

10b
5-15-10

PC Docket Item #9
Sep 2010 - 0011

Issue Type: Mayor, Vice Mayor, and Council Members
First Name: Jennifer
Last Name: Beach
Street Address: 112 Stewart Avenue
City: Alexandria
State: VA
Zip: 22301
Phone: 571-331-0699
Email Address: jennifer.beach@gmail.com
Subject: Closing Hours of Mike Anderson's Hog Thaid in Del Ray
Good afternoon-

I would like to comment on the zoning request by Mike Anderson for the new Hog Thaid restaurant facility coming to Del Ray. I would like to add my voice to the request that this business observe closing by 11 pm on weeknights and midnight on weekends and install a carbon filter system in their facility to prevent smoke pollution in the neighborhood. Del Ray cannot support the parking needs of too many more businesses without rezoning parking regulations, and as a family neighborhood, it needs to be quiet after 11 pm at night or midnight at the latest on weekend, with all local restaurants adhering to these guidelines. As a close neighbor of Los Tios, Caboose Cafe, and Cheesetique, and a Del Ray homeowner since 1996, I have seen a measurable change in our quality of life since they opened and became popular with diners. Our street, the 200 block of Stewart Avenue, is often congested in the evenings with patrons parking their cars, and weekend nights (Thursday- Saturday) are especially congested. The same patrons return to their cars, sometimes after 11 pm, and talk loudly and make

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Comments: noise that wakes us, our dogs, children, etc. I know that the owners of these businesses aim to be good neighbors, and we enjoy living in a mixed use community, but zoning needs to be in place to make sure ALL business owners, especially those newly opening in Del Ray, adhere to the same standards as these established businesses.

I wholeheartedly request that the new restaurants owned by Mike Anderson, as well as any other new restaurants in the neighborhood, adhere to the closing hours mentioned above, and that ALL businesses close by midnight. Please don't let Del Ray turn into something like the Courthouse/Clarendon/Ballston areas of Arlington, filled with drunken 20-somethings every weekend and impossible parking and driving for residents. Del Ray is a family neighborhood and needs to remain a safe place to live with accessible parking for residents and quiet evenings unmarred by loud visitors and smoke-filled skies from a BBQ restaurant right in the middle of the neighborhood.

Thank you so much for your attention.

Jennifer

Beach
112 Stewart Avenue
Alexandria, VA

PC Docket Item #9
Sep 2010-2011

Issue Type: Mayor, Vice Mayor, and Council Members

First Name: Steven

Last Name: Bezman

Street Address: 12 Rosecrest Avenue

City: Alexandria

State: Virginia

Zip: 22301

Phone: 703-836-6024

Email Address: steven.p.bezman@frb.gov

Subject: Del Ray business hours

I have lived in Del Ray for over 30 years, and have watched it evolve and develop. The city of Alexandria and other stakeholders are to be commended for the many improvements.

I am writing to express my concern for recent action to extend business operating hours.

It is important to preserve

and maintain the Del Ray accomplishments, and I believe business hours past

Comments: 11:00 PM during the week and past 12:00 midnight on weekends will negatively affect the unique aspects of Del Ray.

I encourage the Mayor

and City Council to limit business operating hours.

Thank you for

considering my views.

Steven P. Bezman

PC Docket Item #9
Sup 2010-0011



Fw: BBQ/Asian/Fusion restaurant - Del Ray
Nathan Randall to: Barbara Ross

04/08/2010 05:21 PM

— Forwarded by Nathan Randall/Alex on 04/08/2010 05:21 PM —

From: MicheleCM@aol.com
To: nathan.randall@alexandriava.gov
Cc: alsdmf@earthlink.net, amkdc05@yahoo.com
Date: 04/08/2010 04:11 PM
Subject: BBQ/Asian/Fusion restaurant - Del Ray

Dear Mr. Randall:

I live at 105 Stewart Avenue, right off Mt Vernon Avenue near the elementary school. I am writing to support the new restaurant that intends to open there. I understand that there is some opposition to it and wanted to take a minute to express my support. Del Ray has long supported an eclectic variety of businesses on the Avenue. My own law practice was located at 2214 Mount Vernon Avenue for nearly six years.

I understand that the restaurant intends to use very little wood and mostly gas to grill its meats. I am a lifelong asthmatic and have no problem with this method of cooking. I don't see it generating emissions as have been described in some newsletters I have received.

Further, I believe that another restaurant is merited on the Avenue at this time. Long lines have started forming at the existing ones, and a general desire for something new and different is driving some people out of the neighborhood for something different for dinner. This would bring in new customers for other businesses as well.

Parking should not be a big concern in that section of town. I live directly behind the Human Services Building, and that is cleared out on weekends, holidays and in the evenings.

Please note my support of this new venture.

Michele S. Cumberland
105 Stewart Avenue
Alexandria VA 22301
703-299-9830

(34)

Nathan.Randall@alexandria.va.gov

PO Box 2010
SUP 2010-0011

By signing below, please be advised that I support the proposed request as set forth in the Application by Hog Thaid, LLC, t/a Pork Barrel BBQ for Special Use Permit (SUP) #2010-0011, with the revisions set forth below in order to ensure the preservation of the family-friendly atmosphere of Del Ray.

Pork Barrel BBQ, et. al. will be located at 2312 Mt. Vernon Ave., in the neighborhood of Del Ray, with Commercial Low zoning. The restaurant will be located on the same block as 14 residential homes with approximately 13 children in residence and within a one-block radius of 53 residential homes. The nearest residence with small children is located approximately 30 feet from the Applicant's restaurant.

In SUP #2010-0011, the Applicant asks: (i) to operate one 6,000 square foot restaurant Sunday through Friday from 11:30am to 2:00am and on Saturday from 7:30am to 2:00am; (ii) to vent up to 2 1/2 stories; (iii) to produce up to 400 pounds of trash per day; (iv) to have off street loading beginning at 4:00am daily and continuing until 5:00pm with trucks parked off Mt. Vernon Ave. only; (v) to have outdoor dining; and (vi) to offer carry out service.

I support the SUP with the following changes to ensure the restaurants conform with the commercial low zoning and family-friendly character of Del Ray: (i) a change in hours so that the restaurants close by or before 11:00pm (or at a minimum closing at 11:00pm Sunday through Thursday); (ii) a change in the ventilation system sufficient to capture odors, smoke, emissions and other particulate matter generally associated with barbecue and other cooking techniques the Applicant proposes to use; (iii) off street loading hours (to be off Mt. Vernon Ave. only) limited to morning only Monday through Friday between 7AM and 5PM; (iv) outdoor dining tables limited and hours of operation ceasing by 10:00pm daily; (v) audible sounds at the commercial building line limited to levels at or below 50 decibels; (vi) no speakers or other amplified sounds outside the restaurant; (vii) side door entrance to be used as an emergency exit only and all take out to be picked up through main entrance on Mt. Vernon Ave.; and (viii) a requirement that all deliveries to and from the restaurant use Mt. Vernon Avenue as the sole point of ingress and egress (using Oxford Avenue only between Mt. Vernon Avenue and the parking lot entrance). I respectfully ask that the SUP is approved with these changes.

(18)

Name (print)	Address	Contact Info (email)	Signature	Date
REBECCA BAAS	1A W. WILKER AVE ALEXANDRIA, VA	baasfamily1@ comcast.net	Rebecca Baas	3 APR 10
Erin White	2 W. WILKER AVE ALEXANDRIA, VA	mindyscutering@msn.com	Erin White	April 3, 2010
Ken Ranko	4 W WILKER AVE ALEX VA 22301	KRanko@yahoo.com	Ken Ranko	4/3/2010

Signature Page to Support Petition Hog Thaid's SUP Application for Concessions

Name - (print)	Address	Contact Info (email)	Signature	Date
Sean Rish	11 W. Usher Ave Alex VA 22301	SR1419@aol.com		4/3/2010
Andrew Dillon	13 W. Usher Ave Alexandria, VA 22304	andrewsdillon@hotmail.com		4/3/2010
Roland Lemke	16 W. Usher Ave Alexandria VA 22304	roland.lemke@verizon.net		4.3.2010
James Brown	14 West Usher Ave Alex VA	rantallbro@aol.com	Janice T. Brown	4/3/2010
Ellie Regan	10 W. Usher Ave Alex VA 22301	ellie@countrywebsite.com	Alex Regan	4/3/2010
Robert F. Tedeman	10 W. Usher Ave Alexandria VA	PMGARAFOVAE@GMAIL.COM		4/3/2010
J. Delaney	12 W. Usher Ave Alex, VA	judelanege@comcast.net		4/3/10
Robert Tedeman	14 W. Usher Ave Alex, VA 22301	RFTGJSC@comcast.net	Jessie J. Tedeman	4/5/10
Edith Basil	5 W. Usher Ave Alex, VA 22301	703-861-5195	Edith Basil	4/5/10
Stacy Davis	3 W. Usher Ave Alex, VA 22301	703-402-1161	Stacy Davis	4/5/10
Marmare ASke	2A West Usher Ave Alexandria, VA	703-684-0542 kathie@aol.com	Marmare A. Ask	4/5/10
Chris Brown	1 W. Usher Ave Alexandria VA 22301	703-836-3535 christiane@comcast.net		4/8/10
DAVID BARKS	1A W. Usher Ave Alexandria, VA 22304	703-692-4312		4/6/10

David Barks
braasfamily1@comcast.net

Signature Page to Support Petition Hog Thaid's SUP Application with Concessions

Date



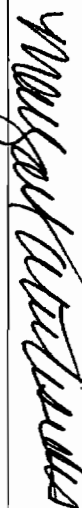
Name - (print)	Address	Contact Info (email)	Signature	Date
Lisa McNichols	105 East Oxford Ave	lisadonofri@yahoo.com	Lisa McNichols	4/6/2010
Sally Beth	6149 Western	Sallybeth@verizon.net	Sally Beth	4/14/2010
Margaret Schwears	2311 Commonwealth Ave Alexandria VA 22304	margaret.schwears@gmail.com	Margaret Schwears	4/14/10
Kevin Schwears	2311 Commonwealth Ave Alexandria VA	Kevin_schwears@yahoo.com	Kevin Schwears	4/14/10
Doreen Arnold	2936 Hibernia St Alexandria VA	jeanold11@yahoo.com	Doreen J. Arnold	4/14/10
Audrey Nolan	812 E. Timber Kemp at Parkway 22312	nolan.a@gmail.com	Audrey Nolan	4/14/10
Laura Eckel	2112 Davis Ave Alex. VA 22312	laura_eckel@yahoo.com	Laura Eckel	4/14/10
Margara Brown	2410 37th St S Arlington VA	mbrown@yahoo.com	Margara Brown	4/14/10
Lauren Petron	108 Saxon Place Aix, VA 22305	laurenpetron@gmail.com	Lauren Petron	4/14/10
Sandra EIS	2030 N Adams St, #207 Arlington VA	sandraeis@yahoo.com	Sandra EIS	4/15/10
Martha-Helene Stapleton	5 W. Delkay Ave. Arlington, VA	scienla@yahoo.com	Martha-Helene Stapleton	4/15/10

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Name (print)	Address	Contact Info (email)	Signature	Date
Bernardo L. Piereck	2 E OXFORD AVE ALEXANDRIA, VA 22301	Piereck@gmail.com		04/02/2010
Clarissa S. Piereck	2 E OXFORD AVE ALEX. VA 22301	Piereck@yahoo.com		04/02/2010
Margaret Wuytschke	3 E OXFORD AVE ALEXANDRIA, VA 22301	Mcard WHM@aol.com		April 3, 2010

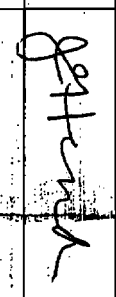
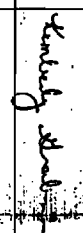
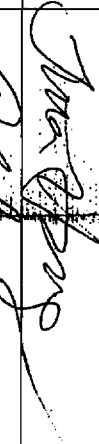
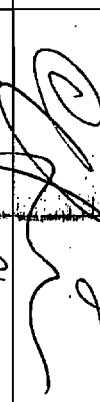
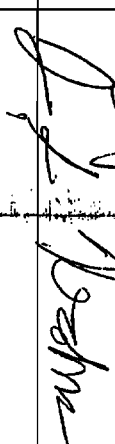
DE Barrel (perm #1)
SUP 2010-0011

(88)

Signature Page to Support Petition Hog Thaid's SUP Application with Concessions

Name - (print)	Address	Contact Info (email)	Signature	Date
Theresa + Mark Eschenher 4 E Oxford Ave Alexandria, VA 22301	4 E. Oxford Ave Alexandria, VA 22301	jcecon@tshing.com		4/13/10
Carla P. Piereck	2451 Midtown Ave #208 Alexandria, VA 22305	Carla.piereck@gmail.com		4/13/10
Ricardo L. Piereck	Alexandria, VA 22303	Rpiereck@gmail.com		4/14/10
CLAUDIA L. PIERECKUSA	310 N Oxford St #4 Arlington, VA 22203	clpigin@hotmail.com		4/14/10
AMANDA CUTTS	229 Aspen St. Alex VA 22304	agcutts@gmail.com		4/14/10
Jalk CHT	229 Aspen St. Alexandria, VA 22304	jcutts@ceary		4/14/10
Wegon Heard	4852 A 28th St S Arlington, VA 22206	callimmgan@hotmail.com		4/14/10
Taylorhead	4852 A 28th St S Arlington, VA 22206	taylorhead@jshn.com		4/14/10
Greg Sitaran	1741 Johnson Ave NW DC 20009 #201	gsitaran@yaho.com		4-4-10
Michael Glenzer	616 E Street NW DC 20004 #321	m.glenzer@yaho.com		4/14/10
Christy Enchelmaier	410 15th St. NE #15 Washington DC 20002	cm1225@gmail.com		4/14/10
FRANK COVERST	4612 RALEIGH AVE ALEX, VA 22304	FCOVERST@comcast.net		4/15/10
RICHARD M. BOOL	4524 James Urban Way Fairfax, VA 22030	boor-one@comcast.net		4/15/2010

Signature Page to Support Petition Hog Thaid's SUP Application with Concessions

Name - (print)	Address	Contact Info (email)	Signature	Date
Jennifer Hemnick	9034 Amendown Springfield, VA 22152	jennifer.hemnick@gmail.com		4-03-2010
Kimberly Grabiner	1121 Arlington Blvd #928 Arlington, VA 22204	kggrabiner@gmail.com		4-3-10
Tina Hong	2904 Williston Pl Falls Church, VA 22044	thongtina@yahoo.com		4/3/10
Chris Hemnick	9034 Amendown Dr Springfield, VA 22152	hemnickc@comcast.com		4/3/10
Josh Kohn	14732 Granite St Centerville, VA 20120	joshua.kohn@gmail.com		4/5/10

(3)


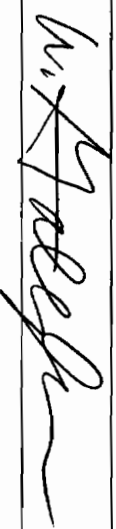
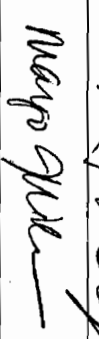
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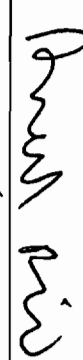
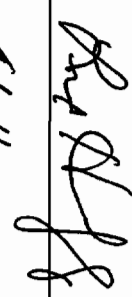
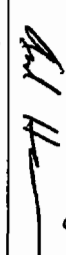

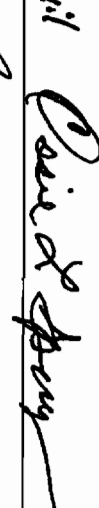
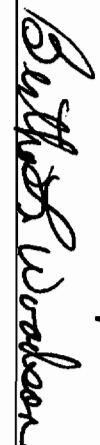
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(5)

Name (print)	Address	Contact Info (email)	Signature	Date
Barbara Beckin	425 Angie Ave.	barbcb@ya.com		4.4.10
WILLIAM GALT	25 Aryle Drive	Wjw1021@gmail.com		4/4/10
Mary Wilc	102 W. Bellefontaine	Wjw1021@gmail.com		4/4/10

Signature Page to Support Petition Hog Thaid's SUP Application with Concessions

Name - (print)	Address	Contact Info (email)	Signature	Date
Larry Williams	102 W. Bellefonte Ave	williams102@comcast.net		4/4/10
Dawn Fied	3546 S. STAFFORD ST ALEXANDRIA, VA 22304	dawn@comcast.net		4/5/10
Lindsay Houff	540 N West St Alexandria, VA 22314	lindsay.houff@gmail.com		4-5-10
Andrew Heron	7200 Summit Ave Cley den, va 20111	aheron@hycsmc.com		4/5/2010
Lindsay Kidwell	2400 N St. NW Washington, DC 20037	frog11a@aol.com		4/15/10
Ossie L. Spivey	6 A EMBURY ST AVE ALEXANDRIA VA	ossie.l.spivey@comcast.net		4-05-10
Beth Watson	6-A-E-Embury Ave	None		4-5-10

Letter on the DelRay lists
 Michael Anderson
 to:
 Barbara.Ross
 04/02/2010 04:18 PM
 Show Details

PC Docket Item # 9
 SUP 2010-0011

History: This message has been forwarded.
 Greetings Del Ray Citizens,

This is Mike Anderson, the owner of the Pork Barrel BBQ restaurant under construction in Del Ray on Mt. Vernon Avenue. We had a great Open House and listening session this evening, and I wanted to express my sincere thanks to those in attendance for their input, and for those who could not attend, share with you one of the major announcements we made this evening.

We've spent the past several months listening to folks in the community seeking their input on the restaurant, and heard concerns expressed about our plans to use a wood smoker. In response to these concerns, we announced tonight that we've made a major change in the piece of equipment we are using – we will no longer be using a wood smoker, and instead are going with a state of the art gas version, that uses gas as the heat source, and only uses wood to add flavor – using only 1-3 pieces of wood per 12 hour cooking cycle – much less than the average fireplace or backyard grill.

