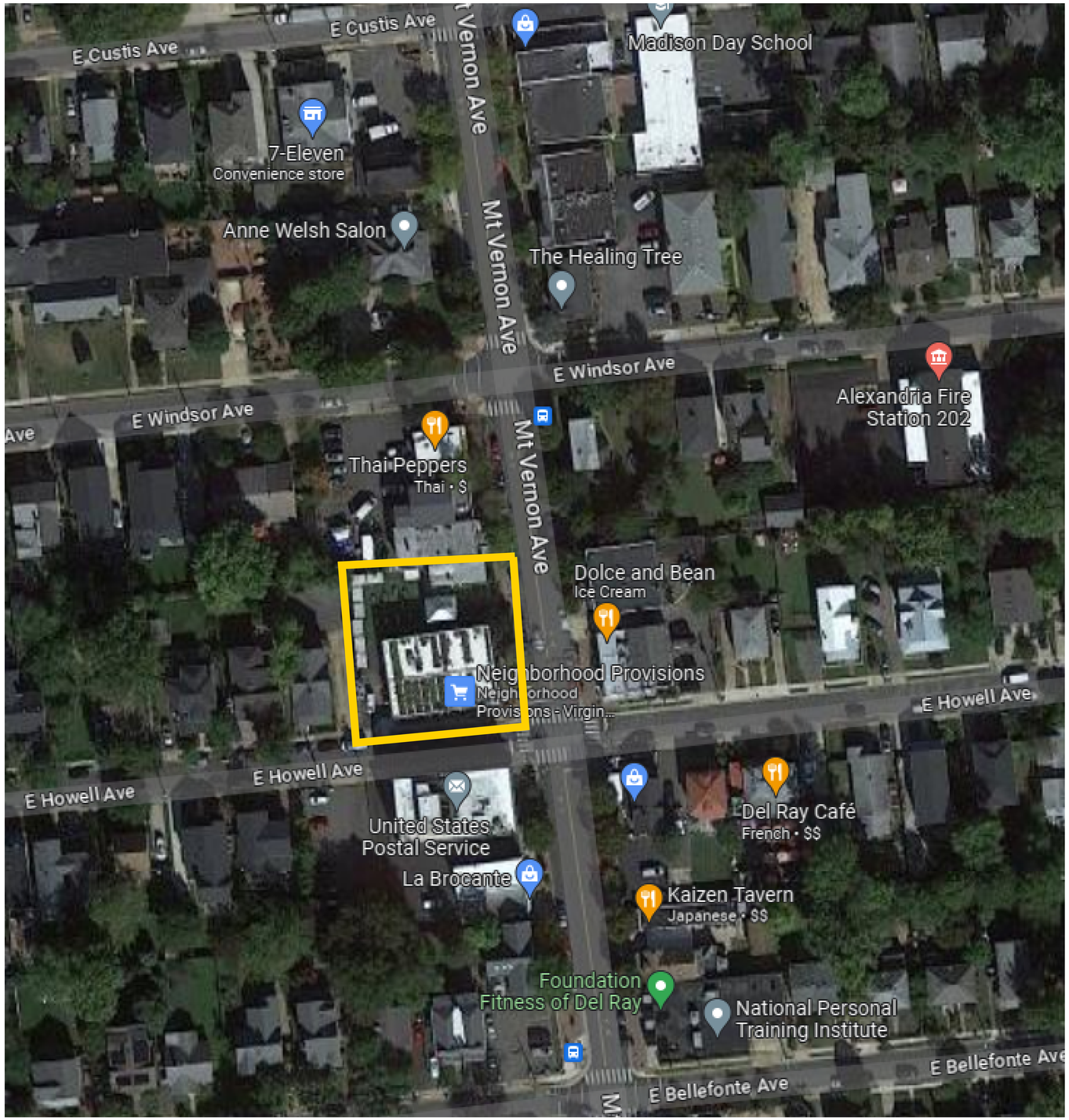
Neighborhood Restaurant Group

SEATING				
16	EVENING STAR CAFE	24	FRONT PORCH	
		124	TOTAL	
84	HI FI TEX MEX BBQ			

SQ FT	
60 SF	LIVE ENTERTAINMENT AREA
2,940 SF	HI FI TEX MEX BBQ OUTDOOR SEATING
750 SF	FRONT PORCH OUTDOOR SEATING
1,040 SF	EVENING STAR OUTDOOR SEATING

AERIAL CONTEXT PLAN

2000 Mt. Vernon Avenue



Good afternoon,

My name is Varun Gopinath and I am a tenant at 112 E Howell Ave, Apt. 2. Regarding the proposal, I am in firm opposition to further use of the smoker given proximity to our building. This ultimately comes from my background in medicine and public health, as well as being a new father to a 4 month old girl.

As a physician, there is a clear link between ambient smoke exposure and increased rates of childhood asthma. To that effect, there is concern for long term exposure to ambient smoke leading to lung cancer down the line. The residents for 112 E Howell Ave are constantly being exposed to particulate matter and carbon monoxide from the wood smoker. The effect is ultimately greatest on our infant, as her lung capacity makes up a greater total area compared to her size. I've included recent systematic reviews on ambient smoke exposure links to worse health outcomes. A 2003 Scandinavian Journal of Work and Environmental Health article focuses on effects of outdoor wood combustion on health. While the 2022 review published in Pediatric Allergy and Immunology best puts my point by the below graphic (focusing on the middle column):

Hello all,

In addition to my husband's concern regarding smoke exposure, I would like to see the process for making deliveries to Evening Star addressed. Due to the location of the smoker, delivery trucks park in front of our building's driveway. As the mother of an infant, I have to think about what would happen in the case of an emergency and if I needed to urgently head to the pediatrician or ER. At times, these deliveries can take a significant amount of time. I have been told that in the past, the driveway where the smoker is located is where deliveries would take place and thus did not block our driveway. There is a specific article in the Code of Virginia that explains that any motor vehicle, trailer, etc. should not interfere with the free ingress, egress or movement on any premises without the permission of the owner of that property (which I will say is not me as I am a tenant). How can this be solved moving forward?

Sincerely,

Lindsey Gopinath

Scand J Work Environ Health 2003;29(4):251-260
https://doi.org/10.5271/sjweh.729
Issue date: Aug 2003

Adverse health effects from ambient air pollution in relation to residential wood combustion in modern society

by Boman BC, Forsberg AB, Järvholm BG

Affiliation: Inorganic Chemistry, Umeå University, SE-901 87 Umeå, Sweden. christoffer.boman@chem.umu.se

Key terms: adverse health effect; air pollution; ambient air pollution; asthma; biomass combustion; epidemiology; modern society; particulate matter; residential wood combustion; review; short-term exposure; wood smoke

This article in PubMed: www.ncbi.nlm.nih.gov/pubmed/12934718

Print ISSN: 0355-3140 Electronic ISSN: 1795-990X

Scand J Work Environ Health 2003;29(4):251–260

Adverse health effects from ambient air pollution in relation to residential wood combustion in modern society

by B Christoffer Boman, BSc,[1] A Bertil Forsberg, PhD,[2] Bengt G Järvholm, MD[2]

Boman BC, Forsberg AB, Järvholm BG. Adverse health effects from ambient air pollution in relation to residential wood combustion in modern society. *Scand J Work Environ Health* 2003;29(4):251–260.

This is a review of the adverse health effects of ambient air pollution in relation to residential wood combustion in modern society. From a literature search of PubMed, nine relevant studies were identified. All of them focused on the effects of short-term exposure such as asthma, respiratory symptoms, daily mortality, and lung function. Substantial quantitative information was only found for acute asthma in relation to particulate matter with an aerodynamic diameter of <10 µm. In comparison with the present general estimations for ambient particulate matter and adverse health effects, the relative risks were even stronger in the studies in which residential wood combustion was considered a major source of particulate matter. Thus there seems to be no reason to assume that the effects of particulate matter in areas polluted by wood smoke are weaker than elsewhere.

Key terms air pollution, asthma, biomass combustion, epidemiology, particulate matter, review, short-term exposure, wood smoke.

The combustion of biomasses is the oldest and, overall, most widespread energy source used in a variety of applications for heat and power production, as well as for cooking. The everyday life for a majority of the people in the world is dependent on fuels like wood, animal dung, and crop residues, as well as coal (1, 2). Still, only a small fraction (~11%) of the total global energy consumption is based on biomass fuels or other combustible renewable material and waste (3). In the industrialized world and colder climates, biomasses are mainly used to produce heat either in large and medium-size district heating systems or in residential wood log boilers, stoves, and fireplaces. An increasing interest in sustainable energy production has awakened globally, and the potential for an increased use of biomass fuels, such as carbon dioxide (CO_2) neutral energy, is significant (4).

However, combustion processes in general are major anthropogenic sources of many of the classical air pollutants, for example, carbon monoxide (CO), nitrogen oxides (NO_x), sulfur dioxide (SO_2), and particulate matter (PM), which have traditionally been associated with different negative environmental health effects. The contribution of SO_2 and NO_x from the combustion of wood and other biomass fuels has today subordinated the emissions from fossil fuels used in traffic, industry, and energy production (5, 6). However, residential wood combustion is often considered a major source of ambient local air pollutants, especially for hydrocarbons and PM. Besides the major combustion products CO_2 and water, wood smoke mainly consists of a complex mixture of inorganic gases [eg, CO, nitrogen oxide (NO), and SO_2], volatile organic hydrocarbons (VOC), polycyclic aromatic compounds (PAC) and PM. PM can be

1 Inorganic Chemistry, Umeå University, Umeå, Sweden.
2 Public Health and Clinical Medicine, Umeå University, Umeå, Sweden.

Reprint requests to: B Christoffer Boman, Inorganic Chemistry, Umeå University, SE-901 87 Umeå, Sweden. [E-mail: christoffer.boman@chem.umu.se]

fractionated as inorganic ash material, soot, and condensed organic material. CO, soot, and organic compounds are products of incomplete combustion, and the amounts are strongly dependent on combustion efficiency. The most currently used residential wood appliances are relatively old, and, compared with modern wood and pellet technology, the combustion conditions are poorly optimized. This situation often results in considerable emissions of products of incomplete combustion.

