

11) I want to add my support of this new venture - they will be a welcome addition to Delray. I frequently bring friends from across the DC area to enjoy my favorite places here and would gladly have a few new places to enjoy.

I will add that I work in an office building with a BBQ restaurant in the main floor. We struggled with odor issues when they first moved in but once they took the necessary steps to control the issue that have been discussed on this listserve, we have had no problems.

Name Omitted for Privacy
7-year Delray resident

12) Thanks for your offer to compile responses. Please pass along our enthusiastic support to Mr. Anderson and the appropriate city authorities. My wife and I have never been active in local politics, but we are figuring this might finally be the time. Please let us know what we can do to help.

13) Hi Jill -

I am writing this privately because there is way too much traffic on the list serve. Additionally, I have already weighed in a couple times on the list serve in response to the anti-barbeque coalition. My name is Karen Johnson. My husband Kirk Hansen and I live at 2600 DeWitt Avenue. I have lived there since 1992 - Kirk moved in last year :). We are also HUGE CHEESETIQUE fans -- thanks so much for being part of the Avenue! We LOVE it!

I have lived in Del Ray since 1987! My girlfriends and I lived together on East Nelson Avenue because it was CHEAP and close to a metro. Our rent then was \$625 per month!! But we never left our block -- other than to the metro. We would never dream of eating in Del Ray. It was filled with biker bars and bait shops.

But I loved the charm of the neighborhood. So, along with Pat Miller, Dennis Reeder and Charles Buki, I helped found the Del Ray Farmer's Market.

Charles and I recruited the vendors, applied for the SUP, appeared before the planning committee and heard from LOTS of neighbors. Believe it or not there was plenty of opposition to the market. Noise, Smells (garbage), Traffic and Parking were among the many complaints (sound familiar?). Looking back, I find it hard to believe that we were actually successful -- but the market did exactly what Charles said it would -- bring business and people to the Avenue. It was a couple years after the market opened that St. Elmo's opened its doors. Prior to that we had a coffee cart in the market with a line around the block!

Both Kirk and I are full and enthusiastic supporters of the barbeque restaurant. We think it's a great idea and are so excited to have them join the Avenue.

Ours is a special neighborhood. When Kirk and I got married we almost moved to DC, but realized that Del Ray has every convenience that DC does, with out the parking issues :).

I do fear that a vocal minority will turn the clock back on our neighborhood. We are going to gain a reputation as anti- "good" business. I say "good" business because it seems that repo shops, tarot card readers, and fly by night "photo studios" have no problem moving on to the Avenue. I find it amazing that the owner of Pork Barrel is hosting a neighborhood Q&A -- good on him, but we should be welcoming him and asking him about his open date.

Thanks so much for gathering support for Barbeque on the Avenue. If Kirk and I need to do anything else, we are happy to do it!

2016

All the best,
Name Omitted for Privacy

14) Hi Jill -

My husband & I - residents since 1998 - both whole-heartedly support this new business. He should not be obligated to purchase any equipment that is not already required by the city or the code.

Unfortunately - I'll be out of town on the 8th, and he will have to watch our kids - so neither of us can come to the meeting. Please let the powers-that-be know that these two residents & tax payers - are all for it.

Name Omitted for Privacy
E. Randolph Avenue
Alexandria, VA 22301

15) Hi Jill,

Please add our family to list of supporters for the new restaurants. They fill a void in this in community and will be a welcome addition to the avenue.

Name Omitted for Privacy
E Windsor

16) I am in support of opening Pork Barrel BBQ on the Avenue.

Name Omitted for Privacy
(12 Year Del Ray Resident)

17) Jill,

Appreciate you compiling the proponent view. I wholeheartedly support the three restaurants going in at Mt Vernon and Oxford. The owner has been more than accommodating, and the community will greatly benefit from the SUP moving forward. While I appreciate the concerns that the immediate neighbors are raising, I dislike the 11th hour attempt to scuttle the effort when it has been known what the project is for over a year. The immediate neighbors bought homes in direct proximity to a commercial area; their ongoing efforts to prevent legitimate commercial activities from happening is detrimental to the ongoing development and vitality of the neighborhood. This project is a vast improvement over what was there previously and to the big pit that was there before construction began.