We chose this gas cooker, even though it is significantly more expensive, because it is made specifically to address concerns raised by some in the community. This cooker is manufactured by Southern Pride, and is in use in all 50 states, and in fact, is used in Times Square, especially made for cooking BBQ in urban high density areas. The new cooker is both UL listed and UL EPH Approved.

There are still some concerns about this cooker and we'll try to address those, so we're still exploring the best option for this project. We plan on being on the corner for a long time so we're going to try to do it right from the start.

We also learned about some other concerns that we weren't aware of. We will restrict delivery drivers and any delivery service from using side streets. Delivery drivers will be made to turn off engines during deliveries. Delivery schedules will be made with the least amount of impact to traffic and the community.

There was a lot of positive feedback about some later hours in Del Ray to broaden the appeal of the Ave to a wider audience. We received a lot of feedback about this from the 30th somethings in the crowd. We'll be working with David Fromm from the Del Ray Citizens Association to organize an online survey about the Associations desire on this matter.

We were very grateful for all the comments and input we received this evening, and we will continue this listening process. We are excited for the Pork Barrel BBQ restaurant to be a part of the Del Ray community and really hope that this will be another family friendly meeting place for Del Ray.

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Sincerely,

Mike Anderson
Bill Blackburn
Brett Thompson
Heath Hall

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PC Docket Item #9
SUP 2010-0011

Issue Type: Mayor, Vice Mayor, and Council Members
First Name: Daniel
Last Name: Mehaffey
Street Address: 1408 Mount Vernon Ave
City: Alexandria
State: VA
Zip: 22301
Phone: 703-338-0846
Email Address: dan.mehaffey@gmail.com
Subject: Del Ray Restaurant Hours
To the Mayor, Vice Mayor, and Council Members,

I am writing you today to

express concern about restaurant hours in Del Ray on Mount Vernon Avenue, particularly late hours in conjunction with alcohol sales. The catalyst for this email is SUP 2010-0011, referring to a new BBQ restaurant at the corner of Oxford and Mount Vernon.

As a father, I worry about the results from the mix of late hours and spirits. My wife and I settled in Del Ray precisely because it was a family place and not a bar district. True, it had (and has) a few establishments that serve alcohol, but the number was reasonable, the noise contained, and the hours more Alexandria than Adams Morgan. My wife, daughter, and I are patrons of these places. There's nothing we like better than walking down the street to grab a bite.

I want to encourage businesses to continue to come and settle in Del Ray while respecting the Mayberry brand of the neighborhood, so I would like to amend the SUP with the following considerations. I have heard through unverified neighborhood gossip and the usual grapevine that Mike (the applicant) is open to some of these, but of course, he can speak for himself. I would like to see him codify them in a written amendment to the SUP, however. I do trust new business owners, but would like to verify against written SUPs.

First, that the hours notch back from 2 AM to 11

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PM on weekdays and 12 PM on weekend nights. I would like to see the restaurant close in keeping with other restaurants on Mount Vernon Ave. Mike has Completed the SUP to be open until 2 AM seven nights a week in a commercially low zoned area subject to the Mount Vernon Overlay. Restaurants in this area are not open past 11pm during the week and 12am on weekends. This is the neighborhood I moved into and would like to keep.

Second, that the hours of outdoor seating be clearly prescribed in the SUP. As I read it now, there are no prescribed hours in the SUP for outdoor seating. I would like to see the outdoor seating end (no one left outside) at 10 PM.

Comments:

Third, that the SUP be amended to address the special cooking odors that come from a BBQ restaurant. The SUP says only that there will be typical restaurant cooking odors. But BBQ smoking is not a typical restaurant odor and the smoke is also not typical. I'm not sure Mike has thought through that phrase and I would like him to do so.

Fourth, that noise levels be properly defined. Again, this is a matter of phrasing, and perhaps some carelessness at completing the SUP. I don't think you can define an establishment that is open until 2 AM serving alcohol until then as a "Family Restaurant" and therefore don't think that you can define the noise levels coming from that establishment as "Typical family style restaurant levels" (Mike's words). Either he moves his hours back to be more in keeping with family hours or he should change his phrasing in answer to question 7A to be, "Typical bar levels."

Fifth, that some amendment be made to the SUP to address entertainment. I would like to see, in writing, a statement that he have no audible noise from property line.

Sixth, I would like to see the SUP amended to describe the type of alcohol that can be served. I would support beer and

wine but not hard spirits.

Seventh, that deliveries be more clearly defined in the SUP. I worry about the precedent of unsupervised deliveries at 4 AM 30 yards from where children sleep and where parents must get up to get them off to school and grab the 10B to work. I would like to see deliveries during normal business hours or in the morning before the restaurant opens up, when families are already about their business.

Please allow me to close as I opened. I support new businesses on Mount Vernon not just with letters to the Mayor and Council, but also with my wallet. I see no reason why the neighborhood and Mike should be in opposition over a few hours and a more clearly defined SUP. Instead, I'm grasping for, in writing, some honestly stated and well considered boundaries to keep the spirit of the neighborhood I love so much.

Thank

you for both your service and consideration.

— Forwarded by Elaine Scott/Alex on 04/14/2010 07:09 PM —

From: Paula DeMuth <paulademuth@msn.com>
To: william.euille@alexandriava.gov, frank.fannon@alexandriava.gov,
kerry.donley@alexandriava.gov, alicia.hughes@alexandriava.gov, council@krupicka.com,
delpepper@aol.com, paulcsmedberg@aol.com, rose.boyd@alexandriava.gov,
jackie.henderson@alexandriava.gov, elaine.scott@alexandriava.gov,
rob.krupicka@alexandriava.gov
Date: 04/14/2010 05:39 PM
Subject: COA Contact Us: Hog Thaid - SUP 2010-0011

Time: [Wed Apr 14, 2010 17:39:04] Message ID: [20790]

Issue Type: Mayor, Vice Mayor, and Council Members
First Name: Paula
Last Name: DeMuth
Street Address: 1410 Mount Vernon Avenue

148

PC Docket Item #9
SUP 2010-0011

Issue Type: Mayor, Vice Mayor, and Council Members
First Name: Paula
Last Name: DeMuth
Street Address: 1410 Mount Vernon Avenue
City: Alexandria
State: VA
Zip: 22301
Phone: 703.519.0090
Email Address: paulademuth@msn.com
Subject: Hog Thaid - SUP 2010-0011

I have lived in Del Ray for over nine years and am a big supporter of Del Ray businesses. I am a member of the Del Ray Citizens Association. I am a real estate attorney.

I have reviewed SUP request 2010-0011 for Applicant Hog Thaid, LLC. I am looking forward to the addition of BBQ, sushi, and Asian Fusion to our neighborhood restaurant options. I dine out a considerable number of evenings. I believe these businesses will further enhance a well established and beloved neighborhood. I am concerned, though, about the following requests and ask that the SUP be approved, with the noted modifications:

Request: Hours until 2:00 am every night, including outdoor dining.

Proposed Response: I believe reasonable hours would be closing at 11:00 every night or possibly remaining open until midnight on Friday and Saturday nights, with outdoor dining to end at 10:00 on weekdays and 11:00 on weekends.

Applicant's request far exceeds the hours of operation for any and all similar types of establishments in the area. The real estate directly west of Applicant is residential and other residential real estate is proximate. An elementary school is nearby. I believe that having hours that extend to 2:00am 7 days a week will unreasonably disturb the sleep of residential neighbors during the work-week and during school nights.

I am interested in the Alexandria police department's input regarding the safety issues and increased risk to persons and property that a dining establishment in this neighborhood with these late hours is expected to create. I believe there is a reasonable

Comments: expectation for crime to increase with these requested hours. According to a study by USA Today, 26% of all crime happens between 12am and 6am. Not only would extended hours likely impact the physical security and property integrity of nearby neighbors, it would increase Police Department costs because of the additional security required during early morning hours and City clean up costs due to litter.

I also question who will be frequenting a restaurant that is open until 2:00am. Although it would be wonderful if these patrons were law enforcement personnel or shift workers, they are more likely to be individuals who have been drinking and are looking for a location in which to become sober. Too, the opening of Monroe Avenue may invite a transient crowd off Route 1 who is not aware of the residential component of the neighborhood. I am concerned these early morning patrons will threaten the safety of persons and motorists in the area and personal property (side swiping cars) of residents. Again, the Alexandria police department's input would be valuable on this issue.

I want to reiterate that I am an enthusiastic supporter of businesses in Del Ray and will patronize these restaurants. I respect the owners' business expertise and their need to have a business plan that will ensure their financial success. However, Hog Thaid, LLC is choosing to do business in an established neighborhood with Commercial Low Zoning. Therefore, I ask that they not be permitted to adversely impact the character of this neighborhood we all love.

Sincerely,

Paula DeMuth


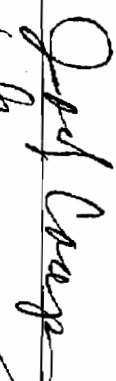

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By signing below, please be advised that I support the proposed requests as set forth in the Application by Hog Thaid, LLC, t/a Pork Barrel BBQ for Special Use Permit (SUP) #2010-0011, with the revisions set forth below in order to ensure the preservation of the family-friendly atmosphere of Del Ray.

Pork Barrel BBQ, et. al. will be located at 2312 Mt. Vernon Ave., in the neighborhood of Del Ray, with Commercial Low zoning. The restaurant will be located on the same block as 14 residential homes with approximately 13 children in residence and within a one-block radius of 53 residential homes. The nearest residence with small children is located approximately 30 feet from the Applicant's restaurant.

In SUP #2010-0011, the Applicant asks: (i) to operate one 6,000 square foot restaurant Sunday through Friday from 11:30am to 2:00am and on Saturday from 7:30am to 2:00am; (ii) to vent up to 2 1/2 stories; (iii) to produce up to 400 pounds of trash per day; (iv) to have off street loading beginning at 4:00am daily and continuing until 5:00pm with trucks parked off Mt. Vernon Ave. only; (v) to have outdoor dining; and (vi) to offer carry out service.

I support the SUP with the following changes to ensure the restaurants conform with the commercial low zoning and family-friendly character of Del Ray: (i) a change in hours so that the restaurants close by or before 11:00pm (or at a minimum closing at 11:00pm Sunday through Thursday); (ii) a change in the ventilation system sufficient to capture odors, smoke, emissions and other particulate matter generally associated with barbecue and other cooking techniques the Applicant proposes to use; (iii) off street loading hours (to be off Mt. Vernon Ave. only) limited to ~~morning~~ Monday through Friday between 7AM and 5PM; (iv) outdoor dining tables limited and hours of operation ceasing by 10:00pm daily; (v) audible sounds at the commercial building line limited to levels at or below 50 decibels; (vi) no speakers or other amplified sounds outside the restaurant; (vii) side door entrance to be used as an emergency exit only and all take out to be picked up through main entrance on Mt. Vernon Ave.; and (viii) a requirement that all deliveries to and from the restaurant use Mt. Vernon Avenue as the sole point of ingress and egress (using Oxford Avenue only between Mt. Vernon Avenue and the parking lot entrance). I respectfully ask that the SUP is approved with these changes.

Name (print)	Address	Contact Info (email)	Signature	Date
Shelia Juddell	2400 Mt. Vernon Ave	wilhemernutshell@verizon.net		4/21/2010
Jody Cooper	2400 Mt. Vernon Ave	supercoper102@hotmail.com		4/21/2010
Alamy Ayduk	107 E. Oxford Ave	amkados@yahoo.com		4/21/2010

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(58)

Signature Page to Support Petition Hog Thaid's SUP Application with Concessions

Name - (print)	Address	Contact Info (email)	Signature	Date
John Patrick	213 E. Bellefonte Ave	jpatrick1977@gmail.com		4-2-10
Monica Sheehy	108 E. Oxford Ave	mreiner1@jnetmail.com	M Sheehy	4-2-10
Paul Thomas	3506 Deann Ave	pusty@rusty.thomas.com		4-2-2010
Jenny Thomas	2500 Deann Ave	JENNYTHOMAS@HOTMAIL.COM	Jenny Thomas	4-2-2010
Ashley Myler	109 E. Oxford Ave	amkscos@yahoo.com		4-2-2010
Klaus Buehlt	102 E. Oxford Ave	Klaus.Nick.Buehlt@yaho.com		4-2-2010
Linda Foster	106 E. Oxford Ave	linda.jc@guv.edu	Linda Foster	4-3-2010
Brenda Cost	104 E. OXFORD AVE	B-COST@GOLDSBORO.EDU		4/3/10
CRISTAL AYDAN	5740 Camp Lane	UY6AE@FOXA.LIMOUSINES.COM		4/2/10
Michelle Vaughan	100 E. Oxford	mvaughan39@hotmail.com		4/3/10
Rock Vaughan	100 E. Oxford	Rock@Southwestrust.com		4/3/10
Maria Thomas	101 E. Oxford	703 549-3701	Maria Thomas	4/3/10
Diana Atypay	107 E. Oxford	703 683 4060	Diana Atypay	4/3/10

531

Signature Page to Support Petition Hog Thaid's SUP Application with Concessions	Name - (print)	Address	Contact Info (email)	Signature	Date
	Martha Laverie	3623 Elderberry Ln Leesburg VA 20125	mcnicholsjohn@bellsouth.com 202-451-8043	Martha Laverie	4/4/10
	John McNichols	105 C Oxford Ave Alexandria, VA 22301	mcnicholsjohn@bellsouth.com	John M. McNichols	4/3/10
	ALAN F. SCHMIDT	660 Brinsford Terrace Leesburg VA 20125	reeschmid@verizon.net	ASPR	4-4-10
	Kristen Klick White	4204 Underwood St. University Park MD 20782	klick@hotmail.com	Kristen Klick White	4-4-10
	Sean W. Sheehy	1483 E. Oxford Ave Alexandria VA 22301	90-wyo@comcast.net	Sean W. Sheehy	5-19-10
	JAN BOSTON	1 EAST OXFORD ALEXANDRIA VA 22301	BOSTON@GMAIL.COM BOBOSTON22@YAHOO.COM	JAN BOSTON	4/5/10
	April Boston	1 E. Oxford Alexandria, VA 2301	apoboston22@yahoo.com	April Boston	4/5/10
	Brian Thomas	1404 Mt. Vernon Ave Alexandria VA	Brian.Thomas05@yahoo.com	Brian Thomas	4/5/10
	Matthew Paris	1406 Mt. Vernon Ave	mparis@comcast.net	Matthew Paris	4/5/10
	Rainey Ashin	1406 Mt Vernon Ave	vashin@quad1.com	Rainey Ashin	4/5/10
	Greg Sullivan	1404 Mt. Vernon Ave	gsullivan@verizon.net	Greg Sullivan	4/5/2010
	Daniel McAffrey	1408 Mount Vernon Ave	dan.mcaffrey@gmail.com	Daniel McAffrey	4/5/2010
	PAULA DE MATHA	1410 Mount Vernon	paula.dematha@msn.com	Paula DeMatha	4/5/2010

Signature Page to Support Petition Hog Thaid's SUP Application with Concessions
 Name - (print) Address Contact Info (email) Signature Date

Lisa Eschbar	1400 BURNSIDE DR. LEESBURG VA 20145	deesbar@verizon.net	Lisa Eschbar	4/4/10
Chris Walker	3623 Eldenberry Pl. Falls Church VA 22033	Samy.walker@verizon.net	Chris Walker	4-4-10
Brian Shellum	1410 Mt. Vernon Ave	mshell@msn.com	Brian Shellum	4-5-10
Peggy Ten Ber	1414 Mt Vernon Ave	peggytenber@comcast.net	Peggy Ten Ber	4-5-10
Shazlynn Cunniff	2200 Windsor Rd 2207 4414 4th St N. Arlington, VA	shazlynn@aol.com	Shazlynn Cunniff	4/6/10
Mari Gordon	8 E. Oxford Ave. Alexandria, VA 22301	mari.gordon@ygh.com	Mari Gordon	4/6/10
Cathleen Harrington	109 E OXFORD AVE ALEXANDRIA VA 22301	Cathleen-harrington@ygh.com	Cathleen Harrington	4/6/10
Paul Klice		Paul.S.Klice@gmail.com	Paul Klice	4/6/10
John-Mark Furcande	2831 So. GUEBE RD. APT 107 VA	LAJINEAET@aol.com	John-Mark Furcande	4/7/10
Nancy Anderson	2415 MT VERNON	NANDERSON62@comcast.net	Nancy Anderson	4-7-10
Patricia Larson	300 N. Vicks Terrace	patricia.larson@ygh.com	Patricia Larson	4-8-10
Mary Fauth	409 Clouds Ln.	MTF105pro@aol.com	Mary Fauth	4/8/10
Masha Scott Schuler	8121 SOMMERSON #1608	msch1023@aol.com	Masha Scott Schuler	4/8/10

Signature Page to Support Petition Hog Thaid's SUP Application with Concessions




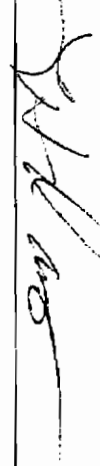
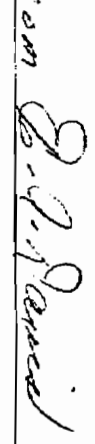
Name - (print)	Address	Contact Info (email)	Signature	Date
Kristen Krieger	809. S. Fairfax St. Alexandria 22314	kristenkrieger@aol.com	<i>Kristen Krieger</i>	4/8/10
Annkrista Halista	514 S. Fairfax St Alexandria VA 22314	halista@comcast.net	<i>Annkrista Halista</i>	4/8/10
Annie Kerdahl	12 E. Delany Ave Alexandria VA 22301	kerdahl@mac.com	<i>Annie Kerdahl</i>	4/8/10
Ryland Kerdahl	12 E. Delany Ave Alexandria VA 22301	rylandk@mac.com	<i>Ryland Kerdahl</i>	4/8/10

By signing below, please be advised that I support the proposed requests as set forth in the Application by Hog Thaid, LLC, t/a Pork Barrel BBQ for Special Use Permit (SUP) #2010-0011, with the revisions set forth below in order to ensure the preservation of the family-friendly atmosphere of Del Ray.

