



Special Use Permit #2016-0098
5418 Duke Street – Domino's Pizza Restaurant

Application	General Data	
Request: Public hearing and consideration of an amendment Special Use Permit #1558 to permit indoor seating, to increase the hours of operation, and to request a change of ownership for an existing restaurant.	Planning Commission Hearing:	February 7, 2017
	City Council Hearing:	February 25, 2017
Address: 5418 Duke Street	Zone:	CG/Commercial General Zone
Applicant: Team Washington, Inc.	Small Area Plan:	Landmark/Van Dorn Small Area Plan

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: Sara Brandt-Vorel, Sara.BrandtVorel@alexandriava.gov

PLANNING COMMISSION ACTION, FEBRUARY 7, 2017: On a motion made by Vice Chairman Macek and seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Special Use Permit #2016-0098 with revised language for Conditions #10, #14, and #28 and subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 6-0, with Commissioner Lyle absent.

Reason: The Planning Commission agreed with staff analysis.

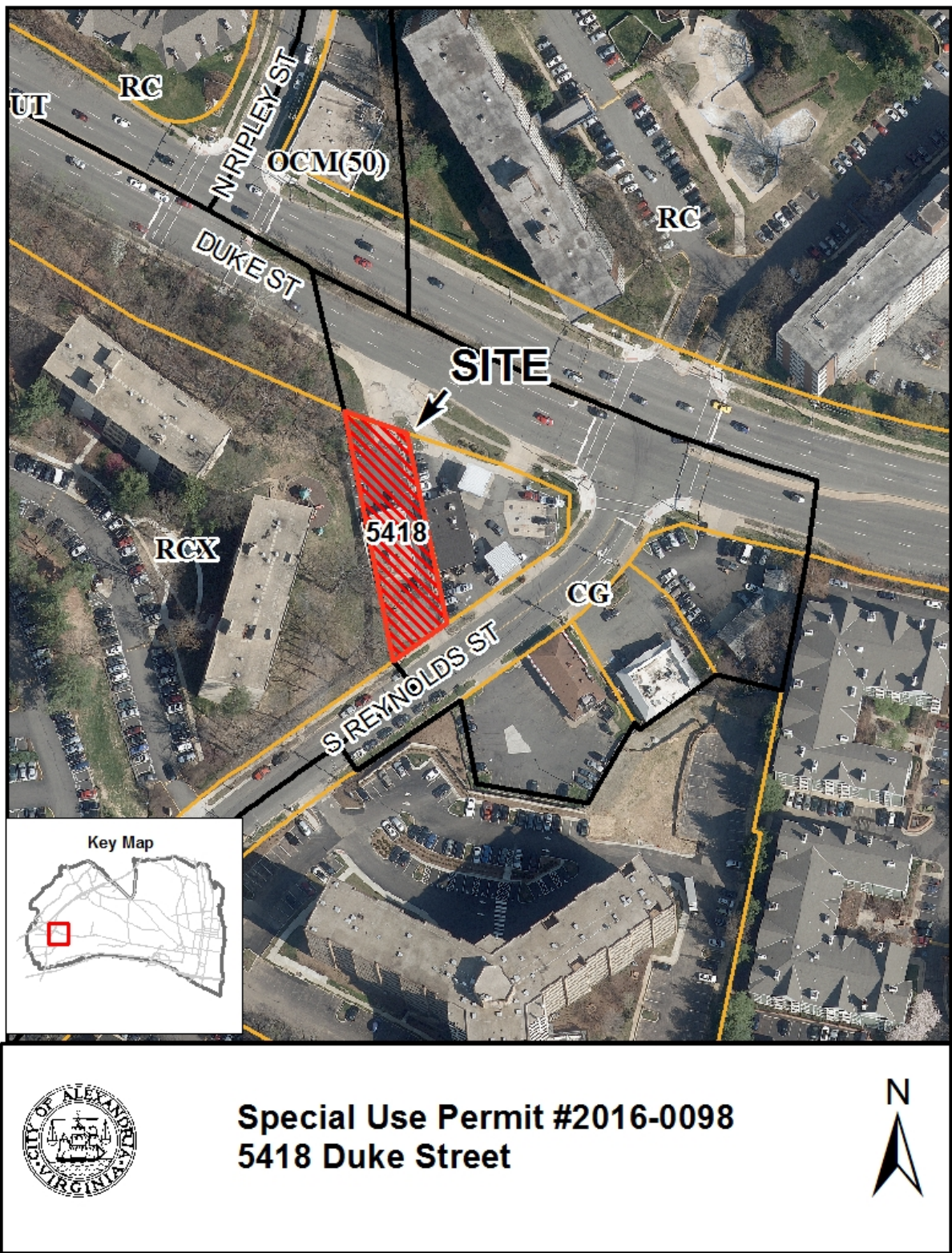
Commissioner Macek stated his support of the application as the conditions in the staff report were consistent with other restaurants, adhered to the requirements of the Zoning Ordinance, and enabled the continued operation of a long-standing restaurant at the site.