In the United States, it has been estimated that up to 90% of the ambient wintertime $PM_{2.5}$ (mass of particles with an aerodynamic diameter of ≤2.5 μm) in Seattle, Washington (7), and correspondingly 20–30% in Denver, Colorado (8), derive from residential wood combustion. With the use of ^{14}carbon (^{14}C) as a tracer for contemporary carbonaceous material, the contribution from residential wood combustion to atmospheric carbon bound to $PM_{2.5}$ in the winter has been estimated to be 44% in Portland, Oregon (9), close to 30% in the urban Los Angeles, California, area (10), and 65% in Elverum, Norway ($PM_{3.0}$) (11). Source apportionment studies using organic compounds in California have also identified residential wood combustion as one of the major contributors to primary fine ($PM_{2.0}$) particulate matter (12). In Boise, Idaho, it has been estimated that most (52–89%) of the extractable organic material in ambient PM derive from residential wood combustion (13, 14). In all but two (12, 14) of the aforementioned studies, ^{14}C methods were used to identify the impact of residential wood combustion on ambient air quality. Other methods, like chemical mass balance (7) and source apportionment with organic compounds (12), or combinations of different methods (8) have also been used. However, many of the studies are relatively old, and there are large uncertainties associated with the estimations. Current estimations are based on relatively few measurement campaigns, and uncertainties occur about the actual emissions from different kinds of appliances during practical use. It is also of interest whether the contribution from residential wood combustion to some ambient pollution parameter used so far (eg, particle bound carbon or PM_{10}) also reflects the relevant impact on human health.

Today, the focus concerning emissions from residential wood combustion and its implications for air quality and human health is mainly on PM. Although some work has been done, a relatively limited number of studies with careful characterization of the PM from residential wood combustion has been performed. PM from residential wood combustion seems to be dominated by submicron (<1 μm) particles with average mass diameters between 0.1 and 0.6 μm (15–18). The chemical composition or fractionation of the particles (inorganic ash, soot, and organic material) varies with the combustion conditions for different fuels in different apparatus. One early study distinguished between hot rapid burning and cool-air-starved burning in a residential stove fired by fir and oak (19). The hot burning resulted in a monomodal particle distribution with approximately 95% of the particles being <0.6 μm, consisting of 20–60% carbon (primarily elemental carbon) but also some potassium, chlorine, and sulfur. Cool burning, on the other hand, resulted in a bimodal distribution with 55–60% as carbon (mostly organic carbon) and negligible amounts of trace elements (<1%). Later studies have also determined that the main fraction of the PM from residential wood combustion is organic and elemental carbon in different proportions (7, 15, 20). In large and medium-size biomass combustion devices, the combustion conditions are more optimized and stable, with considerably decreased amounts of soot and hydrocarbons. The particle emissions are therefore dominated by the inorganic (ash) constituents potassium, sodium, sulfur, and chlorine in the submicron fraction, while a minor but varying fraction of coarse (>1 μm) fly ash particles containing refractory elements like calcium, silicon, magnesium, and aluminum can also be present (21–23). If trace elements like cadmium, lead, and zinc are present in the fuel, they can be volatilized during combustion in all kinds of appliances and can be found as condensed species of submicron PM (24).

Since the emissions from biomass combustion (eg, residential wood combustion) include a complex mixture of the aforementioned pollution components, it can be assumed that exposure to wood smoke is potentially harmful to human health. There has been a relatively extensive amount of work done concerning the adverse biological effects and toxicity of both individual gaseous combustion by-products, for example, CO (25), NO_x (26, 27) and SO_2 (28), as well as particulate air pollution (29–31). However, fewer studies have dealt with the effects of exposure to wood smoke as a complex mixture in different environments. Exposure to wood smoke can occur both outdoors in the ambient air and indoors as a result of direct release from cooking and heating devices, leakage from boilers and stoves, or the infiltration of outdoor air pollution. In addition, some occupational groups (eg, firefighters) can be exposed to different kinds of biomass smoke. When the potential associations between wood smoke exposure and adverse health effects are in question, it is important to consider the fact that the pollution concentrations often vary significantly between indoor and outdoor environments and also between different geographic areas. In table 1, we have therefore roughly summarized the typical pollution concentrations of some major air-quality parameters in different environments. In general, indoor exposure is associated with higher concentrations of many pollution components than

Table 1. Pollution concentrations of some major air-quality parameters in different environments. (TSP = total suspended particles, PM_{10} = particulate matter with an aerodynamic diameter of 10 µm, SO_2 = sulfur dioxide, NO_2 = nitrogen dioxide)

	TSP (annual mean µg/m³)	PM_{10}		SO_2 (annual mean µg/m³)	NO_2	
		Annual mean (µg/m³)	Daily mean (µg/m³)		Annual mean (µg/m³)	1-hour maximum (µg/m³)
Ambient urban air						
Developed countries	20–50 [a]	20–50 [a]	4–132 [b]	20–40 [a]	20–90 [a, c]	75–1000 [a, c]
Developing countries	≤300 [a]	>100 [a]	.. (peak conctration ≤2000)	≤300 [a]	20–90 [a, c]	75–1000 [a, c]
Indoor air						
Developed countries	..	..	..	..	≥200 [a, d]	≥2000 [a, d]
Developing countries	≤2000–5000 [a, e]	.. (peak concentration ≤30000)	300–3000 [f]	..	≥200 [a, d]	≥2000 [a, d]

[a] WHO (54).
[b] Atkinson et al (55).
[c] Traffic-related pollution in cities.
[d] In homes with gas heating and poor ventilation.
[e] In homes using biomass fuels for cooking or heating.
[f] Bruce et al (33).

outdoor exposure is, although the relation between outdoor and indoor concentrations can vary significantly.

Exposure to indoor air pollution from residential wood combustion is a major health concern, especially in developing countries. The combustion of coal and biomasses in the form of wood, dung, and crop residues as domestic energy sources causes unhealthy indoor air pollution in poorly ventilated houses. According to a great number of epidemiologic studies, it has been estimated that indoor air pollution in developing countries is responsible for nearly two million excess deaths annually caused by, for example, chronic obstructive pulmonary disease, tuberculosis, acute respiratory disease, and cancer (32, 33).

In addition to epidemiologic studies, also animal toxicology and controlled human studies contribute to the knowledge of the toxicity of different compounds or pollution mixtures. However, no controlled human exposure studies have been reported that deal with wood smoke. On the other hand, more animal toxicology studies have been performed with wood smoke. In a recent review, Zelikoff and her co-workers (34) have summarized the toxicology of wood smoke. Although the work to some extent covers the issue from a human perspective, the focus and most extensively discussed area is animal studies of wood smoke exposure. It has been concluded that the inhalation of combustion products from wood can probably have a significant impact on pulmonary homeostasis and the exacerbation of ongoing disease processes. From a limited number of epidemiologic studies concerning either indoor wood smoke exposure in rural areas or indoor wood smoke exposure of children living in homes heated with wood-burning devices, they concluded that children are more susceptible to wood smoke exposure than adults. The review by Zelikoff and her co-workers finally stressed the uncertainties regarding both the associations between long-term wood smoke exposure and adverse health effects, as well as the wood smoke component(s) that may be responsible for the observed effects.

In an earlier review on the emissions and noncancer respiratory effects of wood smoke by Larson & Koenig (6), more attention was given to epidemiologic studies, both from indoor and outdoor ambient exposure. A total of ten epidemiologic studies were reviewed, of which five concerned ambient and indoor exposure. Of the five ambient exposure studies, three dealt with children and two with both children and adults. Coherence was found between the data, especially for the children, showing associations between wood smoke and adverse respiratory effects.

In light of the ongoing ambitions to increase the utilization of biomass-based energy, not at least in many industrialized parts of the world, together with the increasing concern about air pollution and health, it is important to study carefully the influences on air quality and human health in association with the current and future use of such energy systems. Although a considerable amount of work concerning wood combustion and its implications for air quality and human health has been performed, many questions still remain. One such urgent question is how residential wood combustion in modern society contributes to ambient concentrations of different air pollution parameters and how such pollution influences human health.

The objective with this study was to review the scientific literature concerning adverse health effects from ambient air pollution in relation to residential wood combustion in modern society and, if possible, to extract quantifications for the associations.

Table 2. Summary of the epidemiologic studies (included in this review) on cardiopulmonary effects from exposure to ambient wood smoke. (CO = carbon monoxide, CoH = coefficient of haze, FEV_1 = forced expiratory volume in 1 second, FVC = forced vital capacity, IQR = interquartile range, NO_2 = nitrogen dioxide, O_3 = ozone, COPD = chronic obstructive pulmonary disease, OR = odds ratio, FEV_1 PC_{20} conc = methacholine provocative concentration required to produce a 20% decrease in FEV_1, PEF = peak expiratory flow, PEFR = peak expiratory flow rate, PM_1 = particulate matter with an aerodynamic diameter of <1 µm, PM_{10} = particulate matter with an aerodynamic diameter of ≤10 µm, $PM_{2.5}$ = particulate matter with an aerodynamic diameter of ≤2.5 µm, RR = relative risk, SO_2 = sulfur dioxide)

