EXHIBIT NO. 195-16-09

DOCKET ITEM # 6

***Small Business Zoning – Administrative SUP
Checklists***

Issue: Small Business Zoning Checklist and Application Package	Planning Commission Hearing:	May 7, 2009
	City Council Hearing:	May 16, 2009
Description: Review of the checklist and application package for administrative special use permits.		
Staff: Planning and Zoning		

PLANNING COMMISSION ACTION, MAY 7, 2009: On a motion by Mr. Wagner, seconded by Ms. Fossum, the Planning Commission voted to recommend approval of the checklist and application package for administrative special use permits, and directed staff to review suggestions submitted by the Del Ray Land Use Committee and the West End Business Association and make those changes that staff finds to be appropriate. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission was satisfied with the document and was pleased with the improvements that were made since March 2009. One concern was that an applicant may not know if they are in the NR or KR or other specific zones. Commissioner Dunn suggested that staff clarify that the NR zone is in Arlandria and that the KR and CD zones are in Old Town. Commissioners recognized that the current document is a useful tool but also that it will evolve and change over time. The Commission specifically requested that staff begin using the document as soon as possible and not bring it back to the Commission to review again.

City of Alexandria, Virginia

MEMORANDUM

DATE: MAY 13, 2009

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: FAROLL HAMER, DIRECTOR, PLANNING AND ZONING *jh*

SUBJECT: SMALL BUSINESS ADMINISTRATIVE SUP CHECKLIST

The attached Checklist and Worksheets for the Small Business administrative SUP program has been updated since the version considered by the Planning Commission and Council in March. Council asked at that time to see a revised version, and staff has been working with a group of concerned and supportive business and citizen representatives, to revise and improve the text. Revisions include the following:

Redesigned package of material. Staff has attempted to redesign the large, original Checklist package, to make it more friendly and understandable for applicants. An applicant who comes to the zoning counter for information or uses the Planning and Zoning web page will first be introduced to the Administrative SUP system by being given the first five pages of the attached document. Those pages include a checklist, the steps in the process, and general regulations and standard conditions that will apply to every administrative SUP. The package also includes a series of worksheets, one for each specific use. The applicant will not be given all of them. On the web page, he will select the use he wishes to pursue; at the counter, he will be given a single sheet of paper designed for the use he seeks. Finally, the attached package includes an actual application form, which will be available for applicants who decide to pursue an administrative SUP. In that case, the individual worksheet for the specific use will be attached to the short application to complete it.

User-friendly language. The language throughout the document has been revised to be consistent, less legalistic, and more user-friendly. In the first version many "standards" were combined with applicant questions making some points illogical. That problem has, we believe, been eliminated.

Qualifying worksheet questions. The language of the individual worksheets has been changed to make it more helpful. The long list of specific use standards has been revised, dividing the information into two sections. The first helps the applicant determine if he even qualifies for the use; the second adds conditions that will apply if he pursues it.

Community comments. Staff circulated the revised Checklist package to members of the work group for review and, except for formatting and typographical issues, as of the time the Planning Commission docket material was published, had received only positive feedback. Since that time, including at the Planning Commission hearing, staff received additional comments. The Del Ray Citizen Association Land Use Committee and the West End Business Association have submitted both general comments and very specific recommended wording.

Staff has reviewed the long list of specific concerns and recommendations submitted by both DRCA and WEBA and incorporated several of the suggested changes to the wording of the Checklist (indicated with underlining and ~~strikeout~~ in the attached), especially as to the issue of certain uses or standards being zone sensitive, and making zone designations understandable. As an example, on pp. 5 and 11, staff has changed the terms “Old Town” and the “CD zone” to be clearer. Also, reference to the NR zone has been amplified to include “(Arlandria)” to help the reader. See, e.g., pp. 11 and 12. Staff has not adopted every suggested wording change, believing that the existing text is an improvement over the original checklist reviewed in March and that the wisest course of action is to put the document in place, begin working with it, and tweak it as we learn over time those parts of the document that succeed, and those that need future improvements. The proposed Checklist is an internal document that will be subject to change and that will evolve over time.

Beyond the specific language clarifications and corrections are some concerns that essentially seek to debate whether the overall program or specific parts of it already adopted by Council are appropriate. WEBA for example would like to see an expanded and more streamlined administrative program. In addition, three specific issues raised by DRCA Land Use Committee warrant a response.

- First is the issue of “piggybacking,” or the question of how future administrative SUP applications relate to already approved special use permits. As a general rule, an administrative SUP may be allowed if it is not prohibited by the SUP already approved. For example, if a restaurant has been approved for a maximum of 100 seats, it may not seek an expansion of 60 seats, the limit for an administratively approved new restaurant. However, the rules for minor amendments specifically allow a small expansion, up to a 10% increase in seats, to an approved SUP, provided that staff finds little or no impact on the neighborhood.
- Secondly, as to whether outdoor seating is counted within the 60 seats allowed for an administrative restaurant SUP, the text amendment adopted by Council expressly states that the 20 outdoor seats are permitted *in addition to the indoor seats*. See section 11-513(M)(3) of the zoning changes adopted by Council. Where an existing SUP allows only indoor seating, and does not specifically

prohibit outdoor seating, an administrative approval would be available to allow outdoor seating that complies with the new program.

- Finally, however, DRCA points out correctly that staff failed to correct the Mount Vernon Overlay Zone language adopted by Council, section 6-603(D), which lists outdoor dining as including only a maximum of 16 seats, even though the administrative standards for outdoor seating at Sec. 11-513(M)(3) were changed to allow up to 20 seats for all restaurants citywide outside of Old Town. This oversight will be corrected with a proposed text change when staff reports to Council in December, after a year of working with the small business program.

The final Checklist and Worksheet document is an internal staff document that does not require approval by Council. Nevertheless, Council's interest and support of the Small Business Administrative SUP Program and the comments and involvement by business and citizen representatives have made the Checklist document a better one. (The original Checklist is attached at pp. 28 to 49 for comparison.)

Staff: Faroll Hamer, Director, Planning and Zoning
Nathan Randall, Urban Planner II
Kendra Jacobs, Supervisory Administrative Officer

**ADMINISTRATIVE
SPECIAL USE PERMIT**

**CHECKLIST, WORKSHEETS
AND APPLICATION**

***CITY OF ALEXANDRIA, VIRGINIA
DEPARTMENT OF PLANNING AND ZONING***

INTRODUCTION

On December 13, 2008, City Council adopted changes to the City's Zoning Ordinance to permit some small businesses to operate in the City with approval of an Administrative Special Use Permit (SUP). The changes will simplify the process for businesses to obtain zoning approval for building uses such as small commercial schools, childcare centers and small restaurants in certain locations. Previously, these uses were subject to review and approval through a formal hearing process and required the submission of a Special Use Permit request. Under the new regulations, some of these uses can now be approved as either permitted or administrative uses, rather than requiring a Special Use Permit.

These changes, which were a result of the efforts of the Small Business Task Force, Planning and Zoning staff, the Planning Commission and both businesses and residents, came about after significant public outreach and several public hearings.

An Administrative SUP will require that an applicant submit information to the Department of Planning and Zoning about the requested use. The applicant will also have to certify that they will be able to comply with specific requirements for the proposed use.

Uses that qualify for an Administrative SUP under the new ordinance include:

- Child care center or preschool in a church or school building in residential zones
- Small garden centers in certain commercial zones
- Outdoor food and crafts market in certain commercial zones
- Overnight pet accommodations in a shopping center
- Live Theater in Arlandria
- Valet Parking in Old Town (KR zone)
- In Industrial or Flex space centers:
 - Light auto repair
 - Catering operation
- Full service restaurants of 60 seats or less, except in Old Town (CD and KR zones), where a full SUP is required ~~(Restaurants in a shopping center, hotel or an industrial or flex space center are now allowed without a SUP)~~

The Department of Planning and Zoning has prepared this checklist and worksheets to assist applicants in understanding and providing information necessary for obtaining approval of an Administrative SUP.

Any questions should be directed to the Department of Planning and Zoning, 703-838-4666.

This information is also available on our website at
<http://www.alexandriava.gov/planning/info/default.aspx?id=6644>

How to use the Checklist and Worksheets:

1. *This guide is designed to help you -- applicants, businesses and citizens -- understand the process and requirements for administrative Special Use Permit (SUP) uses.*
2. *For technical language and legal standards for administrative SUP uses, please refer to the Zoning Ordinance, Section 11-513.*
3. *Please follow the information on pages 2-5 to understand how to get an administrative SUP started and approved, steps the City will take to help you and to learn about the general operating requirements for all administrative SUP uses.*
4. *Then, review the specific worksheet that applies to your business. The worksheet will help you determine if an administrative SUP will work for you or whether you have to apply for a full Special Use Permit.*
5. *Answer the questions on the worksheet page for your business and attach it to your application for administrative SUP approval. In some cases, additional information will be required.*
6. *Additional conditions may be required by the Director if reasonably necessary to support the use and its compatibility with the neighborhood.*
7. *For additional information or any questions about this checklist, the worksheets, administrative SUPs, or the process for approval, please contact Planning and Zoning at 703-838-4666.*

THE CITY WILL HELP YOU

Planning and Zoning staff is available to help you with the successful opening of your business. Staff will answer your questions, provide information and make sure that your business can operate in the location that you have chosen. We will also perform the following tasks to process your administrative SUP.

Provide public notice of the request for approval of an administrative SUP

- Property will be posted with a placard describing the request
- Emails will be sent to community and business associations
- Information about the request will be posted on the City's website
- The request will be advertised in a local newspaper

Transmit the request to other City departments

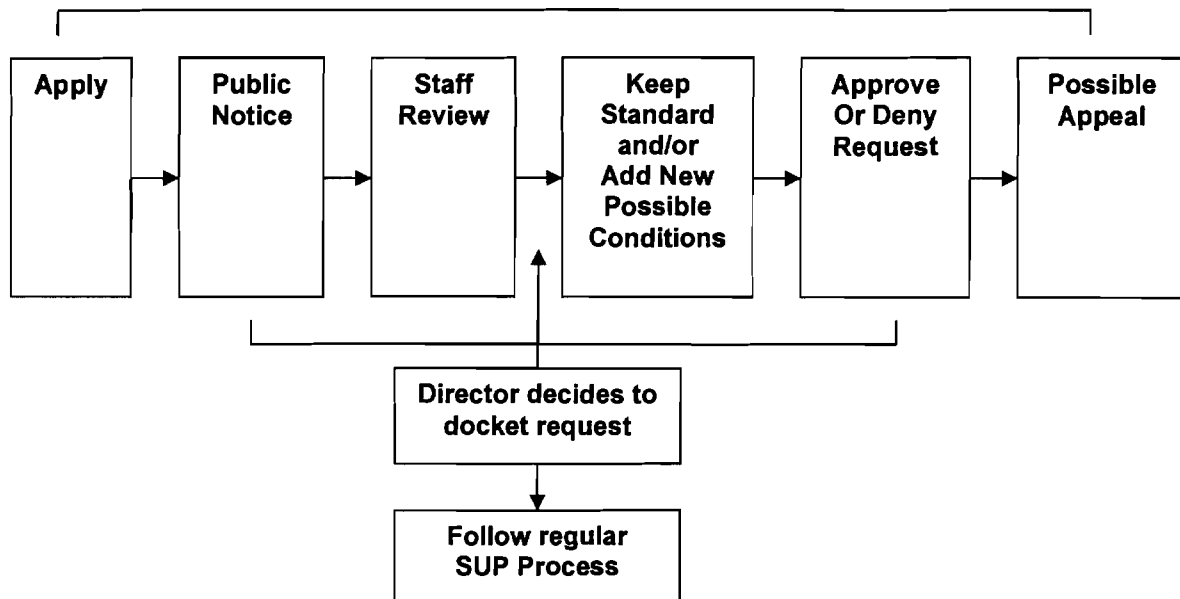
Review comments from City departments and the public

