


[EXTERNAL]June 6th Meeting Remarks from a Resident

cawood65@gmail.com <cawood65@gmail.com>

Wed 5/31/2023 6:18 PM

To: PlanComm <PlanComm@alexandriava.gov>

 1 attachments (86 KB)

Special Use Permit.pdf;

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I Would like to submit my comments for the upcoming special use permit committee meeting for the seating at a.k.a. Alexandria. I think this is a MARELIIOUS idea. It compliments completely the revitalization of the North End and adds additional eateries thereby improving our quality of life and most certainly helps to increase our property values. They have my vote for this!

Thank you for your time,

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City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 5, 2023

TO: CHAIR NATHAN MACEK
AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL W. MORITZ, DIRECTOR
DEPARTMENT OF PLANNING & ZONING

SUBJECT: DOCKET ITEM #2 – SUP #2023-00021
5150, 5200, 5230 EISENHOWER AVENUE

DOCKET ITEM #3 – SUP #2023-00029
625 FIRST STREET AND 510 SECOND STREET

This memorandum outlines staff recommendations for additional condition amendments for two Special Use Permits on the consent calendar, docket items #2 and #3.

A. Special Use Permit (SUP) #2023-00021, 5150, 5200 and 5230 Eisenhower Avenue

- Condition 2 outlines the special use permit and noncomplying uses that are approved in this SUP for an industrial flex space property. In the docketed report, the “carpenter shop and repair service” use was deleted and replaced with “light assembly, service and crafts,” which in today’s zoning ordinance includes carpentry work. Nonetheless, staff recognized after report docketing, that some of the uses in the “light assembly, service and crafts” use category are not allowed in the OCH zone or considered noncomplying uses. The condition amendment proposed here returns the “carpenter shop and repair service,” a continuing noncomplying use, and deletes “light assembly, service and crafts” as noted:
2. **CONDITION AMENDED BY PLANNING COMMISSION:** The following non-complying, special uses and administrative special uses are permitted with this Special Use Permit on the subject property (PC):

~~Uses permitted through noncomplying use provisions (section 12-302(b)(2):~~

Warehouse and storage
Research and testing
Manufacturing and
assembly Printing and
publishing facilities

Carpenter shop and repair
services

Building materials storage and sales
Catering operation (~~in OCH zone~~)

~~Retail (in OCH zone)~~

~~Light assembly, service, and crafts~~

Light automobile repair

Wholesale business

- Condition #8 of SUP #2023-00021 has been revised to remove the Director’s 2033 administrative review of the SUP, allowing for only one SUP term review in 15 years by City Council. The applicant believed that the uncertainty of SUP continuation after 10 years would make it more difficult to secure leases. Staff agrees with this change as it foresees area redevelopment in the mid to long-term and the removal of the 10-year administrative review is not anticipated to hinder redevelopment. Condition #8 has been amended as:

8. **CONDITION AMENDED BY PLANNING COMMISSION:** This special use permit shall be reviewed by the Director of Planning and Zoning in 2033 and by City Council in March 2024³⁸. (~~P&Z~~) (~~SUP#2009-0021~~)-(PC)

B. Special Use Permit (SUP) #2023-00029, 625 First and 510 Second Streets, AKA Hotel

- In response to Vice Chair McMahon’s comments on condition redundancy related to foot candle lighting limits, staff consulted with relevant staff to arrive at the following amendments to Conditions #3 and #21. Condition #3 indeed conflicts with Condition #22, which more closely represents the current standards for lighting in parking garages. Staff also reviewed Condition #22 at the Vice Chair’s request and found that the foot candle minimum limits for surface parking lots and walkways remains at 1.0 and at 2.0 for common areas and sidewalks, according to T&ES lighting standards. Staff therefore recommends maintaining the current language in Condition #22, the deletion of Condition #3, and amendments to Condition #21 to align with present-day condition language used in DSUPs for parking garages:

3. **CONDITION DELETED BY PLANNING COMMISSION:** The applicant shall ~~maintain lighting that is a minimum of 2.0 foot candles in the parking lots and garage.~~ (SUP1997-00127) (P&Z)

21. **CONDITION AMENDED BY PLANNING COMMISSION:** For the safety of the persons using the proposed garage, ~~it is recommended that~~ the lighting for the parking garage shall be a minimum of 5.0 foot-candle minimum maintained for underground/ structured parking garages. When unoccupied the lighting levels may be no less than 1.5-foot candles. ~~(Police)~~-(SUP2007-00096)-(PC)

- The Vice Chair also asked to amend Condition #46 to suggest that garage parking is not only available at nearby garages but also onsite at the hotel garage:

46. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall encourage patrons to park off-street through the provision of information about ~~nearby~~ garages or lots in the business' advertising and website. ~~(T&ES)~~-(PC)

Staff continues to recommend approval of consent cases SUP #2023-00021 and 00029 with the condition amendments stated in this memorandum.