Commissioner Wasowski stated that signage would be an effective tool to reduce spillover parking and recommended that the applicant and the adjacent property owner work together and establish clear signage for the two lots.

Speakers:

Matthew Roberts, attorney representing the applicant, spoke in support of the special use permit request and emphasized the applicant's support of the proposed amendments and desire to operate as good neighbor in the community.

Sam Singh, owner of the adjacent Sunoco gas station at 5412 Duke Street, voiced concerns over traffic congestion at the site and the potential impacts on his property.



I. DISCUSSION

REQUEST

The applicant, Team Washington, Inc., requests an amendment to previous Special Use Permit #1558 to permit 24 indoor seats, to expand the daily operating hours by one hour, and to request a change of ownership from Domino's Pizza to Team Washington, Inc. d/b/a/ Domino's Pizza.

SITE DESCRIPTION

The subject site is a trapezoidal parcel consisting of one lot of record and considered a through lot with approximately 61 feet of frontage along Duke Street to the north and approximately 67 feet of frontage along Reynolds Street to the south. The parcel has a varying depth of 236 feet to 180 feet for a total parcel area of 11,436 square feet.

The subject site is developed with a one-story structure of approximately 2,033 square feet and surrounded by a surface parking lot with 11 parking spaces. The entrance to the Domino's Pizza is oriented towards the northern parking lot.



Figure 1: Exterior of Domino's Restaurant facing Duke Street.

The subject site, used entirely as a restaurant, is surrounded by residential and commercial uses. A Sunoco gas station is located immediately to the east of the subject site, and a six-story multi-family residential building, part of the EOS-21 Condominiums and apartment complex, is located to the west of the subject site. The subject site is located on a relatively steep hill and the existing restaurant is approximately ten feet below the grade of the adjacent residential building. Duke Street separates the subject site from residential uses to the north and Reynolds Street separates the subject site from Reynolds Street Bar and Grill and the Mark apartments located to the south.

BACKGROUND

The subject site was first developed under Site Plan, SIT#65-056 and constructed in 1966 as a one-story convenience store and a surface parking lot with 12 spaces. The site remained a convenience store until City Council approved SUP #1558 in May 1983 for a carry-out and delivery restaurant with no dine-in service, known as Domino's Pizza. The subject site has been continuously operated as a Domino's Pizza since approval. Staff conducted an inspection in January 2016 and found several violations of conditions of SUP #1558, including Condition #2

which prohibited the interior use of chairs; Condition #3 which established the applicant's opening time of 11 a.m.; and Condition #4 requiring the applicant to pick-up litter from the property. A warning ticket was issued. After discussions with the applicant and the regional store manager, the violations were corrected and in a follow up inspection the restaurant was found to be in compliance with all SUP conditions.

PROPOSAL

The applicant, Team Washington, Inc. requests Special Use Permit approval for a change of ownership of an existing restaurant, from Domino's Pizza to Team Washington, Inc d/b/a Domino's Pizza. The applicant also requests approval to allow dine-in restaurant service with 24 indoor seats, a change from previous SUP #1558 which prohibited indoor dining at the delivery-based restaurant. Along with adding indoor seats, the applicant requests approval to expand operating hours by one hour, daily, from an opening hour of 11 a.m. to 10 a.m. All other restaurant operations would remain the same, and the applicant would continue operating a franchised location of the Domino's business, offering dine-in, carry-out, and delivery of pizzas, pasta, sandwiches, salads and soft drinks. The applicant would utilize up to five delivery vehicles and typical staffing may include up to nine employees (including delivery drivers). The applicant does not propose live entertainment or the sale of alcohol.

Elements of the restaurant operations are:

<u>Hours of Operation:</u>	<u>Proposed Hours of Operation</u> 10 a.m. – 1 a.m., Sunday – Thursday 10 a.m. – 2 a.m., Friday - Saturday <u>Current Hours of Operation</u> 11 a.m. – 1 a.m., Sunday - Thursday 11 a.m. – 2 a.m., Friday - Saturday
<u>Number of Seats:</u>	<u>Proposed Seats</u> 24 indoor seats. <u>Current Seats</u> 0 seats.
<u>Type of Service:</u>	<u>Proposed Service:</u> Dine-in, carry-out, and delivery. <u>Existing Service:</u> Carry-out and delivery.
<u>Delivery:</u>	Up to 5 delivery vehicles.
<u>Live Entertainment:</u>	No live entertainment proposed.
<u>Alcohol:</u>	No alcohol sales.
<u>Employees:</u>	Generally, up to nine employees at any one time.