Pork Barrel BBQ, et. al. will be located at 2312 Mount Vernon Avenue, in the neighborhood of Del Ray, with Commercial Low zoning. The restaurant will be located on the same block as 14 residential homes and within a one-block radius of 53 residential homes with approximately 13 children in residence. The nearest residence with small children is located approximately 30 feet from the applicant's restaurant.

In SUP #2010-0011, the Applicant asks: (i) to operate one 6,000 square foot restaurant Sunday through Friday from 11:30am to 2:00am and on Saturday from 7:30am to 2:00am; (ii) to vent up to 2 and 1/2 stories; (iii) to produce up to 400 bags of trash per day; (iv) to have off street loading beginning at 4:00am daily and continuing until 5:00pm with trucks parked off Mount Vernon Avenue only; (v) to have outdoor dining; and (vi) to offer carry out service.

I support the SUP with the following changes to ensure the restaurants are in keeping with the commercial low zoning and family-friendly character of Del Ray: (i) a change in hours so that the restaurants close by or before 11:00pm nightly (or at a minimum closing at 11:00pm Sunday through Thursday); (ii) a change in the ventilation system involving carbon filtering and emissions capturing to reduce the exposure to residents of smoke and cooking odors; (iii) off street loading hours (to be off Mount Vernon Avenue only) limited to morning only Monday through Friday between 7AM and 5PM; (iv) outdoor dining tables limited and hours of operation ceasing by 10:00pm daily; (v) audible sounds at the commercial building line limited to levels at or below 50 decibels; (vi) no speakers or other amplified sounds outside the restaurant and (vii) side door entrance to be used as an emergency exit only and all take out to be picked up through main entrance on Mount Vernon Avenue. I respectfully ask that the SUP is supported with these changes.

Name (print)	Address	Contact Info (email)	Signature	Date
Martha E. Davis	9 E. Oxford Ave. Alexandria, VA	mdavis@nvc.edu		4/2/10
Cyres Reynolds	Sum on above	mdavis@nvc.edu		4/2/10
	8813 Beauchamp Drive	Sigsfarr@Aol.com		4/4/10
E. A. Davis	8813 Beauchamp Dr.	bdavismv@gmail.com		4/4/10

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Signature Page to Support Petition Hog Thaid's SUP Application with Concessions

Name - (print) Address Contact Info (email) Signature Date

MARY LOU COLLINS	1046 Oxford Ave	marylou238@yahoo.com	Marylou Collins	4/4/10
CATHERINE VESPA	5109 S.W. Campanella Way	Catherine Vespa cvespa@comcast.net	Catherine Vespa	4/4/10
Margorie Finerman	Alex. VA 22301	mfinerman@comcast.net	Margorie Finerman	4-6-10
Alice Flanagan	30 E. Masonic View, Alexandria	aliceflana@comcast.net	Alice Flanagan	4-7-10
TRICIA EGAN	2102 WINTER DR	triciaeg@comcast.net	Tricia Egan	4-5-10
TRACY CASTLE	124 OUTPOST ALEX VA 22314	tracycastle@yahoo.com	Tracy Castle	4-8-10
LINDSAY RAO	103 FRANKLIN	lindsay.rao@comcast.net	Lindsay Rao	4/8/2010
WILL GREENE	212 E. OXFORD	william.greene300@verizon.net	William Greene	4/8/2010
Lindsay Condit	106 E Oxford	lindsay.condit@gmail.com	Lindsay Condit	4/8/10
Hilda Brown	213 E. Oxford	harry@brown-ip.com	Hilda Brown	4/8/10
Stephanie Rickard	3 W. Del Ray Dr	shpic@comcast.net	Stephanie Rickard	4/12/10



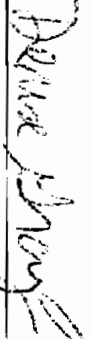
581

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Name (print)	Address	Contact Info (email)	Signature	Date
Mr. Alex G. Ruez	227 Adams Ave. Alex 228	agpr17@johncorn.com		4/14/10
Laura Michele Ruez	227 Adams Ave	lmrue200@comcast.net		4/14/10
Danix Gray	18 E Linden	dgray@seaforth.com		4/14/10

Signature Page to Support Petition Hog Thaid's SUP Application with Concessions

Name - (print)	Address	Contact Info (email)	Signature	Date
Tom M. Gregory	18 E. Lincoln St.	DGregory@Seyfoeth.com		4/4/10
LARRY FOSTER	13 ST. ANTHONY	LFOUSTE@SOUTHERNTRUST.COM		4/5/10
Kim Forst	225 Adams	KFORST@SOUTHERNTRUST.COM		4/5/2010
Stacy Calvano	3301 HAZELWOOD	SCALOVAN@SOUTHERNTRUST.COM		4/5/2010
Sharon Tobias	9308 Family Ave	STOBIAS@SOUTHERNTRUST.COM		4/5/2010
Michael Vaughan	100 Oxford Ave.	MVAUGHAN@SOUTHERNTRUST.COM		4/5/10
Wendy Mattern	6504 Allison Canyon	WYONKA@SOUTHERNTRUST.COM		4/5/10
Bill Kunkle	1094 Curtis Ave	BILLKUNKLE@AOL.COM		4/6/10
Johnnie	301 W. 1st St.	BEK@SOUTHERNTRUST.COM		4/6/10
David Esters	205 E. New River Ave	DAVID@SOUTHERNTRUST.COM		4/6/10
She Henry	433 N. W. VANDEN	TAXMAN@HOTEL.COM		4/6/10
	2 Arnold St Alex	Suetulusa@comcast.net		4/20/10

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Name (print)	Address	Contact Info (email)	Signature	Date
Kevin Fangman	Alexandria, VA 200 East Alexandria Ave	mfangsm@bqbbq.com	<i>Kevin Fangman</i>	4/7/10
Ellen Donald	Alexandria, VA 110 E. Alexandria Ave. Alexandria, VA 22301	ekdonald@verizon.net	<i>Ellen K. Donald</i>	4/7/10
Arthur Barrio		afbarrio@verizon.net	<i>Arthur Barrio</i>	4/7/10

(9)


Signature Page to Support Petition Hog Thaid's SUP Application with Concessions
 Name - (print) Address Contact Info (email) Signature Date

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ALEGA BERNARD	605 ALEX AVE	217 E.	email carpenter@psychos		
Melina R. Keelero	209 E. Alexandria		mkeelero@gmail.com	Melina R Keelero	4/7/10
DANA DAMICO	6 W. Del Ray Ave.		DADAMICO@earthlink.net	Dana Damico	4/20/10

Signature Page to Support Petition Hog Thaid's SUP Application with Concessions

Name - (print) Address Contact Info (email) Signature Date

Name - (print)	Address	Contact Info (email)	Signature	Date
Kristine Bur+	214 E Alexandria Ave Alexandria, VA 22301	kristinebur+77@hotmail.com		4/7/10

291

By signing below, please be advised that I support the proposed requests as set forth in the Application by Hog Thaid, LLC, t/a Pork Barrel BBQ for Special Use Permit (SUP) #2010-0011, with the revisions set forth below in order to ensure the preservation of the family-friendly atmosphere of Del Ray.

(163)

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Name (print)	Address	Contact Info (email)	Signature	Date
Constance McAlister	206 East Alexandria Ave	thaimail@hotmail.com	[Signature]	4/7/2010
Troy S Thomas	18 W Myrtle St Alexandria VA	troythomasek@comcast.net	[Signature]	4/7/2010
Paula Thomas	18 W Myrtle St Alexandria VA	paula@stadelhof.com	[Signature]	4/7/2010

Signature Page to Support Petition Hog Thaid's SUP Application with Concessions

Name - (print)	Address	Contact Info (email)	Signature	Date
Sandra Jorgenson	14 W Spring St Alexandria, VA 22301	sandrajorgenson@verizon.net	<i>Sandra Jorgenson</i>	April 7 2010
Leif Jorgenson	14 W Spring St Alexandria, VA 22301	---	<i>L Jorgenson</i>	4/7/10
LIV Jorgenson	14 W Spring St Alex. Va. 22301	---	<i>Liv Jorgenson</i>	4/7/10
GEORGE McDONALD	202 E. Alexandria Ave, Alex, VA 22301	george-mcdonald@aol.com contact not	<i>George McDonald</i>	4/7/10
Mary Riley	202 E. Alexandria Ave Alexandria, VA 22301	maryriley@comcast.net	<i>Mary E. Riley</i>	4/7/10

(79)

PC Docket Item # 9
Cup 2010-0711



Fw: COA Contact Us : Support for New Del Ray Restaurant
Cicely Woodrow to: Barbara Ross

04/19/2010 01:39 PM

From: Winfield Slade <wsslade@gmail.com>
To: william.euille@alexandriava.gov, frank.fannon@alexandriava.gov,
kerry.donley@alexandriava.gov, alicia.hughes@alexandriava.gov, council@krupicka.com,
delpepper@aol.com, paulcsmedberg@aol.com, rose.boyd@alexandriava.gov,
jackie.henderson@alexandriava.gov, elaine.scott@alexandriava.gov,
rob.krupicka@alexandriava.gov
Date: 04/18/2010 10:42 AM
Subject: COA Contact Us: Support for New Del Ray Restaurant



Time: [Sun Apr 18, 2010 10:42:03] Message ID: [20872]

Issue Type: Mayor, Vice Mayor, and Council Members
First Name: Winfield
Last Name: Slade
Street Address: 1713 Price Street
City: Alexandria
State: VA
Zip: 22301
Phone: 7037394972
Email Address: wsslade@gmail.com
Subject: Support for New Del Ray Restaurant
The Honorable Mayor and Members of the City Council -

I write to
express strong support for the special use permit before the Council
permitting the proposed, much-needed, smart growth Pork Barrel BBQ
restaurant on Mount Vernon Avenue in Del Ray. As a young professional and
homeowner in Del Ray, I can't wait for the opportunity to walk up the
avenue and enjoy another choice in casual dining options. Similarly, I
relish the choice of establishments to seek a beer or drink after work,
after a long weekend, or to enjoy some time with friends. During these
less than stellar economic times, we need to encourage smart growth and
entrepreneurship to provide opportunities for our neighbors to eat locally

Comments:

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- walking up the avenue and spending time in other shops, bars, restaurants, and coffee houses or custard counters (yum), in addition to bringing new tax paying customers to our great neighborhood.

Many of

my friends and neighbors can't wait for the new restaurant, and often comments "what is taking them so long..." I hope the chattering class of a few xenophobic vocal opponents does not discourage this much anticipated grand opening.

Time: [Sun Apr 18, 2010 13:29:16] **Message ID:** [20874]

Issue Type: Mayor, Vice Mayor, and Council Members
First Name: Harold
Last Name: Brown
Street Address: 213 E. Oxford Ave.
City: Alexandria
State: VA
Zip: 22301
Phone: 7035196196
Email Address: harry@brown-ip.com
Subject: Hog Thaid LLC -SUP application # 2010-0011

PC Docket Item #9
Sup 2010-0011

I would like to join my neighbors and express my concerns about the SUP

application for the proposed Hog Thaid restaurant and request:

(1) operating hours limited to no later than 11:00 PM consistent with other

restaurants in area;

(2) number of outdoor seats limited, and no outdoor

seating beyond 10:00 PM;

(3) restrictions on noise levels (no audible

noise from property line);

(4) strict requirements regarding cooker to

minimize smell and exposure of residents to smoke.

Needless to say, I

Comments: also request that whatever requirements are imposed will be strictly enforced. The limit on operating hours is believed to be important to avoid setting a precedent for other operators who might request later hours, and to avoid the risk that the neighborhood will be turned into a strip of bars. That restriction and the other restrictions are submitted to be important to maintain the quality of life in the neighborhood. All of these requests are considered to be highly reasonable and are important to ensure that property values in the immediate neighborhood are not decreased. I, unfortunately, only became aware of the plans to open this particular restaurant recently and would greatly prefer that it locate

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elsewhere, such as among the nearby businesses on Route 1 where there is not a surrounding residential neighborhood. I do not believe that this neighborhood is the proper location for an establishment that, regardless how effective its process for minimizing the effects of smoke on the surrounding areas, is likely to produce a continuous odor, even when its equipment is operating at peak efficiency. Air cleaning equipment can also be very delicate and, when it is not operating properly, it is reasonable to expect that there will be a substantial effect on the neighborhood. It is my understanding that barbecues smoker smoke is particularly difficult for even the most sophisticated air cleaning equipment to handle. That's probably why most barbecue restaurants aren't located in residential neighborhoods. I don't object to a restaurant in this location, but I do think that it is absurd to permit a barbecue restaurant with a smoker. There is also already a substantial traffic problem developing in the area around the intersection of Mt. Vernon Ave. and Oxford Ave. that will be increased by the introduction of another restaurant with (I understand) only minimal provision for parking. I often have to call for parking enforcement to tow or ticket cars parked in front of my driveway by people who either do not see that it is a driveway by a no parking zone or do not care. At the intersection of Mt. Vernon and Oxford, people often park in the cross walk, particularly when they want to make a quick stop at the bank across the street or one of the other nearby stores. This makes the already difficult task of turning onto Oxford from Mt. Vernon substantially impossible. I would like the entire corner from Mt. Vernon Ave. to the driveway in the parking lot that is used for the Saturday Farmer's Market to be a no parking zone at all times. It would also be useful to put a traffic light at the Mt. Vernon/Oxford intersection because

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of the substantial amount of foot traffic in that area, particularly in the evenings and on Saturday mornings, and because of the lack of visibility caused by UPS delivery trucks parked across the street from the UPS Store.

----- Forwarded by Barbara Ross/Alex on 04/21/2010 04:16 PM -----

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COA Contact Us: Mayor, Vice Mayor, and Council Members

Time: [Fri Apr 16, 2010 17:02:33] Message ID: [20850]

Issue Type: Mayor, Vice Mayor, and Council Members

First Name: Constance

Last Name: McCabe

Street Address: 206 East Alexandria Ave

City: Alexandria

State: VA

Zip: 22301

Phone: 7038360203

Email Address: mcfangs@hotmail.com

Subject: Hog Thaid LLC -SUP application # 2010-0011

PC Docket Item #9
Sup 2010-0011

I have recently been made aware of the SUP application for a barbecue restaurant at 2312 Mt. Vernon Avenue. I have reviewed the SUP and have some concerns:

1) The proposed late hours of operation (closing at 2 a.m.) seems to me to be inconsistent with current practices on the Avenue and certainly would be disruptive to those residents living near the restaurant. People love lingering in Del Ray and move to Del Ray because of the absence of these types of businesses.

Comments: 2) The proposed time for loading operations (4 a.m.) seems very disruptive to surrounding residents.

3) I have been made aware of concerns about harmful emissions from these types of restaurants and I hope that research regarding this issue will be carefully considered before the City moves forward with the SUP.

Thanks you for your attention to this matter,
Connie

----- Forwarded by Barbara Ross/Alex on 04/21/2010 04:16 PM -----

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TC Loc 164 Item #9
SUP 2010-0011



Fw: COA Contact Us : Hog Thaid LLC - SUP application # 2010-0011

Barbara Ross to: george-mcdonald

04/16/2010 10:53 AM

Cc: City Council, Rose Boyd, Elaine Scott, Faroll Hamer, Cicely Woodrow, Graciela Moreno

Dear Mr. McDonald:

Your letter about the proposed barbecue restaurant has been forwarded to me and will be part of the material sent to the Planning Commission who will consider the matter at a public hearing on May 4. I encourage you to participate at that hearing as well as when City Council hears the case, on May 15. You may submit written or oral testimony at each hearing. If you would like additional information, please do not hesitate to contact me.

Barbara Ross
Deputy Director
Planning and Zoning
(703)746-3802

— Forwarded by Beth Temple/Alex on 04/16/2010 10:49 AM —

COA Contact Us : Hog Thaid LLC - SUP application # 2010-0011

william.euille, frank.fannon, kerry.donley,
George McDonald to: alicia.hughes, council, delpepper, paulcsmedberg,
rose.boyd, jackie.henderson, elaine.scott, rob.krupicka

04/16/2010 10:30 AM

Please respond to George McDonald



Time: [Fri Apr 16, 2010 10:30:01] Message ID: [20832]

Issue Type: Mayor, Vice Mayor, and Council Members
First Name: George
Last Name: McDonald
Street Address: 202 E. Alexandria Avenue
City: Alexandria
State: VA
Zip: 22301
Phone: 703-836-2450
Email Address: george-mcdonald@comcast.net
Subject: Hog Thaid LLC - SUP application # 2010-0011
I am writing to express my concern about what I understand to be the

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proposed hours for a new BBQ restaurant on Mt. Vernon Avenue. I am told that the owner wants to remain open until 2 am. Del Ray is a wonderful, family-friendly neighborhood. I am concerned that a restaurant open until 2 am would become primarily a bar late at night and lead to noise and traffic when neighbors want to sleep. I believe existing restaurants in our neighborhood close by 11 pm during the week and by midnight on weekends. Those are reasonable hours for any new businesses as well.

Comments:

I

have also heard concerns about the air that may be vented to the neighborhood from the BBQ. If the air coming from the restaurant will contain smoke and pollutants, it should be treated before being vented.

Thank you for your attention to the quality of our neighborhood.

George McDonald

RE: Fw: COA Contact Us: Hog Thaid LLC -SUP application # 2010-0011

Astin, Rainey

to:

Barbara.Ross

04/16/2010 10:17 AM

Cc:

City_Council.ALEX, Rose.Boyd, Faroll.Hamer, Elaine.Scott, Cicely.Woodrow, Graciela.Moreno

Show Details

PC Docket Item #9
SUP 2010-0011

Thank you Barbara. I've been doing some research and the latest permitted hours on the Avenue appear to be midnight daily with 10pm patio closing (Fireflies; Caboose café). These hours would be acceptable to me. I would like to note that one establishment which has these later hours has live music and, under the zoning allowed, these hours should be the absolute latest hours allowed to anyone.

