

DOCKET ITEM #10

**Special Use Permit #2011-0043**  
**682 North Saint Asaph Street - Teatism**

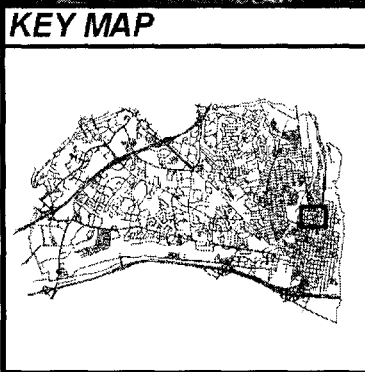
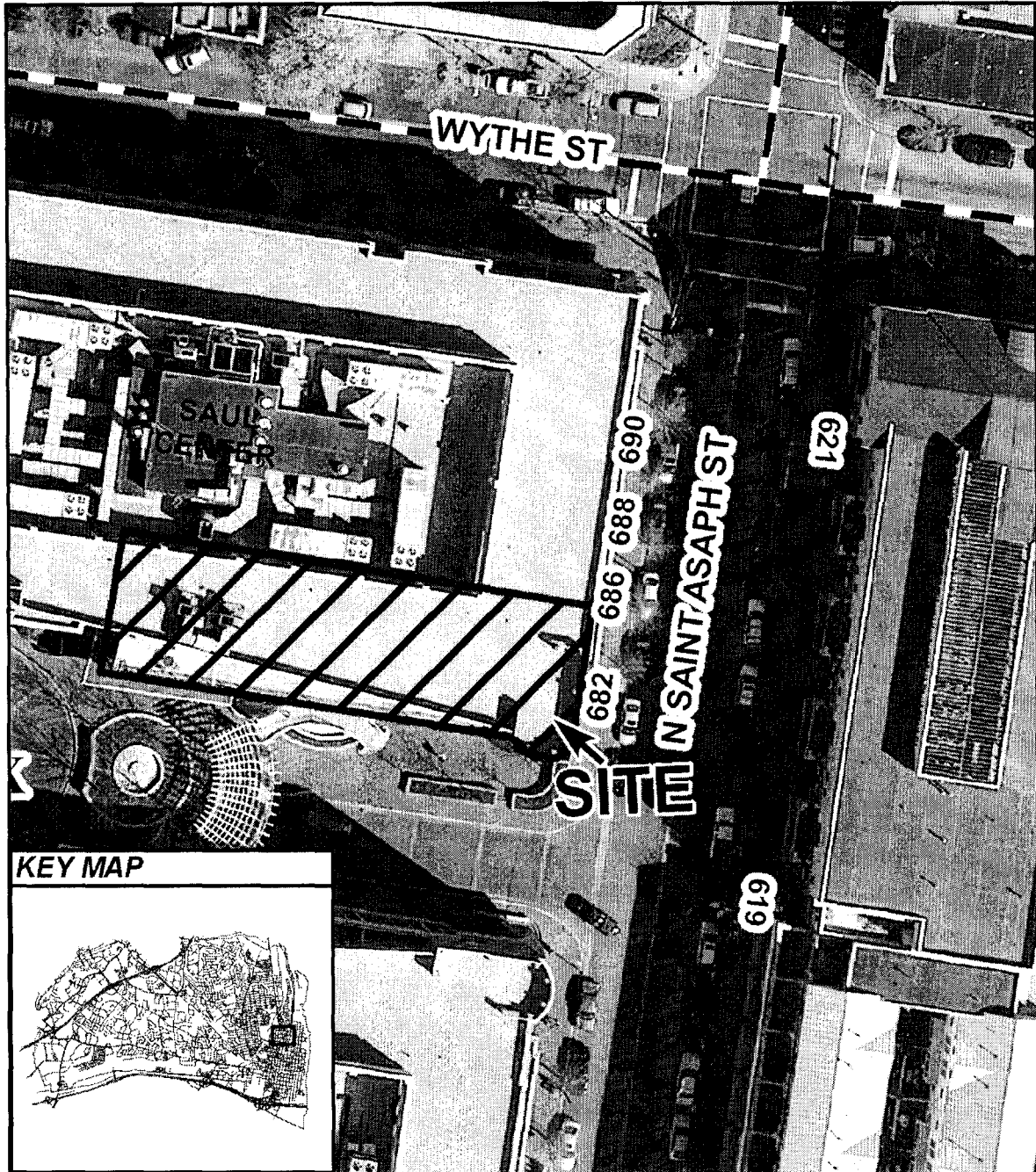
Application	General Data	
Consideration of a request to operate a restaurant and a request for a parking reduction.	<b>Planning Commission Hearing:</b>	September 8, 2011
	<b>City Council Hearing:</b>	September 17, 2011
<b>Address:</b> 682 North Saint Asaph Street (Parcel Address: 615 North Washington Street)	<b>Zone:</b>	CRMU-X/Commercial Residential Mixed Use (Old Town North)
<b>Applicant:</b> Vitalitea, LLC represented by Linda Neumann	<b>Small Area Plan:</b>	North Old Town