<u>Noise:</u>	Some noise is expected from typical restaurant operations but is not expected to be a concern.
<u>Odors:</u>	Minimal odors associated with cooking will be addressed through proper ventilation and hood systems.
<u>Trash/Litter:</u>	Two dumpsters of trash and recycling are expected each week. Dumpsters associated with the restaurant are emptied once a week.

PARKING

Section 8-200(A)(8) of the Zoning Ordinance requires restaurants to provide one off-street parking space for every four seats, therefore with 24 indoor seats the applicant would be required to provide six off-street parking spaces. In addition, the applicant is required to provide one off-street parking space for each delivery vehicle and would have to provide an additional five parking spaces for delivery vehicles, for a total of 11 required parking spaces. As the applicant provides 11 parking spaces they meet their parking requirement.

ZONING/MASTER PLAN DESIGNATION

The subject site is zoned CG/Commercial General which allows for a twenty seat restaurant with two delivery vehicles through an administrative Special Use Permit. However, the applicant proposes to continue operating with five delivery vehicles and is requesting the addition of 24 indoor seats, a combination which could not be approved administratively and therefore requires the applicant to seek full-hearing Special Use Permit approval.

The Landmark/Van Dorn Small Area Plan designated the subject site CG/Commercial General which supports the continued operation of a restaurant use. The subject site is also located within the boundaries of the Landmark/Van Dorn Corridor Plan, however the subject site is not designated for any redevelopment.

II. STAFF ANALYSIS

Staff finds the applicant's requests, taken as a whole, to be reasonable and an opportunity to transform an existing delivery-based restaurant into a dine-in restaurant. The applicant's requests would allow the restaurant to operate under conditions similar to other Domino's restaurants located in the city and region, and enable an update to the restaurant model which has remained static since its initial approval by City Council in 1983. Staff does not believe the operational requests, to add 24 indoor seats or to increase the hours of operation would create a negative impact on the surrounding community. The addition of 24 indoor seats would have little to no impact on site traffic at a restaurant which has historically had a high traffic volume as a delivery and carry-out restaurant. Staff finds that net new customers would likely come from one of the many residential buildings within walking distance or existing carry-out customers may instead choose to consume their meal on site. In either scenario, the applicant is able to provide adequate parking for both customers and delivery vehicles. Staff also finds that approval of the Special Use Permit request would enable the applicant to move forward with a proposed internal redesign of the restaurant to modernize the restaurant. The proposed restaurant renovations will

likely encourage the applicant to better maintain the overall site as an increasing percentage of sales will be from dine-in customers and a more appealing destination will ensure the restaurant remains a neighborhood amenity. As such, staff deleted Condition #2 which prohibited tables and chairs in the restaurant and added Condition #8 which limits the number of indoor seats to 24 with no outdoor dining.

Staff also finds permitting the applicant to commence restaurant operations at 10 a.m. instead of the previously approved 11 a.m. would have no negative impact on the surrounding uses. Staff reviewed the hours of Domino's restaurants in both the city and the region and found that 10 a.m. was a regionally consistent opening time for the franchise. While other restaurants proximate to the applicant's restaurant, such as a McDonald's and a local diner may open as early as 5 a.m., staff found the immediately adjacent EOS-21 condominium and apartment complex was close enough that early morning hours could create a nuisance for adjacent residents. Staff modified Condition #3, regulating hours of operation to allow the applicant to open at 10 a.m., daily, and remain open until 1 a.m. Sunday through Thursday and 2 a.m. Friday and Saturdays for dine-in, carry-out, and delivery operations. Staff also corrected Condition #3 to remove a typo in the condition which stated a closing time of 1 p.m. Sunday through Thursdays instead of the intended 1 a.m. as discussed in the previous staff report.

In addition to the requested SUP amendments, staff added standard restaurant conditions related to trash and litter to ensure the applicant continues to maintain the exterior of the property. Staff carried forward Condition #4 requiring the applicant to pick up litter twice a day that the business is open. Staff also modified Condition #6, using modern language which requires the applicant to store all garbage inside containers which seal and prohibits the accumulation of waste outside of the proper receptacles. Staff deleted Condition #7 as the daily requirement to remove waste is atypical to current Special Use Permit conditions and the adequate and timely removal of waste is required through Condition #6. Additional conditions requiring the applicant to maintain the property in good condition, such as Condition #25, requiring the applicant to repave and restripe the parking lot, were added by staff.

Staff added Condition #26 which requires the applicant to remove their existing pole sign within seven years of City Council approval of their Special Use Permit request. This condition complies with revisions to the City's Sign Ordinance which was approved by City Council in May 2016 through text amendment #2016-0002, wherein all pole signs within the City became non-complying and must be removed within seven years of notification by the City. The approval of this Special Use Permit would serve as notification to the applicant and would commence the seven year period for sign removal, to be completed by February 21, 2024.