I for one look forward to the development and to the introduction of a long-standing Alexandria restaurateur to Del Ray.

Name Omitted for Privacy

18) Jill:

Lee

Please let the appropriate people know that my family is very supportive of Mr. Anderson's application for a new restaurant in Alexandria. We moved to Del Ray for this type of experience and believe Pork Barrel will greatly add to the atmosphere of our little neighborhood. We always patronize the shops and restaurants in Del Ray and we hope that the folks in charge will do the right thing and allow Mr. Anderson to open up shop. I can assure you that everyone I have spoken with (many, many people) are elated at the prospects of a good BBQ restaurant in town.

Best regards,

Name Omitted for Privacy

19) I have been observing the discussion that has been swirling around the new BBQ operations coming to the Avenue. As a resident of Del Ray for over 22 years, I truly have seen the transformation of the Avenue from the days when the ONLY options for dining were Los Amigos and the Snuggery! My husband and I chose to start our family in Del Ray and as the neighborhood evolved around us, made the commitment to renovate our home and raise our children (now ages 17 and 13) in a neighborhood that is more like an extended family. Having said this, we are FIRM supporters of the proposed BBQ restaurant. We feel this would be a welcome addition to the Avenue, help create a few local jobs and support a local business owner, all at the same time. I am sure that the business owners are sensitive to environmental concerns and will abide by whatever reasonable, mandated controls are needed, but feel confident that there are not onerous provisions that would make it cost prohibitive for a local business owner to comply.

I also feel that the vocal opposition is truly a minority and the majority of residents truly support this positive addition to the Avenue. I applaud you for encouraging us to be sure a balanced point of view is communicated to both Mr. Anderson as well as city officials. Thank you for your leadership in helping the Avenue achieve its potential.

Regards,

Name Omitted for Privacy
E. Bellefonte Avenue
Alexandria, VA 22301

20) Jill:

Thank you for offering to accept comments about the proposed new restaurants on the Avenue. My husband I are very excited about the prospect of a new set of restaurants. We wholeheartedly support their addition to our neighborhood. Personally, I am especially excited about a sushi place, as I haven't found a place that I love in Alexandria yet, even after several years of trying. I have high hopes pinned on this new restaurant. We are also thrilled about having a local BBQ restaurant and can't wait to line up to try it. Please count us in the 'support' column.

Thanks,
Name Omitted for Privacy
Manning St.

21) Jill,

I have been following the listserv discussion about the Pork Barrel BBQ and have not been interested in getting involved in that discussion for a number of reasons. I do support the business becoming a

part of our neighborhood. I bought in Del Ray in 1985 when it was not the trendy place to be but rather a diverse neighborhood with great houses. The changes that have come about are wonderful and I think that this new business is being done in a very considerate, thoughtful way.

Please add my voice of support as well as my partner's, Patti Lieblich, when you compile your list.

Thank you.

Name Omitted for Privacy

E. Raymond Ave.

Alexandria, VA 22301

22) Hello All!

Here is the note that is going around about the new Bar B Que Restaurant being built on Mt. Vernon & Oxford. I am going to send a note to the parties at the city and throw my full support toward the new business, as it stands. Del Ray is rapidly gaining a reputation as "anti-business" and difficult to work with. It seems to me that if some folks had these misgivings then why didn't they just say so before this new business went to all of the time to do the research, develop a business plan, go through the arduous permit process that the city requires, etc. Throwing up road blocks at this late date will only delay, deter, and perhaps cause this new venture to locate elsewhere.

Del Ray is a vital and eclectic part of Alexandria and we should continue with diversity throughout the community, including the business community. Certainly this business has met and is meeting all necessary codes that are in place. I am certain the city is and was mindful of the requirements of this particular restaurant, before they granted the permits to move forward.

We don't need another Tarot card reader, massage or yoga institution in Del Ray. Please send this note to anyone you think that can support the new business as it is. Note the hearing and meeting date for the land use committee.