Study	Dependent variables	Design and study size	Location and period	Exposure assessment	Confounding control	Results
Hales et al, 2000 [a] (38)	Daily mortality	Population study; mean mortality (all causes and ages) = 7.2 deaths/day	Christchurch, New Zealand; June 1988–December 1993	One monitoring site for SO_2, NO_x, CO and PM_{10}; 24-hour PM_{10} = 0–187 µg/m³, mean = 28 µg/m³	Temperature, season, time trend, day of week, holidays	10 µg/m³ PM_{10} (lag1), RR 1.01 (all causes), RR 1.04 (respiratory causes)
Yu et al, 2000 [a] (39)	Asthma symptoms as PEFR, use of medication, degree of night awakening due to asthma & a symptom rating	Panel study with daily diaries; 133 children (5–13 years of age); average 58 (range 28–112) days	Seattle (WA), United States; November 1993–August 1995	Six, three & one monitoring sites for CO (6), PM_{10} or PM_1 (3) & SO_2 (1)	Day of week, season, temperature, age, race, gender, baseline height, FEV_1 PC_{20} conc	RR (OR) (for at least one asthma symptom) (lag 1) = 1.30 per 1 ppm CO, 1.17 per 10 µg/m³ PM_1 & 1.11 per 10 µg/m³ PM_{10}
Sheppard et al, 1999 [a] (40)	Daily hospital admissions for asthma	Population study; persons aged <65 years; 23 hospitals, mean 2.7 admissions/day	Seattle (WA), United States; 1987–1994	Up to three monitoring sites for PM_{10} & light scattering, two sites for $PM_{2.5}$, four sites for CO, one site for SO_2 & one for O_3; 24-hour mean PM_{10} 31.5 µg/m³ & $PM_{2.5}$ 16.7 µg/m³	Temperature, time trend & day of week	IQR PM_{10} (19 µg/m³) (lag 1), RR 1.05; IQR $PM_{2.5}$ (12 µg/m³) (lag 1), RR 1.04; IQR CO (0.9 ppm) (lag 3), RR 1.06; IQR O_3 (20 ppb) (lag 2), RR 1.06; PM & CO found to be jointly associated with asthma admissions
Norris et al, 1999 [a] (41)	Daily hospital admissions for asthma	Population study; persons aged <18 years; 6 hospitals, mean 1.8 admissions/day	Seattle (WA), United States; September 1995–December 1996	Three monitoring sites for PM_{10} & light scattering (estimated $PM_{2.5}$), four sites for CO & two sites for NO_2 & CO; 24-hour PM_{10} 8–70 µg/m³, mean 22 µg/m³	Temperature, dew point temperature, time trend, day of week, NO_2 & SO_2; CO assumed to be a surrogate for stagnant conditions and not included together with PM_{10}	IQR PM_{10} (12 µg/m³) (daily average) RR 1.14; IQR $PM_{2.5}$ (9.5 mg/m³) (daily average) RR 1.15; IQR CO (0.6 ppm)(daily average) RR 1.10; no impact of NO_2 & SO_2 on PM estimates
Vedal et al, 1998 (35)	PEF & respiratory symptoms	Panel study with daily diary; asthmatic and nonasthmatic children (6–13 years); 206 children up to 492 days within 18 months	Port Alberni, British Columbia, Canada; 900501–920313 (except July & August 1991)	One monitoring site for PM_{10}; 24-hour PM_{10} 0–159 mg/m³, mean 22 µg/m³	Temperature, humidity, precipitation, time trend, day of week & month	For asthmatics an increase of 10 µg/m³ in PM_{10} associated with reduction of PEF by 0.55 l/min and increased odds of cough with RR (OR) 1.08; associations similar below 40 µg/m³
Lipsett et al, 1997 (36)	Daily asthma emergency room visits	Population study; 3 hospitals during 368 days, mean 7.6 visits/day	Santa Clara County (CA), United States; winter seasons (November–January) 1988 & 1989–1991 & 1992	One monitoring site for PM_{10}, CoH, NO_2 and O_3; more than 50% of the PM_{10} values predicted (r = 0.81); 24-hour PM_{10} 9–165 µg/m³, mean 61 µg/m³	Temperature, humidity, precipitation, time trend, day of week (also interactions)	60 mg/m³ PM_{10} (lag 2), RR 1.43 (low temperature), RR 1.11 (mean temperature); NO_2 were significant only without PM_{10} in model
Harré et al, 1997 [a] (42)	Respiratory symptoms & PEFR in subjects with COPD	Panel study with daily diaries; 40 subjects aged over 55 years	Christchurch, New Zealand; 3 months during the winter, 1994	One monitoring site for PM_{10}, NO_2, SO_2 & CO	Previous day outcome, temperature, wind speed, time trend, other pollutants	IQR PM_{10} (35 µg/m³) RR 1.38 for chest symptoms and no effect on PEF; IQR NO_2 (10 µg/m³) RR 1.42 for increased inhaler use & RR 2.81 for increased nebulizer use
Schwartz et al, 1993 [a] (43)	Daily asthma emergency room visits	Population study; 2995 visits at 8 hospitals during 13 months, mean 7.1 visits/day	Seattle (WA), United States; 1 September 1989–30 September 1990	One monitoring site for PM_{10}, light scattering, SO_2 & O_3; 24-hour PM_{10} 6–103 µg/m³, mean 30 µg/m³	Temperature, seasons, day of week, September peak (and also other models)	Asthma attendance for persons under age 65 years associated with PM_{10}; 30 µg/m³ PM_{10} RR = 1.12; light scattering showed comparable associations

(continued)

Table 2. Continued.

Koenig et al, 1993 (37)	FEV_1 & FVC	Panel study, follow-up with repeated spirometry; 326 children (first year) and 20 children, all asthmatics (second year) in grade 3 to 6	Seattle (WA), United States; winter season 1988–1989 & 1989–1990	Two monitoring sites for fine particulate with light scattering (nephelometer) and $PM_{2.5}$ (gravimetric)	Height, relative humidity, temperature, parental smoking, wood stove at home, allergy or asthma	For asthmatic children an increase of 20 $\mu g/m^3$ in $PM_{2.5}$ was associated with a reduction of FEV_1 (–34 ml) & FVC (–37 ml)

[a] Not identified in the PubMed search but still filled criteria ii–v and thereby are relevant.

Subjects and methods

A literature search of PubMed was performed using a search profile combining MeSH terms [3] with general keywords. PubMed provides access to bibliographic information, which is drawn primarily from MEDLINE, Pre-MEDLINE, HealthSTAR, and publisher-supplied citations.

The search profile used in PubMed was as follows: (air pollution [MeSH Terms] OR air pollutants [MeSH Terms]) AND human [MeSH Terms] AND (wood [all fields] OR biomass [all fields] OR biofuel* [all fields] OR bio fuel* [all fields] OR pellet* [all fields]).

Based on the literature, search references that fulfilled the following inclusion criteria were included for further analysis: (i) in PubMed (1965–2001) with the previously described search profile, (ii) an epidemiological study, (iii) concerning adverse health effects from ambient air pollution concentrations (not indoor or occupational exposure), (iv) from settings in which residential wood combustion was mentioned as an important air pollution source, (v) full scientific paper published in English (not review articles).

In addition, other scientifically published studies fulfilling criteria ii to v, although not found in the literature search, were also taken into consideration. Such additional papers could be identified as (i) a reference in, (ii) a reference related to, or (iii) a study from the same area as a paper already included through the literature search.

Results

General search results

With the use of the search profile, altogether 614 references were initially identified in PubMed. The vast majority of them filled criterion i, ii, and v, and several of them also filled criterion iii. However, criterion iv, which stated that the study should be from settings in which residential wood combustion was mentioned as an important air pollution source, showed high selectivity. Only three references (35–37) filled all five inclusion criteria. In addition, eight other relevant papers (38–45) were also identified. However, two of the eight were not considered for further analysis, one (44) because the air pollution monitoring parameter used (coefficient of haze) is an old method that is very difficult to relate to current PM monitoring methods and the other (45) because the study time period was relatively short (4 months) and the statistical analysis so inadequate that we considered it irrelevant. However, a significant number (N=29) of the total 614 studies initially identified concerned indoor air pollution and adverse health effects, of which 23 were epidemiologic studies involving respiratory symptoms and six involved cancer.

Overall, nine papers were included for further analysis, and they were either population studies (N=5) or panel studies (N=4). In table 2 (on pages 254–255), the included papers are briefly summarized according to design, content, and results.

Long-term exposure

We found no relevant long-term exposure studies with health outcomes like cardiopulmonary mortality, lung cancer, or chronic bronchitis.

Short-term exposure

The included studies focused on the effects of variations of short-term exposure, such as asthma, respiratory symptoms, daily mortality, and lung function. In table 3, the studied health outcomes presented in the included papers are summarized.

Environments

Only the following four different geographic areas have been studied; Seattle, Washington, and Santa Clara

[3] MeSH (Medical Subject Headings) is the controlled vocabulary of biomedical terms used by the National Library of Medicine in the United States to describe the subject of each journal article. MeSH contains more than 19 000 terms and is updated annually. Applying the MeSH vocabulary ensures that articles are uniformly indexed by subject whatever the author's words.

Table 3. Summary of the addressed health effects and brief results from the reviewed papers. (CO = carbon monoxide, CoH = coefficient of haze, PM_1 = particulate matter with an aerodynamic diameter ≤1 µm, PM_{10} = particulate matter with an aerodynamic diameter ≤10 µm, $PM_{2.5}$ = particulate matter with an aerodynamic diameter ≤2.5 µm, O_3 = ozone, SO_2 = sulfur dioxide, NO_2 = nitrogen dioxide, NO_x = nitrogen oxides, COPD = chronic obsructive pulmonary disease)

Effect	Reference	Subjects' ages	Pollution indicators	Significant positive associations with
Daily mortality	38	All ages	PM_{10}, SO_2, CO, NO_x	PM_{10}
Asthma symptoms	39	5–13 years	PM_{10}, PM_1, SO_2, CO	PM_{10}, PM_1, CO
Asthma hospital admissions	40	<65 years	PM_{10}, $PM_{2.5}$, CO, SO_2, O_3	PM_{10}, $PM_{2.5}$, CO, O_3
	41	<18 years	PM_{10}, $PM_{2.5}$, CO, NO_2	PM_{10}, $PM_{2.5}$, CO
Asthma emergency room visits	36	All ages	PM_{10}, NO_2, O_3, CoH	PM_{10}
	43	All ages	PM_{10}, SO_2, O_3	PM_{10}
Peak expiratory flow and respiratory symptoms	35	Children	PM_{10}	PM_{10} (asthmatics)
	42	> 55 (COPD)	PM_{10}, SO_2, CO, NO_2	PM_{10}, NO_2
Forced expiratory volume in 1 second and forced vital capacity	37	Children (grades 3 to 6)	Fine particulate, $PM_{2.5}$	$PM_{2.5}$ (asthmatics)

County, California in the United States, Port Alberni, British Columbia, in Canada, and Christchurch in New Zealand. Five of the included studies were conducted in the Seattle metropolitan area and two in Christchurch.

Exposure parameters

Different exposure assessment parameters were used in the included papers. The most common indicators were PM_{10} (8 studies), SO_2 (5 studies), CO (5 studies), and NO_x/NO_2 (4 studies). $PM_{2.5}$, PM_1, and ozone (O_3) were only occasionally used.

Associations

All of the studies reported positive significant associations between variations in air pollution level(s) and adverse health outcome(s). PM was the parameter that showed the most frequent and most obvious associations with the addressed health effects. In all the studies using PM_{10}, $PM_{2.5}$, or PM_1 as an indicator, significant positive associations were found. PM_{10} was the most commonly used indicator for ambient particulate matter (8 studies). Overall, the relative risks (RR) between an increase in ambient PM_{10} with 10 µg/m^3 and different health outcomes varied between 1.018 and 1.117. CO showed significant positive associations with the addressed effects in three out of the four studies (not reference 35) including CO in the analysis. All three of these studies were from the Seattle area and showed associations between increases in CO and the worsening of asthma (RR 1.30, 1.07, and 1.17 per 1 ppm CO). Only in one (35) of the four studies was an association with NO_2 established, while associations with SO_2 or O_3 were not found in any study.

