

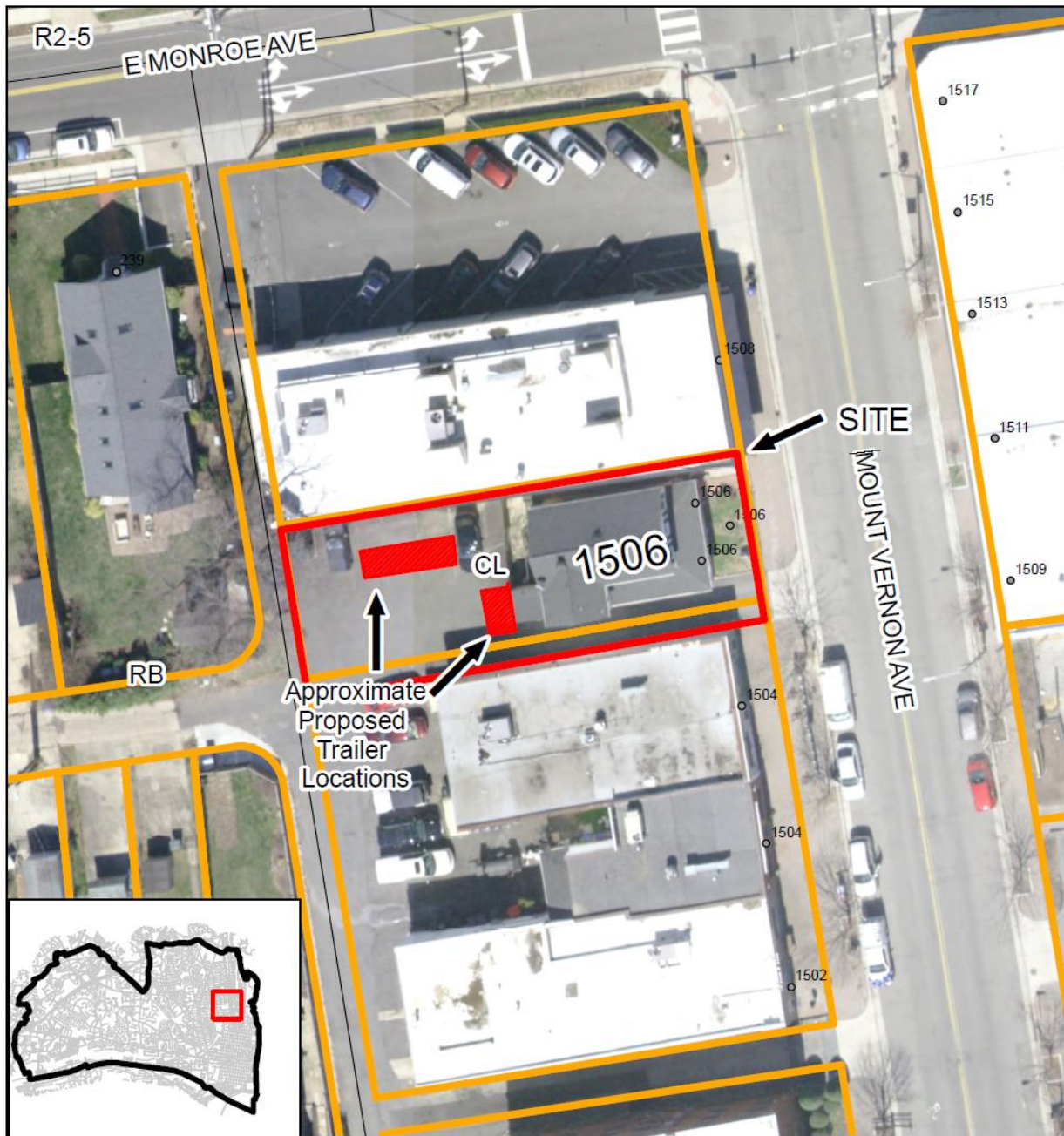


Special Use Permit #2024-00079
1506 Mount Vernon Avenue
Temporary trailers, restaurant, and outdoor dining
for French Toast/Salad Topia restaurants

Application	General Data	
Request: Public hearing and consideration of a request for two temporary trailers, a restaurant, and outdoor dining	Planning Commission Hearing:	February 4, 2025
	City Council Hearing:	February 22, 2025
Address: 1506 Mount Vernon Avenue	Zone:	CL/Commercial low
Applicant: Beckham Baffer	Small Area Plan:	Potomac West
Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.		
Staff Reviewers: Mavis Stanfield, mavis.stanfield@alexandriava.gov Ann Horowitz, ann.horowitz@alexandriava.gov		
<u>PLANNING COMMISSION ACTION, February 4, 2025:</u> On a motion by Vice Chair McMahon, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Special Use Permit #2024-00079, subject to all conditions, code requirements, and ordinances. The motion carried on a vote of 6-1, with Commissioner Lyle voting against the motion. <u>Reason:</u> The Planning Commission generally agreed with the staff analysis. <u>Discussion:</u> Commissioner Lyle expressed her concern over previous approvals made by the Commission for temporary trailers that are not temporary or attached to businesses. The Planning Commission was supposed to address trailers through discussion of a text amendment to the zoning ordinance during their August retreat, but that did not happen. She added that there are two other restaurants in the vicinity that offer breakfast that are in brick-and-mortar space and that the trailer use is an unfair advantage, having fewer overhead costs. She further noted that when trailers are used for 15 to 20 years, they are not temporary, and staff and the Commission need to be very conscious of this moving forward.		

Vice Chair McMahon expressed her appreciation for Commission Lyle's perspective and would hope that staff can fit an exploration of the use of these trailers in a zoning ordinance amendment work program in the future, as this use occurs frequently in different land use scenarios. She also noted that the community supports this use, and that the landowner is willing to host it for a few years. Ideally it will become a brick and mortar use at some point. She stated that she supports this use and the exploration of others like it in a use type and community context.

Chair Macek stated that it is not the role of the Planning Commission to balance the playing field for competitive enterprise but rather to evaluate whether or not the external impacts of the trailer would adversely affect the community. He noted that he is comfortable with the staff proposed conditions to mitigate the impacts of the use.



SUP#2024-00079
1506 Mount Vernon Avenue



0 15 30 60 Feet

I. DISCUSSION

The applicant, Beckham Baffer, requests Special Use Permit approval for two trailers, both located behind the existing commercial building on the site, a restaurant, and outdoor dining, operating as French Toast and Salad Topia. The restaurant, Salad Topia, would be located inside the building, French Toast would operate from the trailers, and the outdoor dining would be located on the front porch and patio and at the side driveway.

SITE DESCRIPTION

The property consists of one parcel of record that has 42 feet of frontage on Mount Vernon Avenue, a lot depth of 120 feet, and a lot area of 5,040 square feet. It is developed with a two story building that real estate assessment records indicate is 1,624 square feet in size (Figure 1). The first floor contains a kitchen that the applicant currently uses to store food and beverages. An auxiliary apartment is located on the second story of the building. A patio facing the street extends along the length of a partial wrap-around front porch. A 10-foot-wide driveway, located on the southern edge of the property, extends to the rear and opens to an approximately 2,500 square-foot rear yard area, which is paved and currently used for parking. A through alley borders the lot on the west and is accessed from East Nelson and East Monroe Avenues.