Determine if other conditions, in addition to the standard conditions, are needed

Determine, based on comments from City Departments and the public, if the requested use needs to be docketed for public hearing

Provide written decision to the applicant, and place on the City's website, either approving or denying the requested use

Administrative SUP Process Timeline (approximately 30 days from application to decision by director)



APPLICANT'S PROCESS CHECKLIST

Before Submitting Your Application

<input type="checkbox"/>	Schedule a Meeting (Recommended) It is strongly recommended that you schedule a meeting with P&Z staff for information about the application process and advice to help your business open smoothly. Contact Planning and Zoning Staff at 703/838-4666.
<input type="checkbox"/>	Contact the Small Business Development Center (Recommended) The Small Business Development Center (703/778-1292) is a helpful resource before, during and after the Administrative SUP process.
<input type="checkbox"/>	Review Small Business Guide (Recommended) It is recommended that you read the Alexandria Small Business Guide for additional information about opening a business in Alexandria. The Small Business Guide is available on the Planning & Zoning Website at www.alexandriava.gov/planning .

Submit Your Application

<input type="checkbox"/>	Submission Requirements The required Administrative SUP application includes: <ul style="list-style-type: none"> <input type="checkbox"/> Application Form <input type="checkbox"/> Supplemental Worksheet for Specific Use <input type="checkbox"/> Floor Plan <input type="checkbox"/> Site Plan/Survey Plat <input type="checkbox"/> Application Fee - \$250.00 <input type="checkbox"/> Other items that may be required by City staff
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It is in your best interest to do the following while your application is being processed

<input type="checkbox"/>	<u>Research</u> Other required licenses or permits Depending on your business, you may need several other city or state licenses or permits. For example, you may need to contact the Virginia Alcohol, Beverage and Control Board, the Building & Code Administration or the State Department of Social Services. All agencies have different requirements and processes for issuing licenses or permits, so contact them early in the process.
<input type="checkbox"/>	Contact Associations and Neighbors It is recommended that you contact your local civic and business associations, as well as immediate neighbors. Letting them know about your business will help the application process go smoothly. It also may help in the marketing of your business. Planning and Zoning staff can help you locate contact information.

After your request has been approved

<input type="checkbox"/>	Pick Up Administrative SUP Certificate When your application has been approved, you will be contacted by Planning and Zoning staff. You will need to sign and agree to follow the conditions of the administrative special use permit.
<input type="checkbox"/>	Get Business Licenses and Other Permits You will need to apply for other permits and licenses such as building permits, health permit, child care permits. The Planning and Zoning staff will sign off on your business license after you sign for the Administrative SUP.

GENERAL STANDARDS FOR ALL USES

This page applies to all types of businesses seeking Administrative SUP approval. It lists the standard conditions that will appear as part of the permit to operate the business. If you believe that you will not be able to comply with any of the standards, please contact Planning and Zoning staff, as you may not be eligible to apply for an Administrative SUP.

PERMIT AND CONDITIONS

- Only the person who receives the permit may be in charge of the use that is approved. If there is a change in the future, including a sale of the business, then administrative approval and a new SUP is needed.
- The SUP permit must be displayed at the business. The list of requirements for the business must be available if anyone asks to see it.
- The applicant must conduct employee training sessions to discuss all SUP provisions and requirements, and methods to prevent underage sales of alcohol.
- As part of the application and approval process, the Director may add further operating requirements to the business if necessary for the specific use and its compatibility with the neighborhood.

TRANSPORTATION AND TRANSIT

- Encourage customers and employees to use different methods of travel to the business, including bus, bicycle and Metro.
- Encourage employees and customers to use mass transit or to carpool when traveling to and from the business.
- Post signs at the business and on the internet about carpooling, DASH and METRO routes and where to buy transit passes.

PARKING

- Participate in organized parking programs adopted by the City for the area.
- Require employees who drive to work to use off-street parking.
- Inform customers about where to park by installing signs visible from the street.

TRASH/LITTER

- Keep trash and garbage inside the building or outside in sealed containers. Trash and debris may not accumulate outside of those containers. Outdoor trash receptacles must be screened.
- Litter on and near the business must be picked up at least twice every day and at the close of the business, and more often if necessary.
- The applicant may be required to purchase a trash can for public use or make a monetary contribution to the Litter Control Fund.

POLICE

- Before opening the business, contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program for employees.

NOISE

- Loud noise is not permitted. The business must obey the City's noise ordinance.
- Outdoor speakers are not permitted. Amplified sound cannot be audible at the property line.

BUILDING AND LANDSCAPING IMPROVEMENTS

- Improvements, including landscaping, may be required and must be maintained.
- The applicant may be required to purchase a tree for planting or make a monetary contribution to a street tree planting fund.

DAY CARE IN A CHURCH OR SCHOOL BUILDING

Zoning Ordinance Section 11-513(D)

Qualify for Administrative Review?

Will the day care be located in any one of the residential zones? ____ Yes ____ No

Will the day care be located in a church or school building? ____ Yes ____ No

If yes to all questions, the business qualifies for administrative review. If no to any question, speak to P&Z staff about the full SUP process.

Note: City staff will need to determine if the proposed location provides adequate drop off and pick up, and if there is an adequate buffer between the day care and near-by residents.

WORKSHEET – Answer each question. Attach a separate sheet of paper if necessary.

DROP OFF AREA

☐

There must be an area that is large enough to pick up and drop off the children without interfering with other cars and pedestrians.

Where will the pick-up/drop-off area be located? _____

How many cars will fit in the area at one time? _____

The pick up/drop off area must be shown on the site plan which is part of the application.

PROTECTION FOR NEARBY HOMES

☐

The location must be far enough away from nearby homes and apartments so they will not be affected by the operations of the day care facility.

Where in the church or school building will the day care be located? (i.e. basement, upper floors, west side of the building) _____

How large an area is proposed for day care's operations? _____ sq. feet

What steps will be taken to buffer the day care from nearby residences (ex. shrubbery, fencing, etc.)? _____

The location of the child care in relation to nearby homes and apartments must be shown on the site plan which is part of the application.

RESTAURANTS

Zoning Ordinance Section 11-513(L)

Qualify for Administrative Review? *

Will the restaurant have 60 indoor seats or fewer? ____ Yes ____ No

Will the restaurant be located outside of Old Town (CD and KR zones)? ____ Yes ____ No

If delivery service is offered, does the restaurant have 40 seats or more? ____ Yes ____ No

Will wait service be provided at preset tables with menus and non-disposable tableware? ____ Yes ____ No

If alcohol service is offered, will it be on premise alcohol service only – no off premise? ____ Yes ____ No

Will the restaurant open at or later than 5:00 am? ____ Yes ____ No

Will the restaurant close at or before midnight? ____ Yes ____ No

If yes to all questions, the business qualifies for administrative review. If no to any question, speak to P&Z staff about the full SUP process.

*** Note: ~~Restaurants located in the CD zone do not qualify for administrative review.~~ Hours for restaurant operations are different in the Mount Vernon Overlay and NR (Arlandria) zones.**

WORKSHEET – Answer each question. Attach a separate sheet of paper if necessary.

SEATS

☐

The restaurant may not include more than 60 indoor seats.

How many indoor seats are proposed? _____

ALCOHOL

☐

Full alcohol service, consistent with a valid ABC license is permitted. No off-premise alcohol sales are permitted. Within the Mount Vernon Avenue Overlay zone and the NR zone (Arlandria) areas, alcohol may only be served at tables.

Contact ABC for information about obtaining an ABC license (703/313-4432)

Will the restaurant offer alcohol service? _____

DELIVERY SERVICE

☐

If you have at least 40 seats, you may include delivery service. Only one delivery vehicle is allowed and there must be a dedicated parking place for it which is not on the public street. No delivery of alcoholic beverages is permitted.

Is delivery proposed? _____

Where will the delivery vehicle be parked? _____

RESTAURANT-continued
Zoning Ordinance Section 11-513(L)

HOURS

☐

The hours of operation may be similar to other restaurants in the area, but must close by 12:00 midnight and may not open before 5:00 a.m. Meals ordered before the closing hour may be served, but no new patrons may be admitted after the closing hour, and all patrons must leave by one hour after the closing hour. The hours of operation as well as the location of all off street parking must be posted at the entrance to the restaurant.

HOURS IN MOUNT VERNON OVERLAY OR NR ZONE AREAS

Within the Mount Vernon Avenue Overlay zone and the NR zone (Arlandria) areas, hours are limited to from 6:00 a.m. to 11:00 p.m., Sunday through Thursday, and from 6:00 a.m. to midnight, Friday and Saturday, although the closing hour for indoor seating may be extended until midnight four times a year for special events.

What hours are proposed? _____

DELIVERIES TO THE RESTAURANT

☐

Deliveries to the restaurant may only take place between 7:00 a.m. and 11:00 p.m.

What days will deliveries occur? _____

Where will deliveries to the restaurant occur? _____

CONTROLLING ODORS AND SMOKE

☐

The applicant must control odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services.

What equipment is included in the building to help control odors and smoke? _____

SOLID WASTE AND RECYCLING

☐

The applicant must provide storage space for solid waste and recyclable materials containers as outlined in the City's "Solid Waste and Recyclable Materials Storage Space Guidelines," or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132.

Where will the waste and recycling containers be located? _____

OUTDOOR DINING

Zoning Ordinance Section 11-513(M)

Qualify for Administrative Review?

Is the proposed outdoor dining accessory to an approved indoor restaurant? ____ Yes ____ No

Will the hours for outdoor dining be the same as those approved for the indoor restaurant? ____ Yes ____ No

Will the outdoor dining have 20 seats or fewer? ____ Yes ____ No

Will live entertainment be **prohibited** from the outdoor seating area? ____ Yes ____ No

Will advertising be **excluded** from the outdoor seating area? ____ Yes ____ No

Will an employee be assigned to the outdoor dining area to make sure it is cleared and washed at the close of each business day? ____ Yes ____ No

If yes to all questions, the business qualifies for administrative review. If no to any question, speak to P&Z staff about the full SUP process. A layout plan must be reviewed and approved for the outdoor dining.

Note: This process does not apply to businesses within the King Street Retail Overlay. Please speak to P&Z staff about a different administrative process for outdoor dining.

WORKSHEET – Answer each question. Attach a separate sheet of paper if necessary.

PART OF APPROVED INDOOR RESTAURANT

☐

Outdoor dining must be connected to an approved indoor restaurant.