**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:** Nathan Randall [nathan.randall@alexandriava.gov](mailto:nathan.randall@alexandriava.gov)

**PLANNING COMMISSION ACTION, SEPTEMBER 8, 2011:** On a motion by Mr. Wagner, seconded by Mr. Jennings, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion passed on a unanimous vote.

**Reason:** The Planning Commission generally agreed with the staff analysis.

**Speakers:**  
Linda Neumann, the applicant, spoke in support of the request.



SUP#2011-0043

9/8/2011

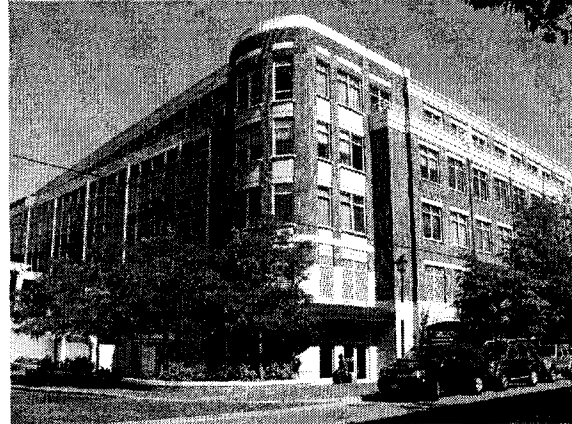


## I. DISCUSSION

The applicant, Vitaltea, LLC by Linda Newmann, is requesting a Special Use Permit to operate a restaurant, with a parking reduction, at 682 North Saint Asaph Street.

### SITE DESCRIPTION

The subject site is one parcel of record measuring approximately 89,000 square feet (2.05 ac) and comprising an entire city block bounded by North Washington, North Saint Asaph, Pendleton and Wythe Streets. The property is improved with two multi-story office buildings featuring ground-level retail and shared parking which is collectively known as the Saul Center. Current retail tenants in the Saul Center include Trader Joe's, Starbucks, and FedEx/Kinko's.



The surrounding area is comprised of a mix of commercial, office and residential uses. A gas station and office building are located to the north across Wythe Street. Residential uses including the Portner's Landing condominium/townhouse and Shad Row townhouse communities are located to the east and south respectively. An office building and commercial townhouses are located to the west across North Washington Street.

### BACKGROUND

City Council approved the Saul Center building in 1998 (DSUP#98-0003). The prior restaurant at the site, known as Sizzling Express, was first approved by SUP in the year 2000 and was amended to increase outdoor seating in 2002. Most recently, in 2008, staff administratively approved a change of ownership (SUP#2008-0008). The restaurant closed in August 2009 and, since the tenant space has been vacant since that time, the prior SUP has expired.

### PROPOSAL

The applicant proposes to operate a fast-casual restaurant in approximately 4,700 square feet of space in the Saul Center. It will offer international cuisine, with an emphasis on Asian-inspired dishes, along with an extensive menu of tea and coffee beverages. A total of 197 seats are proposed, with 157 inside and 40 outside, representing an increase of 66 indoor seats compared to the prior restaurant at the site. A small area inside the restaurant will be dedicated to the accessory retail sales of specialty teas, tea equipment and other food and gift items. Accessory catering services will also be offered and food will be delivered directly to customers using one delivery van, which will be parked off-street. To provide proper egress and to more conveniently access the proposed outdoor dining area, two new doors will be added to the side of the building facing Trader Joe's. The applicant is also requesting a 13-space parking reduction in connection with the proposal. Additional elements of the applicant's proposal are as follows:

<u>Hours of Operation:</u>	7:30am – 11:00pm Monday-Thursday 7:30am – 12:00 midnight Friday 8:00am – 12:00 midnight Saturday 8:00am – 10:00pm Sunday
<u>Number of Seats:</u>	157 indoor seats <u>40 indoor seats</u> <b>197 total seats</b>
<u>Type of Service:</u>	Self-service, bar service, carry-out, delivery
<u>Alcohol:</u>	On-premises alcohol sales only
<u>Live Entertainment:</u>	No live entertainment will be offered
<u>Food Delivery:</u>	One delivery vehicle, which will be parked off-street, will be used to transport catering orders to customers
<u>Employees:</u>	Maximum of 24 at any one time
<u>Noise:</u>	Typical restaurant noises are expected from equipment and customers. Equipment will be properly maintained to prevent noisy operation.
<u>Odors:</u>	Normal cooking odors will be controlled by exhaust system
<u>Trash/Litter:</u>	Several bags of trash and recyclables will be stored in an on-site compactor and will be removed once each week. The applicant plans to patrol the site for litter and reduce the use of disposable serving products by using real dishes for dine-in customers.

#### PARKING

According to Section 8-200(A)(8), one off-street parking space is required for every four restaurant seats. A restaurant with a total of 197 seats is required to provide 50 off-street parking spaces plus one space for each delivery vehicle. The applicant partially satisfies this requirement by providing 37 parking spaces, plus one parking space for its delivery vehicle, in the on-site parking garages. The 37 parking spaces on-site represent the balance of the 209 retail parking spaces built with the Saul Center after accounting for all of the other uses on the site. The applicant has applied for a 13-space parking reduction to meet the balance of the parking requirement.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CRMU-X / Commercial Residential Mixed Use (Old Town North) zone. Section 5-403(V) of the Zoning Ordinance allows a restaurant in the CRMU-X zone only with a Special Use Permit.

The proposed use is consistent with the Old Town North chapter of the Master Plan which designates the property for commercial-residential mixed use.

**II. STAFF ANALYSIS**

Staff supports the applicant's request to operate a restaurant in this location. Although residences are located nearby, a restaurant has previously occupied the site and the proposal is appropriate for the mixed-use Saul Center. The proposed continuation of outdoor dining at this site will add visual interest and enhance the pedestrian experience along North Saint Asaph Street. Additionally, the restaurant will occupy tenant space that has been vacant for approximately two years. Staff believes that this restaurant is a good fit for the neighborhood and will be a unique addition to the array of dining options in Alexandria.

While restaurants have some potential for creating neighborhood impacts as a general matter, staff does not anticipate these impacts to be significant given the nature of the business and the inclusion of recommended conditions in this report. For instance, no live entertainment is proposed here and staff has included condition language prohibiting it (Condition #7). The absence of live entertainment, when considered together with the reasonable hours of operation and the proposal's emphasis on gourmet food and non-alcoholic beverages, also indicates that this restaurant is unlikely to be a destination for entertainment and alcohol consumption.

With regard to the proposed outdoor dining, pedestrian movement will not be impeded along North Saint Asaph Street because the outdoor dining area is located on the side of the building on private property. Staff has also recommended a 10:00pm closing hour (Condition #5) for outdoor dining consistent with prior SUP approval on the site and since residences are located nearby. Given that restaurants offering carry-out present some increased potential for litter issues, staff has included standard condition language requiring the applicant to pick up litter on and around the premises at least twice a day (Condition #15). Since the on-site parking garage has multiple entrances here, and to encourage its full use, staff has also included Condition #10 to require the applicant to post signage indicating to customers where available parking is located. Staff has included several other standard conditions regarding matters such as odors, the final design of the outdoor dining elements, and where the proposed delivery vehicle must park.

Staff also supports the applicant's proposal for a 13-space parking reduction for four reasons. First, the applicant proposes 40 outdoor seats that will be seasonal in nature. Second, this location is well-served by public transportation, with several bus lines located nearby and Braddock Road Metro station located just over a half-mile away. Third, given that the proposed location is within a mixed-use office and retail complex and that residences are also located nearby, it is reasonable to believe that some customers will either walk or bike. Fourth, staff

believes that overall parking demand at the site is reduced by the likelihood that individual customers who drive to the site may visit more than one commercial business in the building. A Trader Joe's customer, for example, may stop in for dinner or to buy specialty teas at the applicant's restaurant during the same trip.

Staff supports the applicant's proposal and, subject to the conditions contained in Section III of this report, recommends approval of the request.

