

DATE: June 8, 2011

TO: Barbara Ross, Deputy Director
Department of Planning and Zoning

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2011-0030
Administrative Review for Minor Amendment
Site Use: Restaurant
Applicant: Huascan Inc. by Paula Coletto
Location: 3606 Mt. Vernon Avenue
Zone: CDD#12 / Coordinated Development District

Request

Special Use Permit #2011-0030 is a minor amendment request to extend the hours of operation at the applicant's existing restaurant. The applicant proposes to open as early as 6:00am, compared to the existing 11:00am opening, to serve breakfast. No other changes to the operation are proposed, and the applicant plans to continue serving primarily Peruvian cuisine trading under the name Huascan Restaurant.

Background

The applicant first obtained Special Use Permit approval in 1996 for the operation of the subject restaurant. In April 1999, City Council granted SUP#99-0004 to the applicant to add live entertainment.

On June 8, 2011, staff visited the subject property and found no violations of the conditions of Special Use Permit #99-0004. Office of Code Administration observed excess trash and debris, including an old tire, on the property in January 2008 and issued a notice of correction to the property owner. The property owner subsequently resolved the matter by disposing of all trash and debris on the site.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Arlandria Civic and Del Ray Citizens' Associations were sent e-mails with information about the current application. Staff has not received any comments from residents or adjacent businesses that would require staff to docket the Special Use Permit for public hearing.

Staff Action

Staff does not object to the applicant's request to extend morning hours of operation and believes that the additional hours should not have an impact on surrounding properties. The request meets the eligibility requirements for a minor amendment pursuant to Section

11-511(2)(b)(ii) of the Zoning Ordinance, which allows changes no greater than what is allowed under the standards of administrative approval for the same use found in Section 11-513. In this case, the restaurant is proposing additional hours that are consistent with the hours established in Section 11-513(L)(3) of the Zoning Ordinance.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: June 13, 2011

Action: Approved



Barbara Ross, Deputy Director

- Attachments: 1) Special Use Permit Conditions
2) City Department Comments
3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2011-0030

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 #96-0082)
2. Seating shall be provided inside for no more than 61 customers. (P&Z) (SUP#99-0004)
3. No outside dining facilities shall be located on the premises. (P&Z) (SUP #96-0082)
4. **CONDITION AMENDED BY STAFF:** The hours of operation shall be limited to ~~11:00 A.M.~~ 6:00am to 10:00 P.M., Sunday through Thursday, and ~~11:00 A.M.~~ 6:00am to 12:00 Midnight, on Fridays and Saturdays and on Peruvian Independence Day, July 28, and Mother's Day. (P&Z) (~~SUP#99-0004~~)
5. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #96-0082)
6. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP #96-0082)
7. 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 more often if necessary and at the close of business, to prevent an unsightly and unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP #96-0082)
8. Live entertainment is permitted and shall be limited to Friday and Saturday nights, on Peruvian Independence Day, and on Mother's Day between the hours of 8:00 p.m. and 12:00 midnight. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as entertainment. (PC) (SUP#99-0004)
9. Alcoholic beverages may be served for on-site consumption only. (P&Z) (PC) (SUP #96-0082)
10. Kitchen equipment shall not be cleaned outside, nor shall any cooking residuals be washed into the street, alleys, or storm sewers. (P&Z) (SUP #96-0082)

11. All future improvements to the exterior of the building shall comply with the Design Guidelines adopted by City Council for the area. (P&Z) (SUP #96-0082)
12. The applicant shall provide the Department of Planning and Zoning, within 30 days of the date of Council approval and then in May of each year, a copy of the lease or other arrangement to the satisfaction of the Director confirming that at least eight off-street parking spaces are available off-site, at least in the evenings, for the use of the restaurant's customers. (P&Z) (SUP #96-0082)
13. **CONDITION AMENDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building, and no music or amplified sound shall be audible at the property line. (T&ES) (Health) (SUP #96-0082)
14. **CONDITION DELETED BY STAFF:** ~~The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey for the business and a robbery awareness program for employees. (Police) (SUP #96-0082)~~
15. The applicant shall maintain lighting on the site at a minimum of 2.0 foot candles. (Police) (SUP #96-0082)
16. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit six months from approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions; which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP#99-0004)
17. **CONDITION ADDED BY STAFF:** No delivery service may operate from the restaurant. (P&Z)
18. **CONDITION ADDED BY STAFF:** The applicant shall post the hours of operation at the entrance of the business. (P&Z)
19. **CONDITION ADDED BY STAFF:** Meals ordered before the closing hour may be sold, but no new patrons may be admitted and all patrons must leave by one hour after the closing hour. (P&Z)
20. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z)

21. **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)
22. **CONDITION ADDED BY STAFF:** Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)