What restaurant is the outdoor dining connected to? _____

LOCATION ON PRIVATE PROPERTY

☐

Outdoor dining, including seats, planters, wait stations and barriers, must be located on private property unless authorized by an encroachment ordinance.

Will the outdoor dining be located only on private property? _____

What steps will you take to ensure that components, such as planters and barriers, do not encroach onto the public sidewalk? _____

NUMBER OF SEATS

☐

Only 20 seats may be located at outdoor tables in front of the restaurant.

How many seats will be included in the outdoor seating? _____

ALCOHOL SERVICE

☐

Alcohol service, to the extent allowed for indoor dining, is permitted; no off-premise alcohol sales are permitted.

Is on-premise alcohol service proposed? _____

OUTDOOR DINING PLAN

☐

Please submit a detailed plan with your application

A plan for layout of the outdoor dining must be submitted for review and approval by the director. The business must maintain compliance with the approved layout. Any changes to the approved layout may require further review by staff.

LIGHT AUTOMOBILE REPAIR

Zoning Ordinance Section 11-513(J)

Qualify for Administrative Review?

Will the light automobile repair business be located in an industrial or flex space center as defined by the Zoning Ordinance in the OCM (100) zone? ____ Yes ____ No

Will the repair work proposed consist of only minor service work such as tune-ups, lubrication, alignment, fuel system, brakes, mufflers, and replacement of small items? ____ Yes ____ No

Will all the repair work be done inside? ____ Yes ____ No

If yes to all questions, the business qualifies for administrative review. If no to any question, speak to P&Z staff about the full SUP process.

Note: General repair work such as painting, upholstering, rebuilding, reconditioning, body and fender work, frame straightening, undercoating, engine or transmission rebuilding or replacement, tire retreading or recapping, and the like does not qualify for administrative special use permit. Contact P&Z staff about the full SUP process if general repair work is proposed.

WORKSHEET – Answer each question. Attach a separate sheet of paper if necessary.

STORAGE OF STRIPPED VEHICLES

☐

Any junked, abandoned, or stripped vehicles must be parked or stored inside.

Describe storage location for junked, abandoned or stripped vehicles? _____

VEHICLE LOADING AND UNLOADING

☐

All loading or unloading of vehicles must take place on private property, and not on the public right-of-way.

Where on private property will vehicle loading take place? _____

DISCARDING OF VEHICLE PARTS

☐

All debris or vehicle parts must be kept on private property, and not on the public right-of-way.

Describe methods for keeping debris and vehicle parts off the public right-of-way? _____

VEHICLE PARKING

☐

Vehicles must be displayed, parked, or stored on private property, and not on the public right-of-way.

Where on private property will vehicles be displayed, parked or stored? _____

LIGHT AUTOMOBILE REPAIR - continued

Zoning Ordinance Section 11-513 (J)

STORAGE AND DISPOSAL OF VEHICLE PARTS

☐

All vehicle parts, tires, or other materials must be kept inside the building, in a dumpster or other suitable trash receptacle or enclosure.

Describe the methods that will be used to ensure vehicle parts, tires and other materials are contained? _____

KEEPING THE BUILDING AND SITE CLEAN

☐

The area around the building must be kept free of debris and maintained in an orderly and clean condition.

How will you monitor the building and site to keep it clean? _____

WASTE PRODUCTS

☐

All waste products, including but not limited to, organic compounds (solvents), motor oils, and antifreeze must be disposed of following all local, state and federal ordinances or regulations. Waste products may not be discharged into the sanitary or storm sewers.

What are the plans for disposing of waste products? _____

BEST MANAGEMENT PRACTICES

☐

You must follow the City of Alexandria Best Management Practices manual for automotive related industries. Contact the T&ES Environmental division at (703)519-3400 to obtain a copy of the manual.

Have you reviewed the Best Management Practices manual? _____

What steps will you take to follow the Best Management Practices Manual? _____

CONTROLLING ODORS AND SMOKE

☐

Odors, smoke and any other air pollution from operations at the site must be controlled to prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services.

What equipment is included in the building to help control odors, smoke and air pollution? _____

CAR WASHING

☐

Car wash discharges resulting from a commercial operation may not be discharged into a storm sewer. It is recommended that any car washing be done at a commercial car wash facility.

Where will car washing take place? _____

OVERNIGHT PET BOARDING

Zoning Ordinance Section 11-513(K)

Qualify for Administrative Review?

Will the overnight pet boarding business be located in a shopping center as defined by the Zoning Ordinance?
____ Yes ____ No

If yes, the business qualifies for administrative review. If no, speak to P&Z staff about the full SUP process.

Note: Staff will need to determine if the proposed location provides adequate ventilation, noise and storage controls.

Note: There are state laws and regulations that the business must comply with such as the Department of Agriculture and Consumer Services Division of Animal Industry Services laws and Animal Care, Control, Property and Protection Laws regarding Boarding Establishments.

WORKSHEET – Answer each question. Attach a separate sheet of paper if necessary.

HEALTH DEPARTMENT REVIEW

☐

The Health Department must review and approve a plan that shows proposed methods of ventilation, storage and operations. All issues, including noise, and waste and odor control must be addressed.

Have you contacted the Health Department (703/838-4400)? _____

How will the facility dispose of animal waste? _____

How will it control odors? _____

How will it control noise? _____

LIVE THEATER
Zoning Ordinance Section 11-513(E)

Qualify for Administrative Review?

Will the live theater be located in the NR/Neighborhood Retail zone (Arlandria)? ____ Yes ____ No

Will performance hours be limited to between 11:00 a.m. and 11:00 p.m. daily? ____ Yes ____ No

If proposed, will wine and beer be limited to sales right before or during intermission of a performance?
____ Yes ____ No

If yes to all questions, the business qualifies for administrative review. If no to any question, speak to P&Z staff about the full SUP process.

Note: In order to offer wine and beer, the business must have the appropriate ABC license as required by law.

WORKSHEET – Answer each question. Attach a separate sheet of paper if necessary.

PERFORMANCE SCHEDULE

☐

Performances must be scheduled to occur between 11:00 a.m. and 11:00 p.m. daily.

What are the hours proposed for performances? _____

What type of performances are planned for the theater? _____

WINE AND BEER SALES

☐

Wine and beer sales are permitted but only in conjunction with performances. Wine and beer may be sold at the intermission or one hour before the performances begin. Wine and beer may also be offered in conjunction with a show opening or wine and cheese event with the proper ABC license.

Are sales of wine and beer proposed? _____

OUTDOOR FOOD AND CRAFTS MARKETS

Zoning Ordinance Section 11-513(F)

Qualify for Administrative Review?

Will the outdoor food and crafts market **prohibit** alcohol sales? ____ Yes ____ No

Will food preparation and storage of trailers be located on a different site than the proposed outdoor food and crafts market? ____ Yes ____ No

Will the outdoor food and crafts market operate two days a week or less? ____ Yes ____ No

Are the hours between 7:00 a.m. and sundown? ____ Yes ____ No

If yes to all questions, the business qualifies for administrative review. If no to any question, speak to P&Z staff about the full SUP process.

Note: City staff must review a plan for the layout of the market and the plan must be approved before beginning operations. Any changes to the plan must be approved.

There must to be a set of rules for all vendors and for the market. The Director approves the rules and any changes to the rules. Copies of the rules must be given to each vendor, to nearby residents and businesses, and to the civic associations in the vicinity.

WORKSHEET – Answer each question. Attach a separate sheet of paper if necessary.

MARKET MASTER

☐

A market master must be designated, and an alternate, and their names and contact information must be provided before opening the market.

The market master must be present at the opening and the closing of the market, and must oversee cleanup of the area. The market master must also maintain a list of vendors with addresses and telephone numbers.

Who is the market master? _____ (name)

_____ (address)

_____ (phone)

_____ (email)

Who is the alternate market master? _____ (name)

_____ (address)

_____ (phone)

_____ (email)

MARKET RULES FOR VENDORS

☐

Please provide the market rules with your application.

The rules must state who is eligible to sell goods in the market and under what conditions. It is expected that the market will include the sale of produce, and baked and prepared goods, and that the produce will be predominantly grown by the vendors, except during the spring and late fall when resale produce may predominate.

The rules must also state the appropriate food safety guidelines developed by the Alexandria Health Department.

OUTDOOR GARDEN CENTER

Zoning Ordinance Section 11-513(G)

Qualify for Administrative Review?

Is the outdoor garden center located in a commercial, industrial, office, commercial/residential mixed use zone or the Mt. Vernon Overlay zone? ____ Yes ____ No

Will the site of the outdoor garden center be 10,000 square feet or less? ____ Yes ____ No

Are the hours between 7:00 am and 9:00 pm Monday through Saturday, and between 8:00 am and 8:00 pm on Sunday? ____ Yes ____ No

Will deliveries to the garden center be made during normal business hours and in a location on the site? ____ Yes ____ No

If yes to all questions, the business qualifies for administrative review. If no to any question, speak to P&Z staff about the full SUP process.

Note: City staff must review a plan (see plan requirements below) for the layout of the garden center and the plan must be approved before beginning operations. Any changes to the plan must be approved.

City staff must also determine if the garden center is located in a suitable distance or otherwise protected from nearby residential uses.

WORKSHEET - Answer each question below. Attach a separate sheet of paper if necessary.

HOURS OF OPERATION

☐

The hours of operation must be limited to between 7:00 a.m. and 9:00 p.m. Monday through Saturday, and from between 8:00 a.m. and 8:00 p.m. on Sunday.

What are the proposed hours of operation of the center? _____

What are the hours that the business will be open to the public, if different from the hours of operation? _____

SIZE OF GARDEN CENTER

☐

The garden center site may not be larger than 10,000 square feet.

How large is the garden center site? _____ sq. feet

GARDEN CENTER LAYOUT PLAN

☐

Please provide a detailed plan with your application

The layout of the garden center must be submitted for review and approval by the director. The plan should include all elements of the use, including:

Areas for storage, deliveries and parking

Design of any building or structure

Screening from neighboring uses

The view from the public street

PROTECTION OF NEARBY HOMES

☐

The garden center must be located at a distance or otherwise protected from nearby homes or apartments as not to disturb neighboring residents.

What is the approximate distance to the closest homes or apartments? _____ feet

What steps will the business take to protect residents from negative impacts? _____

CATERING OPERATION
Zoning Ordinance Section 11-513(I)

Qualify for Administrative Review?

Will the catering operation be located in an industrial or flex space center as defined by the Zoning Ordinance in the OCM (100) zone? ____ Yes ____ No

Will the catering operation **prohibit** alcohol service on site? ____ Yes ____ No

Will deliveries to the catering operation be made before 11:00 pm and after 7:00 am? ____ Yes ____ No

If yes to all questions, the business qualifies for administrative review. If no to any question, speak to P&Z staff about the full SUP process.

WORKSHEET - Answer each question below. Attach a separate sheet of paper if necessary.

LOCATION OF STORAGE

☐

Any food, beverages, or other material must be stored inside.