Discussion

Only the effects of short-term exposure to air pollution in relation to residential wood combustion has been studied, with different asthma-related outcomes as the most common measured effect. However, this is a general pattern in air pollution epidemiology. One reason for the lack of data (long-term studies) is the difficulties in conducting epidemiologic studies on such long-term effects, when many potential confounding parameters (eg, smoking, occupational exposure, nutrition) become difficult and expensive to measure and adjust for. Associations with some measured health outcomes were reported for particulate matter and, to some extent, CO. Of these two air pollutants, wood smoke has probably a large relative effect on local air quality and also long-term mean concentrations during heating seasons. During the last few decades, many epidemiologic studies have been performed concerning ambient PM and different health effects. Particulate matter in ambient air is today generally considered an important indication that air pollution causes adverse health effects. Epidemiologic evidence exists that links increases in PM mass concentrations with cardiopulmonary disease and mortality, especially in association with short-term exposure (31, 46–48), but also for long-term exposure (49). Potential health risks have also been associated with air pollutants other than PM, in both epidemiologic and clinical or experimental studies (50). Elevated levels of urban air pollutants are also associated with increased cancer risks (49, 51–53).

We attempted to extract some kind of quantification of the associations, but found that there was substantial information only for acute asthma in relation to PM_{10} exposure. However, we compared the results from the studies included in this review with the estimations for

the association between PM and health effects in the general environment. For these comparisons we used a guideline from the World Health Organization (WHO) (54), a "state of the art" review (31), and a recent European study (55). WHO has established health-based air quality guidelines (54) in which particulate matter is regarded as a key air pollutant and estimations are made of the relative increases in various health parameters as a function of PM concentrations. A recent review has also summarized the associations between PM and adverse health effects (31). In addition, an extensive European study (55), also concerning respiratory hospital admissions, has recently been reported. Therefore, in figure 1, we have compared the results from the five wood smoke studies with associations between increases in ambient PM_{10} and asthma symptoms, hospital admissions, and emergency room visits, together with one study with associations for cough.

For health impact assessments it is important to know if associations between an indicator of PM and some health effect (eg, acute asthma) are the same regardless of the contribution from different sources (eg, residential wood combustion), that is, if we should assume the same dose-response function. Due to differences in the statistical analyses (inclusion of covariates) and presentation of the results (selection of lag times) it is difficult to compare the results from different studies. However, figure 1 gives some indications of the relations. All the included studies showed significant positive associations and, in comparison with the estimations of WHO and other "state of the art" estimations concerning ambient PM and health, the effects (RR) are even stronger in the few studies in which residential wood combustion is considered a major PM source. Thus there seems to be no reason to assume that the health effects associated with PM in areas polluted with wood smoke are weaker than elsewhere. However, there are not enough data to allow for a comparison of different PM indicators (eg, if PM_{10} is better than $PM_{2.5}$, etc).

We found only these few studies in which residential wood combustion was identified as a (or the) major source of ambient air pollution. One reason can be that wood smoke emissions are often the dominating air pollutant only in rural areas and small towns and that there are difficulties associated with studying sparsely populated areas using epidemiologic methods. However, of the four studied areas, only Port Alberni can be considered a small rural town, while the other three are large cities. Nevertheless, residential wood combustion has, in these urban areas, been considered a major source of ambient air pollution. In Seattle, three of the five studies (37, 40, 41) refer to the same reference (56), in which source apportionment estimations indicate that,

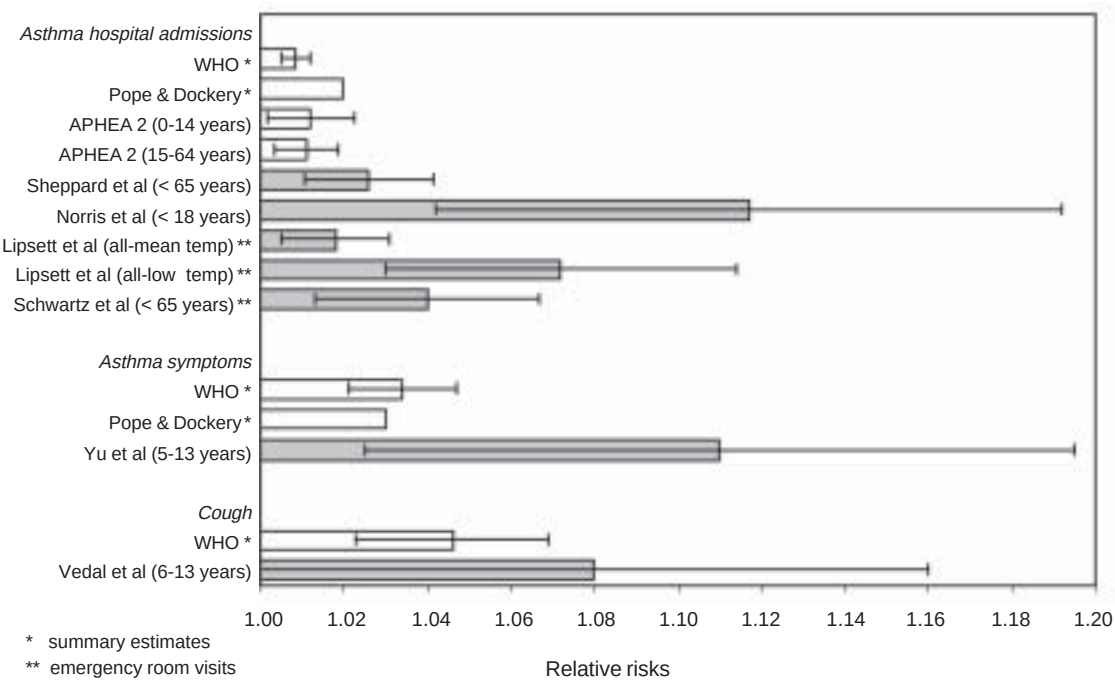


Figure 1. Relative risks for different morbidity outcomes in association with a 10 μg/m³ increase in PM_{10} (particulate matter with an aerodynamic diameter of <10 μg) with 95% confidence intervals as error bars. The studies in which wood smoke was considered a major air pollution source are shown by closed columns, and the comparison estimates are represented by open columns (temp = temperature, APHEA2 = European study by Atkinson et al (55), WHO = World Health Organization).

during the heating season (October-March), >80% of the ambient $PM_{2.5}$ derives from wood burning devices. In the fourth study (43), the authors stated, without any reference, that "the primary source of fine particulate matter in residential neighborhoods during the winter heating season is from wood burning". In the fifth Seattle study (39) the origin of the air pollution was not mentioned at all. In the Santa Clara County study (36), a reference is given (57) in which the source apportionment estimate indicates that an average of 45% of wintertime PM_{10} derives from residential wood combustion. In the Port Alberni study (35), it is only stated that "main sources of ambient particulate pollution are the pulp mill boilers and residential wood burning", without any references being given. The first Christchurch study (38) states, without a reference, that "domestic fires (both coal and wood) and motor vehicles are primary sources of air pollution". In the later Christchurch study (42), however, the authors refer to a local emission inventor study (58) and, according to a personal communication, the authors make the assumption that most of the ambient PM_{10} in Christchurch derives from residential wood combustion (personal communication with Professor Tord Kjellström, New Zealand Environmental and Occupational Health Research Center, and Department of Community Health, The University of Auckland, New Zealand). Accordingly, only in studies from two areas (Seattle and Santa Clara County), does there seem to exist some published material that confirms that residential wood combustion is a major source of ambient PM in the areas. In the other two areas (Port Alberni and Christchurch) the assumptions are not that strong, and, therefore, the interpretation of the results from these studies is more uncertain. However, the reviewed studies included in the comparison in figure 1 are in fact from Seattle (39–41, 43) and Santa Clara (36), where residential wood combustion has been identified as a major source of atmospheric PM concentrations. Nevertheless, the small number of studies, as well as the uncertainties about the actual contribution from residential wood combustion to ambient concentrations of PM, limits the conclusions about the adverse health effects associated with exposure to air pollution related to residential wood combustion at this time.

In most of the studied areas, residential wood combustion was expected to be an important source of ambient PM mainly during the winter season. Yet, several studies used observation periods of years, including months in which wood smoke pollution was not a major factor. However, only two (35, 40) of the reviewed studies reported seasonal effect estimations, and, in one study (43), the issue was, to some extent, addressed in the discussion. Vedal et al (35) found the effect estimates for the autumn-winter period (September-March) essentially identical with those for the spring period (March-June), although with different standard errors. Sheppard et al (40) have also made season-specific estimates (for an increase in the interquartile range), which were negative (not significant) for summer, but were higher for spring and fall than for the winter season. The separate winter estimate was close to significance. The authors further suggested that their results indicate a persistent effect of pollution from automobiles on health. In the study of Schwartz et al (43), the effect estimations were based on the whole study period (1 year), and they suggest that the high PM concentrations in association with asthma visits during the winter reflect, in large part, the toxicity of wood smoke. However, they also comment on the fact that these associations continue even at relatively low PM concentrations, and, therefore, wood smoke is probably not the only contributing factor.

As emphasized in this paper, as well as in previous work, the general focus today regarding air pollution and health is, to a large extent, on PM. Much attention in the ongoing work within this field is therefore given to the emission characteristics and possible links between, for example, particle properties and different adverse health effects. However, the amount of data concerning detailed physical and chemical characterizations of the particle emissions from different combustion technologies is still limited. In addition, any specific particle property or component responsible for the toxicologic effects have not yet been identified, but the importance of particle properties other than mass concentration, like chemical composition, particle size, and number concentration, has been emphasized (59, 60).

In this study we have focused on residential wood combustion in modern society. A limited number of relevant studies has been performed in which residential wood combustion has been identified as a major source of air pollution. Significant information was only found for a relationship between acute asthma and PM_{10} exposure, and the associations between PM exposure in areas polluted by wood smoke seem at least not to be weaker than elsewhere. The results, although associated with significant uncertainties, indicate higher risk estimations (RR) for areas polluted by wood smoke, especially for children. This finding also agrees with today's general consensus that exposure to wood smoke, even in ambient concentrations, is associated with adverse respiratory effects. Globally, the topic of residential biomass combustion is also of major concern in developing countries, both from a global warming and human health perspective. To facilitate a significant increased future use of biomasses as an energy source, it is therefore important to evaluate the total impact on the environment and human health from the use of different fuels and combustion techniques.

Acknowledgments

Ninni Broms Dahlgren at the National Institute for Working Life in Umeå is acknowledged for her help during the literature search.

The financial support of the Center for Environmental Research in Umeå (CMF) and the Swedish Energy Agency (STEM) is gratefully acknowledged.