Figure 1: Front of business at 1506 Mount Vernon Avenue



Figure 2: Site context

Non-residential uses surround the applicant's business to the north, east, and south. Properties to the west are a mix of townhouses and detached single-unit dwellings. Junction Bakery is located directly to the north and Benny DiForza's Pizza is to the south. Walgreens and The Garden are across the street to the east (Figure 2).

BACKGROUND

Records reflect that the building was constructed in 1950. A permit from 1962 indicates that the building at that time was used as two dwelling units. In 2019, building and occupancy permits were issued for Smallcakes Cupcakery and Creamery, as a retail use.

A Zoning Inspector observed one trailer operating without SUP approval in June 2024 and issued a warning and two citations. As a result, the applicant applied for a special use permit for an after-the-fact review of the one trailer operating on the property. The trailer was located on the south side of the building on the property in an area that had been used as a driveway and between the pizza restaurant to the south and the subject building. This application was initially scheduled for public hearings in November 2024.

Prior to the November hearings and in the process of reviewing the initial application for one trailer in the driveway, the Fire Marshal noted that the trailer could not remain in its current location, as it would not meet a fire code requirement of a minimum of ten feet between the trailer and the buildings to the north and south. During a subsequent zoning inspection, the trailer was found to be located four feet from the building at 1504 Mount Vernon Avenue to the south and only 2.5 feet from the building on the applicant's property. The applicant was informed that the trailer would have to be moved somewhere else on the property, in compliance with the fire and building code requirements. In discussions with staff, the applicant indicated that seating was provided for

customers on the patio in front of the existing building; however, this use also was never officially approved through an administrative SUP. The applicant also indicated that he intended to open a restaurant, Salad Topia, in the building and to put a second trailer on the site and have outdoor dining on the building's porch, front yard patio, and in the area formerly used as a driveway. The applicant's comprehensive business plan, having evolved over time, is represented in this SUP request.

For the November SUP hearing and on October 7, the Del Ray Citizens Association (DRCA) voted to support the initial SUP application for the one temporary trailer in the driveway, confirming its support in a letter dated October 15. On October 22, the President of the Potomac Mews Homeowners Association also submitted an email of support for the business. This association represents townhouses located on North Nelson Street, directly south of the application property. Staff has not received any comments subsequent to the submission of this current application for two trailers at the rear of the property, outdoor dining, and a restaurant.

No other zoning or City Code violations associated with the property have occurred in the past five years.

PROPOSAL

The applicant proposes an after-the-fact SUP approval to use a small trailer and to add an additional trailer to prepare and serve French toast and beverages. An indoor restaurant and 80 outdoor dining seats located in front of the building and in the driveway are also proposed.

At the existing trailer and at the second one, customers would be served via a walk-up window, as shown in Figure 3, and would have the option of sitting in the outdoor dining area or taking the food to-go. On January 7, the existing trailer was moved from the driveway to its current location, behind the commercial building, where the second trailer would also operate.



Figure 3: Current Trailer Location

The French Toast business would operate from 8 a.m. to 2 p.m. on Tuesday through Friday and from 8 a.m. to 3 p.m. on Saturday and Sunday. One to two employees would staff each trailer and approximately 20-30 customers would be served each hour of operation.

The existing trailer is approximately eight feet in length and six feet in width and has a two-foot

trailer hitch for removal. It operates with electricity from the existing building and propane. Food and beverages are stored in the building's kitchen. The proposed second trailer would operate in a similar manner but would have a maximum dimension of 16 feet by eight feet, with a four foot trailer hitch.

The trailers are equipped with fully functional kitchens, which include a commercial hood system used for the removal of smoke and grease-laden air. The current trailer is located near the western end of the building and the new trailer would be located perpendicular to the existing trailer, along the northern lot line. The existing trailer would be relocated when the new trailer is installed, to better align with the illustration in Figure 4. An area for propane storage would be located to the east of new trailer and to the north of the existing trailer, as shown in Figure 4. The propane would be used for both the trailer grills and hot water heaters and as standalone heating elements in the area of the trailers and the patio. The propane storage would be separated from the other uses by four safety barriers, which would be three foot high yellow and red folding bollards.

The 515 square-foot restaurant inside the building, Salad Topia, would operate from 9 a.m. to 9 p.m. daily and would have four tables and 16 chairs. The restaurant would have a maximum of four employees and serve 15 to 20 customers per hour of operation.

The outdoor dining would include six tables with 12 chairs located on the building porch (described as a covered patio on the site layout in Figure 4); and four tables with 20 chairs on the patio in front of the porch. The applicant proposes planters to separate the patio seating from the sidewalk, in response to a suggestion voiced at the DRCA meeting, as there is an approximately eight to 10 inch drop in elevation between the patio and the sidewalk. Two additional safety barriers are proposed to be located at the end of the driveway, to protect outdoor diners from vehicle traffic. Additional outdoor dining is proposed to be located along the existing driveway, approximately 68 feet from the nearest residential property. This would consist of eight additional tables with 48 chairs, bringing the total number of outdoor seating to 80. The tables in this area would be partially shielded by five sun shades that would be attached to the existing building and the neighboring building to the south, which is owned by the same person who owns the applicant's property.

Three parking spaces are proposed at the rear of the property as indicated in Figure 4. These spaces would also be separated from other uses by four safety barriers and wheel stops and would be accessed via the public alley that extends behind the site to East Monroe Avenue to the north and East Nelson Avenue to the south.