Standard restaurant conditions were added to align the Special Use Permit with current SUP practices. A standard condition such as employee training on SUP conditions was added through Condition #10 and the requirement that employees park off-street was included through Condition #11. The applicant was also required to provide one parking space for each delivery vehicle through Condition #14. The proper storage of cleaners and chemicals, or cooking oil was ensured through the inclusion of Conditions #16 and #17, respectively.

Subject to the conditions stated 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. **CONDITION AMENDED BY STAFF:** The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest only. ~~(P&CD) (SUP #1558) (P&Z)~~
2. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION #8:** ~~The on-site consumption of food or beverages is not permitted, and no seats or tables shall be provided for the use of patrons. (P&CD) (SUP #1558)~~
3. **CONDITION AMENDED BY STAFF:** The dine-in, carry-out, and delivery hours of operation shall be limited to between 10 a.m. and 1 a.m., Sunday through Thursday and 10 a.m. and 2 a.m. Friday and Saturday. Meals ordered before the closing hour may be served or delivered, but no new patrons may be admitted or orders placed, and all patrons must leave by one hour after the closing hour. ~~Hours during which the business is open to the public shall be restricted to between 11:00 a.m. and 1:00 p.m., Sunday through Thursday and between 11:00 a.m. and 2:00 a.m., Saturday and Sunday. (P&CD) (SUP #1558) (P&Z)~~
4. Litter on site and on the public right-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day, and more often as necessary to prevent an unsightly and insanitary accumulation, on each day that the business is open to the public. (P&CD) (SUP #1558)
5. No food, beverages or other material shall be stored outside. (P&CD) (SUP #1558)
6. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be stored inside or in a ~~dumpster~~ 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 Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&CD) (SUP #1558) (P&Z) (T&ES)
7. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION #6:** ~~Trash and garbage shall be collected daily when the business is open. (P&CD) (SUP #1558)~~
8. **CONDITION ADDED BY STAFF:** The maximum number of indoor seats shall be 24. No outdoor dining is permitted. (P&Z)
9. **CONDITION ADDED BY STAFF:** The applicant shall post the hours of operation at the entrance to the business. (P&Z)

10. **CONDITION ADDED BY STAFF& AMENDED BY PLANNING COMMISSION:**
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; to review site access including the requirement for delivery vehicles to access the property only using public streets and property curb cuts on Duke Street and South Reynolds Street and no use of other properties for delivery vehicle access; and, to require employees to be sensitive to noise affecting residents (i.e. during shift changes, activity after 11 p.m., and other outdoor activities in which unreasonable noise may carry and disrupt nearby residences).(P&Z)(PC)
11. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. (T&ES)
12. **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)
13. **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)
14. **CONDITION ADDED BY STAFF & AMENDED BY PLANNING COMMISSION:**
Not more than five delivery vehicles may be used to deliver food to customers. The applicant shall provide five (5) off-street spaces for delivery vehicles. The applicant must park the delivery vehicles in an off-street parking space when located in the vicinity of the restaurant. (P&Z) (T&ES)(PC)
15. **CONDITION ADDED BY STAFF:** Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
16. **CONDITION ADDED BY STAFF:** Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
17. **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)
18. **CONDITION ADDED BY STAFF:** Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)

19. **CONDITION ADDED BY STAFF:** 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)
20. **CONDITION ADDED 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. (T&ES)
21. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
22. **CONDITION ADDED BY STAFF:** The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
23. **CONDITION ADDED BY STAFF:** No alcohol sales are permitted. (P&Z)
24. **CONDITION ADDED BY STAFF:** No live entertainment shall be allowed at the restaurant. (P&Z)
25. **CONDITION ADDED BY STAFF:** The applicant shall restripe the parking lot and maintain the parking lot paving in good repair. (P&Z)
26. **CONDITION ADDED BY STAFF:** The free-standing pole sign shall be replaced with a monument sign no later than February 21, 2024. (P&Z)
27. **CONDITION ADDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)
28. **CONDITION ADDED BY PLANNING COMMISSION:** The applicant shall establish a franchise representative to serve as a liaison with members of the community to resolve concerns that may arise from the operation of the restaurant. The name of the liaison shall be posted inside the store in a conspicuous location and provided to nearby property owners. Contact information for this individual shall be available upon request. (P&Z)(PC)

STAFF: Alex Dambach, Land Use Division Chief, Department of Planning and Zoning;
Sara Brandt-Vorel, 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:

Conditions Carried Forward:

4. 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. (T&ES) (SUP#1558)
6. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be stored inside or in a ~~dumpster~~ 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)

New Conditions:

- R-1 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-2 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-3 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)
- R-4 The applicant shall provide five (5) off-street spaces for delivery vehicles. (T&ES)
- R-5 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-6 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
- R-7 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)

- R-8 Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
- R-9 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-10 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. (T&ES)
- R-11 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-12 The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)

Fire Department:

- F-1 No comments or concerns related to change of hours, ownership, and adding seating.