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Received for publication: 30 September 2002

Received: 31 March 2022 | Revised: 21 April 2022 | Accepted: 22 April 2022

DOI: 10.1111/pai.13784

REVIEW

WILEY

The influence of urban exposures and residence on childhood asthma

Torie L. Grant | Robert A. Wood

Division of Pediatric Allergy, Immunology, and Rheumatology, Johns Hopkins University School of Medicine, Baltimore, Maryland, USA

Correspondence
Torie L. Grant, 600 N Wolfe Street, Blalock 430, Baltimore, MD 21287, USA.
Email: tgrant12@jhmi.edu

Editor: Ömer Kalayci

Abstract

Children with asthma who live in urban neighborhoods experience a disproportionately high asthma burden, with increased incident asthma and increased asthma symptoms, exacerbations, and acute visits and hospitalizations for asthma. There are multiple urban exposures that contribute to pediatric asthma morbidity, including exposure to pest allergens, mold, endotoxin, and indoor and outdoor air pollution. Children living in urban neighborhoods also experience inequities in social determinants of health, such as increased poverty, substandard housing quality, increased rates of obesity, and increased chronic stress. These disparities then in turn can increase the risk of urban exposures and compound asthma morbidity as poor housing repair is a risk factor for pest infestation and mold exposure and poverty is a risk factor for exposure to air pollution. Environmental interventions to reduce in-home allergen concentrations have yielded inconsistent results. Population-level interventions including smoking bans in public places and legislation to decrease traffic-related air pollution have been successful at reducing asthma morbidity and improving lung function growth. Given the interface and synergy between urban exposures and social determinants of health, it is likely population and community-level changes will be needed to decrease the excess asthma burden in children living in urban neighborhoods.

KEYWORDS
air pollution, asthma disparities, childhood asthma, pediatric urban asthma, pest allergen exposure, social determinants of health, urban asthma, urban exposures

1 | INTRODUCTION

Children living in urban areas are at higher risk of developing asthma and have increased asthma morbidity. Increased asthma prevalence and morbidity in urban communities have been observed across North America and Europe as well as in Asian, African, and South American countries.[1–9] In the United States (US), the terms urban and inner city refer to centrally located neighborhoods, often in historic cities, characterized by concentrated poverty and predominantly racial and ethnic minority populations. In 1991, the National Institute of Allergy and Infectious Diseases (NIAID) began funding research aimed at addressing the increased asthma burden in inner cities.[9]

Children living in urban neighborhoods are at increased risk of exposures known to be associated with asthma and asthma morbidity, such as pest allergens and mold as well as indoor and outdoor pollutants.[10] Additionally, children living in urban neighborhoods experience disadvantageous social determinants of health including increased poverty, poor housing quality, increased rates of obesity, and increased stress, all of which can contribute to asthma risk and morbidity.[11] The purpose of this manuscript is to review exposures which are unique to children with asthma living in urban neighborhoods and how

these exposures contribute to the increased asthma burden (Figure 1), and discuss opportunities for intervention which could help to mitigate asthma disparities among urban children with asthma (Table 1).

2 | INDOOR ALLERGENS AND MICROBES

Indoor allergen and microbial exposures have been recognized for decades as contributors to pediatric urban asthma. In particular, pest allergens, such as mouse and cockroach allergens, are major causes of urban pediatric asthma morbidity in the United States.[1,12–15] Low-income children living in urban homes are disproportionately at risk of pest infestation and allergen exposure due to housing disrepair in inner cities.[16–18] Additionally, pest allergen concentrations are significantly higher in urban homes as compared with suburban homes.[19] In the United States, mouse allergen has been found in 95% of home dust samples from a multicenter asthma study, the National Cooperative Inner-City Asthma Study, with higher concentrations of mouse allergen being found in homes with concomitant cockroach infestation.[20] Furthermore, urban children with asthma are often exposed to mouse allergen at school and day care, with one study out of Boston, Massachusetts detecting mouse allergen in 99.5% of schools sampled.[21] Cockroach allergen exposure is also very common in US urban centers, with the National Cooperative Inner-City Asthma Study detecting cockroach allergen in >85% over homes, with concentrations considered to be "high" found in >50% of children's bedrooms.[13]

Mouse allergen exposure in European homes is not as well-studied or characterized and may be less clinically relevant.[10,22] A study out of Strasburg, France found in-home rodent allergen concentrations to be lower than rodent allergen concentrations found in US homes,[23] with a recent Dutch study finding no association between self-reported asthma and detectable mouse allergen.[22] However, cockroach allergen may be a more important urban pest allergen in Europe. A separate study out of Strasburg, France found high concentrations of cockroach allergen in low-cost public housing.[24] Similarly, study out of Poland found higher cockroach concentrations in older homes, homes without central heat, and low-income homes.[25]

Pest allergen exposure, especially when combined with sensitization, has been repeatedly associated with asthma morbidity. Numerous studies in the United States have demonstrated the association between both mouse and cockroach allergen exposure and increased asthma morbidity, including increased asthma symptoms and exacerbations, increased acute visits and hospitalizations for asthma, and lower lung function in urban children with asthma.[12–14,26–28] The above-mentioned study of Polish children with asthma found cockroach exposure to be associated with more severe asthma and lower lung function.[25]

In addition to increased exposure to pest allergens, children in urban neighborhoods are also at increased risk of exposure to mold, which has also been associated with housing disrepair and low-income housing.[29] Exposure to mold and dampness has been associated with childhood wheezing and childhood asthma[30,31] and mold sensitization and exposure has been associated with asthma symptoms, exacerbations, urgent visits for asthma, and lower lung function in urban asthmatic children.[32–34]

Key Message

Multiple factors contribute to the excess asthma burden in children living in urban communities, including pest allergen, mold, and air pollution exposures as well as disparities in social determinants of health. It is likely that population-level, rather than individual-level, interventions will be needed to meaningfully decrease pediatric urban asthma risk and morbidity.

While exposure to pest allergens in children with asthma is a clear risk factor for asthma morbidity in children with established disease, there is evidence suggesting that exposure to pest allergens in early life may in fact be protective against wheezing and childhood asthma development. In a US study of urban children who were at high risk of asthma development, the Urban Environment and Childhood Asthma (URECA) study, early-life exposure to both mouse and cockroach was associated with a decreased risk of wheeze at age 3[35] and a decreased risk of asthma diagnosis at age 7.[36] Perhaps more interesting, not only did these children have high allergen exposures in the first year of life, but they were also exposed to higher levels and a more diverse bacterial content in house dust,[35,36] suggesting the microbiome associated with pest allergens may be the actual protective factor against wheeze and childhood asthma.

Endotoxin, a lipopolysaccharide (LPS) found in the outer membrane of gram-negative bacteria, is often used as a marker of bacteria or microbial exposure. Endotoxin exposure in children to date has yielded mixed and complicated results. For example, a study of infants in New York City found endotoxin exposure was associated with an increased risk of wheezing, but a decreased risk of eczema.[37] However, in studies of rural, farming communities in both the United States and Europe, high endotoxin exposure is associated with decreased risk of asthma.[38,39] The difference in asthma outcomes in urban versus rural endotoxin exposure could partly be explained by higher exposure levels in rural areas, but likely is more complex owing to other exposures associated with urban versus rural residence.

Additionally, endotoxin exposure and its effects on asthma are often linked to and even modified by other exposures. In a national US survey, exposure to endotoxin was associated with wheezing, finding low income, cockroach sightings, pets in the homes, Mexican American race, and age less than 18 years to be predictors of higher endotoxin concentrations in house dust.[40] In a study of primarily low-income, Black participants with asthma, the effect of endotoxin on asthma morbidity, including acute visits and oral steroids for asthma, was modified by air nicotine and nitrogen dioxide (NO_2) concentrations.[41] For children living in homes with high air nicotine concentrations, endotoxin exposure was associated with increased acute visits for asthma. Conversely, children living in homes with lower NO_2 concentrations, endotoxin exposure was associated with

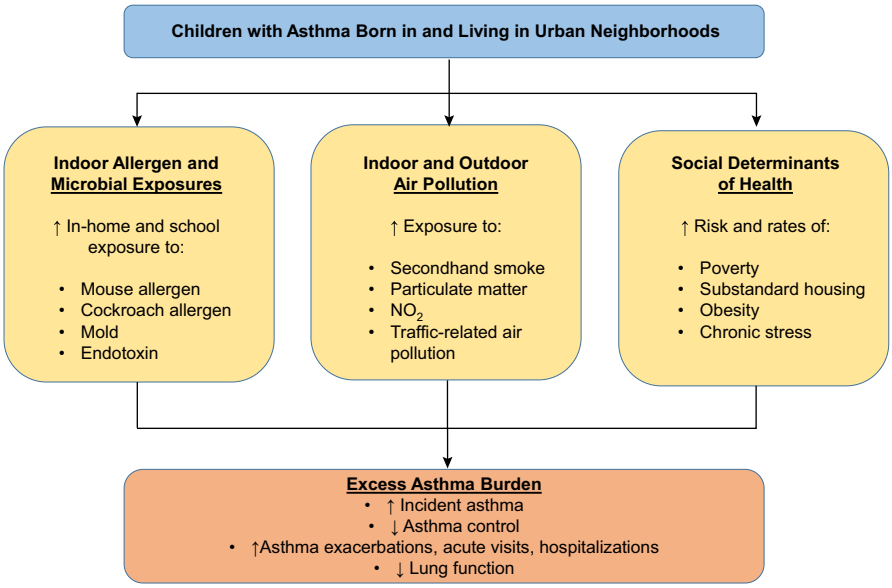

FIGURE 1 The relationship between urban risk factors and the excess asthma burden in children with asthma living in urban neighborhoods

increased acute visits for asthma.[41] Lastly, endotoxin exposure has also been associated with childhood asthma morbidity in urban schools with increased exposure in school being associated with increased asthma symptoms.[42]

As this fascinating story has developed over the past 30–40 years, it is clear that urban pest allergen and mold exposures are major risk factors for asthma morbidity in children with existing asthma, especially for children with high levels of exposure to allergens to which they are sensitized. It was, therefore, unexpected to find that high levels of pest allergen exposure in early life appear to be protective against asthma development, although this finding may be modified by, or even primarily driven by, the microbial exposures that coexist in these same households. This information, much like the data regarding protective effects of high levels of endotoxin exposure in early life, all lend support to the notion that the hygiene hypothesis may be just as relevant in urban areas as it was initially shown to be in farming communities.