Mount Vernon Avenue

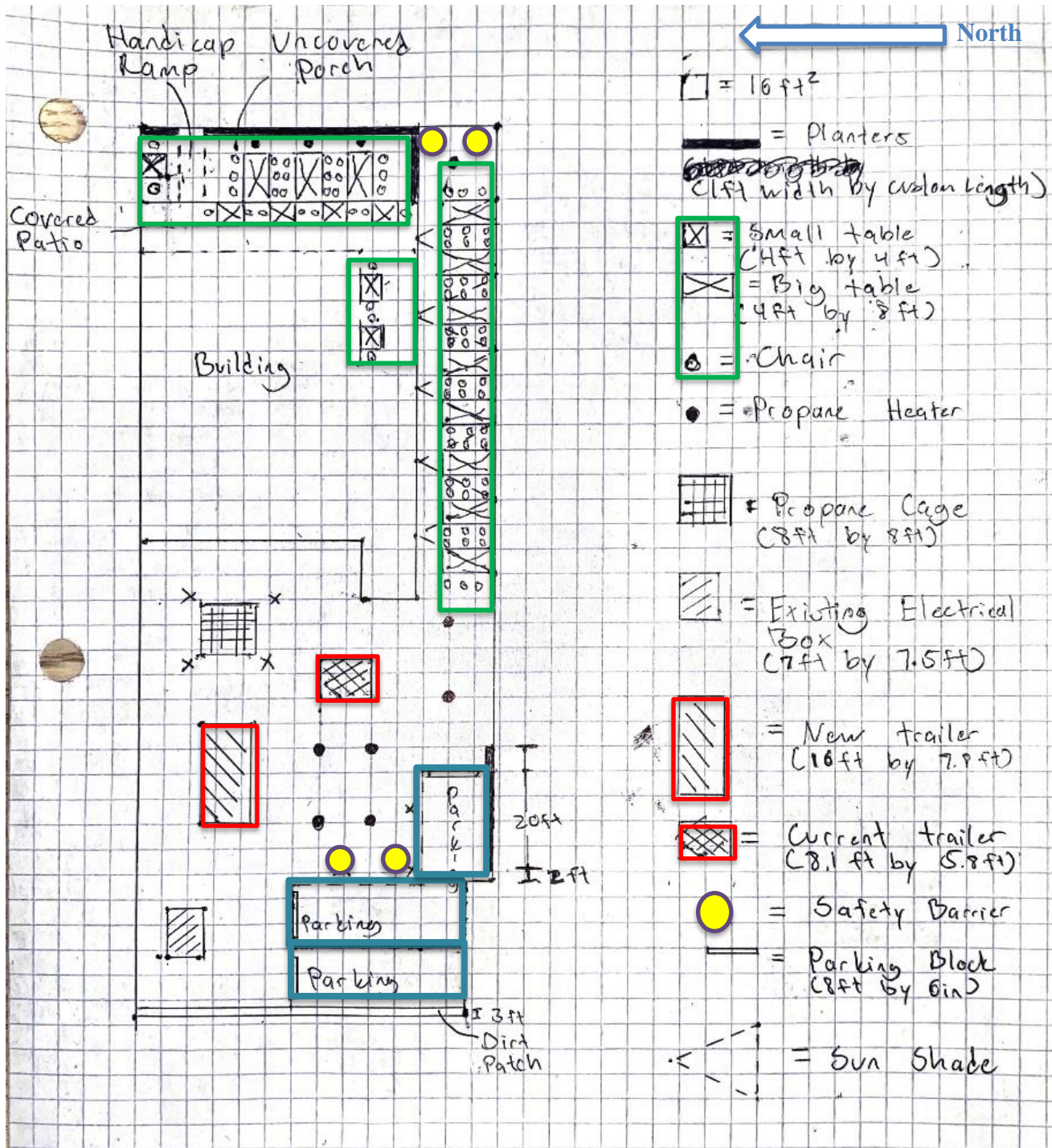


Figure 4: Site layout submitted January 13, 2025 (NTS).

Key: Trailers = red outline
Outdoor dining = green outline
Parking spaces = blue outline
Safety barriers = yellow circle

PARKING

Section 8-200(A)(17)(a) of the Zoning Ordinance requires restaurants in the enhanced transit area to provide a minimum of one parking space for every 1,000 square feet of floor area and a maximum of three spaces for every 1,000 square feet of floor area. The restaurant uses consist of the 48 and 128-square foot trailers plus the 515 foot interior space accounts for a total of 691 restaurant square footage.

Further, Section 8-200(A)(17) (c) provides that the area occupied by the first 20 outdoor seats shall be exempt from the parking requirement. The area occupied by each seat over 20 shall be calculated as 15 square feet per seat. Because the outdoor dining associated with this proposal is for 80 seats, 60 seats are subject to the 15 square feet requirement, yielding 900 square feet. The total restaurant and outdoor dining square footage is 1,591. Thus, the parking requirement is two. Pursuant to Section 8-100(A)(9) of the Zoning Ordinance, nonresidential uses that have a parking requirement of two spaces or less are exempt from providing the spaces, meaning no parking is required for these uses. Further, in accordance with Section 8-200(A)(16)(c)(iii)(a) an auxiliary apartment in the enhanced transit area has no parking requirement. Nonetheless, the three-space parking lot at the rear provides customer and employee parking for the proposed uses.

ZONING/MASTER PLAN DESIGNATION

The combined uses would be located in the CL/Commercial low zone and in the Mount Vernon urban overlay. Section 7-1101(C) of the Zoning Ordinance allows temporary trailers for non-residential purposes with City Council approval of a Special Use Permit.

Section 4-103(J.1) allows outdoor dining with more than 49 seats with City Council approval of a Special Use Permit. A restaurant in the CL/Commercial low zone requires administrative SUP approval, pursuant to Section 4-102.1(B); however, in this case, the restaurant use is included in the Special Use Permit full hearing, because it is an integral part of the business at this location.

The property is located within the Potomac West Small Area Plan that designates it for commercial use. It is also within the Mount Vernon Business Area Plan area that supports enhancing Mount Vernon Avenue as a vibrant commercial corridor and encourages independent retail uses, restaurant uses, outdoor dining, and public art along the Mount Vernon Avenue commercial corridor.

II. STAFF ANALYSIS

Staff supports the applicant's request to operate two breakfast food trailers on a temporary basis in conjunction with a small restaurant and outdoor dining on private property located along the Mount Vernon Avenue commercial corridor. Although an after-the-fact review, the use of the existing trailer provided evidence of the lack of neighborhood impacts associated with the trailer use. The location of the trailer and the proposed additional trailer, restaurant, and outdoor dining near the avenue and other active restaurants, retail, and outdoor dining uses contributes to the vitality of this commercial center located in the Gateway area of the Mount Vernon Avenue Business Area

Plan. These uses are compatible with the guiding principles of the plan to promote independently owned commercial businesses including restaurants, retail stores, and personal services that derive a significant share of business from walk-in clientele.

Staff does not expect impacts from the business. Given the location of the trailers on private property, pedestrian traffic would not be impacted, and due to suitable rear alley access, vehicle travel to the site's parking lot would not be hindered. Noise and odor impacts have not proven to be a neighborhood concern since the trailer operation opened earlier last year and the addition of seating, associated with breakfast and primarily lunch offerings, is not expected to have an adverse impact on the community. Powered by electricity from the building, the potential for diesel odors or combustion noise from the vehicle's engine does not exist. Additionally, cooking odors are filtered through a commercial hood built into the trailer. At a visit conducted on January 14, staff noted that the operation was free of debris and no odors were detected. The business is comparable to the shaved ice trailer at 2307A Mount Vernon Avenue, approved by City Council on December 16, 2023, which has had a positive impact on the corridor's vitality and has also operated without complaints or violations.

Standard conditions for temporary trailer, restaurant, and outdoor dining uses have been included in the staff report. For outdoor dining, Condition #5 ensures that the seating would be limited to no more than 80, would not be located closer to the abutting residential properties than the building, and would comply with building and fire codes. For example, as noted in the Code City Comments section (C-4), a 36 inches aisle width is required for seating, which the proposed seating in the driveway may not meet. When the applicant applies for the building permit for the restaurant and outdoor seating, Code Administration would comment on the size of tables and number of seats that could fit in the driveway and comply with the building code. Other building code requirements may limit further the number of seats allowed outdoors below 80.

Notwithstanding the outdoor hours of operation provided by the applicant, staff is recommending in Condition #4 that the hours reflect the zoning ordinance maximum timeframes for outdoor dining uses approved administratively in the Mount Vernon Avenue urban overlay with a closing hour of 10 p.m., Sunday through Thursday and 11 p.m. on Friday and Saturday, to allow flexibility for the applicant.

Given that the Zoning Ordinance allows trailers for business use only on a temporary basis, a condition with an expiration date is required. Because the business in the temporary trailers is expected to contribute to street vitality, staff recommends that they be permitted for two years with an additional three years available via approval of an Administrative Special Use Permit, as stated in Condition #3.