Describe how food, beverages or other materials will be stored? _____

CONTROLLING ODORS AND SMOKE

☐

Cooking odors and smoke must be controlled to prevent them from becoming a nuisance to neighboring properties and the Department of Transportation & Environmental Services will review the proposed controls.

What equipment is included in the building to help control odors and smoke? _____

SOLID WASTE AND RECYLCING

☐

There must be storage space for solid waste and recyclable materials containers as outlined in the City's "Solid Waste and Recyclable Materials Storage Space Guidelines," or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132.

Where will the waste and recycling containers be located? _____

OUTDOOR DISPLAY

Zoning Ordinance Section 11-513(H)

Qualify for Administrative Review?

Will the proposed outdoor display be located in the Mount Vernon Avenue Overlay zone? ____ Yes ____ No

Will the goods displayed be in conjunction with an adjacent existing retail store? ____ Yes ____ No

Will the outdoor display be located on private property? ____ Yes ____ No

If yes to all questions, the business qualifies for administrative review. If no to any question, speak to P&Z staff about the full SUP process.

WORKSHEET – Answer each question. Attach a separate sheet of paper if necessary.

DISPLAY OF RETAIL GOODS

☐

Only goods from the adjacent store are permitted to be displayed.

What is proposed to be displayed outside? _____

LOCATION ON PRIVATE PROPERTY

☐

The outdoor sales may not encroach into the public right-of-way.

What steps will you take to ensure that the display does not encroach onto the public sidewalk?

SIGNAGE

☐

Signage for the outdoor display is allowed in addition to signage otherwise permitted for the business, but must be limited to a maximum aggregate size of one square foot.

Is signage proposed for the outdoor display? _____

How large is the proposed sign? _____

Please supply a copy or sample of the sign with your application.

PROHIBITIONS

☐

All sales must take place from inside the business, not in the outdoor display area.

Structures or other permanent changes to the exterior are not permitted in the outdoor display area.

Music, speakers, or amplified sounds associated with the outdoor display are not permitted.

VALET PARKING

Zoning Ordinance Section 11-513(N)

Qualify for Administrative Review?

Will the proposed valet parking be located in the King Street Overlay zone? ____ Yes ____ No

If yes, the business qualifies for administrative review. If no, speak to P&Z staff about the full SUP process.

WORKSHEET – Answer each question. Attach a separate sheet of paper if necessary.

VALET PARKING PLAN

☐

Please provide a copy of the plan with your application.

A detailed plan must be submitted showing and explaining all components of the valet parking, including at least the following:

- (a) The location of the drop off area as well as the location for the parked vehicles to be stored;
- (b) The proposed days and hours of operation of the valet parking plan;
- (c) The number of spaces available at the vehicle storage site, which must be of sufficient capacity for the use or uses from which vehicles will be valeted;
- (d) Adequate assurance that the owner and operator of the vehicle storage site is agreeable to the proposed valet plan;
- (e) The size and design of the drop off site and identification of any on street parking spaces that will be lost during the period that the valet parking plan is in effect, such spaces to be kept to a minimum;
- (f) Demonstration that the location of the drop off site will not interfere with traffic, remaining parking, bus stops, or transit passengers or pedestrians;
- (g) The proposed graphics for the drop off site, including signage and uniformed staff, with sufficient visibility but designed to be compatible with the streetscape as determined by the director;
- (h) The proposed number of attendants, which must be sufficient to adequately staff the operation; and
- (i) If the proposed valet plan includes more than one business, the identity of the party or entity responsible for compliance with the approved valet parking plan.

LOCATION OF STORED VEHICLES

☐

Vehicles ~~must be~~ may not be parked or temporarily stored by an attendant on streets or sidewalks.

Where will the parked vehicles be stored? _____

SHARED PARKING PROGRAM

☐

No structures are permitted in conjunction with a valet parking program, unless associated with a shared parking program among several businesses, and only after the design is reviewed for comment by the Old and Historic Alexandria District Board of Architectural Review. Please review Section 11-513 (N) of the Zoning Ordinance for more detail.

Are any structures proposed as part of the valet parking program? _____

If so, please include a detailed description and plan for the structure with your application. Attach a separate sheet, if necessary.

Is the program part of a shared parking program with other businesses? _____

If so, please describe the program and identify the other businesses to be included. Attach a separate sheet.



Administrative Special Use Permit Application

Please type or print legibly

PROPERTY LOCATION: _____

ZONE: _____ TAX MAP REFERENCE: _____

APPLICANT'S INFORMATION:

Applicant: _____ Business/Trade Name: _____

Address: _____

Phone: _____ Email: _____

PROPOSED USE:

- ☐ Day Care Center
- ☐ Restaurant
- ☐ Outdoor Dining (not within the King Street Retail Overlay)
- ☐ Light Auto Repair
- ☐ Overnight Pet Boarding
- ☐ Live Theater
- ☐ Outdoor Food and Crafts Market Center
- ☐ Outdoor Garden Center
- ☐ Catering Business
- ☐ Outdoor Display
- ☐ Valet Parking

Please read and sign after the statement:

I have read and understand the general standards and the requirements for the use for which I am applying and have attached the Worksheet for the use.

Signature: _____

Please submit the following with this application form:

Site Plan At a minimum, show and label the subject property, surrounding buildings, and streets. Show, label and give dimensions for all parking spaces, entrances and exits, and trees and shrubbery.

Floor Plan At a minimum, show and label all interior features inside and outside seats, tables, counters, equipment, etc. as appropriate to the use. Show, label and give dimensions for all entrance and exit doors and windows, rooms/areas, staircases, elevators and bathrooms.

Worksheet for specific use from Checklist and Worksheet package.

Other materials, as required by specific use (see Guide to Administrative SUPs Checklist & Worksheets).

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PROPERTY OWNER'S AUTHORIZATION

As the property owner, I hereby grant the applicant use of _____ (property address), for the purposes of operating a _____ (use) business as described in this application.

I also grant permission to the City of Alexandria to visit, inspect, photograph and post placard notice on my property.

Name: _____ Phone: _____

Address: _____ Email: _____

Signature: _____ Date: _____

1. 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 and the percent of ownership.

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

USE CHARACTERISTICS

2. Please give a brief statement describing the use:

3. Please describe the proposed hours of operation:

Days	Hours
Daily	

Or give hours for each day of the week

Monday	
Tuesday	
Wednesday	
Thursday	
Friday	
Saturday	
Sunday	

4. 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).

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

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

_____ Standard and compact spaces
_____ Handicapped accessible spaces
_____ Other

B. Please give the number of:
Parking spaces on-site _____

Parking spaces off-site _____

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

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

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

B. Where are off-street loading spaces located? _____

C. During what hours of the day do you expect loading/unloading operations to occur? _____

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate? _____

7. If any hazardous materials or organic compounds (for example paint, ink, lacquer thinner, or cleaning or degreasing solvent), as defined by the state or federal government, be handled, stored, or generated on the property, provide the name, monthly quantity, and specific disposal method below:

APPLICANT'S SIGNATURE

Please read and initial each statement:

Initial:_____ THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Initial:_____ 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.

Print Name of Applicant or Representative

Signature

Date

If this application is being filed by someone other than the business owner (such as an agent or attorney), please provide the information below:

Representative's Address: _____

Phone: _____

Email: _____

Fax: _____

City of Alexandria, Virginia

MEMORANDUM

DATE: FEBRUARY 24, 2009

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: RICH JOSEPHSON, DEPUTY DIRECTOR, PLANNING AND ZONING

SUBJECT: SMALL BUSINESS ADMINISTRATIVE SUP CHECKLIST AND WORKSHEETS

ISSUE: Small Business Administrative SUP Checklist and Worksheets

RECOMMENDATION: Approve the use of the attached Checklist and Worksheets for Administrative Special Use Permits

BACKGROUND: On December 13, 2008, City Council adopted changes to the City's Zoning Ordinance to permit some small businesses to operate in the City with approval of an Administrative Special Use Permit (SUP).

In approving these new administrative special uses, City Council directed staff to prepare a checklist and worksheets that can be provided to businesses to assist them in obtaining approvals of new uses or expansions/modifications of existing uses, and to obtain approval of this checklist/worksheet from the Planning Commission and City Council.

These changes will simplify the process for businesses to obtain zoning approval for building uses such as small commercial schools, childcare centers and small restaurants in certain locations. Previously, these uses were subject to review and approval through a formal hearing process and required the submission of a Special Use Permit request. Under the new regulations, some of these uses can now be approved as either permitted or administrative uses, rather than requiring a Special Use Permit.

The changes, which were a result of the efforts of the Small Business Task Force, Planning and Zoning staff, the Planning Commission and both businesses and residents, came about after significant public outreach and several public hearings.

An Administrative SUP will require that an applicant submit information to the Department of Planning and Zoning about the requested use. The applicant will also have to certify that they will be able to comply with specific requirements for the proposed use.

Uses that qualify for an Administrative SUP under the new ordinance include:

- Child care center or preschool in a church or school building in residential zones
- Small garden centers in certain commercial zones
- Outdoor food and crafts market in certain commercial zones
- Overnight pet accommodations in a shopping center
- In Industrial or Flex space centers:
 - o Light auto repair
 - o Catering operation
- Full service restaurants of 60 seats or less, except in Old Town, where a full SUP is required (Restaurants in a shopping center, hotel or an industrial or flex space center are now allowed without a SUP)

The attached Checklist and Worksheets provide information to applicants for an Administrative SUP. The package of information includes general information applicable to all administrative SUPs and then a separate checklist for the particular use that is requested.

There are instructions for how to use the Checklist and Worksheets. There is also a checklist for how to get started and approved. The first item on the “Getting Started” checklist is scheduling a pre-application meeting with staff from Planning and Zoning. We cannot emphasize enough the importance of meeting with staff ahead of time to discuss the proposal and make sure the applicant is fully aware of all of the requirements for obtaining approval through the administrative process.

There is also an explanation of what the City will do, including providing public notice, obtaining and reviewing comments from other departments and the public, and providing a written decision. A timeline is included that shows the approximate amount of time to go through the administrative process.

The checklists are for each individual use that is permitted to be approved through the administrative process. We have tried to keep these checklists to one page and still contain all of the required information.

Planning staff has been meeting with staff from other agencies to make sure that all are on the same page regarding this process. Staff has also asked for comments from community and business organizations and will continue to do so as part of a process of continual review and improvement.

Staff is committed to make this process work and to assist applicants for Administrative Special Use Permits to the greatest extent possible.

STAFF: Faroll Hamer, Director
Rich Josephson, Deputy Director
Kendra Jacobs, Administrative Officer
Elieen Oviatt, Planner
Nathan Randall, Planner

ATTACHMENT: Administrative Special Use Permit Checklist and Worksheets

**ADMINISTRATIVE
SPECIAL USE PERMIT**

**CHECKLIST AND
WORKSHEETS**

***CITY OF ALEXANDRIA, VIRGINIA
DEPARTMENT OF PLANNING AND ZONING***

INTRODUCTION

On December 13, 2008, City Council adopted changes to the City's Zoning Ordinance to permit some small businesses to operate in the City with approval of an Administrative Special Use Permit (SUP). The changes will simplify the process for businesses to obtain zoning approval for building uses such as small commercial schools, childcare centers and small restaurants in certain locations. Previously, these uses were subject to review and approval through a formal hearing process and required the submission of a Special Use Permit request. Under the new regulations, some of these uses can now be approved as either permitted or administrative uses, rather than requiring a Special Use Permit.

