

DATE: June 30, 2015

TO: Alex Dambach, Division Chief
Department of Planning and Zoning

FROM: Curtis Rowlette, Intern Planner
Ann Horowitz, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2015-0058
Administrative Review for Change of Ownership
Site Use: Restaurant
Applicant: Stomping Ground LLC.
Location: 2309 Mount Vernon Ave
Zone: CL/Commercial Low

Request

Special Use Permit #2015-00058 is a request to change the ownership of a restaurant at 2309 Mount Vernon Ave from D&M, LLC to Stomping Ground, LLC. The business plans to operate under the trade name of Stomping Ground. No additional changes to the operation of the business are planned.

Background

City Council approved SUP#2013-0092 on June 14, 2014 for a restaurant with a parking reduction. Previously, the building at this site had been used as an insurance agency. No complaints regarding the operation of the business or violations of SUP conditions have been recorded since the most recent SUP was approved last year.

Community Outreach

Public Notice has been provided through eNews and the City's website. Additionally, notification of the proposed change of ownership has been sent to the Del Ray Citizens Association. Staff has not received any comments.

Staff Action

Staff believes the change of ownership for the restaurant is a reasonable proposal and supports the SUP request. All conditions from SUP#2013-0092 have been carried forward. Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:

Date: June 30, 2015
Action: Approved

Alex Dambach, Division Chief

Attachments: 1) Special Use Permit Considerations
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2015-0058

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP #2013-0092)
2. The maximum number of indoor seats at the restaurant shall be 40. The maximum number of outdoor seats at the restaurant shall be 20. (P&Z) (SUP#2013-0092)
3. The hours of operation for outdoor seats shall be limited to between 6 a.m. and 10 p.m. daily. The outdoor dining area shall be closed and cleared of all customers by 10 p.m. may be sold, but no new patrons may be admitted after 10 p.m., and no new alcohol may be served and all patrons may be admitted after 10 p.m., and no new alcohol may be served and all patrons must leave by 11 p.m. (P&Z) (SUP#2013-0092)
4. The hours of operation for operation for outdoor seats shall be limited to between 6 a.m. to 10 p.m. daily. The outdoor dining area shall be closed of all customers by 10 p.m. daily. The outdoor seating area shall not include advertising signage, including on umbrellas. (P&Z) (SUP#2013-0092)
5. On-premises alcohol service may be offered but off-premises alcohol sales shall be prohibited. (P&Z) (SUP #2013-0092)
6. All façade improvements to the building, including any trellis, siding, or signage, shall be consistent with the Design Guidelines of the Mount Vernon Avenue Business Plan to the satisfaction of the Director of Planning & Zoning. (P&Z) (SUP #2013-0092)
7. No live entertainment shall be permitted. (P&Z) (SUP#2013-0092)
8. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z) (SUP#2013-0092)
9. No food, beverages, or other material shall be stored outside. (P&Z) (SUP2013-0092)
10. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP#2013-0092)
11. Landscaping shall be installed at the driveway, which is partially on-site, to improve its appearance and screen it from the adjacent city-owned parking lot to the satisfaction of the Director of Planning & Zoning, but shall not include the planting of trees and shall be

subject to a separate agreement with the City to cover the installation and future maintenance. (P&Z) (SUP #2013-0092)

12. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11 p.m. and 7 a.m. (P&Z) (SUP#2013-0092)
13. Litter on the site and on public right-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up by the applicant at least twice a day, and more often if necessary, to prevent an unsightly and unsanitary accumulation on such day that the business is open to the public. (T&ES) (SUP#2013-0092)
14. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP#2013-0092)
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) (SUP#2013-0092)
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) (SUP#2013-0092)
17. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES) (SUP#2013-0092)
18. The applicant shall require employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES) (SUP#2013-0092)
19. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security assessment for the business and robbery readiness training for all employees. (P&Z) (SUP#2013-0092)
20. **CONDITION AMENDED 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) (~~SUP#2013-0092~~)

21. The applicant shall provide at least two dedicated parking for use by employees available during all hours of operation at a location acceptable by the Director of Planning and Zoning and the Director of Transportation and Environmental Services (P&Z) (T&ES) (SUP#2013-0092)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2015-0058. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 2309 Mount Vernon Avenue.

Applicant – Signature

Date

Applicant – Printed

Date