Code Enforcement:

- F-1 Applicant will need to obtain a certificate of occupancy from the department of Code Administration prior to operating by the narrative in the SUP application.

Health Department:

- 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.
- 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.

Recreation, Parks and Cultural Activities:

No comments received.

Police Department:

No comments received.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2016-0098

PROPERTY LOCATION: 5418 Duke Street, Alexandria, VA 22304

TAX MAP REFERENCE: 048.03-01-05

ZONE: CG

APPLICANT:

Name: Team Washington, Inc.

Address: 8381 Old Courthouse Rd., Suite 100, Vienna, VA 22182

PROPOSED USE: Amend existing SUP to (i) change current ownership,

(ii) permit in-store dining in addition to delivery services, and (iii) amend hours to begin at 10 a.m.

☒ **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.

Team Washington, Inc. by Matthew G. Roberts, Esq., Attorney

Print Name of Applicant or Agent

2300 Wilson Blvd., 7th Floor

Mailing/Street Address

Arlington, VA

City and State

22201

Zip Code

M-G. M-

Signature

11/28/16

Date

703-525-4000

Telephone #

Fax #

mroberts@beankinney.com

Email address

ACTION-PLANNING COMMISSION: _____ **DATE:** _____

ACTION-CITY COUNCIL: _____ **DATE:** _____

SUP # 12/7/16

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 5418 Duke St., I hereby
(Property Address)
grant the applicant authorization to apply for the Pizza Restaurant and Delivery use as
(use)
described in this application.

Name: Mary Lynne Carraway Phone: 703-734-7080
Please Print
Address: 8381 Old Courthouse Rd Email: mcarraway@teamwash.com
Suite 100 Vienna VA 22182
Signature: [Signature] Date: 11/21/16

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.

Mary Lynne Carraway 50.4%, Thomas Anderson, 49.6%

8381 Old Courthouse Rd. #100 8381 Old Courthouse Rd., #100
Vienna, Va 22182 Vienna, Va 22182

November 22, 2016

Department of Planning and Zoning
Zoning Services Division
c/o Sara Brandt-Vorel, Urban Planner
301 King Street, Suite 2100
Alexandria, Virginia 22313

Re: Amendment to SUP #1558
Applicant: Team Washington, Inc.
Property: 5418 Duke Street, Alexandria, VA 22304
Tax Map No. 048.03-01-05

Dear Ms. Brandt-Vorel:

The undersigned is the Applicant for an application to amend SUP #1558 affecting the Property. By this letter, Applicant hereby authorizes the law firm of Bean, Kinney & Korman, P.C., including, but not limited to, Mark M. Viani, Esq. and Matthew G. Roberts, Esq., to file and pursue approval of the enclosed amendment application for the Property, including filing, signing, and delivering such application and any and all other documents necessary for or related thereto.


The authority granted by this letter may be revoked only by a written statement delivered to Arlington County.

Please direct all correspondence relative to this request to:

Matthew G. Roberts, Esq.
Bean, Kinney & Korman, P.C.
2300 Wilson Boulevard, 7th Floor
Arlington, Virginia 22201

Very truly yours,

TEAM WASHINGTON, INC.

By: 
Name: Susan Fulton
Title: Director of Marketing and Store Development

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. Mary Lynne Carraway	8381 Old Courthouse Rd. suite 100, Vienna, VA 22182	50.4%
2. Thomas Anderson	8381 Old Courthouse Rd. suite 100 Vienna, VA 22182	49.6%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 5418 Duke St. Alexandria, VA 22304 ~~8381 Old Courthouse Rd. Suite 100, Vienna VA 22182~~ (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. Mary Lynne Carraway	8381 Old Courthouse Rd. suite 100, Vienna VA 22182	50.0% of 5418 Duke Street Assoc.
2. Thomas Anderson	8381 Old Courthouse Rd. Suite 100, Vienna, VA 22182	50.0% of 5418 Duke Street Assoc.
3. See attachment 1.		

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 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 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. Mary Lynne Carraway	None	
2. Thomas Anderson	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.

11/21/16

Date

Susan E. Fulton

Printed Name


Signature

OWNERSHIP AND DISCLOSURE STATEMENT
ATTACHMENT 1

2. Property.

Name	Address	Percent of Ownership
5418 Duke Street Associates	8381 Old Courthouse Rd., Suite 100, Vienna, VA 22182	100% ownership of Property
Team Washington, Inc.	8381 Old Courthouse Rd., Suite 100, Vienna, VA 22182	Lessee
Mary Lynne Carraway	8381 Old Courthouse Rd., Suite 100, Vienna, VA 22182	50.4% ownership of Lessee
Thomas Anderson	8381 Old Courthouse Rd., Suite 100, Vienna, VA 22182	49.6% ownership of Lessee

SUP # 12/7/16

☐ **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.