Name Omitted for Privacy

Commonwealth Avenue

Alexandria, VA 22301

* NOTE – THIS RESIDENT ATTACHED TO HER MESSAGE A COPY OF A LETTER THAT WAS PUT IN HER MAILBOX BY A GROUP OF CONCERNED CITIZENS.

23) Jill -

Thank you for your always well-written contributions to the community discussion on the list serve. Given constraints of family life we likely will not be able to make it to the session tonight. Please pass on to Mike our sincere support for his project. We look forward to partaking of all of the options, but particularly to the barbeque.

We've reviewed the SUP (although have not looked at the actual plans, just the text of the request) and do not have a problem with any of the various requests that seem to have been met with dismay from the immediate neighbors. The delivery schedule seems reasonable and the early hours/Mt Vernon Ave

lee

drop off seems to be specifically designed to not bother the residential neighbors. And we think the walk up carryout window is an excellent idea: no more having to get kids out of strollers to go inside and pick up food! The only thing that struck me as disappointing was the fact that he apparently will have "lots of big TVs" inside. We don't like to be forced to watch TV while we eat -- but that is a personal preference of ours that is easily solved by simply doing carry out rather than eating in, and is not something that need be addressed in the SUP process. As for the smoke/exhaust issue, we think there are probably some legitimate concerns there, but we trust that will be worked out between Mike, the city, and the immediate neighbors. Seems to us that asking for some special equipment similar to what other BBQ places use is not completely out of bounds and hope there is a compromise to be reached on that point.

We take great pride in the fact that we do as much of our shopping and dining in Del Ray as we can in order to support our wonderful businesses. We know that the process of bringing an new business to the Avenue is not an easy one, and we thank Mike and his partners for working so hard to be a part of our community. We can't wait for the grand opening.

Name Omitted for Privacy
Dewitt

24) To Whom It May Concern:

Both my husband and i strongly support the idea of the SUP application for Pork Barrel BBQ. We had met both Mike and Brett Thompson at a December DelRay sidewalk event, and were so impressed by their plans for the neighborhood, their enthusiasm for its location in DelRay and of course, their products. ANY addition to a new institution in DelRay, particularly run by someone so knowledgeable in restaurant/customer relations, pride of place and overall "good person-ness" should be welcomed with open arms.

Name Omitted for Privacy
West Oak Street
Alexandria 22301

25) I wholly support Pork Barrel BBQ and the two other restaurants coming to Del Ray. They will be wonderful additions to our community that will provide even more locations for us to meet up with our neighbors and draw business into Alexandria. I'm so excited for these new establishments!

Name Omitted for Privacy
E Nelson Avenue

26) Jill:

I don't think we have met, but my american express and your fabulous store are the best of friends. I am days away from having baby #2 and I am counting down until I can enjoy one of your fabulous varieties of blue cheese and a glass of wine!

Thank you also for your email below that was forwarded to me. My husband Chris is at the meeting right now and I wanted to make sure and email you our comments.

I hate to say I have been waiting for the immediate neighbors of this project to try and stop it and I do congratulate them on their creativity of claiming that bbq causes more air pollution than a gas station with underground tanks that do not comply with today's standards. I am sure they are not complaining about what our own homeowner's insurance company, Travelers, says would be a deduction in insurance as a result of no longer living next door to a gas station.

We have been eagerly awaiting the ability to walk to two more restaurants rather than having to get in our car, albeit a hybrid, and drive to Arlington. Alexandria rolled out their BUY ALEXANDRIA plan over a year ago, and we would like to do nothing else but buy in Alexandria, but businesses are not met with a welcome mat. I am concerned that if we continue to run businesses out, then our taxes will continue to increase and business owners like yourself will have the American dream taken away by the loud voices of a few.