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 - Light auto repair
 - Catering operation
- Full service restaurants of 60 seats or less, except in Old Town, where a full SUP is required (Restaurants in a shopping center, hotel or an industrial or flex space center are now allowed without a SUP)

The Department of Planning and Zoning has prepared this checklist and worksheets to assist applicants in understanding and providing information necessary for obtaining approval of an Administrative SUP.

Any questions should be directed to the Department of Planning and Zoning, 703-838-4666.

This information is also available on our website at
<http://www.alexandriava.gov/planning/info/default.aspx?id=6644>

How to use the Checklist and Worksheets:

1. *This guide is designed to help you -- applicants, businesses and citizens -- understand the process and requirements for administrative SUP uses.*
2. *For technical language and legal standards for administrative SUP uses, please refer to the Zoning Ordinance, Section 11-513.*
3. *Please follow the information on pages 3, 4 and 5 to understand how to get an administrative SUP started and approved, to learn what the City will do, and to learn about the general operating requirements for all administrative SUP uses.*
4. *Then, find the specific use that applies to your business on pp. 3-15. Use that worksheet page to find the requirements for your type of business.*
5. *Answer the questions on the worksheet page for your business, detach it from this package, and attach it to your application for administrative SUP approval. In some cases, additional information will be required.*
6. *Additional conditions may be required by the Director if reasonably necessary to support the use and its compatibility with the neighborhood.*
7. *For additional information or any questions about this checklist, the worksheets, administrative SUPs, or the process for approval, please contact Planning and Zoning at 703-838-4666.*

PROCESS: GETTING STARTED AND APPROVED

<input type="checkbox"/>	Schedule Pre-Application Meeting with P&Z Staff (Strongly Recommended) Contact Planning and Zoning Staff at 703/838-4666
<input type="checkbox"/>	Submit Complete Application Application Form Supplemental Worksheet for Specific Use Floor Plan Site Plan/Survey Plat Application Fee - \$250.00 Other items (may be required)
<input type="checkbox"/>	Contact Other City or State Agencies Regarding Other Applicable Requirements
<input type="checkbox"/>	Contact Civic Association
<input type="checkbox"/>	Contact Immediate Neighbors/Property Owners
<input type="checkbox"/>	Apply for Building Permit and Other Permits as Necessary
<input type="checkbox"/>	Receive SUP Certificate and Final Conditions when notified by Planning and Zoning staff and Agree to Follow SUP Conditions/Operating Requirements for Business
<input type="checkbox"/>	Receive Building Permit and Other Permits as Necessary
<input type="checkbox"/>	Obtain Final Zoning Sign-Off on Business License
<input type="checkbox"/>	Follow All Applicable Codes & Ordinances

PROCESS: WHAT THE CITY WILL DO

- ☐ Provide Public Notice of the Request for approval of an Administrative SUP
 - Property will be posted with a placard describing the request
 - Emails will be sent to community and business associations
 - Information about the request will be posted on the City's website
 - The request will be advertised in a local newspaper

- ☐ Transmit the request to other City departments

- ☐ Review the Request
 - Review comments from City departments and the public

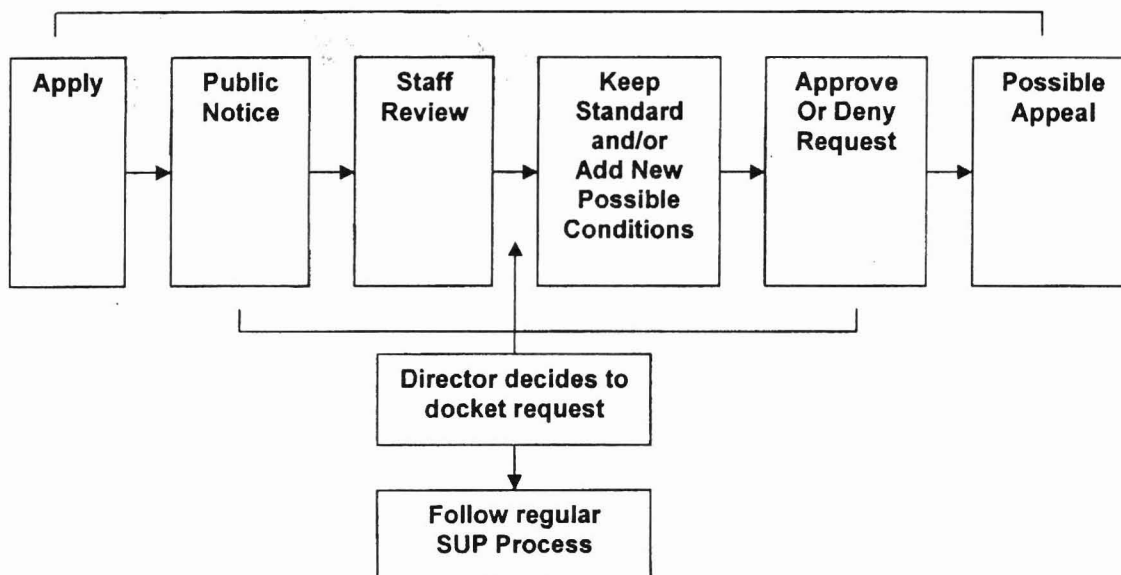
- ☐ Determine if other conditions, in addition to the standard conditions, are needed

- ☐ Determine, based on comments from City Departments and the public, if the requested use needs to be docketed for public hearing

- ☐ Provide written decision to the applicant, and place on the City's website, either approving or denying the requested use

Administrative SUP Process Timeline

(approximately 30 days from application to possible appeal and minimum 21 days from notice to decision)



REQUIRED STANDARDS FOR ALL USES

Applicants for all uses must comply with the following standards.

PERMIT AND CONDITIONS

☐

Only the person who receives the permit may be in charge of the use that is approved. If there is a change in the future, including a sale of the business, then administrative approval of that change is needed.

The SUP permit must be displayed at the business. The list of requirements for the business must be available if anyone asks to see it.

The applicant shall conduct employee training sessions to discuss all SUP provisions and requirements, and methods to prevent underage sales of alcohol.

As part of the application and approval process, the Director may add further operating requirements to the business if necessary for the specific use and its compatibility with the neighborhood.

TRANSPORTATION AND TRANSIT

☐

Encourage customers and employees to use different ways to get to travel to the business, including by car, bus, bicycle and Metro. The business should put signs in the business about it and use printed and Internet information, and any other effective methods.

Encourage its employees and customers to use mass transit or to carpool when traveling to and from the business.

Post signs about carpooling, DASH and METRO routes and where to buy transit passes.

PARKING

☐

Participate in organized parking programs adopted by the City for the area.

Require employees who drive to work to use off-street parking.

Inform customers about the where to park and install signs showing where it is.

TRASH/LITTER

☐

Keep trash and garbage inside the building or outside in sealed containers. Trash and debris may not accumulate outside of those containers. Outdoor trash receptacles must be screened to the satisfaction of the director.

Litter on and near the business must be picked up at least twice every day and at the close of the business, and more often if necessary.

The applicant may be required to purchase a trash can for public use or make a monetary contribution to the Litter Control Fund.

POLICE

☐

Before opening the business, contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program for employees.

NOISE

☐

No loud noise is permitted. The business must obey the City's noise ordinance.

No outdoor speakers shall be permitted. No amplified sound shall be audible at the property line.

BUILDING AND LANDSCAPING IMPROVEMENTS

☐

Improvements, including landscaping, may be required and must be maintained.

The applicant may be required to purchase a tree for planting or make a monetary contribution to a street tree planting fund.

CATERING OPERATION

HOURS OF OPERATION

☐

The hours of operation must be posted at the entrance of the business.

What are the hours of the business? _____

ALCOHOL SERVICE

☐

No alcohol service is permitted.

Will alcohol service be provided? _____

LOCATION OF STORAGE

☐

No food, beverages, or other material may be stored outside.

Where will supplies be stored? _____

CONTROLLING ODORS AND SMOKE

☐

Cooking odors and smoke must be controlled to prevent them from becoming a nuisance to neighboring properties and the Department of Transportation & Environmental Services will review the proposed controls.

What equipment is included in the building to help control odors and smoke? _____

Have you contacted T&ES to review those controls? (703-838-4318) _____

DELIVERIES TO THE BUSINESS

☐

There can be no deliveries to the business between 11:00 p.m. and 7:00 a.m.

When will deliveries occur? _____

What steps will you take to control deliveries to the business? _____

SOLID WASTE AND RECYCLING

☐

There must be storage space for solid waste and recyclable materials containers as outlined in the City's "Solid Waste and Recyclable Materials Storage Space Guidelines," or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132.

Where will the waste and recycling containers be located? _____

Have you contacted T&ES about the containers? _____

DISPOSAL INTO SEWERS

☐

Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.

DAY CARE IN A CHURCH OR SCHOOL BUILDING

PERMITS

☐

Before opening the facility, all required state, federal and local licenses and certificates must be obtained.

Have you already obtained your permits? _____

Have you applied for permits? _____

Which permits have you applied for? _____

Have you contacted the Office of Early Childhood (703-838-0750)? _____

DROP OFF AREA

☐

There must be an area that is big enough where the children can be dropped off and picked up without interfering with other cars and pedestrians.

Where will the pick-up/drop-off area be? _____

How many cars will fit in the area at one time? _____

The pick up/drop off area must be shown on the site plan which is part of the application.

PROTECTION FOR NEARBY HOMES

☐

Choose a location that is far enough away from nearby homes and apartments so they will not be affected by the day care facility.

Where in the church or school building will the day care be located? _____

How large an area is proposed for day care? _____ sq. feet

The location must be shown on the site plan which is part of the application.

What steps will be taken to buffer the day care from nearby residences? _____

LIGHT AUTOMOBILE REPAIR

TYPE OF REPAIR WORK

☐

Repair work done on the premises shall be limited to light automobile repair.

Describe the types of services the business will offer? _____

LOCATION OF REPAIR WORK

☐

No repair work shall be done outside.

Where will repair work take place? _____

STORAGE OF STRIPPED VEHICLES

☐

No junked, abandoned, or stripped vehicles shall be parked or stored outside.

Where will junked, abandoned or stripped vehicles be stored? _____

VEHICLE LOADING AND UNLOADING

☐

No vehicles shall be loaded or unloaded on the public right-of-way.

Where will vehicle loading take place? _____

DISCARDING OF VEHICLE PARTS

☐

No debris or vehicle parts shall be discarded on the public right-of-way.

Where will debris and vehicle parts be discarded? _____

VEHICLE PARKING

☐

No vehicles shall be displayed, parked, or stored on a public right-of-way.

Where will vehicles be displayed, parked or stored? _____

STORAGE AND DISPOSAL OF VEHICLE PARTS

☐

No vehicle parts, tires, or other materials shall be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure.