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.)

Please see Statement of Justification, attached.

[illegible]



ATTORNEYS

2300 WILSON BOULEVARD
7TH FLOOR
ARLINGTON, VA 22201
PHONE 703.525.4000
FAX 703.525.2207

SUP2016-0098
Application Materials
12/7/16

MATTHEW G. ROBERTS
Ext. 286
mroberts@beankinney.com

November 22, 2016

Department of Planning and Zoning
Zoning Services Division
c/o Sara Brandt-Vorel, Urban Planner
301 King Street, Suite 2100
Alexandria, Virginia 22313

Re: Amendment to SUP #1558
Applicant: Team Washington, Inc.
Property: 5418 Duke Street, Alexandria, VA 22304
Tax Map No. 048.03-01-05

Dear Ms. Brandt-Vorel,

On behalf of the Applicant, please accept this letter as a Statement of Justification and narrative description of the enclosed application to amend Special Use Permit #1558. With this application, the Applicant desires to introduce 24 seats for in-store dining at the existing Domino's pizza restaurant located at the Property. In addition, to better accommodate customers, the Applicant further desires to amend the permitted hours of operation to include an additional hour, starting daily at 10 A.M. Lastly, this Application will update existing ownership and lessee information for SUP #1558.

Property Information

The Property is located along Duke Street at the intersection with South Reynolds Street. The Property is bounded by Duke Street to the north, a Sunoco gas station to the east, South Reynolds Street to the south, and apartment buildings to the west.

The Property is zoned CG, Commercial General and is planned for retail and restaurant uses under the Landmark-Van Dorn Area Plan. It currently operates as a Domino's Pizza with carry-out and delivery service pursuant to SUP #1558. SUP #1558 was approved by the City Council on May 14, 1983.

Application Requests

The Applicant requests three amendments to SUP #1558. First, the Applicant requests that the City Council eliminate Condition 2 of SUP #1558 and replaced with a condition permitting 24 seats for in-store dining by customers. Second, the Applicant requests that the



City Council amend Condition 3 of SUP #1558 to permit one additional hour of operation daily, starting at 10 A.M., rather than 11 A.M. Finally, the Applicant requests that ownership and lessee information are approved to reflect the current ownership of the building and the Applicant as the current lessee.

In-Store Dining

The Applicant requests that the City Council eliminate Condition 2 of SUP #1558 and permit 24 seats for in-store dining by customers. The in-store dining will be in addition to the existing carry-out and delivery operations.

In-store dining is a critical element of Domino's select store re-imaging campaign to transform certain existing locations into a "Pizza Theater" concept. The Pizza Theater concept uses creative in-store design and fixtures to create an inviting dining experience. In addition to dine-in seating, the Pizza Theater includes open-area viewing of food preparation, customer feedback boards, and a TV that customers can watch during their visit.

As shown on the attached Site Plan, the Property currently contains 11 parking spaces. As the Applicant will have up to five delivery drivers as part of its operation, particularly covering the evening dinner shifts, at least six parking spaces will be available for customer use during peak hours. Under the City's required parking ratio for restaurant uses, the Applicant has sufficient parking for 24 seats. The seating layout will be as shown on the attached Floor Plan. The Applicant does not anticipate that in-store dining will have an adverse effect on the current parking at the Property, as the current operation has minimal carry-out orders (2-3 customers visiting during lunch or dinner shifts) and is largely a delivery operation.

Hours of Operation

The Applicant requests that the City Council amend Condition 3 of SUP #1558 to permit one additional hour of operation daily, starting at 10 A.M. The additional hour will facilitate the Applicant's ability to accommodate event orders for early in the day, including parties, school, and business events. Currently, the hours of operation begin at 11 A.M., which puts the Applicant at a disadvantage to adequately respond to these early morning orders. The Applicant does not propose to alter its closing hours, which are sufficient to accommodate late night orders and deliveries in particular.

Change of Ownership and Lessee Information

Lastly, the Applicant wishes to use this opportunity to correct the existing ownership and lessee information for the Property under SUP #1558. SUP #1558 was originally filed inadvertently under the trade name Domino's Pizza, instead of the company's name. In 1983, this store location was operated by Domino's Pizza of Washington, Inc. The company name was changed to Team Washington, Inc. in 1989 and has remained that way until this day. The Property is currently owned by 5418 Duke Street Associates, which is affiliated with the Applicant. Thus, this amendment will simply correct the application information to reflect what has always been true about the Property.