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 6, 2023

TO: CHAIR NATHAN MACEK
AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL W. MORITZ, DIRECTOR
DEPARTMENT OF PLANNING & ZONING

SUBJECT: DOCKET ITEM #3 – SUP #2023-00029
625 FIRST STREET AND 510 SECOND STREET

DOCKET ITEM #4 – SUP #2023-00030
133 PEYTON STREET

DOCKET ITEM #5 – SUP #2023-00025
3410 MOUNT VERNON AVENUE (PARCEL ADDRESS: 3408 MOUNT
VERNON AVENUE)

This memorandum outlines conditions that Chair Macek and Commissioner Lyle requested staff send for discussion tonight.

A. Special Use Permit (SUP) #2023-00029, 625 First and 510 Second Streets, AKA Hotel

47. **CONDITION ADDED BY PLANNING COMMISSION:** The hours of operation for the outdoor seats shall be limited to between 8 a.m. and 12 a.m. daily. The outdoor dining area shall be closed and cleared of all customers by 1 a.m. daily. (PC)

B. Special Use Permit (SUP)#2023-00030, 133 South Peyton Street, the Board Hound

29. **CONDITION ADDED BY PLANNING COMMISSION:** The semi-enclosed deck play area may be used from 8 a.m. to 8 p.m. (PC)

C. Special Use Permit (SUP) #2023-00025, 3410 Mount Vernon Avenue (Parcel Address: 3408 Mount Vernon Avenue) Hops N Shine

10. **CONDITION AMENDED BY THE PLANNING COMMISSION:** Outdoor dining located on private property at a commercial complex is a permitted use in the CG zone. Zoning Ordinance Section 4-407 includes use limits and specifically states that use cannot be conducted in a manner that would render it noxious or offensive by reason

of noise. Given the history of violations related to this use and in order to comply with the Zoning Ordinance, the outdoor dining area may be open to patrons from 11:00 a.m. to 11:00 p.m. Friday and Saturday and from 11:00 a.m. to 9 p.m. Sunday through Thursday daily. ~~The hours of operation for outdoor dining shall be limited from 9 a.m. to 10 p.m., daily and remain in compliance with the noise ordinance. The outdoor dining area shall be closed and cleared of all customers by 11 p.m. on Friday and Saturday and by 9 p.m. Sunday through Thursday daily and no new patrons may be admitted into the outdoor dining area after 9 p.m. on Friday and Saturday and 8 p.m. on Sunday through Thursday daily. The outdoor dining area shall be cleaned and washed by midnight on Friday and Saturday and by 10 p.m. on Sunday through Thursday at the close of each business day that it is in use. (PC)~~

11. **CONDITION AMENDED BY THE PLANNING COMMISSION:** The outdoor dining area shall address the following:

- a. ~~Outdoor dining located on private property at a commercial complex is a permitted use in the CG zone. Zoning Ordinance Section 4-407 includes use limits and specifically states that uses cannot be conducted in a manner that would render it noxious or offensive by reason of noise. Given the history of violations related to this use and in order to comply with the Zoning Ordinance, the maximum number of outdoor seats shall be 60, and the maximum number of patrons in the outdoor dining area shall not exceed 60 at any one time, and the use shall comply with the statewide building and fire code. Portable bathrooms shall not be used to meet building code requirements.~~
- b. Outdoor cooking facilities and host stands are not permitted.
- c. ~~A lighting plan of the outdoor dining area shall be subject to approval of the Director of Planning and Zoning.~~
- d. ~~A landscape and amended site plan, consistent with this approval, shall be submitted within 30 days of SUP approval and is subject to the approval of the Director of Planning and Zoning.~~
- e. All outdoor dining furniture and games must not be closer than 25 feet from the rear property line.
- f. No outdoor games shall be permitted. (PC)

14. **CONDITION AMENDED BY THE PLANNING COMMISSION:** Music and Live Entertainment

- a. Indoor live entertainment is permitted from 4:00 p.m. to 12:00 a.m., consistent with the noise ordinance. All windows and doors must remain closed during indoor live entertainment. 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)
- b. Outdoor amplified music in any the form of background music is not permitted. from 4:00 p.m. to 10:00 p.m. daily, consistent with the noise ordinance. No live outdoor music is allowed at any time. No outdoor speakers, including but not limited to Bluetooth speakers or speakers mounted in windows or doors, are permitted. Existing

speakers must be removed from the outdoor dining area within 10 days of City Council action. (P&Z)

- c. Any form of outdoor live entertainment and/or the amplification of the human voice shall be prohibited in the outdoor dining area unless associated with an approved Noise Permit for music and sound amplification from the Department of Transportation & Environmental Service. Live entertainment shall include, but is not limited to, live music of any type, DJ's, hosted game/trivia nights, movie nights, classes/workshops/meetings, and any such similar events. The projection of live music and live entertainment from within the restaurant to the outdoor area via loudspeakers or open doors and windows shall be prohibited at all times. (PC)

30. **CONDITION AMENDED BY THE PLANNING COMMISSION:** The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for three months, ~~and six months, and nine months, then again after 18 months.~~ The Special Use Permit shall be docketed after one year, or sooner with 30 days notice. ~~and~~ The Director of Planning and Zoning 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. (PC)