Respectfully, Rainey

From: Barbara.Ross@alexandriava.gov [mailto:Barbara.Ross@alexandriava.gov]

Sent: Friday, April 16, 2010 9:44 AM

To: Astin, Rainey

Cc: City_Council.ALEX@alexandriava.gov; Rose.Boyd@alexandriava.gov; Faroll.Hamer@alexandriava.gov; Elaine.Scott@alexandriava.gov; Cicely.Woodrow@alexandriava.gov; Graciela.Moreno@alexandriava.gov

Subject: Re: Fw: COA Contact Us: Hog Thaid LLC -SUP application # 2010-0011

Dear Ms. Astin:

Your letter about the proposed barbecue restaurant has been forwarded to me and will be part of the material sent to the Planning Commission who will consider the matter at a public hearing on May 4. You and I have discussed your concerns in the past and I encourage you to participate at the Planning Commission hearing as well as when City Council hears the case, on May 15. You may submit written or oral testimony at each hearing. If you would like additional information, please do not hesitate to contact me.

Barbara Ross
Deputy Director
Planning and Zoning
(703)746-3802

From: Cicely Woodrow/Alex
To: Barbara Ross/Alex@ALEX
Date: 04/16/2010 09:33 AM
Subject: Fw: COA Contact Us: Hog Thaid LLC -SUP application # 2010-0011

COA Contact Us: Mayor, Vice Mayor, and Council Members

Time: [Tue Apr 13, 2010 11:08:30] Message ID: [20735]

Issue Type: Mayor, Vice Mayor, and Council Members

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Fw: COA Contact Us : Hog Thaid LLC -SUP application # 2010-0011
Cicely Woodrow to: Barbara Ross

04/16/2010 09:33 AM

History: This message has been replied to.

Time: [Tue Apr 13, 2010 11:08:30] Message ID: [20735]

Issue Type: Mayor, Vice Mayor, and Council Members

First Name: Rainey

Last Name: Astin

Street Address: 1406 Mount Vernon Avenue

City: Alexandria

State: Virginia

Zip: 22301

Phone: 703-836-9699

Email Address: rastin@quad1.com

Subject: Hog Thaid LLC -SUP application # 2010-0011

First, I apologize for any duplication of emails; you may have a prior email from me on this subject which is incomplete. Please disregard any prior emails on this subject. Set forth below are my comments:

My

neighbors and I are very concerned about the Hog Thaid SUP application.

The applicant has asked to be open until 2am seven nights a week in a commercially low zoned area subject to the Mount Vernon Overlay.

Restuarants in this area are not open past 11pm during the week and 12am on weekends. The applicant is asking for a precedent setting change which

will, if granted, be requested and followed by every other restuarant on

Mount Vernon Avenue. We believe this would change the nature of Del Ray and convert what has become a wonderful example of mixed use living into

(eventually) a strip of late night bars (unfortunately, once restuarants

have late hours, they sell more alcohol, and landlords see their sucess and

raise rents; eventually, the only tenants who can afford these rents are

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bars; small businesses and retail stores are forced out).

We very much

do not want to lose the family friendly mixed use neighborhood we, and the City, have created. Up till now, we have relied on the commercial low zoning and Mount Vernon overlay to protect us.

Unfortunately, with the

downturn in the economy, we sense that Planning and Zoning and the City may be willing to make a short sighted accomodation to a known and well-liked restuarant operator, Mike Anderson. We are concerned that this accomodation will have terrible long term consequences as the SUP can be transferred via an administrative application to another operator, and the accomodations given a well known and liked operator may eventually fall into the hands of someone much less experienced. The combination of alcohol and late night hours is not a good one. We are also concerned, again, about a precedent setting deviation from the zoning requirements.

Comments:

While we too are impressed by Mike Anderson, we cannot rely on him to ensure that Mount Vernon Avenue does not eventually become a late night bar strip. We must rely on the commerical low zoning and the Planning and Zoning Board, the Mayor, and the City Council to follow the law on this point and to safeguard Alexandria's citizens.

My neighbors

and I have reviewed the SUP application in depth, and set forth below are our requests for a reasonable compromise which I have raised with the Del Ray Land Use Committee and Barbara Ross at Planningn and Zoning:

(i)

change in hours so that the restaurant closes by or before 11:00pm nightly (or at a minimum closing at 11:00pm Sunday through Thursday with any outdoor dining to end every night by 10:00pm),

(ii) change in the cooker

operation/ventilation to minimize the exposure to residents of smoke and cooking odors/pollutants),

(iii) restrictions

on live entertainment and noise levels (no audible noise from property line);

(iv) outdoor dining tables limited and hours of operation ceasing by 10:00pm daily.

We ask that you take the above into consideration when reviewing the SUP application and most importantly limit the hours of operation during the work/school week to an 11pm closing (10pm closing on the patio).

Respectfully

Submitted,

Rainey Astin

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PC Docket Item #9
Sup 2010-0011



Hog Thaid SUP application # 2010-0011
Cicely Woodrow to: Barbara Ross

04/16/2010 09:43 AM

History: This message has been replied to.



Time: [Wed Apr 14, 2010 14:14:54] Message ID: [20784]

Issue Type: Mayor, Vice Mayor, and Council Members
First Name: Sarah
Last Name: Mehaffey
Street Address: 1408 Mt. Vernon Ave.
City: Alexandria
State: VA
Zip: 22301
Phone: 703-399-4328
Email Address: sarah_row@hotmail.com
Subject: Hog Thaid SUP application # 2010-0011

To Whom it May Concern:
I am a resident of Del Ray at 1408 Mt. Vernon

Avenue and a member of the Del Ray Citizens Association. I have read the Application for Special Use Permit submitted by Hog Thaid, LLC seeking several exceptions to/expansions of the Commercial Light Zoning restrictions associated with their tenancy at the new office building at 2312 Mt. Vernon Ave. I fully support the restaurant uses outlined in the application; however, I do not support several of the operations-related exceptions which the applicant requests, as they clearly conflict with the stated intent of the Commercial Low Zoning category which defines this area of Del Ray, and they are without precedent in even the most densely developed parts of all of Alexandria City. I strongly urge Council to

apply additional conditions limiting or modifying several of the applicant's SUP requests:

1.) Proposed hours of operation of restaurant:

(M)

The applicant requests to operate the restaurants Sun-F 11:30 am to 2 am, and on Saturday from 7 am to 2 am Sunday morning. It is unclear what hours of operation would apply to the "city-suggested" outdoor dining area, but it is assumed that it would be open for the same spans of time. The applicant qualifies the type of activity & noise levels as "typical family style restaurant levels;" however, the proposed late hours of operation indicate that noise & activity levels could exceed that of a family-oriented establishment and would definitely adversely impact the residential neighbors who live in such close proximity to the property. Furthermore, there is no question that the proposed hours of operation introduce a use and activity level far more intense than any currently on the Avenue and in fact more intense than even the Central Business District & restaurant/bar district in Old Town, most of whose restaurants & bars are open until 2 am on Fridays & Saturdays only. Three different restaurants, all open until 2 am every day of the week, within one property of residences, most certainly flies in the face of the Commercial Low Zoning category which so appropriately defines this area: "Proximity to residences requires that commercial operations be conducted at a scale and intensity commensurate with nearby residential development, be developed and designed so as to be in character with such development and be of such characteristics as not to be detrimental or a nuisance to nearby residential properties."

Comments:

As a resident close to restaurants with outdoor seating, I strongly urge the Council to limit the hours of operation of these 3 establishments to an 11 pm closing on weekdays and 1 am closing on Fridays & Saturdays, with further reduced hours associated with any proposed outdoor seating area.
2.) Proposed

outdoor seating: The application is unclear as to how the proposed outdoor seating area(s) would be designed, managed, and utilized. The Zoning Ordinance seems to require some sort of additional permit or at the very least a detailed description in the SUP application on how this area would operate.

"4-107 Use limitations. (A) All operations shall be conducted within a completely enclosed building except that a temporary use permit for occasional outdoor sales or seasonal sales or display in conjunction with and on the same lot as an existing permitted use may be granted by the director, which permit shall indicate the location, size, duration and purpose of the accessory outdoor use and, if the use is seasonal, whether the permit shall continue on an annual basis."
As a

resident close to restaurants with outdoor seating, I strongly urge Council to request additional information in the application regarding the proposed outdoor seating area - hours of operation, means of noise & litter control (where & how many street-front trash receptacles? Frequency of "monitoring?" Location, number, & means of monitoring CCTV security cameras?) I also urge Council to consider requiring a yearly permit be pursued, based on the seasonal nature of the outdoor seating area, so that the business has the opportunity to address residents' concerns on a regular and ongoing basis.
3.) Proposed loading schedule:

The application indicates that loading/unloading shall occur unsupervised as early as 4 am on most days of the week. Between a 2 am close and a 4 am delivery schedule, it is clear that activity could be occurring at this property on close to a 24/7 basis. This no doubt will adversely impact the surrounding residences, creating constant disturbances related to noise, trash, litter, parking, etc. with little recourse for any affected residents.
I strongly urge Council to require that the applicant limit loading times to weekdays between 6 am & 6 pm, including all deliveries and trash pick-up.

PC Docket Item #9
SUP 2010-0011



Fw: COA Contact Us: Hog Thaid SUP #2010-0011
Cicely Woodrow to: Barbara Ross

04/16/2010 09:38 AM

History: This message has been replied to.

Time: [Mon Apr 12, 2010 21:47:47] Message ID: [20722]

Issue Type: William D. Euille
First Name: Ashley
Last Name: Myler
Street Address: 109 E Oxford Avenue
City: Alexandria
State: VA
Zip: 22301
Phone: 7038380575
Email Address: amkdc05@yahoo.com

Subject: Hog Thaid SUP #2010-0011

Comments: Attached please find our support with concessions of the Hog Thaid SUP #2010-0011. We also have collected over 100 signatures in the past few days from Virginia residents supporting the SUP with concessions. We continue to collect signatures. Concerned residents were grateful for the opportunity to ask questions of Hog Thaid representatives and to clarify issues and address concerns at the Del Ray Land Use Committee Meeting. The positions enumerated below reflect a compromise on the part of the neighbors. We remain hopeful and confident that this situation can be resolved in a way that preserves our health, safety and quiet use and enjoyment of our properties, while at the same time seeing a new business venture flourish on our very corner.

It is our hope and expectation that City Staff will make recommendations based on the compromises Hog Thaid and residents discussed at the LUC meeting on Thursday, April 8.

1. Hours of Operation. The Applicant's restaurant is located in a Commercial Low (CL) Zone. The standard for restaurants in the Mount Vernon Overlay Zone is for hours of operation to be limited to Sunday- Thursday, 7:00am - 10:00pm;

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Friday and Saturday, 7:00am - 11:00pm. Operating until 2 am, 7 days a week will unreasonably disturb the sleep of residential neighbors during the work week and during school nights. It is our understanding following the LUC meeting that Hog Thaid is agreeable to our compromise of requiring all patrons to leave the restaurant by 11:00pm Sunday-Thursday and 12:00 Friday and Saturday. [We are willing to support this compromise position notwithstanding that these hours exceed those kept by businesses within 2 blocks of the Applicant's restaurant and are later than any other restaurant operating on the Avenue. Consistent with this compromise, we also request that outdoor dining be closed down (no one still dining/drinking) at 10:00pm nightly.]

2. Ventilation/Woodsmoke

Concerns. While we appreciate the efforts Hog Thaid has made to consider equipment to ventilate and filter emissions so as to reduce their impact on the health and wellbeing of the neighbors, we remain concerned that the proposed modifications will not sufficiently abate the threatened nuisance.

Specifically, from initial research, it seems that the Flame Gard is a grease trap which will do much to capture the larger particles of grease and embers that are byproducts of the Asian fusion form of cooking, and to a lesser extent, the barbecue process. It seems they cost from \$100 - \$200 dollars, not including installation. However, this item does not address the inevitable smoke emissions that will be vented straight out during every day of the year; smoke that will get blacker and blacker if daily, weekly and monthly maintenance is not scrupulously upheld.

The Applicant has also graciously offered to place a diffuser fan on the roof which apparently functions to mix two parts "clean" air with the unfiltered exhaust that will come through the vents. Then the diffused matter will be expelled up 150 feet straight. The Applicants have informed us that this will address fumes. We are in the process of researching this proposed

(18)

mitigation technique, but have some reservations and questions. Will this fan be activated every time exhaust comes out of the vents? Will it be activated only upon venting from the barbecue vent or from the Asian fusion vent as well? Or will it be operated during the entire cooking process (which could be most of the 24 hour day)? Will it meet code regarding noise, mechanical, aesthetic and height considerations? Are fumes different than odors and, therefore, will it adequately address the inevitable odor nuisance problems from the proposed cooking applications?

It is inconsistent with Alexandria's CL Zoning Classification and counterproductive to its Eco-City initiative to bring in new point sources for particulate matter pollution without adequate mitigation. Hog Thaid's proposed operations, including the smoking of meat for 12 hours per day (or more), is inconsistent with the CL zoning classification because the odors, smoke, and particulate matter produced by such operations would be detrimental and constitute a nuisance to nearby residences in violation of Sections 4-101 and 4-107(E) of the city's Zoning Code.

As we have shown, this nuisance poses not only a threat to our right to the use and enjoyment of our homes, but also to the health and welfare of the residents. Residing on Oxford Avenue is a two-year old child with Asthma 30 feet away from the commercial building, adults with asthma, a woman with a serious lung and heart disorder and elderly residents. Mount Vernon Community School, which is on a year-long calendar, is located one block away. We respectfully request that City Staff and City Council place conditions on the operation of Hog Thaid at 2312 Mount Vernon Avenue to avoid a scenario where neighbors suffer and the future costs of coming into compliance are greater than if they had been addressed at the start.

Additional questions:

1. What are the hours of

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operation of the smoker? Will immediate residents be exposed to their description of "chimney like smoke/smell" 10 hours a day, 15 hours a day, 24 hours a day, every day? Here we point out to city staff that even a household chimney would constitute a nuisance and pose a health threat to nearby neighbors if it were operated 12 hours per day, seven days per week, 52 weeks per year.

3. Does the Applicant have sufficient financial resources to implement additional mitigation measures, if necessary, to abate possible nuisance and eliminate health risks to neighboring residents?

3. Deliveries. Residents are amenable to adjusting our delivery schedule from 7AM - 5PM to include the 4AM Sysco Truck delivery on Mount Vernon Avenue. As agreed upon verbally by Hog Thaid and the residents present, we would like a requirement that all deliveries to and from the restaurant use Mt. Vernon Avenue as the sole point of ingress and egress.

4. Noise. Applicant insists that no live music will be played. We request that conditions include that audible sounds at the commercial building line be limited to levels at or below 50 decibels and that there be no speakers or other amplified sounds outside the restaurant/commercial building.

5. Side Door Take Out Entrance. Hog Thaid's representatives at the LUC meeting publicly withdrew from their application the request to use a side entry door. Residents request that if City Staff leaves the door that the SUP include a condition that the side entrance be used as an emergency exit only and all take out must be picked up through the main entrances on Mount Vernon Avenue.

6. Review Period. We suggested at the LUC meeting that the Director of Planning and Zoning include a provision in the SUP requiring the review of the SUP after it has been operative for two continuous 90 day cycles to monitor possible detriment to nearby residents, businesses and students, especially with

relation to odor and /or smoke nuisances and the unprecedented late night hours in this zone. The two continuous 90-day periods would allow the community and the neighbors to assess the actual impact upon same in two different seasons and after specific recommended maintenance will have been performed upon the smoker, vents and chimney flue.

7. Delivery of

take-out orders via car: At the LUC meeting, the Applicant agreed that delivery of takeout food from the restaurant to patrons will be delivered only via use of Mount Vernon Avenues. The delivery vehicle(s) used will also reenter the restaurant's parking lot via Mount Vernon Avenue such that side streets will only be utilized to deliver to specific addresses. We also ask that the delivery vehicle used be clearly marked as representative of the business.

Without these conditions and compromises, we do not believe that this proposed business will be in accordance with Commercial Low Zoning. Sec. 4-100 CL/Commercial low zone. 4-101 Purpose and 4-107(E).

4-101 Purpose. The CL zone is intended to provide for small scale retail and service uses offering pedestrian oriented shopping and services for individual consumers and households located primarily in nearby residential areas. Proximity to residences requires that commercial operations be conducted at a scale and intensity commensurate with nearby residential development, be developed and designed so as to be in character with such development and be of such characteristics as not to be detrimental or a nuisance to nearby residential properties.
If the Applicant's SUP

request were to be granted as is, his operation – from 4am deliveries to 2 am closing and post-closing clean-up/next day prep- would signify a 24 hour operation seven days a week that threatens neighbors' health and the use and enjoyment of their homes. We submit such an operation clearly does not qualify as one that should operate in a Commercial Low Zone, and that this commercial activity would negatively impact nearby residences.

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A. We

respectfully submit that it is within the power of the City Council to set these conditions of operation upon the Applicant. Section 11-500 of the Alexandria Zoning Ordinance covers Special Use Permits. Section 11- 501 states the following:
Authority. The city council may approve an

application for a special use permit provided for in this ordinance if the proposed location is appropriate for the use and if the proposed use or structure will be designed and operated so as to avoid, minimize or mitigate any potentially adverse effects on the neighborhood as a whole or other properties in the vicinity.
From the preceding language, it is

clear that the City Council has the authority to consider whether a proposed use may have "potentially" adverse effects upon the neighborhood or other properties located in "the vicinity." We have put forth ample evidence, in the form of news articles, hearings, and conversations with barbecue restaurateurs, that barbecue byproducts, such as smoke and odors from barbecue smokers using even less wood than the Applicant's planned model, can cause health hazards and nuisances for those in residential areas. We have put forth ample evidence that the proposed smoker, with straight exhaust, will generate smoke and odors over a prolonged time frame each and every day of the year. The "potentially adverse effects" aspect of Section 11-501 have been met. Therefore, the City Council has the authority to ensure that the "structure will be designed and operated so as to avoid, mitigate or minimize" those potential nuisances.