### **III. RECOMMENDED CONDITIONS**

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 business or entity in which the applicant has a controlling interest. (P&Z)
2. The maximum number of indoor seats permitted at the restaurant shall be 157. The maximum number of indoor seats at the restaurant shall be 40. (P&Z)
3. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)
4. The hours of operation shall be limited to between 7:30am and 11:00pm Sunday through Thursday and between 7:30am to 12:00 midnight Friday and Saturday. (P&Z)
5. Outside dining shall be limited to between 7:30 a.m. and 10:00 p.m. daily. The outdoor dining area shall be closed and cleared of all customers by 10:00pm daily and shall be cleaned and washed at the close of each business day that it is in use. (P&Z)
6. Outdoor dining at the restaurant shall be substantially consistent with the plan submitted. The applicant shall submit final design specifications for all chairs, tables, barriers, umbrellas, planters, wait stations, other components to be located within the outdoor dining area, and such additional information as the Director may reasonably require, for the review and approval by the Director of Planning & Zoning. The outdoor seating area shall not include advertising signage, including on umbrellas. (P&Z)
7. No live entertainment shall be allowed at the restaurant either inside or in the outdoor dining area. (P&Z)
8. On-premises alcohol service may be offered but no off-premises alcohol sales shall be allowed. (P&Z)
9. Not more than one delivery vehicle may be used to deliver food to customers. The delivery vehicle must park in an off-street parking space when at the restaurant. (P&Z) (T&ES)

10. The applicant shall provide signage directing patrons to the availability of parking within the on-site retail spaces in the parking garage. (P&Z) (T&ES)
11. For indoor dining, meals ordered before the closing hour may be served, but no new patrons may be admitted and no alcoholic beverages may be served after the closing hour, and all patrons must leave by one hour after the closing hour. (P&Z)
12. 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)
13. No food, beverages, or other material shall be stored outside. (P&Z)
14. 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)
15. 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)
16. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
17. 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 and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
18. The applicant shall require its 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)
19. 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 and Environmental Services. (T&ES)
20. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property lines. (T&ES)
21. Supply deliveries, loading and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

22. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 for a security survey and a robbery awareness program for employees. (P&Z)
23. The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)
24. 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 a 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)

**STAFF:** Barbara Ross, Deputy Director, Department of Planning and Zoning;  
Nathan Randall, Urban Planner.

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**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:

- F-1 T&ES supports the proposed parking reduction of 13 spaces. The development contains 209 spaces for retail, which are shared among numerous retail establishments. This sharing of spaces maximizes the efficiency of the existing spaces. In addition, the development is mixed use, with office above the retail and other residential and office buildings located in close proximity to the development. The mixed use nature of the development and surrounding neighborhood will support pedestrian based trips to the site, which will in turn decrease parking demand. (T&ES)
- R-1 The applicant shall provide signage directing patrons to the availability of parking within the on-site retail spaces in the parking garage. (T&ES)
- R-2 Not more than one delivery vehicle may be used to deliver food to customers. The delivery vehicle must park in an off-street parking space when at the restaurant. (T&ES)
- R-3 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 and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
- R-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)
- R-5 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
- R-6 The applicant shall require its 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)
- 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 and Environmental Services. (T&ES)
- R-9 All Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property lines. (T&ES)

R-10 Supply deliveries, loading and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (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). (T&ES)

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](mailto:commercialrecycling@alexandriava.gov), for information about completing this form.

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)

Code Enforcement:

F-1 The following comments are for preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Thomas Sciulli, Plan Review Supervisor at 703-746-4190 or [thomas.sciulli@alexandriava.gov](mailto:thomas.sciulli@alexandriava.gov).

C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

C-2 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit (USBC 108.1). Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application (USBC 109.3).

C-3 A seating/table layout (indoor and outdoor) complete with dimensions showing all aisle and passageway clearances will be required to be submitted for review to determine if any increase in occupant load is permitted.

Note: The existing maximum occupant load for this space is 107.

C-4 The proposed space used for outdoor seating with tables must provide a minimum of 15 square feet per person.

C-5 Any configuration of outdoor seating shall comply with the following conditions:

- Fire Dept. Connections must remain accessible - not be blocked by tables or fixtures.
- Daily Sweeping/washing of outdoor dining area is recommended to control rodent activity.
- Fire Hydrants shall not be obstructed by tables, chairs or other fixtures.
- The configuration of any outdoor seating shall not obstruct or diminish the required egress from the structure or any adjacent structures.