Where will vehicle parts, tires and other materials be kept? _____

LIGHT AUTOMOBILE REPAIR CONTINUED

KEEPING THE BUILDING AND SITE CLEAN

☐

The area around the building shall be kept free of debris and maintained in an orderly and clean condition.

How will you monitor the building and site to keep it clean? _____

WASTE PRODUCTS

☐

All waste products including but not limited to organic compounds (solvents), motor oils, and antifreeze must be disposed of following all local, state and federal ordinances or regulations. Waste products may not be discharged to the sanitary or storm sewers.

What are the plans for disposing of waste products? _____

BEST MANAGEMENT PRACTICES

☐

You must follow the City of Alexandria Best Management Practices manual for automotive related industries. Contact the Office of Environmental Quality at (703)383-4334 or visit [http://alexandriava.gov/uploadedFiles/tes/info/Automotive BMP manual.pdf](http://alexandriava.gov/uploadedFiles/tes/info/Automotive_BMP_manual.pdf) to obtain a copy of the manual.

Have you reviewed the Best Management Practices manual? _____

What steps will you take to follow the Best Management Practices Manual? _____

CONTROLLING ODORS AND SMOKE

☐

You must control 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.

What equipment is included in the building to help control odors, smoke and air pollution? _____

Have you contacted T&ES to review those controls? (phone) _____

CAR WASHING

☐

Car wash discharges resulting from a commercial operation shall not be discharged into a storm sewer. It is recommended that the car washes be done at a commercial car wash facility.

Where will car washing take place? _____

LIVE THEATER

PERFORMANCE SCHEDULE

☐

Performances must be scheduled to occur between 11:00 a.m. and 11:00 p.m. daily.

What are the hours proposed for performances? _____

What type of performances are planned for the theater? _____

WINE AND BEER SALES

☐

Wine and beer sales are permitted but only in conjunction with performances. Wine and beer may be sold at the intermission or one hour before the performances begin.

Are sales of wine and beer proposed? _____

If so, will they be limited to sales right before or during intermission of a performance? _____

SPECIAL EVENTS

☐

Once each month, there can be a special event, such as a show opening or a wine and cheese event at which wine and beer is offered.

Do you plan to have any special events? _____

If so, please describe? _____

Will wine and beer be offered at the events? _____

How frequently will the events occur? _____

ABC LICENSE

☐

In order to offer wine and beer, the business must have appropriate licenses as required by law.

Have you applied for an ABC license? _____

Have you contacted the Alcohol Beverage Control office? (703/313-4432) _____

OUTDOOR DINING

PART OF APPROVED INDOOR RESTAURANT

☐

Outdoor dining must be connected to an approved indoor restaurant.

What restaurant is the outdoor dining is connected to? _____

LOCATION ON PRIVATE PROPERTY

☐

Outdoor dining, including seats, planters, wait stations and barriers, must be located on private property.

Will the outdoor dining be located only on private property? _____

What steps will you take to ensure that components, such as planters and barriers, do not encroach onto the public sidewalk? _____

NUMBER OF SEATS

☐

Only 20 seats may be located at outdoor tables in front of the restaurant.

How many seats will be included in the outdoor seating? _____

HOURS OF OPERATION

☐

The hours of operation for the outdoor dining shall be the same as permitted for the indoor restaurant.

What are the proposed hours for the outdoor dining? _____

ENTERTAINMENT

☐

No live entertainment shall be permitted in the outdoor seating area.

Is any entertainment proposed? _____

Please describe: _____

SIGNAGE

☐

Outdoor seating areas shall not include advertising signage, including on umbrellas.

Are any signs proposed for the outdoor dining? _____

ALCOHOL SERVICE

☐

Alcohol service, to the extent allowed for indoor dining, is permitted; no off-premise alcohol sales are permitted.

What is the plan for alcohol service? _____

Have you contacted the Alcohol Beverage Control office (703/313-4432)? _____

CLEANING

☐

The outdoor dining area shall be cleared and washed at the close of each business day that it is in use.

Who will perform this job? _____

OUTDOOR DINING PLAN

☐

A plan for layout of the outdoor dining shall be submitted for review and approval by the director. The business shall maintain compliance with the approved layout. Any changes to the approved layout may require further review by staff.

Please submit a detailed plan with your application

OUTDOOR DISPLAY

MOUNT VERNON AVENUE OVERLAY ZONE

☐

Outdoor display of retail goods is only permitted in conjunction with an existing retail sales establishment and only within the Mount Vernon Avenue Overlay Zone.

What is the retail store that the outdoor display is connected to? _____

What is the address of the store? _____

DISPLAY OF RETAIL GOODS

☐

Only goods from the adjacent store are permitted to be displayed.

What is proposed to be displayed outside? _____

LOCATION ON PRIVATE PROPERTY

☐

The outdoor sales may not encroach into the public right-of-way.

Will the outdoor display be located only on private property? _____

What steps will you take to ensure that the display does not encroach onto the public sidewalk?

SIGNAGE

☐

Signage for the outdoor display is allowed in addition to signage otherwise permitted for the business, but shall be limited to a maximum aggregate size of one square foot.

Is signage proposed for the outdoor display? _____

How large is the proposed sign? _____

Please supply a copy or sample of the sign with your application.

PROHIBITIONS

☐

No sales may occur in the outdoor display area.

The outdoor display area may include no structures or other permanent changes to the exterior.

There shall be no music, speakers, or amplified sounds associated with the outdoor display.

OUTDOOR FOOD AND CRAFTS MARKETS

HOURS OF OPERATION

☐

The market may open at 7:00 a.m. and must close at sundown. It may not be open more than two days a week, and the days must be specified in the permit.

What are the hours for the market? _____

MARKET MASTER

☐

A market master must be designated, and an alternate, and their names and contact information must be provided before opening the market.

The market master must be present at the opening and the closing of the market, and must oversee cleanup of the area.

The market master shall maintain a list of vendors with addresses and telephone numbers.

Who is the market master? _____ (name)
_____ (address)
_____ (phone)
_____ (email)

Who is the alternate market master? _____ (name)
_____ (address)
_____ (phone)
_____ (email)

MARKET PLAN

☐

There has to be a plan for the layout of the market and the plan must be approved before beginning operations. Any changes to the plan must be approved.

Please provide a detailed plan showing the layout of the market and location of vendors, storage, and all activities, as part of your application.

MARKET RULES FOR VENDORS

☐

There has to be a set of rules for all vendors and for the market. The Director approves the rules and any changes to the rules. Copies of the rules must be given to each vendor, to nearby residents and businesses, and to the civic associations in the vicinity.

The rules shall state who is eligible to sell goods in the market and under what conditions. It is expected that the market shall include the sale of produce, and baked and prepared goods, and that the produce will be predominantly grown by the vendors, except during the spring and late fall when resale produce may predominate.

Please provide the market rules with your application.

All vendors shall adhere to, and the market master shall enforce, appropriate food safety guidelines developed by the Alexandria Health Department.

Have you reviewed the Health Department Guidelines? _____

Are they part of the market rules for vendors? _____

PROHIBITED ACTIVITIES

☐

The market may not include alcohol sales, trailers stored on site or on site food preparation

OUTDOOR GARDEN CENTER

HOURS OF OPERATION

☐

The hours of operation shall be limited to between 7:00 a.m. and 9:00 p.m. Monday through Saturday, and from 8:00 a.m. to 8:00 p.m. on Sunday.

What are the proposed hours of operation of the center? _____

What are the hours that the business will be open to the public? _____

SIZE OF GARDEN CENTER

☐

The garden center site may not be larger than 10,000 square feet.

How large is the garden center site? _____ sq. feet

GARDEN CENTER LAYOUT

☐

The layout of the garden center shall be submitted for review and approval by the director. The plan should include all elements of the use, including:

Areas for storage, deliveries and parking

Design of any building or structure

Screening from neighboring uses

The view from the public street

The business shall maintain compliance with the approved layout. Any changes to the approved layout may require further review by staff.

Please provide a detailed plan with your application

DELIVERIES TO THE BUSINESS

☐

Deliveries shall be limited to during normal business hours and shall occur in the location shown in the approved plan.

When will deliveries occur? _____

What steps will you take to control deliveries to the business? _____

PROTECTION OF NEARBY HOMES

☐

The use shall be located a suitable distance or otherwise protected from nearby residential uses in order to avoid undue impacts.

What is the distance to the closest homes or apartments? _____

What steps will the business take to protect those homes from impacts? _____

OVERNIGHT PET BOARDING

STATE LAWS

☐

There are state laws and regulations that the business must comply with: the Department of Agriculture and Consumer Services Division of Animal Industry Services laws and Animal Care, Control, Property and Protection Laws regarding Boarding Establishments.

Have you researched the above rules? _____

How will you comply with these rules? _____

HEALTH DEPARTMENT REVIEW

☐

The Health Department must review and approve a plan that shows proposed methods of ventilation, storage and operations. All issues, including noise, and waste and odor control must be addressed.

Have you contacted the Health Department (703/838-4400)? _____

How will the facility dispose of animal waste? _____

How will it control odors? _____

How will it control noise? _____

RESTAURANTS

SEATS

☐

The restaurant may not include more than 60 seats.

How many seats are proposed? _____

FULL SERVICE

☐

The restaurant must offer "full service," meaning it will have printed menus, wait service provided at tables and preset tables with non-disposable tableware.

Does the proposal meet this standard? Yes _____ No _____

ALCOHOL

☐

Full alcohol service, consistent with a valid ABC license is permitted. No off-premise alcohol sales are permitted. Within the Mount Vernon Avenue Overlay zone and the NR zone areas, alcohol may only be served at tables.

Will the restaurant offer alcohol service? _____

Will off premise alcohol sales be offered? _____

Is the restaurant located within the Mount Vernon Avenue Overlay or NR zone? If so, will alcohol service be limited to tables? _____

DELIVERY SERVICE

☐

If you have at least 40 seats, you may include delivery service. Only one delivery vehicle is allowed and there must be a dedicated parking place for it, which is not on the public street. No delivery of alcoholic beverages is permitted.

Is delivery proposed? _____ Is delivery of alcohol proposed? _____

How many vehicles will be used for delivery service? _____

Where will the delivery vehicle be parked? _____

HOURS

☐

The hours of operation may be similar to other restaurants in the area, but must close by 12:00 midnight and may not open before 5:00 a.m. Meals ordered before the closing hour may be served, but no new patrons may be admitted after the closing hour, and all patrons must leave by one hour after the closing hour. The hours of operation as well as the location of all off street parking must be posted at the entrance to the restaurant.

HOURS IN MOUNT VERNON OVERLAY OR NR ZONE AREAS

Within the Mount Vernon Avenue Overlay zone and the NR zone areas, hours are limited to from 6:00 a.m. to 11:00 p.m., Sunday through Thursday, and from 6:00 a.m. to midnight, Saturday and Sunday, although the closing hour for indoor seating may be extended until midnight four times a year for special events.

What hours are proposed? _____

What are the prevailing hours in the area for similar uses? _____

RESTAURANTS CONTINUED

DELIVERIES TO THE RESTAURANT

☐

Supply deliveries (loading and unloading) to the restaurant may only take place between and 11:00 p.m. 7:00 a.m.