B. Sections

11-504 and 505: Section 11-504 is dedicated to considerations upon review of a Special Use Permit in a Commercial Low zone. Such considerations include the following:

- (1) Will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
- (2) Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and

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(8) Notwithstanding

any other provisions of the city code, whether the proposed use will have noise characteristics that exceed the sound levels that are typical of permitted uses in the zone.

(10) Whether the proposed use will have any

substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.

Section 11-505 is an enabling clause. It allows

the City Council broad discretion to act to ensure the "considerations on review" of a Special Use Permit granted to a business in a Commercial Low Zone are given force and effect:

Section 11-505 Conditions and

restrictions. In approving a special use permit, the city council may impose any conditions and restrictions that it determines are necessary and desirable to ensure that the use will further those considerations enumerated in section 11-504. If imposed, such conditions shall become part of the legal requirements of the special use permit and violations of or failure to conform to such conditions shall constitute violations of this ordinance and constitute cause to revoke the permit.

This section

gives the City Council the authority to impose "any conditions and restrictions that it determines are necessary and desirable to ensure that the use will further those considerations enumerated in section 11-504. If the City Council does believe that there are potential adverse effects from the proposed operation of the Applicant's property use that will cause health, safety or nuisance problems, it certainly has the power to require that the potential adverse consequences be adequately mitigated.

Therefore, the Council can order something more precise and particularized than the usual blanket condition to control odors and smoke, etc.

It

is understood that such specific conditions of mitigation are outside the usual conditions ordered by the city of Alexandria. However, such conditions can be drafted by the City that recognize the unique aspects of this business and restrict its language to only the business at hand.

There are few barbecue restaurants in residential areas in the city. There are fewer still serving both Asian fusion and barbecue such that any provisions placed on the operation of this business can be ordered to not set a precedent for any future establishment, the appropriate design and operation of which shall be left to a new review based on its own unique circumstances, including zone and proposed use.

Thank you for your

consideration.

Attachment: 018949b4bf169b0162d00da5ac263498.doc

Meeting

Lisa Donofrio

to:

Barabara Ross, Nathan Randall, erica.bannerman, William Gillespie

04/14/2010 10:49 PM

Show Details

PC Docket Item # 9
Sup 2010-2011

History: This message has been replied to and forwarded.

Ms. Ross:

Based on our conversation earlier, I do not believe a meeting tomorrow is necessary. My impression from our conversation earlier today is that you feel you have as much information from all parties as you need to make recommendations to the Planning and Zoning Commission. Therefore, I guess there is nothing else that we can say to influence those recommendations.

However, I would like you to know that last night, during our conversation with Mr. Anderson, he did state that he feels he can make money even if he closes at 10 pm every night. However, he did state he plans to ask for the following hours:

1. Sunday through Thursday: stop seating at 12 midnight; close by 1 am
2. Friday and Saturday: stop seating at 1 am; close by 2 am
3. Outdoor seating until 11 pm

We were surprised to hear this considering we had thought Mr. Blackburn had no problem with the hours we had suggested at the Land Use Committee meeting last Thursday evening. He also stated that he would have no problem if seating outside stopped at 10 pm as it was "harder to control" what went on outside as the hour got later and people kept drinking.

There is only one other restaurant in Del Ray that has hours similar to what Mr. Anderson is asking for. Fireflies is open until 12 midnight every night. Needless to say, many of the residents near there consider this an experiment that has failed. They are kept awake by loud conversations on the patio; loud conversations amongst patrons walking back to their cars; car doors slamming; fighting; laughing; vomiting, and occasional drunks urinating on or near their property.

Fireflies is an outlier in this Commercial Low Zone. If Mr. Anderson admits that he can make money even if he closes at ten, we feel he will still make money if permitted to keep the following hours:

1. Sunday through Thursday evening: stop serving at 11 pm; close by 12 midnight
2. Friday and Saturday; stop seating at 12 am; close by 1 am
3. Outdoor seating until 10 pm every night.

Even these hours are outside the norm in this Commercial Low zone, particularly in the Historic Core. I am sure that you know there are many people who live near the restaurant who work every day and need their rest. There are families with many children who need their sleep. A good night's rest is impossible with the types of activity that will inevitably be experienced by those close to this restaurant as the late-night crowd fans out. We feel we have been very reasonable in this regard, considering that we have revised our request toward later hours, which are outside the norm as outlined in the Mount Vernon Overlay Document.

He also acknowledged that a kitchen emissions system involving carbon and scrubbers and a high velocity fan to capture smoke, grease and other emissions is more efficient and will work better than the diffuser fan he is considering now. Needless to say, we are glad our concerns are being considered seriously in this regard.

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As we spoke about on the phone, we understand that small businesses are an important piece of any local economy. But so are the families that support them and live near them. There are few rights more sacred than the right to use and enjoy one's property - than enjoying a conversation with a neighbor on the sidewalk, watching one's children play in their backyard or opening a window for fresh air, without the constant and potentially permeating, overwhelming smell that results from the cooking processes Hog Thaid plan for their restaurant. There are few feelings more gratifying than going to bed without the sounds of late night bar patrons disrupting an otherwise peaceful rest. In this competition of interests, I keep coming back to the fact that this is a Commercial Low Zone, and the property rights and interests of the residential community are to be guarded jealously. Therefore any business person seeking to profit in such a location should do his level best to conform to the zone in which he seeks a permit.

Thank you for your time regarding this matter. I know you have more on your plate than our little corner. Please know that our mutual jettisoning of this meeting in no way indicates our disinterest in this matter. We remain committed to our community and hope that you consider the preceding requests in fashioning your recommendations to the Planning and Zoning Commission.

May I ask if Mr. Anderson, et al, given the change in some of their operating plans, need to amend their SUP to reflect, for instance, that the side door will not be for takeout, or that a diffuser fan may be placed on the roof?

Sincerely, Lisa McNichols

Hotmail is redefining busy with tools for the New Busy. Get more from your inbox. [See how.](#)

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Re: Support with Concessions- Follow up to LUC Meeting 4/8/2010

Ashley Klick

to:

Nathan.Randall

04/15/2010 09:10 PM

Cc:

Barbara.Ross

Show Details

Thank you Nathan. Mr. Anderson met with 5 families on Tuesday night. I did ask him about the smoking hours since several BBQ restaurants, including the one his team directed me to, had indicated that it is more like 15-19 hours. On Tuesday he stated he did not know what the hours would be. I asked if the operating hours would be at night or during the day, and he stated that they would probably run it overnight.

I will also share with you that he stated his business would be profitable even if he had to close at 10pm every night (leading us to understand that the late night hours were not critical to his success). When discussing the proposed diffusion system, Mr. Anderson also stated that a "scrubber" would be most effective in reducing the smoke and odors. He offered to investigate the Capitevaire (sp) system that Rocklands uses per the suggestion of Mr. Gillespie.

We reviewed our concerns regarding the hours with him again. The street (and 125 signatures) believes that outdoor dining should close at 10pm; indoor operations should close at 11pm Sun-Thu and 12am on Fri and Sat. This is substantially different from any restaurant operating between Uhler and Del Ray Avenues. From my notes (that I hope are now correct) operating hours on the Avenue include:

1. Los Tios (306 seats) - they close during the week at 11pm and on weekends at 12am. They have patio dining until 10pm
2. Evening Star (120 seats)- same
3. Mancinis (60 seats) – they close during the week at 10pm and on weekends at 12am. Patio dining until 10pm.
4. Fireflies (100 seats) – they close every night at midnight. Patio dining until 10pm
5. Caboose Café (32 seats)- same

The latest and most expansive permitted closings appear to be midnight seven nights a week with patio dining ceasing at 10pm. Although it is my understanding from residents near Fireflies that this has been a burden. This increased commercial activity with regard to hours seems to have had a negative impact on the surrounding residents, which contradicts the Mount Vernon Overlay Document and the commercial low zone.

Thank you for your responsiveness.

Regards,

Ashley

Ashley Klick

Support Georgetown Pediatric Cancer Programs, <http://www.georgetownjingle.com/>

Have Fun Learning with Kobold Toys, <http://www.koboldsblog.com/>

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Pork Barrel BBQ - Our humble opinion

Badri Munipalla

to:

Nathan.Randall

04/13/2010 09:13 AM

Show Details

Just last year The Washington Post labeled our avenue as the "wellness avenue".

<http://www.washingtonpost.com/wp-dyn/content/article/2008/10/01/AR2008100100876.html>

In our opinion, the BBQ place does not fit well with this image. We would truly benefit from a health food store/smoothie/mom and pop sandwich place/vegan restaurant or some such sort of business instead.

In addition to the above concern, the new apartments (The Apartments at Del Ray) is bound to increase vehicle traffic on Mt. Vernon. This a real peril for our quaint neighborhood with so many little children. We feel that this new BBQ place will only make a bad situation worse.

Pallavi and Badri Munipalla
Residents of E Bellefonte Ave

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Support with Concessions- Follow up to LUC Meeting 4/8/2010

Ashley Klick

to:

barbara.ross, Nathan.Randall, erica.bannerman

04/12/2010 02:10 PM

Cc:

Bernardo Piereck, Clarissa Piereck, Linda Jacobs, leslie_staples, cathleen_harrington, dboston, Lisa Donofrio, Monica Sheehy, michellevaughan, annie, Martha Davis, Marylou, Rainey

Show Details

Attached please find our support with concessions of the Hog Thaid SUP #2010-0011 submitted to the DRCA Land Use Committee on April 8, 2010. We also have collected over 100 signatures in the past few days from Virginia residents supporting the SUP with concessions. We continue to collect signatures. Concerned residents were grateful for the opportunity to ask questions of Hog Thaid representatives and to clarify issues and address concerns at the Del Ray Land Use Committee Meeting. The positions enumerated below reflect a compromise on the part of the neighbors. We remain hopeful and confident that this situation can be resolved in a way that preserves our health, safety and quiet use and enjoyment of our properties, while at the same time seeing a new business venture flourish on our very corner.

It is our hope and expectation that City Staff will make recommendations based on the compromises Hog Thaid and residents discussed at the LUC meeting on Thursday, April 8.

1. Hours of Operation. The Applicant's restaurant is located in a Commercial Low (CL) Zone. The standard for restaurants in the Mount Vernon Overlay Zone is for hours of operation to be limited to Sunday- Thursday, 7:00am - 10:00pm; Friday and Saturday, 7:00am - 11:00pm. Operating until 2 am, 7 days a week will unreasonably disturb the sleep of residential neighbors during the work week and during school nights. It is our understanding following the LUC meeting that Hog Thaid is agreeable to our compromise of requiring all patrons to leave the restaurant by 11:00pm Sunday-Thursday and 12:00 Friday and Saturday. [We are willing to support this compromise position notwithstanding that these hours exceed those kept by businesses within 2 blocks of the Applicant's restaurant and are later than any other restaurant operating on the Avenue. Consistent with this compromise, we also request that outdoor dining be closed down (no one still dining/drinking) at 10:00pm nightly.]

2. Ventilation/Woodsmoke Concerns. While we appreciate the efforts Hog Thaid has made to consider equipment to ventilate and filter emissions so as to reduce their impact on the health and wellbeing of the neighbors, we remain concerned that the proposed modifications will not sufficiently abate the threatened nuisance.

Specifically, from initial research, it seems that the Flame Gard is a grease trap which will do much to capture the larger particles of grease and embers that are byproducts of the Asian fusion form of cooking, and to a lesser extent, the barbecue process. It seems they cost from \$100 - \$200 dollars, not including installation. However, this item does not address the inevitable smoke emissions that will be vented straight out during every day of the year; smoke that will get blacker and blacker if daily, weekly and monthly maintenance is not scrupulously upheld.

The Applicant has also graciously offered to place a diffuser fan on the roof which apparently functions to mix two parts "clean" air with the unfiltered exhaust that will come through the vents. Then the diffused matter will be

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expelled up 150 feet straight. The Applicants have informed us that this will address fumes. We are in the process of researching this proposed mitigation technique, but have some reservations and questions. Will this fan be activated every time exhaust comes out of the vents? Will it be activated only upon venting from the barbecue vent or from the Asian fusion vent as well? Or will it be operated during the entire cooking process (which could be most of the 24 hour day)? Will it meet code regarding noise, mechanical, aesthetic and height considerations? Are fumes different than odors and, therefore, will it adequately address the inevitable odor nuisance problems from the proposed cooking applications?

It is inconsistent with Alexandria's CL Zoning Classification and counterproductive to its Eco-City initiative to bring in new point sources for particulate matter pollution without adequate mitigation. Hog Thaid's proposed operations, including the smoking of meat for 12 hours per day (or more), is inconsistent with the CL zoning classification because the odors, smoke, and particulate matter produced by such operations would be detrimental and constitute a nuisance to nearby residences in violation of Sections 4-101 and 4-107(E) of the city's Zoning Code.

As we have shown, this nuisance poses not only a threat to our right to the use and enjoyment of our homes, but also to the health and welfare of the residents. Residing on Oxford Avenue is a two-year old child with Asthma 30 feet away from the commercial building, adults with asthma, a woman with a serious lung and heart disorder and elderly residents. Mount Vernon Community School, which is on a year-long calendar, is located one block away. We respectfully request that City Staff and City Council place conditions on the operation of Hog Thaid at 2312 Mount Vernon Avenue to avoid a scenario where neighbors suffer and the future costs of coming into compliance are greater than if they had been addressed at the start.

Additional questions:

1. What are the hours of operation of the smoker? Will immediate residents be exposed to their description of "chimney like smoke/smell" 10 hours a day, 15 hours a day, 24 hours a day, every day? Here we point out to city staff that even a household chimney would constitute a nuisance and pose a health threat to nearby neighbors if it were operated 12 hours per day, seven days per week, 52 weeks per year.
3. Does the Applicant have sufficient financial resources to implement additional mitigation measures, if necessary, to abate possible nuisance and eliminate health risks to neighboring residents?

3. Deliveries. Residents are amenable to adjusting our delivery schedule from 7AM - 5PM to include the 4AM Sysco Truck delivery on Mount Vernon Avenue. As agreed upon verbally by Hog Thaid and the residents present, we would like a requirement that all deliveries to and from the restaurant use Mt. Vernon Avenue as the sole point of ingress and egress.

4. Noise. Applicant insists that no live music will be played. We request that conditions include that audible sounds at the commercial building line be limited to levels at or below 50 decibels and that there be no speakers or other amplified sounds outside the restaurant/commercial building.

5. Side Door Take Out Entrance. Hog Thaid's representatives at the LUC meeting publicly withdrew from their application the request to use a side entry door. Residents request that if City Staff leaves the door that the SUP include a condition that the side entrance be used as an emergency exit only and all take out must be picked up through the main entrances on Mount Vernon Avenue.

6. Review Period. We suggested at the LUC meeting that the Director of Planning and Zoning include a provision in the SUP requiring the review of the SUP after it has been operative for two continuous 90 day cycles to monitor possible detriment to nearby residents, businesses and students, especially with relation to odor and /or smoke nuisances and the unprecedented late night hours in this zone. The two continuous 90-day periods would allow the

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community and the neighbors to assess the actual impact upon same in two different seasons and after specific recommended maintenance will have been performed upon the smoker, vents and chimney flue.

7. Delivery of take-out orders via car: At the LUC meeting, the Applicant agreed that delivery of takeout food from the restaurant to patrons will be delivered only via use of Mount Vernon Avenues. The delivery vehicle(s) used will also reenter the restaurant's parking lot via Mount Vernon Avenue such that side streets will only be utilized to deliver to specific addresses. We also ask that the delivery vehicle used be clearly marked as representative of the business.

Without these conditions and compromises, we do not believe that this proposed business will be in accordance with Commercial Low Zoning. Sec. 4-100 CL/Commercial low zone. 4-101 Purpose and 4-107(E).

4-101 Purpose. The CL zone is intended to provide for small scale retail and service uses offering pedestrian oriented shopping and services for individual consumers and households located primarily in nearby residential areas. Proximity to residences requires that commercial operations be conducted at a scale and intensity commensurate with nearby residential development, be developed and designed so as to be in character with such development and be of such characteristics as not to be detrimental or a nuisance to nearby residential properties.

If the Applicant's SUP request were to be granted as is, his operation – from 4am deliveries to 2 am closing and post-closing clean-up/next day prep- would signify a 24 hour operation seven days a week that threatens neighbors' health and the use and enjoyment of their homes. We submit such an operation clearly does not qualify as one that should operate in a Commercial Low Zone, and that this commercial activity would negatively impact nearby residences.

- A. We respectfully submit that it is within the power of the City Council to set these conditions of operation upon the Applicant. Section 11-500 of the Alexandria Zoning Ordinance covers Special Use Permits. Section 11- 501 states the following:

Authority. The city council may approve an application for a special use permit provided for in this ordinance if the proposed location is appropriate for the use and if the proposed use or structure will be designed and operated so as to avoid, minimize or mitigate any potentially adverse effects on the neighborhood as a whole or other properties in the vicinity.

From the preceding language, it is clear that the City Council has the authority to consider whether a proposed use may have "*potentially*" adverse effects upon the neighborhood or other properties located in "the vicinity." We have put forth ample evidence, in the form of news articles, hearings, and conversations with barbecue restaurateurs, that barbecue byproducts, such as smoke and odors from barbecue smokers using even less wood than the Applicant's planned model, can cause health hazards and nuisances for those in residential areas. We have put forth ample evidence that the proposed smoker, with straight exhaust, will generate smoke and odors over a prolonged time frame each and every day of the year. The "potentially adverse effects" aspect of Section 11-501 have been met. Therefore, the City Council has the authority to ensure that the "structure will be designed and operated so as to avoid, mitigate or minimize" those potential nuisances.