3 | INDOOR AND OUTDOOR URBAN POLLUTANTS

Children living in urban areas are exposed to high levels of both indoor and outdoor air pollution, both of which have been extensively linked to asthma risk and asthma morbidity. The primary and most well-studied sources of indoor air pollution for urban children with asthma are secondhand tobacco smoke (SHS), particulate matter (PM), and nitrogen dioxide (NO_2).[43]

Children living in US urban centers are at risk for secondhand smoke exposure as multiple studies have found ≥50% of urban children are exposed to SHS.[10,44–46] This percentage is higher than expected, as currently 12.4% of US adults and 8.1% of US adolescents are active smokers,[47] illustrating both higher rates of tobacco use and overcrowding in urban households. Moreover, persons living in poverty, children under age 11, non-Hispanic Blacks, persons living in rental housing, and those with less than a high school education are more likely to be exposed to SHS.[48] Following a public smoking ban, childhood SHS exposure has decreased considerably in England over the last 20 years.[49] However, SHS exposure remains high in the United Kingdom and many other European countries, with notable exposure at primary school entrances (46%) and outdoor playgrounds (41%) in multinational European studies,[50,51] with higher SHS exposure being associated with lower income areas in both studies. While some studies have failed to show an association between exposure to SHS and asthma, the majority of studies, including a 2012 systematic review and meta-analysis, show a clear association between prenatal and childhood SHS exposure and an increased risk of wheezing and incident asthma.[52] The URECA study also showed prenatal smoke exposure was associated with increased asthma diagnosis in urban children at risk of asthma.[36] Additionally, SHS exposure may attenuate the effect of inhaled corticosteroids for the treatment of asthma in urban children,[53] making asthma controller medications less effective and contributing to increased asthma symptoms. Lastly, SHS exposure during childhood also has long-term respiratory health effects beyond pediatric asthma, with parental smoking being associated with lower lung function at age 53 and an increased risk of adult obstructive lung disease.[54]

Particulate matter is also a significant source of indoor air pollution for children with asthma living in urban centers. The primary source of indoor PM in urban homes is tobacco smoke, but other sources include cooking, heating, sweeping, and candle or incense burning.[55,56] Outdoor PM can also be a significant source of indoor PM[55] through open windows, doors, cracks, and poor housing repair. Urban indoor PM concentrations are significantly higher than those found in suburban homes[19] and can even be higher than outdoor urban PM.[57] Indoor PM exposure has been associated with increased asthma symptoms and exacerbations in urban children.[43,56,57] Nitrogen dioxide (NO_2) is also an important component of indoor air pollution which has been associated with childhood asthma. Gas heating and gas stoves are the major sources of in-home

NO_2, and urban families may use gas stoves as a source of heat during the winter when other heat sources are not available.[10,58] In-home NO_2 concentrations are often higher than outdoor NO_2 concentrations, with higher in-home NO_2 concentrations being associated with increased asthma symptoms and decreased peak flows in urban children with asthma.[58,59]

In addition to indoor air pollution, children living in urban communities also have higher exposure to outdoor air pollution. Traffic-related air pollution (TRAP) and energy generation are the main sources of outdoor air pollution.[60] Multiple longitudinal studies, including birth cohort studies, have described a strong association between outdoor air pollution, particularly TRAP, and incident asthma, increased asthma symptoms, hospitalization for asthma, and lower lung function.[61–68] Urban children with asthma who live near major highways have been found to have increased exacerbations and poorer asthma control,[65,69] with idling cars and buses in dense urban traffic and near schools contributing to higher urban air pollution.[65,70] Poor indoor air quality in urban schools is also mostly owing to high levels of outdoor air pollution.[71] In the United States, low-income racial and ethnic minority populations are at greater risk of being exposed to high pollution levels in urban areas, with historic redlining being associated with higher current air pollution levels.[72] In recent years, PM from wildfires has also become a significant source of outdoor air pollution.[73] In California, US, wildfires during the 2017 season led to an excess of asthma hospitalizations in the San Francisco Bay Area.[74]

In summary, exposure to both indoor and outdoor air pollution are high in urban areas and contribute to excess asthma incidence and morbidity. Urban pollution exposure disparities represent important opportunities for intervention, which are discussed in a later section of this review.

4 | SOCIAL DETERMINANTS OF HEALTH (SDOH) IN URBAN NEIGHBORHOODS

While indoor allergen exposures, microbial exposures, and air pollution are tangible and measurable urban risk factors for asthma, several other population-level characteristics contribute to asthma disparities and the excess asthma burden in children living in urban communities. Social determinants of health (SDoH) are non-medical influences that affect health outcomes[75] and include the conditions in which people are born, grow up, go to school and work, live, and age. SDoH are becoming increasingly recognized as important risk factors for pediatric urban asthma.[11,76] Here, we will discuss poverty, housing, obesity, and stress in the context of pediatric urban asthma.

In the United States, urban areas have high rates of poverty, with racial and ethnic minority populations having the highest rates of poverty in both urban and rural areas.[77] Income level in the United States is inversely related to asthma prevalence, with those living in the greatest degree of poverty having the highest asthma prevalence.[78] In a study of urban children with asthma in Baltimore, Maryland, there was an increase in odds of prevalent asthma per unit decrease in the household income to poverty ratio.[79] Low income is also associated with asthma exacerbations and asthma morbidity.[80] Poverty's effects on asthma are likely multifactorial, encompassing disparities in housing, education, employment, exposure to pests and pollution, limited health literacy, and access to health care.[11]

Housing quality is an important SDoH, with racial and ethnic minority populations being more likely to reside in housing considered substandard or in poor repair, which contributes to environmental health disparities.[81] Substandard urban housing is a risk factor for mouse and cockroach exposure as poor housing conditions contribute to pest infestation,[16–18] which has been highlighted above as being associated with asthma risk and morbidity. Similarly, living in homes with visible mold in the main living areas has been associated with pediatric asthma risk, asthma symptoms, and persistent asthma.[30]

Next, pediatric urban asthma patients have higher rates of obesity.[10,82] In the United States, Black children have the highest rates of early childhood (age 9 months to kindergarten entry) obesity.[83] Obesity in childhood has been linked to incident asthma and asthma morbidity[84] and lower lung function[85] in large-scale studies. Of further interest, being overweight or obese has been associated with increased susceptibility to urban exposures such as pollution and SHS,[82,86] and may further increase asthma morbidity.

Lastly, children and caregivers living in low-income, urban communities experience high levels of chronic stress, which is often multifactorial, involving high rates of income, job and food insecurity, exposure to violence, incarceration, and social disadvantage.[87] Early-life exposure to stress and maternal stress have both been associated with childhood asthma diagnosis.[36,88] Moreover, chronic stress has been associated with poor asthma control and asthma exacerbations in Black and other racial and ethnic minority children with asthma.[89,90] Chronic stress may influence asthma through chronic hypothalamic-pituitary-adrenocortical activation and a decrease in β2 adrenergic and glucocorticoid receptors.[91] This chronic activation and receptor downregulation may then lead to a decrease in responsiveness to asthma medication and an increase in asthma symptoms.[91] Chronic stress may also mediate the effects of SDoH on asthma in urban children, but the degree to which SDoH influence or explain asthma disparities is not clear.

5 | OPPORTUNITIES FOR INTERVENTION

Given the increased risk of asthma and increased asthma morbidity associated with children living in urban neighborhoods, interventions aimed at improving the urban environment in an effort to improve pediatric asthma health have been attempted for several decades. On the individual level, attempts at reducing indoor pest allergen exposure have produced mixed and often disappointing results. It can be difficult to achieve sustained allergen reduction in the urban setting. Multimodal approaches are necessary and have been successful at reducing cockroach allergen exposure and asthma symptoms in multicenter study of urban children with asthma.[92] Conversely, similar methods were not successful

TABLE 1 Community-level and population-level opportunities for intervention to improve pediatric urban asthma

Improving the state of repair of public housing in an effort to decrease pest infestation and exposure as well as mold exposure
Smoking bans in public places where children are at highest risk of SHS exposure
Outdoor air quality measures to reduce TRAP and idling vehicles in urban neighborhoods and near urban schools
Legislation, research, and public programs aimed at reducing urban, racial and ethnic disparities in income, housing, obesity rates, chronic stress exposure, and other SDoH

Abbreviations: SDoH, social determinants of health; SHS, secondhand smoke; TRAP, traffic-related air pollution.

at reducing mouse allergen exposure in a separate study of urban pediatric patients with asthma; however, participants who did experience a reduction in mouse allergen exposure, regardless of group assignment, did have an improvement in asthma symptoms.[93] A secondary analysis of this study found that significant reduction in mouse allergen exposure was associated with improved lung function growth over 1 year.[94] Yet, a different multifaceted allergen reduction study of children with asthma in New York City reported reduction in allergen exposure, but no change in asthma controller medication.[95] It is unclear as to why some studies have been successful in reducing allergen exposure and impacting asthma outcomes, while others either did not reduce allergen exposure or impact clinical outcomes. It is possible that the poor state of housing repair and high levels of infestation are limiting factors in the success of allergen exposure reduction methods in certain urban neighborhoods and community-level, rather than individual-level, approaches to improve housing conditions and pest infestation should be considered.

Population-level approaches to reduce urban pollutant exposures have been successful. As an example, in Scotland, the enactment of a smoking ban in public places has been associated with a decrease in asthma hospitalizations in children under age 15.[96] Follow-up of the public smoking ban in the United Kingdom has found decreased SHS exposure in children, including in children living in rental housing.[49] Public smoking bans aimed at reducing SHS in areas with high rates of children, such as public housing, school entrances, and playgrounds, could meaningfully affect childhood SHS exposure and reduce asthma risk and morbidity.

Another example of a successful population-level approach to reducing urban asthma risk and morbidity has been measures taken to reduce TRAP and improve outdoor air quality in California. Reduction in California air pollution has been associated with a decrease in incident pediatric asthma and an improvement in pediatric lung function growth.[97,98] Similar regulations in other densely populated urban centers with high TRAP could meaningfully reduce urban asthma disparities.

Lastly, making population-level changes to help reduce inequities in SDoH, such as high poverty, housing disrepair, higher rates of obesity, and chronic stress, will be needed to help reduce the excess asthma burden in urban children.