What days will deliveries occur? _____

What time will deliveries to the restaurant occur? _____

Where will deliveries to the restaurant occur? _____

STORAGE LOCATION

☐

No food, beverages or other materials may be stored outside.

Where will supplies be stored? _____

DISPOSAL INTO SEWERS

☐

Kitchen equipment may not be cleaned outside, and cooking residue may not be washed into the streets, alleys or storm sewers.

Where will equipment be cleaned? _____

Where and how will cooking residue be disposed? _____

CONTROLLING ODORS AND SMOKE

☐

The applicant shall control odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services.

What equipment is included in the building to help control odors and smoke? _____

SOLID WASTE AND RECYCLING

☐

The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "Solid Waste and Recyclable Materials Storage Space Guidelines," or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132.

Where will the waste and recycling containers be located? _____

Have you contacted T&ES about the containers? _____

VALET PARKING

KING STREET URBAN RETAIL ZONE

☐

Valet parking is only permitted in the King Street Overlay Zone.

Where is the proposed valet parking to be located? _____

VALET PARKING PLAN

☐

A detailed plan must be submitted showing and explaining all components of the valet parking, including at least the following:

- (a) The location of the drop off area as well as the location for the parked vehicles to be stored;
- (b) The proposed days and hours of operation of the valet parking plan;
- (c) The number of spaces available at the vehicle storage site, which shall be of sufficient capacity for the use or uses from which vehicles will be valeted;
- (d) Adequate assurance that the owner and operator of the vehicle storage site is agreeable to the proposed valet plan;
- (e) The size and design of the drop off site and identification of any on street parking spaces that will be lost during the period that the valet parking plan is in effect, such spaces to be kept to a minimum;
- (f) Demonstration that the location of the drop off site will not interfere with traffic, remaining parking, bus stops, or transit passengers or pedestrians;
- (g) The proposed graphics for the drop off site, including signage and uniformed staff, with sufficient visibility but designed to be compatible with the streetscape as determined by the director;
- (h) The proposed number of attendants, which shall be sufficient to adequately staff the operation; and
- (i) If the proposed valet plan includes more than one business, the identity of the party or entity responsible for compliance with the approved valet parking plan.

Please provide a copy of the plan with your application.

Have you contacted Planning and Zoning about valet parking? _____

Have you contacted Transportation and Environmental Services? _____

LOCATION OF STORED VEHICLES

☐

No vehicle shall be parked or temporarily stored by an attendant on streets, sidewalks.

Where will the parked vehicles be stored? _____

SHARED PARKING PROGRAM

☐

No structures are permitted in conjunction with a valet parking program, unless associated with a shared parking program among several businesses, and only after the design is reviewed for comment by the Old and Historic Alexandria district board of architectural review. Please review section 11-513 (N) of the zoning ordinance for more detail.

Are any structures proposed as part of the valet parking program? _____

If so, please include a description, plan and detail for the structure with your application.

Is the program part of a shared parking program with other businesses? _____

If so, please describe the program and identify the other businesses to be included. _____



"Agnes Artemel"
<apa@artemel.com>

04/27/2009 02:15 PM

To <barbara727@comcast.net>, "Bill Reagan"
<billr@alexandriasbdc.org>, <gloriaf@alexandriasbdc.org>,
"Amy Slack" <alsdmf@earthlink.net>, "Christina
cc "Nathan Randall" <Nathan.randall@alexandriava.gov>,
"Kendra Jacobs" <Kendra.Jacobs@alexandriava.gov>,
"Faroll Hamer" <Faroll.Hamer@alexandriava.gov>

bcc

Subject RE: Small Business/Administrative SUP Checklist

Barbara,

I am attaching the comments of WEBA's Local Government Liaison Committee on the Administrative SUP Checklist. The WEBA Board of Directors is aware that our committee reviewed the draft materials you sent, but has not acted on our review as a Board.

Thank you for the opportunity to review the draft and provide comments. We continue to find the Administrative Review process overly complex and of limited applicability due to the very specific categories and locations eligible for Administrative Review. The intent of the Checklists is laudable but perhaps the checklist tool cannot overcome the very specific and fine-grained nature of Alexandria's permitting regulations. I hope our comments will be of some value in spite of the above cautions.

Agnes Artemel
Chair, WEBA Local Government Liaison Committee

Agnes Palmer Artemel
Artemel & Associates, Inc.
2121 Eisenhower Avenue, Suite 200
Alexandria, Virginia 22314
703-683-2788

From: barbara727@comcast.net [mailto:barbara727@comcast.net]

Sent: Wednesday, April 15, 2009 4:47 PM

To: Bill Reagan; gloriaf@alexandriasbdc.org; Agnes Artemel; Amy Slack; Christina Richardson; Jill Erber; Maria Wasowski

Cc: Nathan Randall; Kendra Jacobs; Faroll Hamer

Subject: Small Business/Administrative SUP Checklist

Bill, Gloria, Agnes, Christina, Amy, Jill and Maria:

Attached is a revised Administrative SUP Checklist. We hope we have incorporated all of your good suggestions. We certainly tried to do that. Please review and give us your comments, which could be related to the document as a whole or to any specific language. We are looking to finalize this document for public distribution on Monday, April 27, so if we could have your comments by Friday April 24, that would be most helpful.

A reminder: what is attached is the entire package that relates to administrative SUPs. An applicant will not receive all of this material. Included in the package is, first, an introduction and guide to the checklist, a list of the process steps the City will take, a process checklist for the applicant, and then the general standards for all uses. All applicants will receive those 5 pages. The bulk of the attachment is the worksheets, and there is one for each use that can be processed administratively. We include them all here so you can see them but an applicant would not receive them all. If an applicant comes to the counter, he will only receive and use the one related to the use he is interested in. We are working on a webpage which will list these items separately, and an applicant will have a choice of uses and be able to

select only the appropriate worksheet for his use. We are also attaching here the application which, again, will be a separate document and available if an applicant decides that he qualifies and wants to pursue the SUP.

Thank you very much for your continued interest and support for this worthwhile project, and for your collaboration with staff on it.

If you have any questions, please contact me or, in my absence (I will be out of town next week), Nathan or Kendra (703/838-4666) If your comments are appropriate to it, email is a good tool for this purpose.

Barbara Ross
Planning and Zoning

West End Business Association (WEBA) Local Government Liaison Committee

Comments on Proposed Administrative SUP Checklist, April 27, 2009

We appreciate P&Z's efforts to simplify application and permit processing procedures for small businesses. We also understand that the proposed Administrative SUP procedures are constrained by the Text Amendment on Small Business SUPs approved by the Alexandria Planning Commission and City Council after several public input sessions.

Nevertheless, we find that the proposed "streamlining" applies to potentially few businesses, in that the types of business eligible for the Administrative SUP are few, and the applicability of the Administrative (vs. Full) SUP is further limited by being available in only very specific zoning categories. Finally, even the "simplified" checklists frequently refer to the applicant needing to contact additional permitting agencies or to research their obligations to providing parking and landscaping. These factors lead us to wonder if this effort to prepare Checklist documents for Administrative approvals is truly worth the effort in staff time and business association time to create and review the checklists.

The comments and questions below were prepared by members of WEBA's Local Government Liaison Committee after a brief review and in response to P&Z's request. The Board of Directors of WEBA has not endorsed these comments.

-- Local Government Liaison Committee, Agnes Artemel, Chair.

Broad Comments

1. The uses that are qualified to apply for an Administrative SUP are very specific and limited. It would seem more productive to assign a Planning staff person to walk the business applicants specifically through what they need to do than to publish documents that, no matter how detailed, still leave some things undetermined for further contact and research. Ideally, the P&Z staff person would function like a caseworker, meeting with the business and defining the specific requirements – providing a custom checklist based on the characteristics of the business and the specific site being considered for the business.
2. Once the P&Z staff give a business a custom checklist (that includes the requirements of other departments and agencies as applicable), that should be the end of the requirements stage. There should not be a possibility that a business completes the requirements outlined by P&Z and then finds out that there are additional requirements no one has brought up yet.
3. While it is helpful of staff to take on the public notice requirements, the entire concept of public notice for an *Administrative* approval will seem overly regulatory and unfriendly to business. This is the kind of thing that gives Alexandria the image of being unwelcoming to business. If a business qualifies for Administrative review, then the Planning staff should handle the review, without time-consuming and potentially damaging public review.

4. Parking requirements need to be explained better. Is it City Council's policy that every business needs to require employees to park off-street? This is not always feasible and is an undue burden on businesses.
5. Landscaping requirements are too vague and open-ended. The business needs to know up front what it is likely to be asked.
6. Many of the checklists seem to expect the business knows what zone its location is in, and whether an overlay zone applies. Again, this is not simple; understanding the zones requires a conversation with a Planner (or an Attorney, but businesses are trying to avoid hiring an Attorney just to open).

Page by Page Comments:

1. Cover Page: Put the list of eligible businesses on the cover (the list from the application form works, if the additional zone provisions are clarified).
2. How to use the Checklist and Worksheets: this should include a reference to the cost of an Administrative SUP application. Also, where can they get help (Planning Dept specialized staff person by name, SBDC, AEDP, etc).
3. The City Will Help You: this is a good title. Please explain to the applicant why public input is needed for an Administrative process.

The Process diagram is confusing. The bottom (outcome) box should say "SUP Approved", not send them to the regular SUP process. This needs a major redraw to imply all efforts are being made to gain Administrative approval, and the regular SUP process is only invoked in a few cases.

4. Applicant's Process Checklist: The second box headed by Submit Your Application should indicate that the Applicant will get a complete list of requirements at xx time, rather than "Other items that may be required by staff" (what might those other items be? when would the list be provided?)

Under Other Required Licenses or Permits: it would be better for Planning staff to provide the list rather than sending the applicant on a chase of other departments and agencies. Also, how is this box 3, item 1 different than box 4, item 2?

The third box should have a check box and line item for **Track Your Application** with instructions on how to find out the status.

5. General Standards: correct typo in title.

Under Transportation and Transit: Businesses are asked to post signs encouraging different modes of travel than automobiles. Is there a standard approved sign that P&Z can give to the applicant, rather than expecting everyone to create their own? Should businesses really be burdened with encouraging their *customers* to use transit? They have a hard enough time getting customers – any way the customer gets there is fine.

Under Trash and Litter: Every business has a responsibility to keep its premises clean as well as the public right of way in front of the business. It would be better to enforce cleaning, than to require the purchase of a trash can whose use the business cannot control. These trash cans cost close to \$1,000 and should not be a condition of doing business in Alexandria (unless there is a clear City Council policy that each business must buy a trashcan).

Under Noise: the standard is vague – what are the provisions of the City’s noise ordinance? Is there a standard provision, or does it vary depending on the source and location?

Under Landscaping: there is no indication of the magnitude of landscaping that may be required. What do landscaping requirements depend on? Is there a uniform policy or standard? The cost of a tree planting should be defined (is it \$75 per tree, as previously defined by the Parks and Recreation Department for street trees planted by neighborhoods, or is it something more?)

6. Day Care: What is meant by “residential zones” – is it RA, RB, etc or a residential permit district? Does this mean that Day Care is not allowed in commercial zones, or it is by-right in commercial zones and the business does not even have to get administrative approval?