Other standard conditions apply to all uses at the site. Condition #10 ensures that the site would be kept clean, while Condition #16 ensures that there would be no odor impacts on neighboring properties. Furthermore, Condition #19 requires that employees utilize off-street parking, which would keep parking impacts stemming from the uses to a minimum.

Subject to the conditions stated in Section III of this report, staff recommends approval of the Special Use Permit request.

III. RECOMMENDED CONDITIONS For SUP 2024-00079

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 corporation in which the applicant has a controlling interest. (P&Z)
2. The location and specifications of the two temporary trailers shall be substantially consistent as presented in the application dated January 13, 2025. (P&Z)
3. The two temporary trailers shall be permitted at the site for a two-year term which expires on February 22, 2027, with an opportunity to increase the term for an additional three years through an Administrative Special Use Permit. (P&Z)
4. The trailers and the outdoor dining shall be closed and cleared of all customers by 10 p.m. Sunday through Thursday and by 11 p.m. on Friday, Saturday, and holidays. (P&Z)
5. The number of outdoor seats shall not exceed 80 and the seating must remain on private property and shall not encroach into the public right-of-way. The number of seats shall comply with the State-wide building and Fire codes. No seating shall be located behind the building to the west. (P&Z)
6. Safety barriers shall be installed at either end of the outdoor seating area in the driveway. (P&Z)
7. Outdoor seating areas shall not include signage on outdoor dining furniture or enclosures, including on umbrellas. (P&Z)
8. The outdoor dining area shall be cleared and washed at the close of each business day that it is in use. (P&Z)
9. The applicant shall provide wheel-stops for all off-street parking spaces. (T&ES)
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 once 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. (T&ES)
11. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)

12. Chemicals, detergents, or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
13. Exterior power washing of the building or trailer shall not be completed using any kind of detergents. (T&ES)
14. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or other wash water be washed onto the streets, alleys or storm sewers. (T&ES)
15. All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
16. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
17. If used cooking oil is stored outside, the lid of the used cooking oil drum shall be kept securely closed (using a bung) when not receiving used oil. The drum shall be placed on secondary containment and situated under cover to prevent rainwater from falling on it. (T&ES)
18. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11 p.m. and 7 a.m. (T&ES)
19. The applicant shall require its employees who drive to use off-street parking. (T&ES)
20. 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)
21. 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)

22. The Director of Planning and Zoning shall review the special use permit one year after it has been operational, and then again every three years for compliance with all conditions and may docket the matter for consideration by the Planning Commission and City Council if 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; or the Director has determined that new or revised conditions are needed to offset land use impacts not addressed in the City Code. (P&Z)

STAFF: Tony LaColla, AICP, Division Chief, Land Use Services,
Department of Planning and Zoning
Ann Horowitz, Principal Planner
Mavis Stanfield, Urban Planner

Staff Note: In accordance with section 11-506(C) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 The applicant shall provide wheel-stops for all off-street parking spaces. (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 picked up at least once 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. (T&ES)
- R-3 Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
- R-4 Chemicals, detergents, or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
- R-5 Exterior power washing of the building or trailer shall not be completed using any kind of detergents. (T&ES)
- R-6 Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or other wash water be washed onto the streets, alleys or storm sewers. (T&ES)
- R-7 All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-8 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
- R-9 If used cooking oil is stored outside, the lid of the used cooking oil drum shall be kept securely closed (using a bung) when not receiving used oil. The drum shall be placed on secondary containment and situated under cover to prevent rainwater from falling on it. (T&ES)
- R-10 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

- R-11 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-12 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)
- R-13 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)
- 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 A building permit is required. Per OCC2019-00224, the existing space is an M use (Mercantile), the proposed space will be used as a restaurant, an A-2 use. A building permit review is required for change of use per VCC sec. 108.1.2.
- C-2 Installation of trailers in the back yard will affect the existing means of egress, fire protections, MEP, etc. requirements.
- C-3 Per 403.2 Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 15 or fewer.
- C-4 According to VCC Section 1004.6, there must be 18 inches (457 mm) of seating length per person, and in compliance with Section 1020.2, the required aisle width is 36 inches. The measurement from the exterior wall to the adjacent property line must exceed 7 feet 6 inches for a 6 person-table and aisles.

- C-5 Two means of egress shall be provided for the yard to the public way per VCC.

Fire:

- C-1 319.1.2 Separation. Mobile food preparation vehicles shall be separated from buildings or structures, combustible materials, vehicles, and other cooking operations by a minimum of 10 ft.
- C-2 Seating for the public within any mobile food preparation vehicle is prohibited.
- C-3 A fire protection permit will be required for this use. The application can be accessed online at:
www.alexandriava.gov/fire-department/the-fire-marshals-office

Health:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another. Permit application and fee are required.
- C-2 Construction plans shall be submitted to the Health Department located at 4480 King Street and through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria- fee must be paid separate from any other departmental fees.
- C-3 Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety Code of the City of Alexandria. Plans shall include a menu of food items to be offered for service at the facility and specification sheets for all equipment used in the facility, including the hot water heater.
- C-4 A Food Protection Manager shall be on-duty during all operating hours.
- C-5 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.
- C-6 In many cases, original wooden floors, ceilings and wall structures in historical structures may not be suitable for food service facilities. Wood materials shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent.
- C-7 Facilities engaging in the following processes may be required to submit a HACCP plan and/or obtain a variance: Smoking as a form of food preservation; curing/drying food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; sprouting seeds or beans; and fermenting foods.
- C-8 Starting on 1/1/2023, The Virginia Department of Agriculture and Consumer Services

(VDACS) is the point of contact for the following type of establishments: grocery stores, convenience stores, ice cream stores, wine shops, or bakeries. The divisions of Food Safety can offer further guidance. Please use the following contact information:

VDAC's Food Safety Program

804.786.3520

804.371.7792

foodsafety@vdacs.virginia.gov

Parks and Recreation:

No comments received.

Police Department:

No comments received.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # _____

PROPERTY LOCATION: 1506 Mount Vernon Ave. Alexandria, VA 22301

TAX MAP REFERENCE: 043.02-09-14

ZONE: CL ^{commercial}
Low

APPLICANT:

Name: Beckham Baffer

Address: [REDACTED]

PROPOSED USE: Seeking to open a carryout restaurant and two temporary food trailers with outdoor and indoor seating.

- ☒ 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.

BECKHAM BAFFER

Print Name of Applicant or Agent

[Signature]

Signature

11/15/2024

Date

[REDACTED]

Mailing/Street Address

[REDACTED]

Telephone #

[REDACTED]

Fax #

Washington, DC 20020

City and State

Zip Code

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 1506 Mount Vernon Ave, I hereby
(Property Address)
grant the applicant authorization to apply for the special use permit use as
(use)
described in this application.

Name: Michael McDeed Jr.

Phone: [REDACTED]

Address: [REDACTED]

Email: [REDACTED]

Signature: Alexander

Date: 11/13/2024

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.