6 | CONCLUSION

Multiple environmental exposures and influences contribute to the increased incidence of asthma and excess asthma morbidity among children with asthma living in urban communities. Indoor pest allergen and mold exposures have been repeatedly linked to increased asthma diagnosis, symptoms, and exacerbations in urban children. However, data in high-risk urban populations found early-life pest allergen exposure, along with microbial and endotoxin exposures, to be associated with a decreased risk of wheezing and asthma,[35,36] illustrating that the association is more complex than previously thought. Individual-level allergen exposure reduction in urban children with asthma has proven challenging and yielded inconsistent results in allergen and asthma outcomes. Community-level interventions targeting housing disparities leading to pest infestation are likely needed to meaningfully change urban pest allergen exposure.

Population-level interventions have been successful at reducing childhood SHS and TRAP exposure with associated improvements in incident asthma, pediatric asthma hospitalizations, and childhood lung function growth.[96–98] However, children living in urban neighborhoods, in particularly racial and ethnic minority children, continue to be exposed to high levels of indoor and outdoor air pollution. Similarly, urban children with asthma are disproportionately affected by disadvantageous social determinants of health, including poverty, poor housing, increased rates of obesity, and chronic stress. While these disparities have been described in the literature, the extent to which and how individual SDoH influence pediatric urban asthma is unknown.

The environmental exposures and influences affecting pediatric urban asthma are complex and intertwined. Ultimately, community-level and population-level changes targeting pest allergen, mold, and air pollution exposures in conjunction with community-level and population-level changes to decrease income, housing, and other social inequalities will be needed to meaningfully change pediatric urban asthma risk and morbidity.

PEER REVIEW

The peer review history for this article is available at https://publons.com/publon/10.1111/pai.13784.

ORCID

Torie L. Grant https://orcid.org/0000-0002-5311-1527

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How to cite this article: Grant TL, Wood RA. The influence of urban exposures and residence on childhood asthma. *Pediatr Allergy Immunol*. 2022;33:e13784. doi:10.1111/pai.13784

Hello,

I am writing in opposition to the proposed Special Use Permit 2023-00060.

My husband and I have been residents of Del Ray for almost 5 years and have lived at 112 E Howell since moving to the neighborhood. We love and appreciate so many things about Del Ray, including the unique shops and businesses and walkability of the neighborhood, and the kindness and generosity of the neighbors. We love living here. We make a concerted effort to patronize businesses, markets and events in the neighborhood and want the neighborhood to continue to thrive. We believe that businesses and residential homes can coexist amicably and benefit each other. I am deeply concerned about the proposals of Evening Star Cafe/Majestic Lounge/HiFi Tex-Mex BBQ and feel that much of their current operating practices are encroaching upon our rights as residents.

I am most strongly opposed to continued use of the wood-fired smoker. This commercial-sized smoker produces smoke almost constantly and is frequently blowing smoke onto the property of our residence. We are unable to open our home windows anytime the smoker is in use, which is most waking hours of the day, almost every day of the week. It is also difficult for us to sit comfortably on our front porch, given that the smoker chimney is directly in line with it. The wind is often bringing the smoke directly across the front porch, making this part of our home unusable to us. It is of great concern not only as a daily nuisance, but also for potential health implications to have an industrial smoker within a few yards of a residential home. I do not understand how this was ever approved in the first place.

Additionally, prior to the addition of the wood-fired smoker on Evening Star property, the area now occupied by the smoker was used for loading and deliveries for the restaurant. Now, the restaurant continues to receive deliveries daily without adequate space for delivery vehicles to park and unload. This frequently leaves our driveway partially blocked or fully blocked. There have been many occasions since the addition of the smoker where we are blocked from leaving our driveway while trying to leave and have to wait for deliveries to finish unloading.

Evening Star/Majestic Lounge does not have a history of respecting the city noise ordinance. Myself and our neighbors have filed multiple complaints with the city regarding this issue. When the restaurants have bands play, we can often hear the music from inside our own home, with all windows and doors closed. Because this noise is already an issue with their current permit of indoor live music, I am absolutely opposed to live music being also added to the outdoor dining space, unless it is acoustic and non-amplified. I am concerned that an increase in outdoor seating, addition of outdoor music, and an extension of operating hours will only worsen this current noise issue.

In closing, I want Evening Star to be a successful business and know that it is a long-time staple of the neighborhood. I simply ask that their operating practices respect the nearby residents. I sincerely appreciate your consideration as you review this proposal.

Sincerely,

Ariel Hendrix

Hi,

I live very close to Hi/Fi Tex-Mex BBQ on E Howell Avenue. I support the majority of the changes requested. The only one I'd like to see some limitation on is live music - that can be loud and can disturb the neighbors. I'd like to see the ability to have live music outside limited to during the day time and Friday and Saturday evenings only. I am not in favor of the Weds & Thursday evening music requests. Or maybe, for a max of 2 evenings per Mon-Sun week. Music outside at Hi/Fi 4 nights a week is too much for the neighbors (or too much for me).

Thanks,

Gaynor

Hello,

I’ve attached a couple pictures of different trucks blocking our driveway. Both instances were for more than 15 minutes.

Lindsey Gopinath


DEMPSEY
UNIFORM & LINEN SUPPLY

Dear Neighbors,

I was forwarded the link to join the zoom meeting last night and would like to share my thoughts as a neighbor to the Evening Star. Thanks for including me.

I live at 113 E. Windsor Ave. right behind Bon Vivant's space and the shared parking lot and next to the space used for tables outside, which I guess is now Hi Fi Tex Me. (Yum).

In short, I think we all love what these restaurants offer us, but I would like to remind you that we actually live very close to you and expect some common decency showed to us, your neighbors. We don't always complain about every incident, but there should be more awareness of how you are affecting our lives. The last thing I want to do is call the police and complain, so please try to be aware of these issues before they get to that point.

Besides what was mentioned last night, here are some more things to pay attention to:

I don't have any problem with the seats or music, although at times it is very loud and sometimes goes on after the time limit, I believe. There is no way the sound level is the same as the non-live music sound level, as Michael said.

I do have a problem with the smoker blowing into our homes. One day I came home to half a house filled with smoke. This is not acceptable in a residential area. I was reminded of the big deal that was made when Pork Barrel opened. I'm not sure how that was resolved but it would probably be a good conversation to have with them.

Trucks. Refrigeration trucks running all night long outside my bedroom window. (I believe that has been resolved, thankfully.) There are noiseordinences for a reason, please try to follow the laws and we will all be happy!

My 2 cents.

Thanks,

Ellen

Ellen Epstein

703.850.5559

ellen@bowwowpets.net

Dear Patrick,

This is a follow up to our conversation on Friday, 9/15/23 regarding the Special Use Permit application from the Majestic Grill (Evening Star) restaurant at 2000 Mt Vernon Ave.

I own the adjacent property at 112 E Howell Ave and have done so for about 25 years. The property has three rental units currently occupied by six tenants (one is a four month old baby). I believe you have received similar emails from the tenants already, so I am adding my comments to the discussion.

In general, I do not support having a large, busy outdoor bar/restaurant directly on the other side of the fence from the property. As far as I know, all the items in this new SUP are already in place and have been for several months without any special approval. However, I have three specific issues with the proposal.

1. The principal issue is the presence of two large commercial barbecue smokers located directly abutting my property and approximately 18 feet from the residence. The units are running 12 - 14 hours a day, six days a week, and are constantly producing a significant amount of wood smoke. The smoke is not being mitigated in any way as it is at other restaurants with commercial barbecue smokers (e.g. Pork Barrel BBQ on Mt Vernon Ave). The residents have reported that they are no longer able to open their windows due to the smoke, people entering the building have commented on the smell of smoke even inside the entryway, and tenants are not able to sit outside on the front porch while the smokers are running. One tenant reported being told by a work colleague at her office that she smelled of smoke just from walking down the driveway to the parking in the rear of our building. The health hazards of this type of smoke are clearly documented and may be referenced at this EPA website https://www.epa.gov/burnwise/wood-smoke-and-your-health. It was also reported to me that our rear neighbor on E Windsor Ave is also getting smoke in her home and she is on the other side of the block. I request that these smokers be either moved to the front of the Evening Star property on Mt Vernon Ave or eliminated completely.

2. A secondary consequence of the smokers is that the driveway and parking area that Evening Star has used for many years as their loading zone for deliveries is now blocked so delivery trucks are constantly parking in front of our driveway, sometimes even parking IN our driveway. To be fair, Stephanie Babin, one of the owners, has shown a good faith effort to get the drivers to deliver from the other side of the block, however the delivery door is very close to E Howell Ave so drivers will inevitably park close to the delivery door, i.e. in front of our driveway.

3. The request for outdoor live entertainment (i.e. bands) is also concerning. After 25 years having tenants complain about the loud music coming from INSIDE the building, I have very little faith that, despite the owners' good intentions, the onsite staff will maintain appropriate sound levels for any amplified music located outside. Sound, like smoke, will propagate freely in an outdoor environment, and due to the physics of sound waves, most audible frequencies are NOT directional and will radiate omnidirectionally regardless of how the speakers are situated as well as reflect back off the buildings surrounding the area in question. I do not have confidence that busy bartenders or wait staff will be monitoring sound levels adequately.

An additional concern is for me as a business owner. I own three multi family residences in Del Ray and have for many years. Due to my own unfortunate experience with fire and smoke, I know that the very

wood smoke from these smokers is identical to the wood smoke produced by a house fire, and that requires special remediation procedures to either remove or encapsulate the surfaces that have absorbed the smoke particles. Otherwise it smells like smoke well after the smoke is gone. At such time as I need to replace any tenant, I am very concerned that anyone coming to view the building will encounter the smoke and smokers directly outside and not want to rent. As a rental business owner I comply with all building permit, licensing, and zoning requirements and hope that my neighbors will do the same.

Thank you,

Jim Wallace

To Whom it May Concern,

I am writing in reference to concerns of some of the residents of E. Howell Ave. and E. Windsor Ave. between Mt. Vernon Ave. and Clyde Ave., which borders the area around the Evening Star Cafe, the Front Porch, Bon Vivant and Hi-Fi Tex Mex Restaurants.

Since the pandemic began, those of us living in this area have been experiencing many bothersome issues, which we have not complained about, because we love this community and the restaurants involved. Please do not base the level of displeasure on the number of complaints you have received, or the number of times the police have been called. Your neighbors are very supportive of your businesses and we want them to succeed. We just want our rights to live in a healthy, peaceful community to be considered.

We would like to address the following issues and questions concerning the SUP and expansion of the restaurant areas.

1. Smoke from the smoker wafting into homes and property

2. Trucks parking in private driveways

3. Refrigeration trucks running in the parking lot overnight

4. Extra seating issues

5. Live outdoor music

6. Street parking

We would like to request a meeting with The Neighborhood Restaurant Group and the appropriate City group to discuss our concerns, or at least a written answer to our questions (see below).