7. Pet Boarding: if the business needs to be in a shopping center, the definition of shopping center should be provided on this page. Perhaps we have few enough shopping centers in the City that they could be named.

8. Live Theater: how will the business know that they are in a Neighborhood Retail zone?

Under Performance Schedule: the language is unclear as to whether the hours cited are start or end times.

9. Outdoor Markets: similar to 8 above, what is the NR or Urban Overlay Zone? If we are going to be that specific, there should be a map or indication of streets or blocks that qualify.

Under Market Master, correct typo (“their” rather than “there” names)

10. Catering: Is this only available in OCM100? That seems incredibly restrictive.

Delivery Times – reverse the sequence: after 7 am and before 11 pm.

11. Light Auto Repair: again, is this only available in OCM 100?

The section on Storage of Stripped Vehicles would not seem to apply based on the definition listed in the top box.

Under Best Management Practices: Since the text starts with “You must follow...” it seems silly to ask “what steps will you take...”. The question should be “Do you agree to follow.....”.

Under Car Washing: Alexandria has very few commercial car washing facilities. Does it make sense to ask a light repair shop to drive a car to a commercial facility that may be several blocks or more distant, further burdening our roads and adding to air pollution?

12. Restaurants: What is the meaning of a question that asks “If delivery service is offered, does the restaurant have 40 seats or more”? The Administrative option only applies to restaurants with less than 60 seats, and we are restricting on the other end by saying it must have more than 40 seats to deliver? Why is delivery ok *over* a certain threshold?

What is the point of “wait-service, menus and non-disposable tableware”? Does this mean that a relatively innocuous and clean operation like Panera Bread would not qualify to open a less than 60 seat outlet? If the point is litter control, it should be made in some other way.

13. Outdoor Dining: The text as it exists appears fine; however, where are issues such as the height or color of the seats addressed? That seems to have been a major point of contention in the past and businesses should be aware that there are standards (or at least opinions) on what is appropriate before they spend money and are forced to later replace items.

14. Valet parking: This item appears to define eligible locations for vehicles to be only streets or sidewalks. How about parking garages?

15. Application Form: Is the required site plan or floor plan of such complexity or level of detail that it would necessitate an architect or engineer to prepare it? There should be a definition of the level of precision required, and perhaps a sample acceptable drawing not prepared by a licensed professional (it is a cost issue for the business).

May 6, 2009

Chairman Eric Wagner and members of the Alexandria Planning Commission
301 King St.
Alexandria, VA 22314

Dear Mr. Wagner,

We would like to submit the following comments from the West End Business Association (WEBA) of Alexandria for the May 7, 2009, public hearing.

- We commend the Planning staff for its efforts to provide simplified directions to small businesses that may qualify for an Administrative SUP process, and for including Alexandria's business organizations in commenting on the draft checklist materials
- WEBA has found that the businesses that may qualify for Administrative SUPs are so narrowly defined, and in such specific areas of the City, that the Administrative procedures will provide regulatory relief to very few businesses
- Further, even with the detailed Checklists, it is difficult to provide businesses with ALL the information they need; the Checklists still refer businesses to other departments and agencies, and refer to conditions that MAY apply, without defining those conditions (parking, landscaping, trash cans)
- We have concluded that our zoning and permitting regulations are so narrowly defined and have so many specific requirements that every business will still face a case by case evaluation, in spite of efforts to simplify
- We therefore recommend that instead of relying on the Checklists to clarify the requirements, an individual Planner should be assigned as the equivalent of a "case worker" to each business seeking approvals. This Planner would provide individualized guidance to the business at first contact, spelling out ALL requirements in detail, including requirements imposed by departments and agencies other than P & Z. The Planner would also be available as a resource to the applicant as the applicant follows the process delineated for that business.

We look forward to working with the City on this important issue which is of great concern to our members

Sincerely,

Kathleen M. Burns, vice president
West End Business Association of Alexandria
3213 Duke St., PO Box 128, Alexandria, VA 22314

CC: Ms. Faroll Hamer, Director, Alexandria Planning and Zoning Department

Small Business Check List
DRCA Land Use committee Comments

Introduction, pg. 4

final bullet point

"Full service restaurants of 60 seats or less, except in Old Town, where a full SUP is required."

Change underscored text to read: "... in certain commercial zones. The Administrative process is not available to restaurants within CD and KR zone (Old Town)."

Reason: Language is consistent with previous bullets. Stating that all restaurant applications within CD and KR zone (Old Town Alexandria) must apply for a full SUP in a separate sentence helps to clarify whether an applicant is eligible to use the Admin process.

See discussion, di 7; October 18, 2008; pg. 3

"(Restaurants in a shopping center, hotel or an industrial flex center are not allowed with out a SUP)"

Strike underscored text to eliminate double negative.

Reason: Change language to reflect a restaurant is a 'permitted, by right' use in a shopping center, hotel or industrial flex center as defined in Article II of the zoning ordinance.

See di 7; October 18, 2008; pg. 26

Restaurants, pg. 10

first box

Will the restaurant have 60 indoor seats or fewer?

Strike underscored text

Reason: The position by staff that the 60 seats maximum applies to indoors only is not supported in the ordinance. The Mt. Vernon Overlay addresses restaurants of 60 or less total seats; no differentiation was made between the seating being located indoor or outdoor. See di 7; October 18, 2008; pg 79, Section 6-603(D)(1)

As adopted, the Specific standard for restaurants, Section 11-513(A)(L)(1) states, "The number of seats at the restaurant may not exceed 60."

"Note: Restaurants located in the CD zone do not qualify for an administrative review."

Strike underscored text.

Reason: A potential applicant in the CD or KR zone should not be proceeding this far into the process in belief they could submit an admin SUP. This needs to be made clear much early in the application process. A clarification on pg. 4, proposed here earlier, would rectify this.

See discussion, di 7; October 18, 2008; pg. 110

Change language of "Note" to reflect some regulations within the NR and Mt. Vernon Overlay zone differ with the questions re: hours of operation.

Reason: The hours of operation allowed by ordinance in these zones reflect the close proximity of a primarily residential neighborhood and differ from those imposed citywide. This difference should be noted to potential applicants early in the process.

Outdoor Dining, pg 12

first box

Will the outdoor dining have 20 seats or less?

Insert a note

Reason: While a provision of the Small Business Text Amendment increasing outdoor dining citywide to 20 seats was made, that change was not reflected in the docket item sent to City Council for public hearing and approved on December 13, 2008, hence it does not apply to the Mt. Vernon Overlay, which technically remains at 16 seats.

See di 7; October 18, 2008; pg 79, Section 6-603(D)(2)

We have been assured by staff that an applicant may not 'piggy back' Administrative SUPs to avoid the full SUP process. In other words, a restaurant with an ASUP may not apply for administrative approval of outdoor seating or a minor amendment.

Live Theater, pg 16

last box

"Wine and beer sales are permitted but only in conjunction with performances. Wine and beer may be sold at the intermission or one hour before the performance begins."

insert information on offering of wine or beer in conjunction with a show opening or wine & cheese event with the proper ABC licenses

Reason: Such events are allowed under Section 11-513(E)(2)

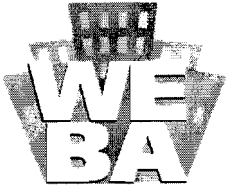
Outdoor Garden Center, pg 18

first box

Will deliveries to the garden center be made during the normal business hours?

Insert "in a location on the site".

Reason: Section 11-513(G)(3) calls for deliveries to be made on site.



WEST END BUSINESS ASSOCIATION
City of Alexandria, Virginia

9
5-16-09

3213 Duke Street, Box 128
Alexandria, VA 22314
P: 703.461.6454
E: info@alexandriaWEBA.com
Website: www.alexandriaWEBA.com

May 6, 2009

Chairman and members of the Alexandria Planning Commission
301 King St.
Alexandria, VA 22314
Sent via E-Mail

Dear Mr. Wagner,

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- We commend the Planning staff for its efforts to provide simplified directions to small businesses that may qualify for an Administrative SUP process, and for including Alexandria's business organizations in commenting on the draft checklist materials
- WEBA has found that the businesses that may qualify for Administrative SUPs are so narrowly defined, and in such specific areas of the City, that the Administrative procedures will provide regulatory relief to very few businesses
- Further, even with the detailed Checklists, it is difficult to provide businesses with ALL the information they need; the Checklists still refer businesses to other departments and agencies, and refer to conditions that MAY apply, without defining those conditions (parking, landscaping, trash cans)
- We have concluded that our zoning and permitting regulations are so narrowly defined and have so many specific requirements that every business will still face a case by case evaluation, in spite of efforts to simplify
- We therefore recommend that instead of relying on the Checklists to clarify the requirements, an individual Planner should be assigned as the equivalent of a "case worker" to each business seeking approvals; and that this Planner should be tasked with walking the business through all the requirements, not only in the Planning Department, but in all City, State, and other agencies that may impose requirements on a new business.

We look forward to working with the City on this important issue which is of great concern to our members

Sincerely,

Kathleen M. Burns, vice president
West End Business Association of Alexandria
3213 Duke St., PO Box 128, Alexandria, VA 22314

CC: Ms. Faroll Hamer, Director, Alexandria Planning and Zoning Department



WEST END BUSINESS ASSOCIATION

City of Alexandria, Virginia
Alexandria, VA 22314

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9
5-16-09

May 15, 2009

Hon. Mayor William D. Euille and
Members of City Council
City of Alexandria

Re: Public Hearing Docket Item #9, May 16, 2009
Administrative SUP Checklists

Dear Mayor Euille, Members of City Council:

The West End Business Association (WEBA) was invited by P&Z staff to review the proposed Administrative SUP Checklists, and submitted two letters in response, both of which are included in your docket item package. The Planning Commission, at its May 7 public hearing meeting, asked P&Z staff to review and incorporate WEBA's comments, where feasible.

Although P&Z has incorporated a small portion of our comments in the revised Checklists before you, our understanding is that many of the questions we raised could not be addressed because they relate to provisions in the existing Zoning Code or to policies made by City Council.

WEBA finds that efforts to simplify approval processes will continue to be ineffective or of benefit to only a fraction of small businesses who really need help, as long as Alexandria's regulations remain complex and extremely specific as to the zone, neighborhood, and type of business to which they apply. The Checklists may be a starting point for businesses, but applicants will still need the guidance of P&Z staff or (unfortunately and expensively) need to continue retaining an attorney to shepherd them through the approvals process.

At this point, we urge you to take the following actions:

- Adopt the Administrative Checklists so that P&Z staff can begin to implement the progress that these Checklists do represent
- Direct City staff to continue to identify and implement ways to simplify application and approval processes for small businesses
- Request that P&Z assign to each applicant a "case worker" or point of contact who will prepare a customized checklist for that business, listing **all** requirements up front.

WEBA would also appreciate a response to the questions we raised in our letter of April 27, 2009.

We appreciate City Council's efforts to make Alexandria more business-friendly.

Sincerely yours,

Kathleen M. Burns, Vice President
West End Business Association
3213 Duke St., Box 128, Alexandria, VA 22314

CC: Planning Commission, Faroll Hamer

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