Beckham Baffer Justin Wallace

50% 50%

[REDACTED] [REDACTED]

Washington, DC 20020 [REDACTED]

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. Beckham Baffer	[REDACTED]	50
2. Justin Wallace	[REDACTED]	50
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (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. Michael Hadeed	[REDACTED]	100
2.		
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 required 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 the 12-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 indicate 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. Justin Wallace	None	
2. Beckham Baffer	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.

11/13/2024 BECKHAM BAFFER
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

N/A

☐ **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

See Attached Page

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).

20-30 per hour

- B. How many employees, staff and other personnel do you expect?

Specify time period (i.e., day, hour, or shift).

4-12 per day

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

Day:

Monday

Hours:

closed

Tuesday : Friday

8-2 pm

Saturday : Sunday

8-3 pm

All week

9-9 pm

French
Toast

Satad
Topia

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

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

Very minimal noise

- B. How will the noise be controlled?

Notifying staff & patrons to be
considerate of our neighbors.

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

There will be the smell of Breakfast cooking. We plan to control the smells with a vented hood system.

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)
Plastic forks, Most of everything is recyclable or Bio-degradable.

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)
2-5 Bags a day

C. How often will trash be collected?

Once a week

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

We will put out multiple trash and Recycle cans. As well as encourage patrons to pick up after themselves.

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:

Advantaco degreaser, 1/4 gallon monthly. It used to clean the hood of grease. After its wiped up it gets disposed into the trash. Due to chemical expos.

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

We give all staff a safety handbook on chemical use & disposal, to encourage a safe & clean ~~and~~ restraunt.

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.

PARKING AND ACCESS REQUIREMENTS

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

3 Standard spaces
_____ Compact spaces
_____ Handicapped accessible spaces.
_____ Other.

Planning and Zoning Staff Only
Required number of spaces for use per Zoning Ordinance Section 8-200A _____
Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No

- B. Where is required parking located? (check one)

☒ on-site
☐ off-site

If the required parking will be located off-site, where will it be located?

PLEASE NOTE: Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

☐ Parking reduction requested; see attached supplemental form

15. Please provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are available for the use? 1

Planning and Zoning Staff Only
Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____
Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No

- B. Where are off-street loading facilities located? N/A
- C. During what hours of the day do you expect loading/unloading operations to occur?
NOON - 2pm
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
4 ~~times~~ weekly
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?
It is adequate

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☒ Yes ☒ No E
Inside Restaurant
- Do you propose to construct an addition to the building? ☐ Yes ☒ No
2 temporary food trailers
- How large will the addition be? 209.5 square feet.
18. What will the total area occupied by the proposed use be? Whole Interior Property
_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = 515.5 sq. ft. (total)
19. The proposed use is located in: (check one)
☒ a stand alone building
☐ a house located in a residential zone
☐ a warehouse
☐ a shopping center. Please provide name of the center: _____
☐ an office building. Please provide name of the building: _____
☒ other. Please describe: In Back parking lot

End of Application

Description

The trailer, a fully licensed business, dedicated to serving a delicious french toast, introducing a flair to breakfast. With a unique, yet overly simplified menu. We are trying to fill the market's need for a consistent and delicious food option, in the Del ray area. By establishing a place where everyone can go for a delicious meal. A place that allows them to explore the culinary art and introduce a younger audience to what we would consider to be the best French Toast. We are also seeking to challenge the existing market of mainly traditional breakfast restaurants. By adding a unique twist to breakfast, with the french toast. It doesn't matter if they want something sweet for the morning time or a traditional french toast on some of the best local bread to be sold. We want to be the place to go. The trailer is a fully functional kitchen with additional assistance from its local commissary kitchen. Allowing staff to serve the local community members and guests with the highest quality product at the highest level of cleanliness. The set up for French toast will consist of two trailers, one smaller (97 by 102 Inches) and one larger one (24 ft by 10ft). They will be located behind Salad Topia, in the private parking lot. Making an "L" shape with the two trailers in order to serve patrons in the seating located in the private driveway. The main restaurant, "Salad Topia," will be located inside the building, serving patrons from the front counter, allowing them to sit inside or enjoy our seating outside, on the pirate patio or porch. Salad Topia will be serving a variety of delicious salads, ranging from every aspect. Salad topia is based on a "zero waste" concept so we are seeking to throw away the least amount of food possible. Any additional food at the end of the day will be packaged and donated to the local community.



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: 16

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?

Parking impacts. Please answer the following:

1. What percent of patron parking can be accommodated off-street? (check one)

☐ 100%
☐ 75-99%
☐ 50-74%
☐ 1-49%
☒ No parking can be accommodated off-street

2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)

☒ All
☐ 75-99%
☐ 50-74%
☐ 1-49%
☐ None

3. What is the estimated peak evening impact upon neighborhoods? (check one)

☒ No parking impact predicted
☐ Less than 20 additional cars in neighborhood
☐ 20-40 additional cars
☐ More than 40 additional cars

Litter plan. The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

Alcohol Consumption and Late Night Hours. Please fill in the following information.

1. Maximum number of patrons shall be determined by adding the following:

43 Maximum number of patron dining seats
 + 0 Maximum number of patron bar seats
 + 20 Maximum number of standing patrons
 = 63 Maximum number of patrons

2. _____ Maximum number of employees by hour at any one time

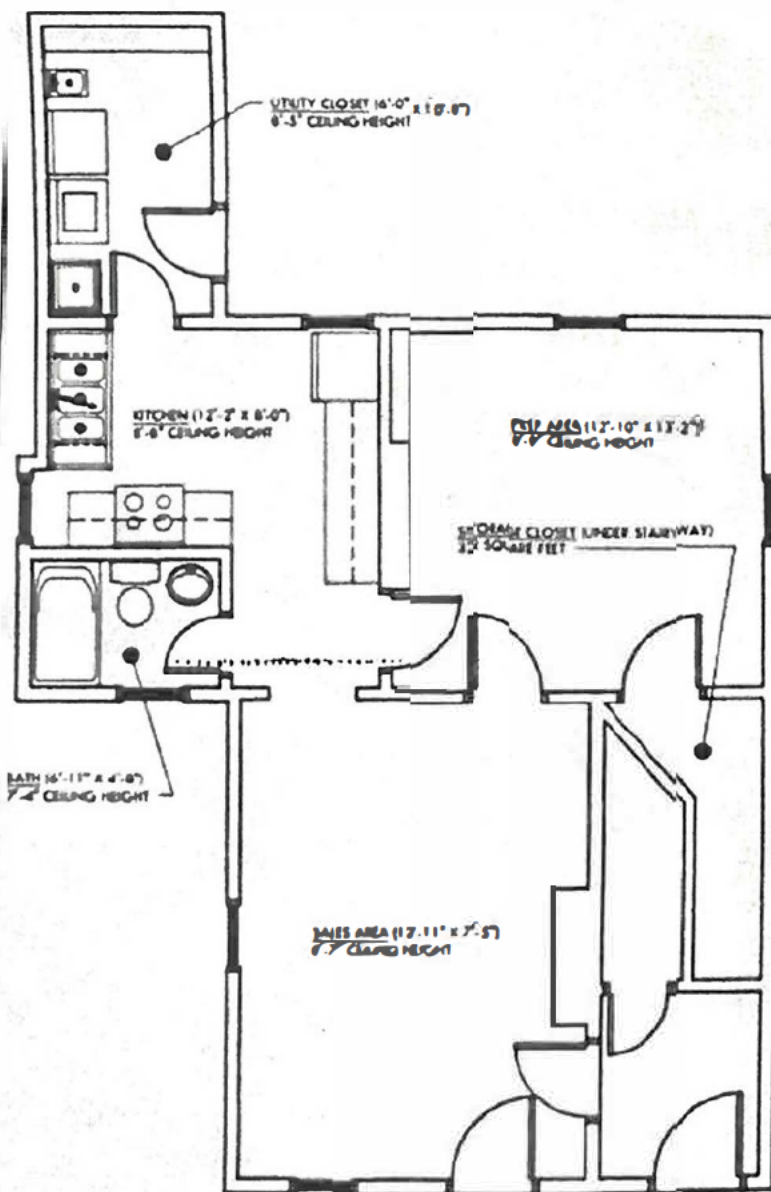
3. Hours of operation. Closing time means when the restaurant is empty of patrons. (check one)