Conclusion

For the reasons stated above, the Applicant requests that the City Council approve the enclosed application to amend SUP #1558. Approval of this amendment will facilitate the existing operation's redesign into an inviting dine-in experience for Domino's customers.

Thank you for your time and attention to this matter. Please do not hesitate to contact me if you have any questions or concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read 'M. G. Roberts' with a stylized flourish at the end.

Matthew G. Roberts, Esq.
Attorney/Agent for Applicant

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).

Dine-in: Lunch: 8-10 patrons; afternoon/evening: 4-5 patrons; dinner: 15-20 patrons
Carry-out: 2-3 patrons per shift (lunch/dinner)

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

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

Lunch: 3 "insider" employees, 3 drivers; afternoon/evening: 2 insider employees and 2 drivers;
dinner: 4 insider employees and 5 drivers

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

Day:

Sunday through Thursday

Hours:

10 am to 1 am

Friday and Saturday

10 am to 2 am

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 from customer conversation and mechanical equipment
at normal levels for pizza restaurant users.

B. How will the noise be controlled?

Customer generated noise occurs within building envelope. Mechanical
equipment noise controlled by equipment and rooftop design.

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

Odors from food preparation are vented through kitchen oven hoods to exterior
of building. Odors will dissipate in natural course of venting.

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)
Bulk food packaging, pizza preparation and delivery supplies, and food waste.

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)
Existing Domino's restaurant generates one 18 yard dumpster per week for cardboard and one 18
yard dumpster per week for trash.
Applicant does not anticipate increase in waste generation with this amendment.

C. How often will trash be collected?
Applicant will continue with current collection practices for existing restaurant of one
collection per week.

D. How will you prevent littering on the property, streets and nearby properties?
In-store dining trash to be collected by Team Members. Large trash can will be placed by front door
for exiting customers. Team Members will police parking lot during each shift to pick up
extraneous 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:

- 12.** What methods are proposed to ensure the safety of nearby residents, employees and patrons? Applicant utilizes background checks for all potential employees, and drivers will have motor vehicle registration run prior to their employment. Drivers MVR is then run every 5 months. Drivers will carry less than \$20.00 cash. Stores will have surveillance cameras posted at entry points.

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:

10 _____ Standard spaces
 0 _____ Compact spaces
 1 _____ Handicapped accessible spaces.
 0 _____ Other.

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A _____

Does the application meet the requirement?

☐ Yes ☐ No

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

☒ on-site

☐ off-site

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

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

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

☐ Parking reduction requested; see attached supplemental form

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

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

☐ Yes ☐ No

- B. Where are off-street loading facilities located? _____
Existing loading occurs next to building given existing site constraints. Loading for site deliveries occurs off-peak of customer hours.
- C. During what hours of the day do you expect loading/unloading operations to occur?
Overnight, after store closing.
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
Deliveries occurs up to 3 times per week.
16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?
Existing street access is adequate for existing and proposed restaurant and delivery uses.

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?
2,033 sq. ft. (existing) + 0 sq. ft. (addition if any) = 2,033 sq. ft. (total)
19. The proposed use is located in: (check one)
☒ a stand alone building
☐ a house located in a residential zone
☐ a warehouse
☐ a shopping center. Please provide name of the center: _____
☐ an office building. Please provide name of the building: _____
☐ other. Please describe: _____

End of Application

SUP # _____
Admin Use Permit # _____



SUPPLEMENTAL APPLICATION

RESTAURANT

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

1. How many seats are proposed?
Indoors: 24 Outdoors: _____ Total number proposed: 24

2. Will the restaurant offer any of the following?
Alcoholic beverages (**SUP only**) _____ Yes ☒ No
Beer and wine — on-premises _____ Yes ☒ No
Beer and wine — off-premises _____ Yes ☒ No

3. Please describe the type of food that will be served:
Pizza, oven baked sandwiches, pasta, soft drinks, side items such as chicken wings
and bread sticks and dessert

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

5. If delivery service is proposed, how many vehicles do you anticipate? 5
Will delivery drivers use their own vehicles? ☒ Yes _____ No
Where will delivery vehicles be parked when not in use?
on site in parking lot

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?
☒ Yes _____ No
If yes, please describe:
One TV with restricted channels will be available for patrons waiting for their food.