I am a native Texan and grew up in Dallas. On one side of Highland Park was Dallas Love Field Airport, home to Southwest Airlines and most private aviation in Dallas and on the other to world famous Dickey's BBQ. My parents purchased a home in that neighborhood because they could teach us to support our local businesses, to have a short commute to work and to not spend their lives in a car. I spent the first 18 years of my life in that house, watched my father run marathons and neither my brothers or myself suffer from any breathing problems. My parents didn't purchase a home only to claim the airport needed to be shut down. Fast forward more years than I would like to count and my husband and soon to be 2 children have lived in Del Ray for almost 9 years. I am an active volunteer with the Campagna Center and chose Del Ray over the Spring Valley neighborhood in D.C. and Arlington so we could leave our hybrid in the driveway on the weekend and walk to stores, restaurants and pretty much anything else we need. Do I wish we had a little more room in our house? Yes. Would I trade the ability to walk to great businesses like yours and Kiskadee whenever I want? Not a chance.

I find it odd that the very same people who now claim the NY Times should be trusted on all things air pollution are the very same people who claimed the NY Times could not be trusted when it stated Alexandria schools were among the worst in the country.

As a taxpayer I hope the city truly thinks about the message it is sending to businesses choosing to relocate: if someone like Mike Anderson is told he is not welcomed in the neighborhood as a result of a few loud voices, will the city make those few people pay for the loss of revenue? One business, if successful will generate tens of thousands of dollars in tax revenue for the city. I hope these people who think they should determine what the rest of us want in a neighborhood are willing to pay the cost of lost revenue.

Mike Anderson is not just a business owner, but a great corporate citizen. There has NEVER been a time when I have asked him to support a Campagna Center event that he has not gone above and beyond the request and done more. His participation did not require a threat, a city code, but merely his desire to not only be a businessman, but a good neighbor. At a time when the city is more dependent than ever before on non-profits like the Campagna Center to provide services to our most disadvantaged citizens, do we really want to send the message that less is more? I urge the committees considering this request to drive down Oxford and take a look at what vehicles these "concerned environmentalist neighbors" drive: sports cars with terrible gas mileage, huge SUV's and minivans. I can tell you what you won't find: hybrids, water reclamation barrels, full recycling bins on pick up days and I know first hand from speaking to some of these people anything green that costs more because "it is not required by law." It is too bad they don't live by the same standards they expect businesses to meet.

As a taxpayer, I am anxious to see how the city handles Mr. Anderson's request. We cannot expect for a few businesses to pay for the services everyone wants from their local government. I would hope that the decision makers realize that while a small group may be shrill and loud, it does not make them correct. I will not be able to attend the meeting in April as I will

be having another baby. I do not want my absence to be taken as agreement with the opponents of this project. I wholeheartedly support ANY BUSINESS, even the ones I don't agree with, who are willing to come to Alexandria, pay taxes and risk their financial future to build something we all can enjoy.

Please know that we support Mike Anderson's two new restaurants and cannot wait to spend our money there and help the Alexandria economy. If they aren't able to open we will have no choice but to continue to drive to Arlington and Shirlington for BBQ and Asian fusion.

I hope common sense wins out of over the Not In My Backyard Mentality.

Name Omitted for Privacy

27) Let them start the restaurant for pete's sake. We need entrepenures to start businesses here. Business brings jobs and lord knows we need more of those. The City of Alexandria isn't the most business friendly place on earth. I was a small business owner at one time and I seak from experience. I finally had enough and closed shop. Don't let this opportunity slip away. A BBQ Restaurant will bring more people into Del Ray and that is something we need. I whole heartedly support this endeavor.

Name Omitted for Privacy
W. Del Ray Ave

28) Jill,
Thank you for your efforts to provide a hospitable and vibrant atmosphere for local businesses. My family chose Delray as our home in great part due to the small businesses that line Mount Vernon Avenue and I am grateful for the opportunity to voice my wholehearted support for Mike Anderson and his restaurant.

Not only are we excited for the opening of another unique, independent business in Delray -- we can't wait to have great BBQ just a few blocks away! I am confident that, like our other entrepreneurs, Mr. Anderson will be an active participant in our neighborhood and will have the greatest respect for those who live in close proximity to his business.

As citizens of Delray, it is our responsibility to welcome those who want to make-up the backbone of our community. Things are already hard enough for small businesses in this country, we certainly should not be throwing up additional obstacles for those who are willing to take a risk and start something of their our own.