☒ Closing by 8:00 PM (French Toast)
☒ Closing after 8:00 PM but by 10:00 PM (Salad Topia)
☐ Closing after 10:00 PM but by Midnight
☐ Closing after Midnight

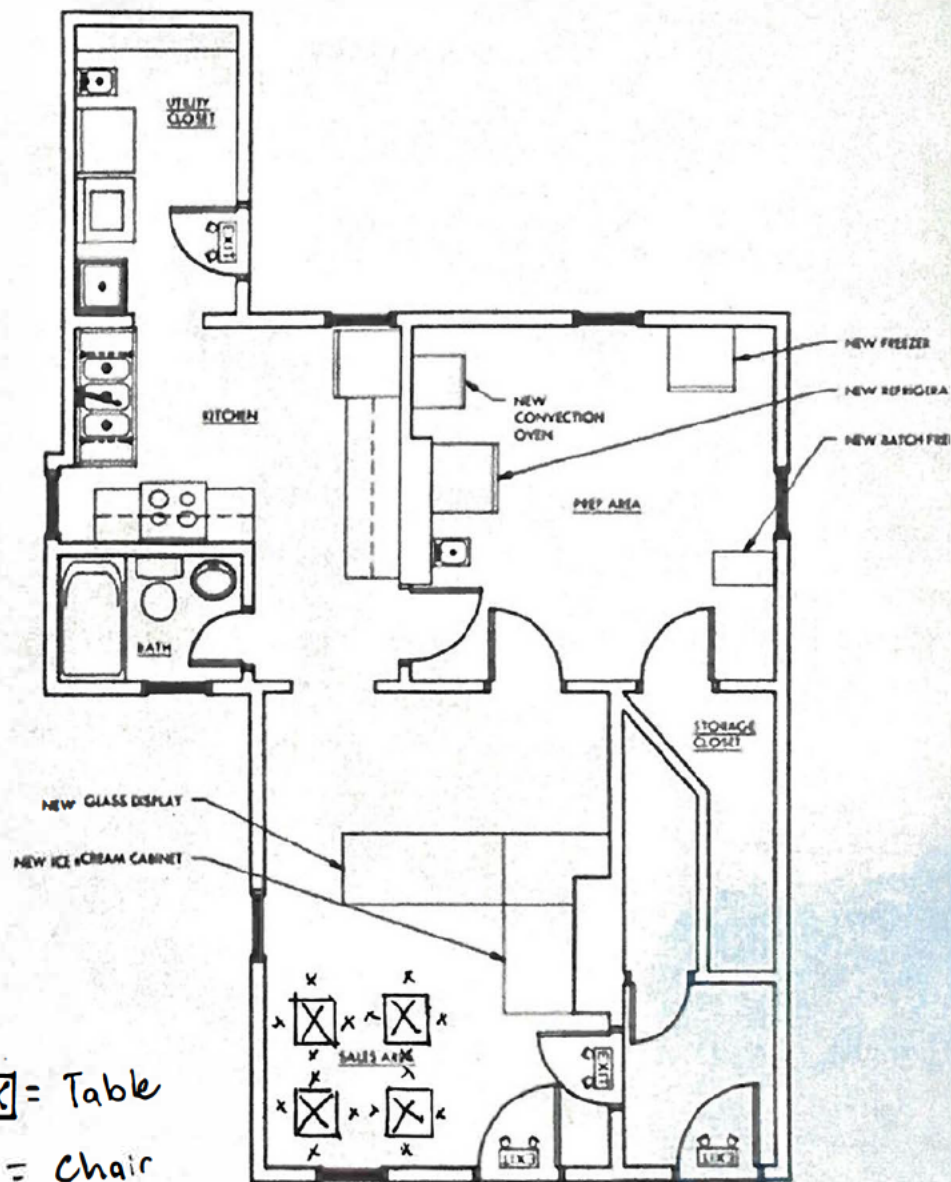
4. Alcohol Consumption (check one)

☐ High ratio of alcohol to food
☐ Balance between alcohol and food
☒ Low ratio of alcohol to food

(19)