- B. Sections 11-504 and 505: Section 11-504 is dedicated to considerations upon review of a Special Use Permit in a Commercial Low zone. Such considerations include the following:
- (1) Will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
 - (2) Will not be detrimental to the public welfare or injurious to property or improvements in the

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neighborhood; and

- (8) Notwithstanding any other provisions of the city code, whether the proposed use will have noise characteristics that exceed the sound levels that are typical of permitted uses in the zone.
- (10) Whether the proposed use will have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.

Section 11-505 is an enabling clause. It allows the City Council broad discretion to act to ensure the “considerations on review” of a Special Use Permit granted to a business in a Commercial Low Zone are given force and effect:

Section 11-505 Conditions and restrictions. In approving a special use permit, the city council may impose any conditions and restrictions that it determines are necessary and desirable to ensure that the use will further those considerations enumerated in section 11-504. If imposed, such conditions shall become part of the legal requirements of the special use permit and violations of or failure to conform to such conditions shall constitute violations of this ordinance and constitute cause to revoke the permit.

This section gives the City Council the authority to impose “*any* conditions and restrictions that it determines are *necessary and desirable* to ensure that the use will further those considerations enumerated in section 11-504. If the City Council does believe that there are *potential* adverse effects from the proposed operation of the Applicant’s property use that will cause health, safety or nuisance problems, it certainly has the power to require that the potential adverse consequences be adequately mitigated. Therefore, the Council can order something more precise and particularized than the usual blanket condition to control odors and smoke, etc.

It is understood that such specific conditions of mitigation are outside the usual conditions ordered by the city of Alexandria. However, such conditions can be drafted by the City that recognize the unique aspects of this business and restrict its language to only the business at hand. There are few barbecue restaurants in residential areas in the city. There are fewer still serving both Asian fusion and barbecue such that any provisions placed on the operation of this business can be ordered to not set a precedent for any future establishment, the appropriate design and operation of which shall be left to a new review based on its own unique circumstances, including zone and proposed use.

Thank you for your consideration. (Please note original signature page with attachment is on file with the DRCA's Land Use Committee).

Ashley Klick (and on behalf of neighbors on Oxford and surrounding streets)
109 E Oxford Avenue

Ashley Klick
Support Georgetown Pediatric Cancer Programs, <http://www.georgetownjingle.com/>

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SUP REVIEW AND COMMENT STATEMENT

Date: April 6, 2010

TO: Del Ray Citizens Association

FROM: **Del Ray Residential Neighbors; Signatures Attached**

SUBJECT: Special Use Permit #2010-0011 ("Application")

APPLICANT: Hog Thaid, LLC

LOCATION: 2312 Mount Vernon Avenue

ZONE: Commercial Low,
Mount Vernon Avenue Overlay Zone

REQUEST: (i) to operate one 6,000 square foot restaurant Sunday through Friday from 11:30am to 2:00am and on Saturday from 7:30am to 2:00am, (ii) to vent up to 2 and ½ stories, (iii) to produce up to 400 pounds of trash per day, (iv) to have off street loading beginning at 4:00am daily and continuing until 5:00pm with trucks parked off Mount Vernon Avenue only, (v) to have outdoor dining, and (vi) to offer carry out service.

Introduction

We note Applicant will be located on the same block as 14 residential homes, located in the historic core of Del Ray, and located approximately one block from Mt. Vernon Elementary School.

We note that the Application is extremely vague, the Applicant has failed to demonstrate that the proposed location is appropriate under the applicable zoning (Commercial Low; Mount Vernon Overlay), and that the proposed uses will be designed and operated so as to avoid, minimize, or mitigate any potentially adverse effects on the neighborhood or other properties in the vicinity.

Accordingly, the below signatories support the Applicant's requests as set forth in the Application (for Special Use Permit ("SUP") #2010-0011 only with the limitations and restrictions set forth below.

DISCUSSION

**Application is Vague, Contains Incomplete Information;
Applicant Has Not Complied With Application Requirements**

An application for a special use permit must include detailed information including, but not limited to: the existing zoning; existing uses; land use designation contained in the master plan; a detailed description of the operation of the proposed use; plans to control any potential impacts of the proposed use on the nearby community, including noise, odors, trash and litter, loading/unloading, parking, street and use capacity, hazardous materials, and security.

The Sections in the Application relating to noise and trash are very vague and do not meet the above requirements. In addition, the Application appears incomplete in that it does not demonstrate intended compliance with applicable law in certain key areas such as exhaust ventilation, odor control, and restroom facilities.

A. Noise.

The Applicant states that the noise levels anticipated will be "typical family style restaurant levels." This is too vague to either evaluate or enforce and must be specifically addressed in the SUP approval. See below discussion under compliance with applicable zoning for requested noise-related limitations.

B. Ventilation; Odors and Woodsmoke.

The Applicant states that "typical restaurant cooking odors" will emanate from the business. The only detail given in the Application regarding the ventilation system is "vented up to two and a half stories and expelled." This is too vague and does not address the special needs of the proposed restaurants given that the Applicant seeks to install a smoker that employs the use of wood and gas to smoke meats and intends to utilize a certain type of cooking process called Asian Fusion, which seems to involve wok cooking at high heat.

Granting this Application without review and comment on this section would not support the City's own Eco-City Alexandria initiative, which strives to create "places where people can live healthier and economically productive lives while reducing their impact on the environment." The City recently spent millions of dollars fighting with the owners of the Mirant Power Plant in Old Town, trying to get the plant closed or cleaned up, based largely on the concerns about the particulate matter that the plant was emitting as a health risk to nearby citizens. Obviously, the Mirant plant was emitting much more particulate matter than this restaurant would, but still-- it could be argued that it's counterproductive to bring in new point sources for particulate matter pollution when the City has already indicated its commitment to reducing same.

Specifically, with respect to this Application, we ask that you review and address the following:

1. Barbecue - For various reasons, odors and byproducts of the smoking process involved in barbecue are not "typical." The process is very long and the Applicant has stated that the smoker will probably be in operation 10 to 12 hours per day, every day. While the gas/wood smoker planned will not make as much smoke as an all-wood smoker, no smoker is smokeless. The Applicant, thus far, has not been able to tell anyone involved how much smoke or other emissions the planned smoker will generate. In addition, the amount of smoke generated or not will have no mitigation effect on other cooking odors or particulate matter (i.e. byproducts from gas, meat, grease, chemicals) generated by this process.

In addition, with this type of model meat can be cooked during different cycles. One product can be placed in the cooker at a certain time, but other products can be loaded in at later times. In fact, the Applicant referred residents to Q in Midlothian, VA who operates two Southern Pride Systems. Q runs their two smokers 16-19 hours in a 24 hour period. Therefore, the smoker can run for longer periods than 10-12 hours. If demand is high this may be the case. However, this product must be cleaned meticulously in order to prevent fires and exhaust properly. The Applicant has not provided in his SUP request the brand name or model of the smoker although that information has subsequently been provided. The initial SUP did not even state that a

smoker would be used. The SUP request does not state how often the smoker will be used, the hours it will be in use, when it will be cleaned. Q owner, David Butler, also stated that if not cleaned weekly "smoke gets blacker." If overnight use planned, will there be someone present to monitor the equipment? Does the Applicant plan to provide catering services? Will that make it necessary to use the smoker more often? What if demand is high? Will Applicant plan to use another smoker? To that end, the plans regarding this piece of machinery are vague.

2. Woodsmoke - the Applicant has stated that the smoke generated from his planned smoker will "probably" produce less smoke than that of an average wood-burning fireplace in a home. The Environmental Protection Agency (EPA) has stated the following about such woodsmoke: "Smoke from wood burning stoves and fireplaces contain a complex mixture of gases and particles. The size of particles is directly linked to their potential for causing health problems." The miniscule size of the small particles generated by wood smoke pose "the greatest problems, because they can get deep into the lungs, and some may even get into the bloodstream." "These particles can affect both your lungs and heart." Some studies have shown that "an estimated 70% of smoke from chimneys can actually reenter a home and *neighborhood dwellings*." Numerous studies have linked particle pollution to a variety of problems, including increased respiratory symptoms, coughing, difficulty breathing, aggravated asthma, chronic bronchitis, and others. "People with heart or lung diseases, children and older adults are the most likely to be affected by particle pollution exposure. However, even healthy people may experience temporary symptoms from exposure to elevated levels of particle pollution." (The preceding information is from an EPA document called *Health Effects of Breathing Woodsmoke*).

Notwithstanding that the Applicant's use of "probably" should be questioned with an eye toward finding, as close as possible, how much smoke will *in fact* be generated, the Applicant is proposing to utilize his smoker for *ten to twelve hours a day, every single day of the year*. This will be done even in the summer months when people are outside, enjoying walks along the Avenue and his most direct neighbors are trying to enjoy

their backyards. There are eleven children under 18 on the 100 block of East Oxford Avenue. One very young child who lives right next to the restaurant has asthma, as does another adult on the block. There is an elderly woman who is 97 and another in her eighties. There are more children on Oxford Avenue between Clyde and Commonwealth Avenues and at least one elderly person with a heart condition. **Mount Vernon Community School (which is on a year-long calendar) is located one block away from 2312 Mount Vernon Avenue.**

Mr. William Gillespie of the Virginia Department of Environmental Quality has stated that barbecue restaurants in residential areas pose a classic air pollution problem and that once a restaurant is up and running, it is an arduous process to accomplish changes in the ventilation systems that will mitigate harmful particulates and nuisance odors. It is important that conditions be placed on such establishments at the local level in order to avoid such a scenario where neighbors suffer and the costs of coming into compliance are greater than would have been had they been addressed from the start.

3. Asian Fusion: Please be advised that this aspect of the Applicant's SUP request has not been studied as extensively because of time constraints. However, the Applicant's diagram of the proposed floor plan for the restaurant seems to indicate there will be six woks on a cook line. If that is the case, it is important to know that such types of cooking, using oil at high heat, can produce harmful byproducts. According to Tom Kuehn of the University of Minnesota, odors from certain types of cooking processes "contain chemicals that can ultimately be harmful for humans, at least at some exposure levels." In a new study, "Kuehn and colleagues used state-of-the-art analytical equipment to examine in even more detail the vapors and particles that come out of a larger variety of cooking methods and foods. They found that the dirtiest smoke by far came from diced chicken cooked with peanut oil in a wok. Broiled hamburgers came next." (The preceding information was found an article from *Discovery News*).

4. Potential Impact on Neighboring Business

Generally understood, every building has two types of exhaust stacks: one to expel whatever is generated within the building and one to take in air. It is worth

questioning what the possible effects will be on area businesses from the planned 'straight exhaust' that the Applicant will generate from the barbecue and Asian fusion cooking processes. The businesses surrounding the Applicant's establishment all have intake exhaust stacks which could potentially take in the odors and emissions from the Applicant's restaurants. Will that negatively affect 1) the quality of air inside their establishments and/ or 2) the quality of the products made or sold on premises? The owner of "Tops of Old Town" has expressed much alarm over the possibility that smoke and odors can affect the quality of the merchandise she sells - beautifully crafted hats and ladies' suits. Other establishments that could be most affected are "The Dairy Godmother," "St. Elmo's", or the many health-oriented yoga, pilates and personal training businesses which pepper Mount Vernon Avenue.

5. Ventilation - Although such cooking processes planned by the Applicant could pose health and nuisance problems for the community and his most direct neighbors, an adequate kitchen emission ventilation system which captures odors and traps smoke and other particulate matter as byproducts of the cooking process can be devised. David Kuck of "Breathe Pure Air" a commercial ventilation consulting and Design Company, has stated that a properly sized and designed system can efficiently remove odors, grease, smoke and other byproducts. Odor capturing usually includes some element of carbon filtering. A separate component addresses the capturing of other emissions. The Applicant has chosen a smoker that he claims will make less smoke. But no smoker is smokeless. We certainly appreciate the choice of a "hybrid" smoker for the good of Del Ray. The Applicant's preferred smoker is no more expensive than an all-wood smoker, the types of which used in commercial smoking are generally custom-made. They also demand the constant attention from a skilled pit master, and need excellent, "state of the art" ventilation, odor and emissions capturing, as well as meticulous cleaning. Given that the hybrid smoker will produce less smoke, is there a kitchen emissions system that might be less expensive that the Applicant would be willing to install?
6. Other measures - It is also requested that the Applicant install exhaust fans to direct any harmful or nuisance output to be directed away from the residences located closest to the restaurant.
7. The City Council has the authority to place conditions of operation upon the Applicant's Special Use Permit

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Section 11-505 of the Alexandria Zoning Ordinance states, in pertinent part: Considerations on review.

(A) The city council may approve the application, provided all regulations and provisions of law have been complied with, if it finds that the use for which the permit is sought:

(1) Will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;

(2) Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and

(3) Will substantially conform to the master plan of the city.

(B) In reviewing the application, the city council may take into consideration the following factors where it determines that such factors are relevant and such consideration appropriate:

(6) Whether the proposed use will adequately provide for safety from fire hazards, and have effective measures of fire control.

(8) Notwithstanding any other provisions of the city code, whether the proposed use will have noise characteristics that exceed the sound levels that are typical of permitted uses in the zone.

(10) Whether the proposed use will have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.

(11) Whether the proposed use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable zone regulations. In determining whether the proposed use will so dominate the immediate neighborhood, consideration may be given to:

(a) The location, nature, height, mass and scale of buildings, structures, walls, and fences on the site; and

(12) Whether the proposed use will destroy, damage, detrimentally change or interfere with the enjoyment and function of any significant topographic or physical features of the site.

(16) Such other land use and land development considerations the city determines are appropriate and relevant to the application under review.

11-505 Conditions and restrictions. **In approving a special use permit, the city council may impose any conditions and restrictions that it determines are necessary and desirable to ensure that the use will further those considerations enumerated in section 11-504. If imposed, such conditions shall become part of the legal requirements of the special use permit and violations of or failure to conform to such conditions shall constitute violations of this ordinance and constitute cause to revoke the permit.**

From the enabling language of Section 505, it is clear that the City has the authority to require some type of ventilation system that can efficiently capture odors and harmful emissions. Accordingly, we request that the City consider whether the proposed use, with no such odor capturing and emissions capturing components, will negatively affect the health of persons residing or working in the neighborhood; will or may be injurious to property or improvements in the neighborhood; may not conform to the master plan of the city; may be a safety hazard if proper control components are not installed and maintenance systems are not implemented; will have any adverse affects on profitability of neighboring businesses. **We request that the Applicant be required to install an appropriate ventilation system to address the above concerns.** Any kitchen emissions ventilation system should be reviewed and approved by the Directors of Planning and Zoning, Code Administration and Transportation & Environmental Services.

We ask that any rooftop exhaust fan or HVAC unit be installed with a visual mechanical screen/noise deflector and submitted for review and approval by the Directors of Planning and Zoning, Code Administration and Transportation and Environmental Services and that the output from any rooftop exhaust fans be directed away from the residences located in the rear of the restaurant. We ask that the SUP approval conditions require that the Applicant control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined at a minimum by the Department of Transportation & Environmental Services and as monitored at the meetings and review periods

required below. There is precedent for this requirement; See SUP 2004-0045.

C. Garbage

The Application states that "typical" trash will be produced and that there will be 400 pounds of trash produced per day to be collected every other day. The Applicant does not identify where the trash will be collected and stored and/or the means to control rotting food from attracting pests and rodents. We ask that all trash be collected on a daily basis and stored until collection in locked, closed containers so that rotting food is not left out to attract pests and rodents who may carry and spread diseases and/or that same are allowed at any time to attract pests and/or to constitute a nuisance. There is precedent for these requirements in SUP 2004-0045.

We also request clarification on where present dumpsters for Dairy Godmother, UPS Store and St. Elmo's Coffee Shop will be located and the schedule of garbage removal.

The Application states that Applicant will perform daily monitoring of trash and install street front trash receptacles. We ask that the Applicant be required to pick up all litter on the site and on public rights of way and spaces adjacent to or within 75 feet of the premises at least twice a day and at the close of business each day, and more often if necessary, to prevent an unsightly or unsanitary accumulation.

D. Lighting

The Applicant's application does not address lighting for the parking lot in the rear of the premises. We are unable to evaluate whether the lighting will adversely impact the residential community and/or comply with applicable law.

E. Delivery Vehicle and Hours; To Go Pick-Up

The Application does not address the location of parking for proposed delivery vehicle(s) and for proposed to go pick up orders. These uses should be required to use parking in identified off-street parking spaces. We ask that the size of delivery vans be limited to no larger than passenger vehicles. The Application gives detailed hours of deliveries beginning daily at 4:00am. The Applicant states that it will

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not have an employee on site to monitor early deliveries. We believe this poses an unreasonable burden on immediate neighbors and ask that the first delivery be moved to 7:00am and that an employee be on site to monitor early morning deliveries.

F. Restroom Facilities.

We understand that the restaurant's seating capacity must comply with the Alexandria City Building Code with respect to minimum required plumbing facilities {per Chapter 29 of the Alexandria City Building Code (2006 Virginia Building Code) and Chapter 4 of the 2006 Alexandria City Plumbing Code}: one (1) water closet per (40) occupants of each sex for a bar and one (1) water closet per (75) occupants of each sex for a restaurant establishment. With a total count of 170 patrons, at least six (6) water closets - three (3) for men & three (3) for women for a bar and four (4) water closets - two per sex, are required for a restaurant. The current design for the building, which we were told is an outdated design, shows one (1) water closet for men and one (1) water closet for women. The design also shows a three-person (3) unisex water closet, without an entry door. We believe more information is required to determine if the Applicant's design will comply with Code.

The Application is deficient in another key area. There is no information on the plan that guarantees accessibility of these water closets or restroom facilities for persons with disabilities (per accessibility guidelines of the Americans with Disabilities Act). In discussing this with the architect at the conclusion of the meeting, Mr. McAllister stated that making the water closets ADA-compliant would have resulted in reduced number of seats in the dining areas. This resulted in him designing restroom facilities that were not in conformance with ADA guidelines.