1. How will the smoke be redirected away from the adjoining homes? There are young children and several elderly people living near the restaurants and the smoke can interfere with their health and welfare. As noted previously, Pork Barrel BBQ had the same issues when they planned to open a few years ago. There was a resolution and we are hopeful that Hi-Fi would find a reasonable remedy to the same problem.

2. and 3. Trucks. Can you assure us that these issues will not be repeated now that they've been raised?

4A. Is there a diagram showing where the extra seats will be located that we could see? Or can you explain where they will be added?

4B. Are the 74 extra seats mentioned the same as the existing seats, which were only temporarily approved, or are there additional seats planned?

5A. How late is live outdoor music allowed to be played?

5B. How will you ensure that the sound level is within legal limits? We have heard it very loud a few times this year already and are concerned this may continue to happen.

6. Street parking is already a problem for residents without driveways. How can more business not affect their rights to park near their homes?

We have been living with these issues for a few years now without making a lot of complaints, so we want to make it very clear that all of the above issues are important to this community.

Thank you for the consideration. Please let us know if there is a time to discuss these questions in the near future.

Ellen Epstein (and others)

703-850-5559

Your Windsor Ave. neighbor

Dear Mr. Silva,

As a 40-year resident of East Howell Avenue, I and my husband, Peter Pocock, implore you to deny the petition by Evening Star to have SMOKERS of any kind outside their establishment, and to deny LIVE MUSIC outside their establishment (and inside for that matter, if it exceeds noise ordinance levels). Smokers are not equivalent to outdoor fireplaces insofar as the fireplaces are not used nearly as much as the smokers. Furthermore residential fireplaces do spew meat-scented smoke into our yards that commercial smokers do and would. Lastly we do not support any plan that will add more parking congestion to our street and neighboring streets.

Thank you for taking our point of view into consideration.

Sincerely,

Nancy Reder

23 East Howell Ave.

Alexandria, VA 22301

September 22, 2023

To whom it may concern,

I am writing to express my concerns regarding the potential approval of a special-use permit (SUP) for the Neighborhood Restaurant Group (NRG) in the former parking lot behind The Evening Star Cafe. During the September 12, 2023 Land Use Committee meeting, I put in a request in the Zoom Chat for a representative from NRG to speak with me about my concerns. As of today, no one has reached out to me, so I feel compelled to put my concerns in writing before additional action is taken on the SUP application.

I have lived in my home at 108 East Howell Avenue for over 25 years and am a strong supporter (and patron) of Del Ray businesses including those owned by NRG. Over the years, my family and I have experienced many issues that arise from living close to a strip of businesses/restaurants including late night loud music, noise related to refrigeration trucks running all night, parking issues in addition to other annoyances. I recognize that, to an extent, these issues are part and parcel with living close to Mount Vernon Avenue, and have never complained to NRG or the City of Alexandria.

As a resident for 25 years, I am grateful to the Neighborhood Restaurant Group for their leadership and commitment to Del Ray. I have known Stephanie and Michael Babin from years of living in the neighborhood and know they are good people, they are a benefit to the Del Ray community, as well as great employers and thoughtful business owners. The NRG company is involved in the community and I believe wants to do good for the Del Ray neighborhood. The science, research and facts support that having wood burning and wood smoke in a residential neighborhood releasing fine particles and toxins into the air adversely impacts health, and is not good for our neighborhood.

While I appreciate that the restaurant business was made more difficult by the pandemic, the application is more than just a business pivot, it is a proposal to create a new restaurant in a former parking lot. A restaurant with which a significant amount of the food-service preparation is done outside and includes industrial smokers which emit smoke most of the day (on the days that they are running them, it's not every day currently). No reasonable person would argue that they are a "accessory" to this business as was described during the Zoom meeting on September 12th. Our experience is that the smoke is a significant irritant to those residents close to the restaurant and this is a threat to the health of our community. I would also argue that it was incorrectly stated during the September 13th meeting that the smoke directs itself towards Mount Vernon Avenue, it truly disburses in multiple directions including east towards my home.

Dr. Varoon Gopinath, a physician with his Master's in Public Health, lives at 112 East Howell with his wife and infant daughter, and he spoke during the LUC and DRCA meetings mentioning that wood smoke is harmful both in terms of short term and long term health. The EPA website states: "Short term issues [related to smoke inhalation] include irritated eyes, headaches and an increased risk of lower respiratory lung infections. Long term health impacts include chronic lung disease, chemical and structural changes in the lung and cancer". The EPA website adds that "Children are more susceptible to smoke because their respiratory systems are still developing and they breathe more air per pound of body weight than

adults." Before moving forward, we wish to know if the Alexandria Office of Environmental Quality has assessed air quality in and around the site? The City of Alexandria's website states: " Alexandria respects, protects and enhances the health of its citizens and the quality of its natural environment." Have there been tests and if so have the finding been made available to the public?

As a longtime resident and longtime supporter of local businesses, I do not wish to have to fight for the right to clean air. I love Del Ray and want all local businesses to succeed but not at the cost of air quality, quality of life or a diminished value of my home.

As an immune compromised individual, a mom, a neighbor and the daughter of someone who passed away from long cancer (and did not smoke), I ask you to reconsider the use of smokers at this business unless a meaningful and impactful change can be made.

Please feel free to reach out with any questions.

Thank you,

Meredith Barbour

108 East Howell Avenue

Alexandria, VA 22301

(703)299-6182

Sept. 22, 2023

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

RE: SUP2023-00060
2000 Mt. Vernon Ave

Dear Mr. Moritz,

The Del Ray Citizens Association (DRCA) voted to support or recommend the following conditions to SUP2023-00060 at 2000 Mt. Vernon Ave:

1. The applicant is proposing an additional 74 seats of outdoor dining for Hi/Fi Tex Mex BBQ
    - Total outdoor seating for all businesses operating at 2000 Mt. Vernon Ave. will be 124 seats and the applicant requests the right to reallocate seating between concepts. **DRCA supports the additional seating.**
2. SUP proposes the following outdoor seating allocation: 84 at Hi/Fi Tex Mex BBQ, 24 at Front Porch (existing) and 16 at Evening Star Café (existing). **DRCA supports the additional seating.**
3. Permit the temporary trailer used for beverage service in the outdoor dining area. **DRCA supports the temporary trailer.**
4. Adding limited live entertainment in the outdoor dining area limited to Wednesday through Saturday from 6:00pm to 10:00pm. **DRCA supports limited live music and entertainment that is controlled by Evening Star staff and not the individual entertainers.**
5. Extending outdoor dining hours from 7.00am - 11.00pm seven days a week. **DRCA**

opposes extending the outdoor dining hours and supports maintaining the current closing time of 10pm which is consistent with other outdoor dining establishments directly adjacent to residential properties.

6. The applicant proposes to amend Condition #5 of SUP 2012-0054 regarding off-premises alcohol sales to conform with current ABC requirements. **DRCA is neutral on this condition**
7. No additional parking is required
8. **The DRCA does not support the location of the smokers adjacent to the residence and recommends relocating them to another area of the property. The commercial use of the smokers should meet the same criteria for commercial kitchen exhaust.**
9. **DRCA requests Neighborhood Restaurant Group / Evening Star / Hi-Fi to provide a staff liaison contact cell phone number to the adjacent neighbors to immediately resolve issues with delivery trucks and sound complaints.**

The Del Ray Citizens Association Land Use Committee (DRCA LUC) held a public Zoom meeting on Tuesday, Sept. 12, 2023. Members of the community and the applicant were in attendance and were given the opportunity to review the analysis prepared by the LUC of the proposed SUP and address questions and comments. On Wednesday, Sept. 13, 2023, during the regular DRCA Zoom membership meeting, the analysis was presented, the motion set forth by the LUC was discussed, and the applicant answered questions from the membership. An amendment to the condition on the live entertainment was made; then membership voted to support the revised motion as presented.

The recommendations presented by the LUC were the result of site visits and discussions with both the applicant and the adjacent residents of 112 East Howell Ave as well as emails received by the LUC both in support of and opposed to the SUP. The biggest concern with the adjacent neighbors focused on the generation of smoke produced by the smokers which are placed along the property line. It was stated that the smokers are used seven days a week and for more than 12 hours a day. The smoke produced prohibits the tenants of the residence from opening their windows or being outside of their units during pleasant weather. It also is a health hazard that subjects the inhabitants to

particulates that can cause asthma and lung disease. Although the application stated *"the amount of smoke is commensurate with outdoor fireplaces, firepits or wood and charcoal grills and smokers throughout the residential neighborhood"* this is not what the neighbors are experiencing when operated on a commercial basis to support the menu of the restaurant.

During the course of discussions, it was stated by attendees that there are other restaurants along the Avenue (Pork Barrel and Junction Bakery) that have outdoor smokers. The LUC recommended the smokers be located to a different spot on the Evening Star's property away from the residence and that the smoke be controlled with proper exhaust equipment as required by code for commercial kitchen equipment.

The location of the smokers in the restaurant's service driveway has resulted in the delivery trucks blocking or sometimes using the adjacent residence's driveway. The applicant is working with the various vendors to mitigate these occurrences, and the LUC recommended the tenants be given a liaison's cell phone number so they can be directly contacted when a truck blocks access.

The other concern with the application was the request for limited live entertainment. The applicant has come up with a method to control the decibel rating of a band through their sound system and speakers. According to the applicant, the bartender on staff is charged with making sure the level allows patrons to hold a conversation at their table. It was stated that previously issued violations were actually due to music from the upstairs bar and windows being opened when the bar got too hot inside. Neighbors had to resort to calling the police to have the noise reduced. We again urge the city to revise the current noise ordinance and reduce the decibel rating allowed when restaurants are adjacent to residential neighbors.

Although there are no parking requirements for the additional outdoor seating being requested, the DRCA urges the City to increase the number of parking enforcement personnel on the weekends when parking is such an issue in Del Ray. It is our understanding that only two enforcement officers are on duty on the weekends in the entire city. There are serious safety concerns for pedestrians along Mt. Vernon Avenue as

well as the abutting streets due to parking violations that go unchallenged. The reductions have made life for the pedestrians and residents much more dangerous due to people ignoring basic rules and signs for approved parking near restaurants.

Sincerely,

Kristine Hesse, DRCA LUC Co-Chair
Lisa Lettieri, DRCA LUC Co-Chair

Katie Waynick
DRCA President

cc: Ann Horowitz, P & Z
Patrick Silva, P & Z
Cathy Puskar, Walsh, Colucci, Lubeley & Walsh, P.C.