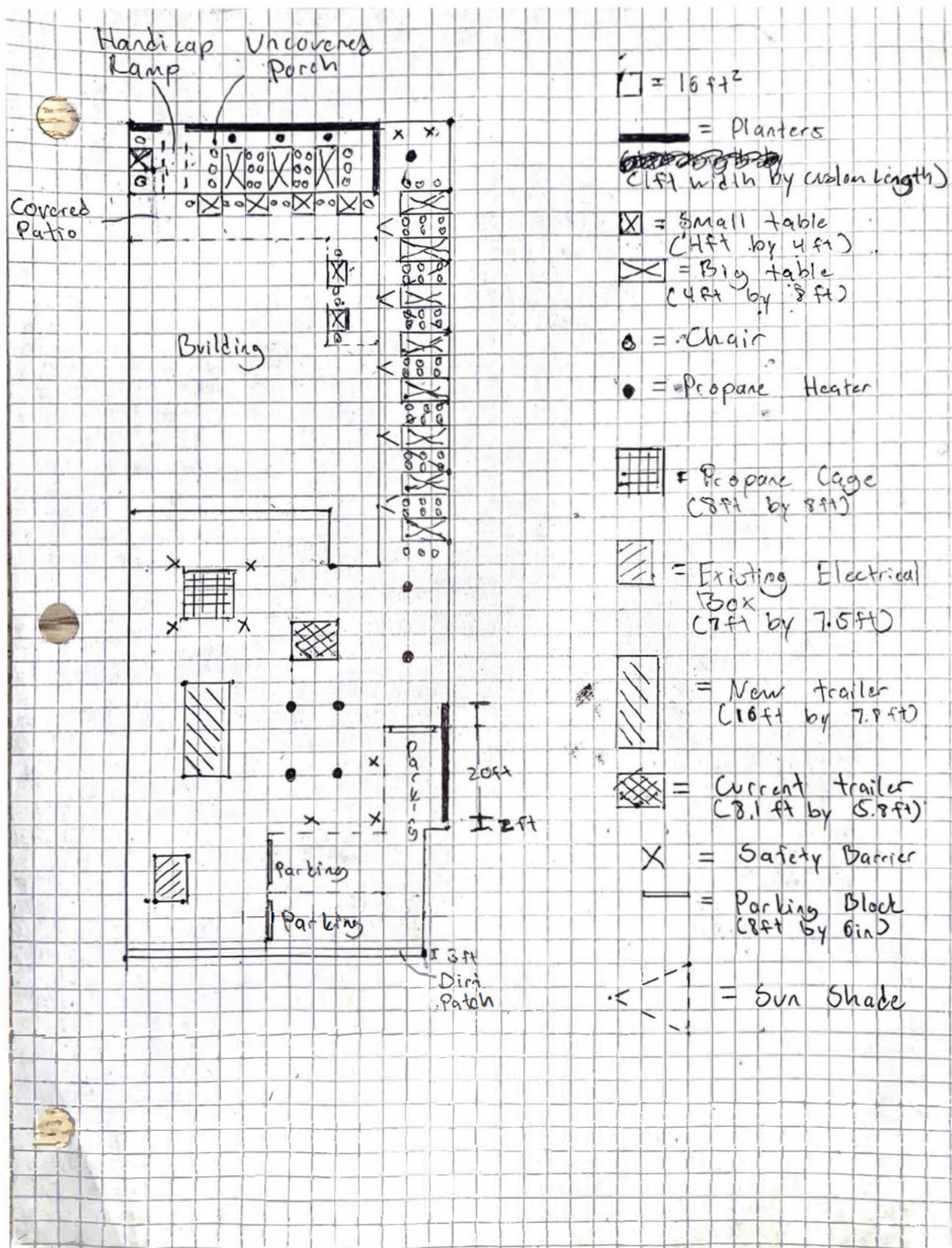


EXISTING FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



☒ = Table
x = Chair

NEW FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"











www.frenchtoastdmv.com

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 **@FrenchToastDMV**

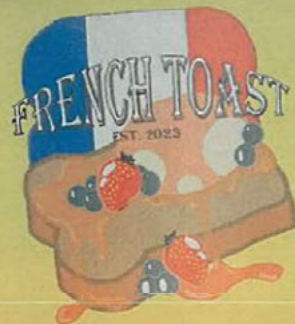


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Mavis E Stanfield

From: Beckham baffer <beckham.baffer123@gmail.com>
Sent: Wednesday, November 13, 2024 2:26 PM
To: Mavis E Stanfield
Subject: [EXTERNAL]Car barrier schematics

Attached are the schematics for the barrier we seek to install.



Assembly Required	Yes
Type	Folding Bollard
Tape Color Family	Red
Color	Yellow
Hardware Included	Yes
Style	Flexible Bollard
Mounting Location	Concrete
Includes	Mounting Hardware, 2 Keys
Material	Steel
Package Quantity	1
Manufacturers Part Number	670754
Shape	Round