Applicant Requests Are Not Consistent With Commercial Low Zoning, the Neighborhood Character Nor With Other Mount Vernon Avenue Establishments

A. Hour of Operation: Open until 2am, 7 days a week.

Applicant's request exceeds the hours of operation for any and all similar types of establishments in the area. The real estate surrounding the Applicant is residential and an elementary school (to which many students walk daily) is located a few blocks away. The residential occupants include attorneys, Federal employees, school teachers, architects,

health professionals, accountants, and other professionals who work during the days (as well as teen-age and small children). Remaining open until 2am, 7 days a week will unreasonably disturb the sleep of residential neighbors during the work-week and during school nights. The late night hours, accompanying noise, additional trash and crime that we anticipate will accompany a late night operation which serves alcohol cause us great concern. The application does not address these concerns.

We believe one could reasonably expect for crime to increase with the proposed late night hours. According to a study by USA Today, 26% of all crime happens between 12am and 6am. We believe late night hours will impact the physical security and property integrity of nearby neighbors, and increase taxpayers costs (i.e., Police Department and Trash Department costs) because of the additional patrol/security and clean up costs required during early morning hours due to crime and litter. In fact, the City has already recognized the correlation between negative behavior and late hours in prior SUP reviews and approvals (See SUP 2005-0084). A later closing hour was initially granted for Lillians, but at a subsequent review, the hours were amended to require an earlier closing due to the negative impact on neighbors resulting from late night activities.

By way of comparison, the following restaurants are also located in the Commercial Low Zoning and Mount Vernon Overlay and their hours are noted below. None of these establishments is open until 2am.

Restaurants (hours published on their websites):

Taqueria Del Poblano: Closed Tuesdays. Monday - Saturday closes at 10pm; Sunday closes at 9pm.

Cheesetique: Closed Mondays. Tuesday - Saturday closes at 9pm; Sunday closes at 6pm.

St. Elmo's Coffee: Monday- Friday closes at 10pm and Sunday closes at 6pm.

The Dairy Godmother: Closed Tuesdays. Sunday - Monday closes at 8pm; Wednesday-Saturday closes at 10pm.

Big Al's: Monday - Friday closes 8pm; Saturday closes at 7pm

Evening Star Cafe: Sunday-Thursday closes at 10pm; Friday - Saturday closes at 11pm.

La Strada: Sun-Thurs: 5:00pm-10:00pm; Friday & Sat: 5:00pm-11:00pm

Caboose Café: Monday - Saturday closes at 9pm; Sunday closes at 5pm.

Los Tios: Sunday -Thursday: closes at 10pm; Fri-Sat: closes at 11pm

We note that the standard for restaurants in the Mount Vernon Avenue Overlay Zone is for hours of operation to be limited to: Sunday - Thursday, 7:00 am - 10:00 pm; Friday and Saturday, 7:00 am - 11:00 pm. See Mount Vernon Avenue Overlay Zone. The proposed late night hours would first and foremost violate the Mount Vernon Overlay Zone and secondly, most likely result in an increase in noise and unreasonably disturb residential neighbors.

The Del Ray Business Association, formerly Potomac West Business Association, itself even recommends (as a marketing strategy to increase business) that the owners "maintain [sic] unified store hours among retailers." The Mount Vernon Avenue Business Plan (page E8)."

We request that the hours of operation be limited to 11pm each weekday night and 12:00am Friday and Saturday in keeping with other Del Ray restaurant hours and that the outdoor patio dining hours similarly end every night by 10pm. See SUP 2004-0045. We believe these hours ensure that the business is conducted at a scale and intensity commensurate with nearby residential development.

B. Require noise reduction language so that it is consistent with City Code and other established restaurants in Del Ray.

The Applicant states that the noise levels anticipated will be "typical family style restaurant levels". This is too vague to either evaluate or enforce and must be specifically addressed in the SUP approval.

In keeping with other restrictions on restaurants currently operation on Mount Vernon Avenue (See SUP 2005-0084 restricting and requiring that no amplified sound be audible at the property line), we ask that loudspeakers be prohibited from the exterior of the building and that no amplified sounds shall be audible at the commercial building line. We also ask that audible sounds at the commercial building lines are limited to levels at or below 50 decibels. We also ask that no live entertainment be permitted. (See current SUP for Fireflies Restaurant located at 1501 Mount Vernon Avenue 2004-0045). Applicant has included this last restriction in the Application and we ask it specifically be included in the

SUP.

C. Side entrance on E. Oxford Avenue and Required adequate landscaped buffer and screening.

The Application does not address these issues in any detail. Pursuant to the Mount Vernon Avenue Business Area Plan (Section 6.3) the primary building entrance for corner sites should be on Mt. Vernon Avenue. We request that the side door entrance be used as an emergency exit only and all take out to be picked up through main entrance on Mt. Vernon Avenue.

Also pursuant to the Mount Vernon Avenue Business Area Plan "an 8-10 foot landscaped screening buffer is desired at the rear of the lot and on the side street for corner lots. Regardless of whether the parking requirement has been reduced or waived, a buffer must be provided as described above to provide screening for adjacent uses. We request that the screening be mature trees to buffer the noise from patrons and delivery vehicles/trash vehicles operating in the parking lot.

D. Delivery of To-Go Items

The Applicant proposes to deliver take-out items via car. To avoid increased traffic on East Oxford Avenue and the potential increase for accidents, it is requested that Applicant's delivery employees exit the parking lot on Oxford Avenue only via right hand turn towards Mount Vernon Avenue and use side streets only when delivering to a specific address. In addition, the delivery vehicle should be clearly marked with the restaurant's name.

Conclusion

We respectfully request that the Director of Planning and Zoning include a provision in the SUP **requiring the review of the special use permit after it has been operative for two continuous 90 day cycles to monitor possible detriment to nearby residents, businesses and student during different seasons of the year, and again one year following Council approval** and the docket of the matter for consideration by the Planning Commission and City Council if

there have been documented violations of the permit conditions that were not corrected immediately, or that constitute repeat violations, or that create a direct and immediate adverse zoning impact on the surrounding community. We also ask that the operator be required to meet with surrounding neighbors every two months for the first six months and then as regularly as needed to discuss and identify neighborhood impact issues. There is precedent for this in SUP 2005-0084.

We respectfully request that the above restrictions be included in any approval of the SUP to ensure compliance with Section 4.2 Guiding Principle of the Mount Vernon Overlay Document: *"Preserve and protect existing residential areas. Protect nearby residences from impacts associated with commercial activity" and to "Ensure new development is compatible with neighboring residential uses."*

Without these restrictions, we do not believe that this proposed business will be in accordance with Commercial Low Zoning. Sec. 4-300 CSL/Commercial service low zone. 4-301 Purpose. The CSL zone is intended to provide for light service and industrial uses compatible in operations and character with nearby residential neighborhoods and properties. Proximity to residences requires that commercial operations be conducted at a scale and intensity commensurate with nearby residential development, be developed so as to be in character with such development, and be of such characteristics and effect so as not to be detrimental or a nuisance to nearby residential properties. If the Applicant's SUP request were to be granted as is, his operation - from 4am deliveries to 2 am closing and post-closing clean-up/next day prep- would signify a 24 hour operation seven days a week. We submit such an operation clearly does not qualify as one that should operate in a Commercial Low Zone.

For the reasons set forth above, we ask that any approval of the SUP be conditioned upon the inclusion of the above limitations and restrictions.

Respectfully Submitted,

SIGNATURE PAGE ATTACHED

SIGNATURE PAGE TO STATEMENT IN OPPOSITION

Respectfully Submitted,

SIGNATURE PAGE TO STATEMENT IN OPPOSITION

Respectfully Submitted,

Wendy J. Condit, 106 E Oxford Ave, Alexandria 22301

Lindsay A. Condit

Bruce D. Condit

W. H. Hugg 9 E Oxford Ave 22301

W. Rod Vayf 100 E. Oxford Ave
Alexandria, Va
22301

[Signature] 108 E. Oxford Ave 22301

[Signature] 108 E Oxford Ave 22301

Clarim P. Reed 2 E Oxford Ave 22301

[Signature] 1 E OXFORD AVE 22301

April Boston 1 E. Oxford Ave. 22301

Rainey Astin 1406 Mount Vernon Avenue

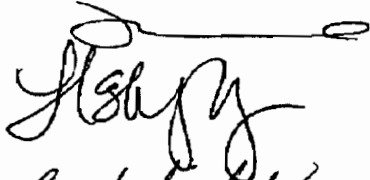

[Signature] 1404 Mt. Vernon Ave.

Cathleen Waring 8 E. Oxford Ave. 22301

[Signature] 102 E. Oxford Ave 22301

SIGNATURE PAGE TO STATEMENT IN OPPOSITION

Respectfully Submitted,


 Lisa Kelluhole
 Martha E. Davis
 Ryland Kendrick
 Anne Meighan
 Marika Nunn
 Anna de Papp
 Mary Im Callan


109 E OXFORD AVE ALEXANDRIA, VA 22301
 109 E. Oxford Ave, Alexandria, VA 22301
 105 E. OXFORD AVE ALEXANDRIA, VA 22301
 9 E. Oxford Ave. Alexandria, VA 22301
 12 E. Del Rey Ave, Alex. Va 22304
 12. E. Del Rey Ave, Alex Va 22301
 101 E Oxford Ave
 107 9 Oxford Ave
 104 E Oxford
 2 E OXFORD AVE

(212)

Support for Hog Thaid - Bar B Que In Del Ray

Josh Stern

to:

Nathan.Randall

04/08/2010 06:12 PM

Show Details

Mr. Randall,

A fellow neighbor in Del Ray made me aware of some potential objections to the new restaurants proposed for the Shops at Del Ray on Mount Vernon Ave.

Given these opinions, I just wanted to voice **my full support for these businesses as proposed**. I'm a strong believer that Del Ray needs to be welcome to new endeavors and I want these new restaurants to be welcomed into Del Ray and to succeed.

Please include this e-mail in the list of supporters for these restaurants.

Thank you.

Josh Stern

221 E Howell Ave

Alexandria, VA 22301

703.933.9281 (H)

703.201.3482 (M) *Preferred Contact Number*

e-mail: joshstern@comcast.net

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Letter of Support for Pork Barrel BBQ SUP

Jennifer Clinger Mitchell

to:

nathan.randall, alsdmf, amkdc05

04/08/2010 02:10 PM

Show Details

History: This message has been forwarded.

Dear Mr. Randall and Ms. Slack:

I am writing to urge the Land Use committee to approve the pending SUP for Pork Barrel BBQ at the corner of Mount Vernon Avenue and Oxford Avenues. I am a Del Ray resident with a keen interest in land use, parking and transportation issues, and a current member of the City's Transportation Commission (though I am submitting this letter as an individual.)

My interest in supporting the SUP is to maintain a healthy balance of commercial and entertainment uses in the Mount Vernon corridor, within walking and biking distance to thousands of City residents. The restaurants in Del Ray are major component of economic vitality of the other businesses in our neighborhood. They also provide a valuable service to neighborhood residents within a 1/2 mile radius that do not wish to get in their cars and drive to a restaurant.

I strongly believe the City should support the continued development of neighborhood restaurants, such as Pork Barrel BBQ, that are well located in mixed-use corridors such as Mount Vernon Avenue. While I understand that a small group of neighbors have concerns about parking and odors, I also urge you to consider the desires of the broader community that would benefit from having such a restaurant in walking distance. While Del Ray has a few restaurants, I do not believe we have enough to serve the demand that exists in neighborhood. Anyone that has tried to go out to eat at 8pm, only to encounter a one-hour wait at nearly every restaurant, can see that there are not enough dining establishments in Del Ray.

I also believe the the mix of commercial uses has become too far tilted toward massage parlors and natural health centers - almost ridiculously so - that we are losing an appropriate balance of entertainment options that makes Del Ray such a desirable place to live. Existing businesses will also benefit greatly from achieving the right balance of services, retail and entertainment.

I strongly urge the Land Use Committee to approve this application, and work cooperatively with the landowner to mitigate the concerns of adjacent households. Please do not hesitate to contact me if you have questions.

Jennifer Mitchell
335 Laverne Avenue
Alexandria, VA 22305

Hotmail is redefining busy with tools for the New Busy. Get more from your inbox. [See how.](#)

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New Restaurant's

Evan Lese

to:

alsdmf, nathan.randall, amkdc05

04/08/2010 01:45 PM

Show Details

History: This message has been forwarded.

To all,

I just wanted to voice my opinion in regards to the new restaurants opening in Delray. My wife and I live on Sanford street and have been there over the last 10 years. We totally love our local restaurants and shops. I am sorry we cannot attend the meeting tonight, but just wanted to give you our opinion.

Trish and I totally support the new restaurant's that will be opening hopefully soon. I am totally baffled. If the people are objecting this so late in the game, where were they during all the zoning meetings. It would be nice to have some change to the menu's in Delray and feel it would bring people outside of Delray to boost our local economy. I may be contacted at the below number should you have any questions.

Again, we are **SUPPORTING** and welcoming the new restaurant's to Delray!

Best Regards,

Evan Lese

Evan Lese
Staffing Manager

Accounting Now
A division of



1101 Connecticut Avenue NW
Suite 1250
Washington, DC 20036

Office: 202-293-4632
Fax: 202-293-0139
elese@accountingnow.com
<http://www.snicompanies.com>

Linked In:
<http://www.linkedin.com/in/evanlese>

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Date: April 7, 2010

To: Nathan Randall; Erica Bannerman; Elizabeth Ross; William Skrabak

From: Sheila Mitchell; owner of "Tops of Old Town," 2400 Mount Vernon Avenue

Topic: SUP Request 2010-0011; Hog Thaid

I am writing to inform you that I have read the SUP request of Mike Anderson, doing business as Hog Thaid. I support the SUP request of Hog Thaid, contingent on certain conditions. I have been a business owner on the corner of Mount Vernon Avenue and Oxford Avenue for 24 years. My business sells custom-made hats and suits for women. My entire inventory is items made of fabric. For the last two years, Pork Barrel Barbecue has set up a stand in front of my store during Art on the Avenue. The smoke and odors have both times entered my store and permeated the air and my suits and hats. Each time, it took five days of running the air conditioner and airing out my store for the smell to go away from the store and my clothes.

When I first heard the buzz that the space at 2312 was going to become a barbeque restaurant, I expressed my alarm to Mike Anderson. I told him that I did not want my store and my inventory smelling like smoke and barbecue. He assured me that would not be the case. He told me not to worry because he was planning to install "state of the art ventilation." These were his exact words. That lessened my fears because I thought he was going to install something that would stop the odors and smoke. So imagine my surprise when I learned that he plans no such "state of the art ventilation," but merely plans to expel smoky exhaust and odors out his vents. I do understand that he is not going to use an all-wood smoker. But the smoker is going to operate at least twelve hours per day every day. There will still be smoke and whatever smoker he chooses is not going to control the odors.

This store is my livelihood. People buy my clothes for very special occasions. They are clothes for events: Sunday services, Easter, horse race season. People from all over the country buy my offerings. Noone wants to spend hard-earned money on a hat or suit that smells like barbecue.

I ask that the Applicant install a ventilation system which will control odors and lessen smoke and other emissions coming out of his vents.

I am also concerned that the Applicant plans to open until 2 am every day. This is a residential area with many families. People want to enjoy the peace and quiet of a good night's rest. They do not want to be woken up by drunk people walking to their cars, talking loudly and slamming doors. When there was a bar where Tacqueria Poblano now is, I had my windows broken numerous times. I had to shoo drunks away from my store. Allowing such hours is detrimental to the community. I ask that you scale back their operating hours to ten or eleven pm on weeknights and Sunday evenings and no later than 12 am on Fridays and Saturdays.

Respectfully,



Sheila Mitchell

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Notes from conversation with Chef Jason at Blue Smoke in NYC

Ashley Klick

to:

Erica.Bannerman, Barbara.Ross, David Fromm or Amy Slack

04/07/2010 07:46 PM

Cc:

lisadonofrio, Nathan.Randall, Rainey

Show Details

Tonight Jason, a chef at Blue Smoke in NYC, returned my call from yesterday. (I have to say I have been pretty amazed at how quickly and eagerly these chefs and BBQ owners have returned my calls).

<http://www.bluesmoke.com/>

Blue Smoke opened 8 years ago after working to comply with NYC guidelines for a year. Jason said that NYC has very clear laws from the DEP and opening was a challenge. They vent up 14 stories. They do have smoke and odors he said. They have complaints about the smoke (not the odor) from the tenants above him. His problem is that "the building is 100 years old and what can he do to close up all the nooks and crannies" (this gave me pause since my house is approximately 100 years old!). He said they have regular checks by the EPA and that they do a stringent cleaning every 3 months of the stack.

After they opened, other BBQ restaurants in NYC have had to use "scrubbers" (carbon filters) which cost an average of \$50K.

When I told him that the City of Alexandria only required a hood system, his initial response was "Wow." He was surprised that Virginia did not have laws about this issue, and commented that he "hoped we had a good community response team."

He was familiar with the hybrid model from Southern Pride (they use a product developed by a few former Southern Pride guys). He (like 3 other BBQ owners I spoke with in the past 10 days) was surprised they were using only one piece of equipment for a 70 seat restaurant. Based on that, but with the caveat that neither he nor I knew their menu, he predicted they would need to operate the smoker around the clock.

He definitely understood my concerns and thought they were valid. His advice was to find a ventilation expert and get their opinion on what is needed to mitigate the "very realistic" concerns about the odors and smoke. He said he would confirm how Hog Thaid planned to clean the equipment and stack and the frequency. He said that is definitely important as a failure to do so creates a real fire hazard.

Thank you for your time.

Ashley

703-362-4204

Ashley Klick

Support Georgetown Pediatric Cancer Programs, <http://www.georgetownjingle.com/>

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Statement of Support with Concessions for SUP #2010-0011

Ashley Klick

to:

David Fromm or Amy Slack, Nathan.Randall

04/07/2010 02:59 PM

Show Details

I would like to begin by thanking both of you for your time and counsel over the past few weeks. For many of us on Oxford Avenue, this was our first experience with the SUP process.