Parking impacts. Please answer the following:

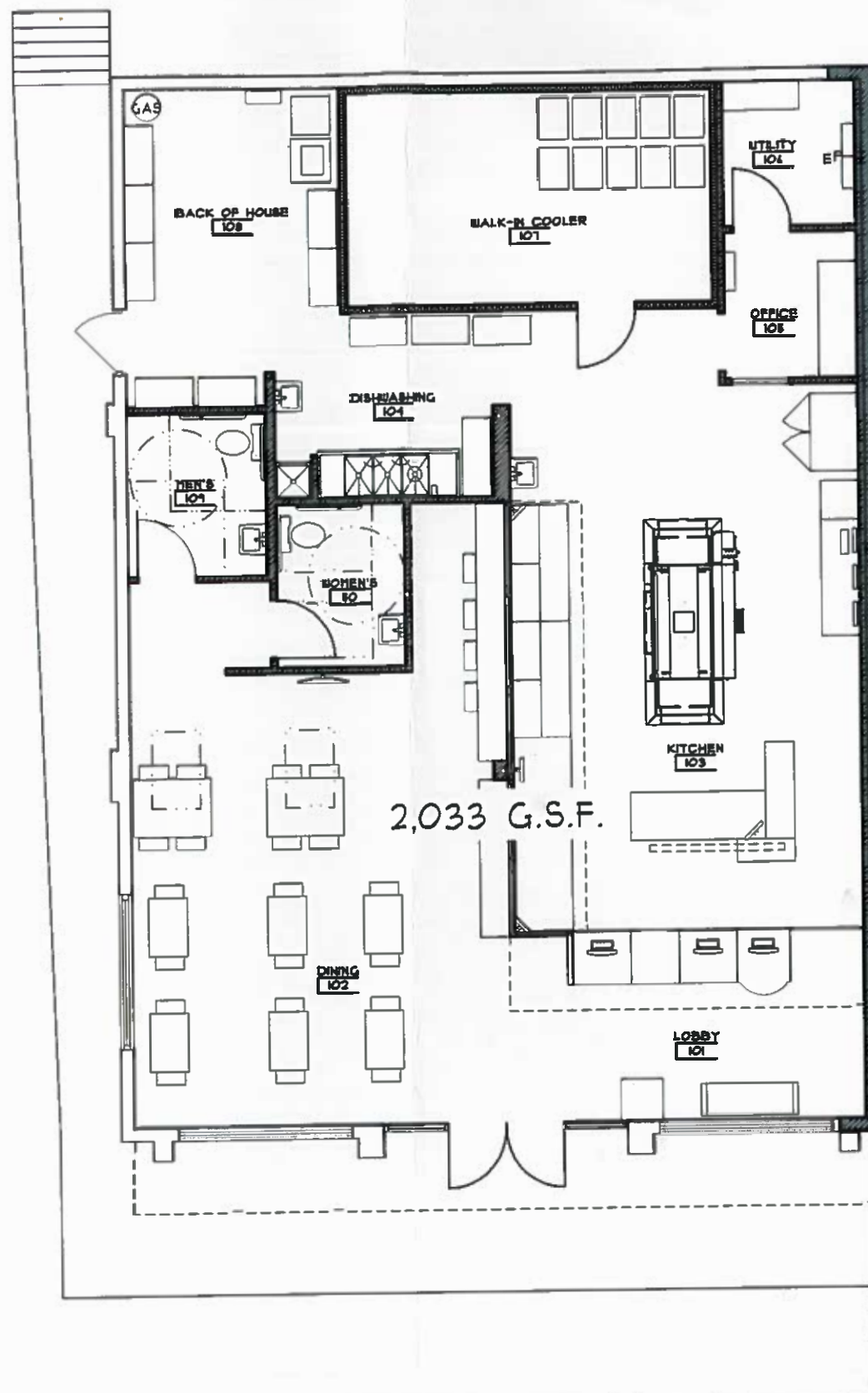
1. What percent of patron parking can be accommodated off-street? (check one)
☒ 100%
☐ 75-99%
☐ 50-74%
☐ 1-49%
☐ No parking can be accommodated off-street
2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
☒ All
☐ 75-99%
☐ 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:
24 Maximum number of patron dining seats
+ Maximum number of patron bar seats
+ Maximum number of standing patrons
= 24 Maximum number of patrons
2. 9 Maximum number of employees by hour at any one time
3. Hours of operation. Closing time means when the restaurant is empty of patrons. (check one)
☐ Closing by 8:00 PM
☐ Closing after 8:00 PM but by 10:00 PM
☐ Closing after 10:00 PM but by Midnight
☒ Closing after Midnight
4. Alcohol Consumption (check one)
☐ High ratio of alcohol to food
☐ Balance between alcohol and food
☐ Low ratio of alcohol to food

SUP2016-0098
Application Materials
12/7/16



*24 SEATS PROVIDED



9389 FORESTWOOD LANE,
MANASSAS, VA 20110 PHONE
(703)330-6170
FAX (703) 361-8671
WWW.HELTELJAIA.COM

EXISTING TENANT RENOVATIONS DOMINO'S #4340
5418 DUKE STREET
ALEXANDRIA, VIRGINIA

FLOOR PLAN

SCALE: $\frac{1}{8}" = 1'-0"$
NOVEMBER 17, 2016

SP2