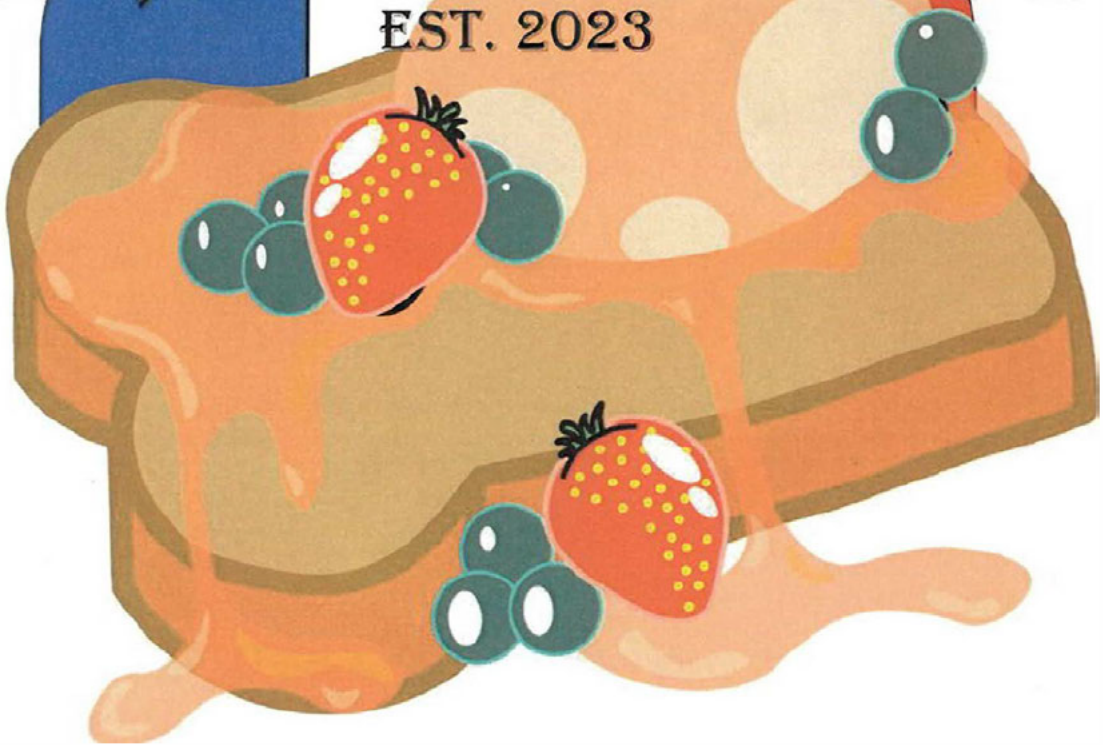
Weights & Dimensions

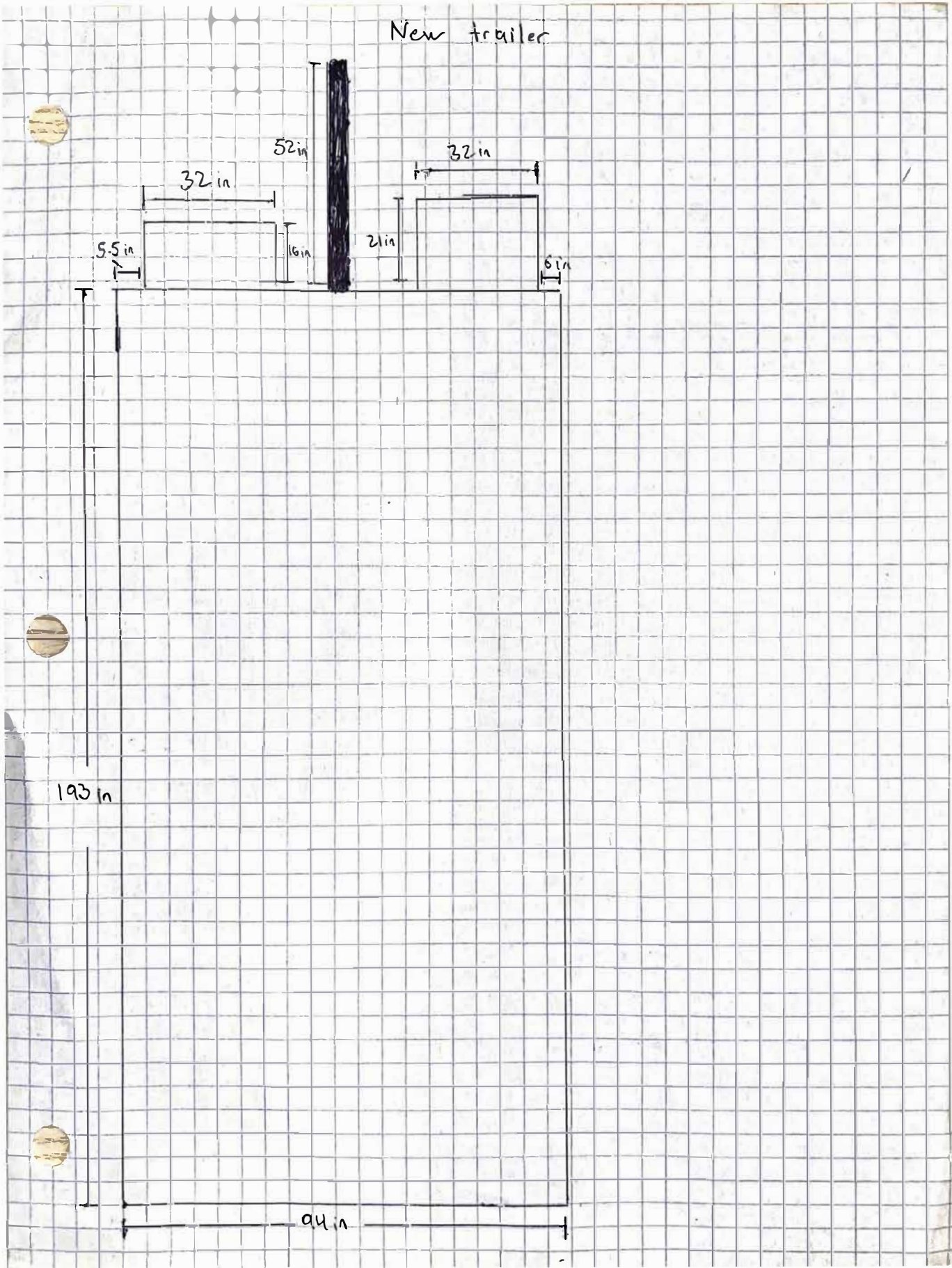
Height	35-1/2 in
Weight	22 lbs
Base Thickness	5/16 in
Bolt Spacing	6-5/16 x 5-7/8 in
Base Dimensions (W x L)	7-5/8 x 8-5/16 in
Diameter	4-5/16 in

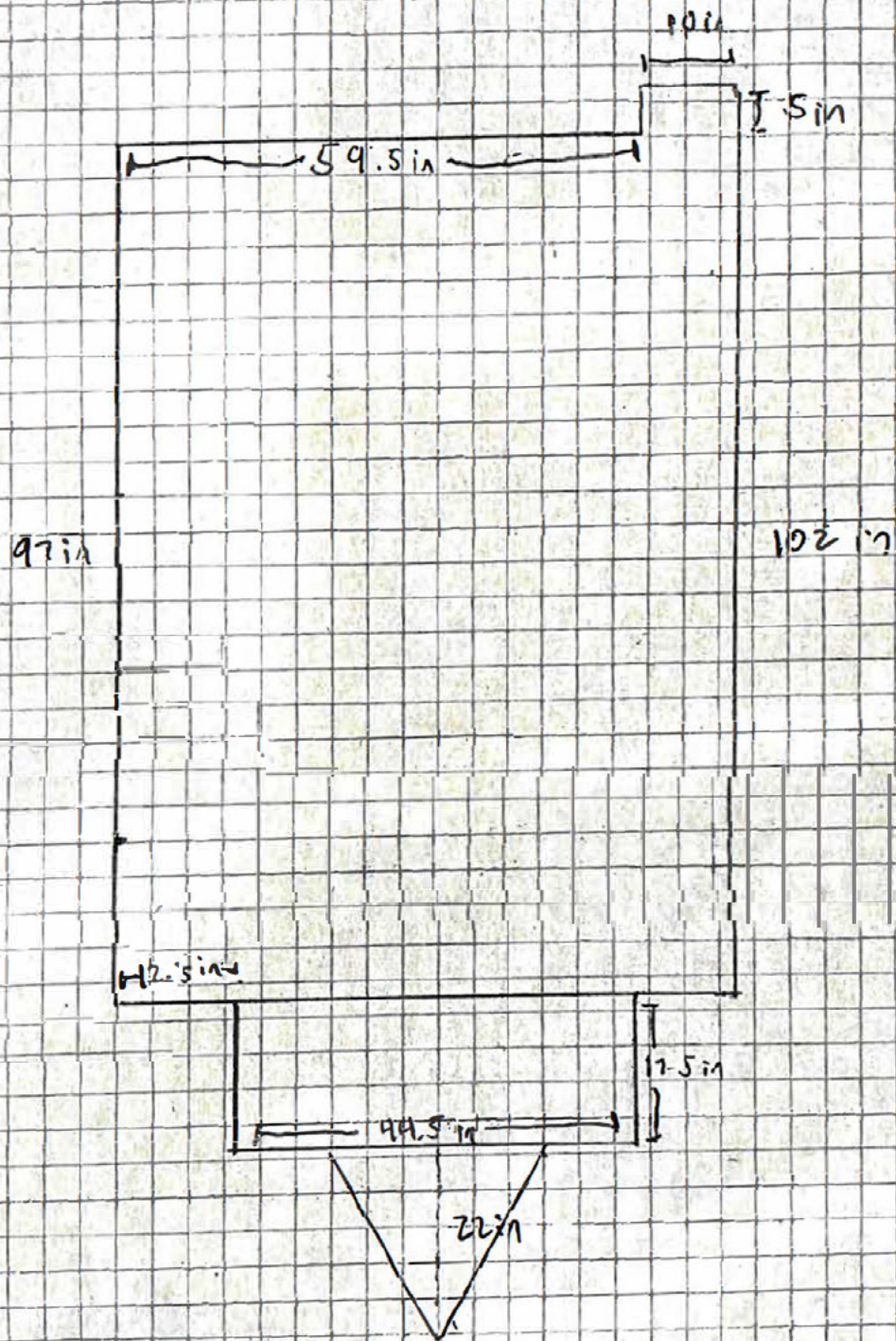
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FRENCH TOAST

EST. 2023











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Michael Hadeed Jr., Esq.

Marcella Donovan Hadeed, Esq.

November 24, 2024

City of Alexandria
Planning & Development
c/o Beckham Baffer
1506 Mount Vernon Ave
Alexandria, VA 22301

RE: Use of 1506 Mount Vernon Avenue


Dear City of Alexandria,

I have been asked to write this letter on behalf of the Tenant at 1506 Mount Vernon Avenue. I understand that the City of Alexandria has requested a letter stating that the Tenant has permission to access its back parking lot from adjacent property at 1504B Mount Vernon Avenue.

As owner of both 1506 and 1504B Mount Vernon Avenue, I hereby provide consent to the 1506 Tenant accessing its back parking lot across the parking area adjacent thereto and used by the Tenant at 1504B Mount Vernon Avenue. Please note that the back parking lots at 1506 and 1504B may be accessed directly from the public alleys directly connected thereto.

Please approve all pending applications for use permits as we are excited to have the opportunity to have this Tenant providing its goods and services to our residents and businesses.

Sincerely,



Michael Hadeed Jr.
Landlord