As we approach the LUC meeting, I wanted to share my perspective with you both after reviewing the SUP and attending the community meeting hosted by Hog Thaid.

We purchased our home at 109 East Oxford Avenue in 2002. We relocated from Georgetown with the goal of starting a family. We had visited Del Ray, and while we looked at Old Town and Bellehaven, we believed that Del Ray offered us the best of both worlds if you will. We purchased a home adjacent to a parking lot and gas station. The gas station was closed daily by 6pm and other patrons of Yoga in Daily Life, Taqueria del Poblano, Dairy Godmother and St. Elmo's Coffee Shop generally exited the parking lot or street by 10:30pm. As you know many of these restaurants and retailers cease operations at 10:00pm nightly and are closed at least one day a week and have further reduced hours on Sunday. Until recently I have never filed a complaint with a business operating in proximity to my house. We have called the police once to report a car that was blaring music in the parking lot after midnight and we complained to the LUC regarding the lack of trash removal/clean up of the parking lot. This year we have complained about the overflow of garbage in the dumpsters three separate times. As working parents of small children the proposed hours will be a hardship for us. **The SUP request to operate daily until 2am will be in stark contrast to what we have known in this historical core for the past 8 years. This request is inconsistent with neighboring uses and Commercial Low Zoning for this area.** The application is also vague regarding noise and we request compliance with applicable zoning for requested noise-related limitations.

As I have expressed to you both, I believe many issues remain regarding the cooking equipment and lack of carbon filtering and appropriate ventilation. I spoke with over 15 BBQ owners (one business suggested by Hog Thaid, those listed on Southern Pride's website, and popular establishments in VA/DC). All of them stated that there would be odors without ventilation. The few located near a residential area or school installed "sophisticated" ventilation systems to mitigate odors and smoke. While I appreciate that there is expense with installing a state-of-the-art system, as the mother of a two year old with asthma and considering our close proximity to an elementary school playground with asthmatic students in the student body, **I firmly believe that the absence of a suitable filtration system will pose a health risk and a significant nuisance to existing residences.**

I have reservations about the existence of a take-out door on East Oxford Avenue. I do not remember this door on the DSUP. Oxford Avenue is a small residential street. We already have many parking/traffic related problems due to illegal parking at the corner of Mount Vernon and East Oxford and delivery and UPS trucks for Avenue businesses. **I believe that allowing the Applicant to conduct business through an entrance on Oxford Avenue threatens to change the nature of the street, increase traffic and increase illegal parking and illegal stopping on the street.**

I support the approval of the SUP subject to the imposition of the following conditions on the Applicant's operations:

1. Hours of operation must be limited to no later than 10:00pm Sunday through Thursday and 11:00pm on Friday and Saturday. All outdoor seating should be closed at 10:00pm. Please note that the standard for restaurants in the Mount Vernon Overlay is for hours of operation to be limited to: Sunday- Thursday, 7:00am - 10:00pm; Friday and Saturday 7:00am - 11:00pm.
2. I request that no amplified sound be audible at the commercial building lines and are limited to levels at or below 50 decibels. I also request that no live entertainment be permitted. I also request any rooftop exhaust fans or HVAC units be installed with a visual mechanical screen/noise deflector and submitted for review and approval by the appropriate governing entities.

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3. Applicant shall install a ventilation system or make any other changes necessary to ensure that odors, smoke, emissions and other particulate matter generally associated with BBQ and high heat Asian Fusion cooking methods do not impact nearby businesses, residents and children/students.
4. The proposed side-door entrance on Oxford Avenue shall be converted to a window or emergency only exit. Applicant shall require all takeout orders to be picked up through the Property's main entrance on Mount Vernon Avenue.
5. Applicant shall require that all deliveries to and from the restaurant use Mount Vernon Avenue as the sole point of ingress and egress to minimize the noise and traffic impact on nearby residences. I also request that all rear loading dock deliveries occur between the hours of 9:00am and 5:00pm.
6. The application does not address lighting for the parking lot, and I am not able to evaluate whether the lighting will adversely impact our residence and those immediately surrounding the parking lot.
7. Clarification on where the dumpsters presently located in the parking lot will be and if neighboring restaurants/retailers will be sharing the same trash storage system proposed by the Applicant.
8. Pursuant to the Mount Vernon Avenue Business Area Plan "an 8-10 foot landscaped screening buffer is desired at the rear of the lot and on the side street for corner lots." A buffer must be provided as described in the Plan to provide screening for adjacent uses. I request that the screening be mature trees to buffer the noise from patrons and delivery/trash vehicles operating in the parking lot.

My family is an active member in the Del Ray community. We patron most businesses on the Avenue, and I would state that these establishments know us by name and face. We volunteer in the community. We gather at the playgrounds, during First Thursdays and at the weekly Farmer's Market. We welcome new restaurants and retail establishments to Mount Vernon Avenue. I respectfully request that above restrictions be included in any approval of the SUP to ensure compliance with Commercial Low Zoning and Section 4.2 Guiding Principles of the Mount Vernon Overlay document: "Preserve and protect existing residential area. Protect nearby residences from impacts associated with commercial activity" and to "Ensure new development is compatible with neighboring residential uses."

Thank you for your consideration.

Regards,

Ashley Myler (Klick)
109 East Oxford Avenue
703-362-4204

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Letters of Support for Pork Barrel BBQ

Jill Erber - Cheesetique

to:

landuse

04/07/2010 12:06 PM

Cc:

""Barbara Ross"", ""Nathan Randall"", "Jill Erber Cheesetique"

Please respond to jill

Show Details

Dear Amy, Barbara, and Nathan,

Attached are a number of messages in support of Pork Barrel BBQ's SUP (#2010-2011). Since there were nearly 60 of them, I combined them into one Word document which is easier to review (didn't want to forward you 60 emails).

Amy, I wanted to make sure you had this information before your Land Use Committee meeting on Thursday. Hopefully, this will help in your analysis. Barbara and Nathan, I'm including you so you might use this document in your own preparations.

A few notes:

- You will notice the document has no names or other identifying information about the author(s). I removed that myself to respect the privacy that they might have expected by sending their comments directly to me. I still have all contact information so we can address people individually if necessary.
- Since the DRCA Land Use Committee meeting is the next item on the calendar, this document includes only citizen comments. I will send Business Association member responses directly to Barbara at a later time (still trying to compile them).
- Some of the messages are generally supportive; others are more specific. Aside from names, I have not edited the message content in any way, so some of them might require more review to get to the essential parts.

I'll see you all at the Land Use Committee meeting tomorrow night. I'll be attending as a member of the Citizens' Association so I won't have an official DRBA statement to present and prefer not to comment in that capacity. I'm really more interested in observing and don't want to be a distraction to others presenting.

Till then, please let me know if there is anything I can do.

Thanks,
Jill

Jill Erber, Proprietor/Cheese Lady
Cheesetique Specialty Cheese Shop / Cheese & Wine Bar
Celebrating our 5-Year Anniversary!

2411 Mt. Vernon Avenue
Alexandria, VA 22301
jill@cheesetique.com
www.cheesetique.com - sign up for our newsletter!



The following 40 emails were sent directly to me. I have omitted names and addresses (when provided) because I am not sure if the authors wanted their info to be shared publicly. I still have all contact information so individual authors can be contacted for clarification.

The second set of 18 comments were posted on the Listserv, so I retained the identifying information.

1) Jill--Please add my comments to those you are collecting. I live on Bellefonte and love Del Ray. I enjoy being able to walk to wonderful restaurants, including yours. I have been reading the discussion on our listserv the last week or two and find many of the comments amusing. It is my experience that you can often smell good restaurants from outside. No one seems to be concerned about the smell of Mexican or Thai, or any of the other restaurants in our neighborhood. To have three new, vibrant destinations is good for all of us and I hope that their application is approved.

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Name Omitted for Privacy

2) Jill - I am unable to make tomorrow's open house (and possibly next week's meeting), but please feel free to share my comments with the owners of Pork Barrel BBQ and the committee.

I am so, so excited at the prospect of a good barbecue restaurant in this neighborhood. I grew up in the midwest, and good barbecue around here is hard to come by. When I first saw the Pork Barrel folks on the show "Shark Tank" last year, I was ecstatic that there would be a new restaurant in the area -- and then I realized it would be in my neighborhood! Thrilling. I sampled the food at the Arts on the Avenue festival, and I've been eagerly monitoring the progress of the development. (I'm also excited about the sushi, but that seems to have garnered less opposition.)

I understand that some residents are concerned about the impact to life on The Avenue that we all love. But I think that these concerns are being overblown, and are far outweighed by the benefit of another restaurant in the 'hood. I urge those residents to visit the Rocklands on Wisconsin Avenue in Glover Park, DC. That restaurant is on a strip similar (though slightly more dense) than Del Ray's main street. It's a small restaurant that you can smell from a block away -- in a good way. Yes, if you eat inside, you may smell like barbecue when you leave. You won't smell like barbecue if you just walk by. It's an addition to the sensory map of the neighborhood, much like the aromas from Gold Crust Bakery let you know when you're nearby.

Launching a new restaurant is difficult. Launching one in this economy is practically unheard of. How many other new businesses are opening nearby? And yet, if you pay attention in Del Ray, you'll see that there is demand for restaurants in this neighborhood. The area has a reputation for supporting interesting, independent restauranteurs. Many of the restaurants are reliably full -- with people from the neighborhood as well as people seeking a good dining experience who are willing to explore a bit of our area to find it.

I'm eager to patronize Pork Barrel BBQ. It will be a good addition to the neighborhood -- culinarily and economically.

Name Omitted for Privacy
East Maple Street (Rosemont)

1-2

3) OK - fair enough! I for one am super pumped about all three restaurants. I was just wishing the other day that Del Ray had it's own BBQ and sushi joints as I would MUCH rather patronize the businesses in this area and not go elsewhere.

I am happy to hear about the responsiveness of the new owner and he/they sound like a fabulous addition to our community. I'll be at the question and answer session as I would like to know if they are considering delivery.

I am also waiting with baited breath to try the food and will be second in line behind the other guy.

Name Omitted for Privacy

4) Count me as a supporter as well. I love being able to walk to dinner in Del Ray with my family and it would be great to have a few more options available. I am also encouraged by what others have said regarding Mr. Anderson's commitment to our community and am impressed by the fact that he is taking the time to reach out to us via the planned listening session tomorrow night.

Jill-I also want to compliment you on your articulate advocacy on behalf of Del Ray businesses. The DRBA is lucky to have you. Every time I read one of your posts, I feel like I need to buy more cheese ;)

Name Omitted for Privacy

5) Jill,
Please count me among those who whole heartedly support the new BBQ restaurant--without reservations (no pun intended!!)

Name Omitted for Privacy
E. Mason Ave

6) Jill:

I am an 8-year Del Ray resident (well, a couple of those years were technically in Rosemont, but since everyone expands the definition of Del Ray, I will too!) I have only recently started following the Del Ray listserv, and haven't chimed in on anything, and generally don't plan to as it's a raucous vocal few who, while making the neighborhood quirky and cool, also make it unwelcoming with their narrow perspectives online.

I appreciate you giving us this chance to forward you e-mails which are slightly less wild-wild-west than the listserv.

I am wholeheartedly and enthusiastically supportive of a barbecue joint on the avenue!

202

I am flabbergasted that anyone can find any reason to not want a BBQ place nearby. I am even more confused that anyone would complain about the potential smell. Uh, that stuff smells like heaven on earth!

And to consider wood burning to be a major pollutant is a step too far onto the crazy truck as burning wood is significantly more natural than burning gas. I wonder if the folks who hung their hats on this argument have fireplaces. And I am no scientist, but I have a really good feeling that humanity was cooking meat over fire well before they figured out Wisconsin custard or doggie treats.

My only trepidation is that this will be some evil type of BBQ, like mustardy South Carolina style BBQ, or only pork BBQ will be served, as opposed to the God-blessed Texas style beef brisket that is the best style in the universe and sanctioned by the Pope himself. If those gents put any mustard on that BBQ, I suspect there will be riots in the street, and cats and dogs living together. And if they serves chili, and if they puts beans in it, we may have some real problems there too. THESE are the serious points of contention! These are the things worth debating.

And I am a little concerned that some of that damn sushi might get too close to the beef and pig!

And besides, we all know cheese is much stinkier than BBQ! (-;

OK, I better be clear in case some folks that read this don't have much of a sarcasm detector, the preceding three paragraphs were in good fun...well, except the part about mustard.

Please pass my e-mail and my e-mail address on to Mike. As you rightly noted, a listserv and a very generous community informational meeting are not even close to representative of the whole community. **Please assure Mike that I have not met a single neighbor on my street or on the avenue who was voiced anything except enthusiasm for the upcoming BBQ place.**

This will literally become my go to place for take-out for the rest of my Del Ray days...as long as there is no mustard and as long as none of my family in Texas ever finds out I ate chili that might have beans.

Sincerely,

Name Omitted for Privacy

7) Jill -- thanks so much for passing these messages on....

I am also writing in support of the three restuarants coming to DelRay. As an almost 7 year resident, I have watched (and eaten) with delight as Mt. Vernon Avenue has become a great destination for shopping, dining and meeting friends. From what I am seeing from Mike Anderson, Pork Barrel BBQ and his two other venues are going to add to the great atmosphere we love here. I would be dissappointed if this SUP is denied.

Thanks again for passing this along.

Name Omitted for Privacy
W. Monroe Avenue

003

8) Myself, my family and my neighbors that I have spoken to are all **STRONGLY** in support of Mike and the new restaurants. The complex is a welcome addition to Del Ray, and we are excited to see it open. Our taste buds are watering...we love the fact that Mike is a resident, and we will be there on opening night, and for many lunches and dinners thereon.

Unfortunately we cannot make the question and answer session, but wish you the best of luck, and please know that you have a lot of people backing you. But please add my name to the list of supporters, and may the spirit of Del Ray prevail, in all its glory, to allow this business to go forward.

Sincerely,
Name Omitted for Privacy

9) Jill, first let me tell you how much I love Cheesetique. You run a lovely shop and the wine bar is on par with some of the best I have visited anywhere in the country. Second, let me get to the reason for my email: to support a new business in Del Ray.

My name is Alyson Austin and I have lived in Alexandria off-and-on for the last 15 years. I worked in D.C. for many years then seized an opportunity to move west and start my own business. I only took this particular opportunity because it allowed me to split my time between Orange County, California, and Alexandria, Virginia.

When in Virginia I live in Del Ray, I'd rather not go anywhere else. I stay in Del Ray because of everything that Del Ray has to offer... food, shopping, quiet streets, accessible transportation (bus and metro-line), fun people and above all a safe neighborhood. I never rent a car when I visit, because I can walk everywhere I need to go or catch the bus/metro. It is an ideal location for me and all of the time that I spend in the D.C. area.

When I heard that a BBQ restaurant was being considered as an addition to the Del Ray community, I was thrilled! Another option (different from anything else I've seen) and it means more commerce coming into Del Ray when other cities and towns are losing businesses at an alarming rate in this economy.

Let me explain that when I am in California, I live in a 15-story "high-rise" building. We have two restaurants and a few shops that occupy the ground floor of our building and nearby buildings. One is a Vietnamese restaurant and it is a delight to have in our community. It offers good food, great traffic and a perfect gathering place for me and my friends. I have never been offended by the food or smells coming from that location. They serve hearty dishes that do not offend the senses. I feel the same can be said for food from a BBQ restaurant. The necessary kitchen ventilation will be dictated by city/state code and none of the neighbors will feel the impact of a restaurant like that coming to Mt. Vernon Avenue.

I want good things for Del Ray and I feel this particular restaurant (with the luxury of an experienced restaurateur at its helm) will be a welcome addition to the neighborhood.

hee

Thanks for allowing me to share. I hope cooler heads on the DRCA Land Use Committee will prevail and this business will be permitted to thrive in Del Ray!

Take care, Jill, and I'll be sure to introduce myself next time I am in Cheesetique for a flight of white!

Name Omitted for Privacy

10) Unfortunately, I won't be able to make the meeting. I would very much like for my sentiments to be expressed though.

As a business owner and long-time resident, I understand the delicate balance that must be negotiated in order to maintain the unique, strong community we enjoy in Del Ray. While I understand the concerns raised by some of the residents, I am hopeful that a mutually agreeable balance can be struck. It would be a terrible shame to lose what seems to me to be a strong, committed business owner before he is able to open his doors on Mt Vernon Avenue.

I would like to relate a story about a very positive experience I had in the past couple of weeks with Mike Anderson, the owner of the BBQ restaurant. It was a lovely, warm afternoon and the my two kids and I were enjoying the afternoon with a walk along Mt Vernon Avenue. As we walked by the construction site I noticed a large hole that had spread outside of the construction fence. It was a deep, water-filled hole and it clearly represented a safety concern. As the construction work had finished for the day, there was no one there to address my concern. I wasn't sure how to fix the problem, so I contacted the engineering supervisor for the site. While he wasn't able to fix the problem either, he did promise that he'd get in touch with the construction manager.

About an hour later, Mike Anderson contacted me. Because he was unable to reach the construction manager he came to the site to look into the problem. I was encouraged by the level of concern that he demonstrated. He promised that he would temporarily secure and cover the hole for the evening and would have it permanently fixed in the morning. Just as promised, two construction personnel worked for much of the day creating a more secure wall inside the fence and they filled the hole outside of the fence with concrete. Crisis averted. It is exactly this kind of personally committed, responsive business owner that we need on the Avenue. Based on this experience, I feel very confident the Mike will work with the residents to be an involved, responsible and agreeable member of our community. How fortunate we are to have small business owners who want to be a part of the magic formula that makes Del Ray the place to live and work.

Regards,

Suzanne Caldwell

Resident on Commonwealth Avenue, Small business Owner and Member of the Board for the Del Ray Business Association

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