Please let Mr. Anderson know that as far as I am concerned he can't open fast enough and I look forward to being loyal and regular patron. And, thank you for Cheesetique -- it is truly perfect.

Sincerely,
Name Omitted for Privacy
Stewart Avenue
Alexandria, VA 22301

29) I would like to express my support for the Pork Barrel. The addition of a new cuisine to Delray is a benefit to Delray for a variety of reasons. Occupied storefronts make the Avenue more appealing and

will draw additional customers for all of the business on the Avenue. In addition, a new cuisine also will draw new customers to the Avenue.

An increase in visitation increases the surviveability of all establishments on the Avenue. Far too many long-time retail stores have closed or relocated and far too many of the new shops shutter their doors for a lack of sales.

I urge the approval of the Pork Barrel's request.

Name Omitted for Privacy
East Mason Ave

30) Thank you, Jill, for making me aware of this issue. I'm also a ten-year resident of the Del Ray community. One of the pleasures of life in this fantastic neighborhood is the walking-distance accessibility of so many wonderful businesses (with Cheesetique at the top of the list, thank you very much!).

I've been looking forward to the arrival of Pork Barrel in our neighborhood since I heard about it over a year ago. I have full confidence in Mike Anderson's commitment to operating a successful and responsible business that will be a boon to residents and shop owners alike. I support Mike's SUP application and hope that he'll be able to open his restaurant on-time.

Thank-you --

Name Omitted for Privacy
West Braddock Road

31) I, for one, think BBQ is a much needed addition to the Del Ray business community. As an avid BBQ fan, I attended the preview of the food during Meat Week 2010 and his beef brisket is outstanding.

I know that NIMBY interests may ban together as they have across the country in opposition to BBQ restaurants. Even in the NY City, where there's well-funded community opposition to change, compromises have been struck and BBQ businesses were allowed to thrive. It would be a shame if Del Ray were to discourage the very diversity that has been part of making it an interesting place to be.

Name Omitted for Privacy

32) Mike,

Anything worth having is worth the fight to get it, right? I'm really looking forward to your new eateries opening up on Mt. Vernon Ave. I know many others in the neighborhood are as well. Unfortunately, the vocal few that can't wrap their head around things may squeak the loudest, Remember that there are many others that want you to succeed.

I'll certainly be visiting at least 1 of the new establishments in the first month you are open, and looking forward to all 3.

Name Omitted for Privacy
E. Mason Ave.

33) Jill,

Thanks for posting on the Rosemont Listserv.

I'm writing to express my support for the SUP application for Pork Barrel BBQ on Mt. Vernon. I believe the neighborhood would benefit greatly from this business, and that any serious difficulties raised in its development can only hinder further development of Del Ray and Alexandria as a whole.

Please convey my sentiments to the Land Use Committee, the Planning Commission, and the City Council.

Sincerely,

Name Omitted for Privacy

34) Hi Jill,

It has come to my attention that you are compiling letter of support for the opening of Pork Barrel BBQ on the Avenue to share with the Land Use Committee, the Planning Commission and the City Council.

As such, I would like to express my strong support for Pork Barrel BBQ on the Avenue. I have been living close to eight years in the Del Ray neighborhood and three years in the Avenue Flats on Mt. Vernon Avenue. It has been wonderful to seeing the Del Ray neighborhood grow during this time with the opening of more and more businesses - including Cheestique!

My wife and I cannot wait for the opening of Pork Barrel BBQ - even if it means that we will need to watch our waist lines. We are huge fans of the rub and feel confident that this new establishment will only add to the vivacity and charm of our neighborhood.

Please let me know if I can add or clarify to my statement of support.

Many thanks,
Name Omitted for Privacy

35) Jill,

I would support approving the docket to allow Pork Barrel barbecue to begin operations. The one minor concern that I had (live entertainment) was addressed to my satisfaction in the text of the docket. Given these tough economic times, I think it is should be applauded when any new business venture decides to set up shop in our area. I understand the concerns of some of the other citizens, but believe the benefits outweigh the

unsupported concerns raised. I just hope that the concerns raised by a vocal minority do not impede the project from moving forward.

Thanks,

Name Omitted for Privacy
West Mount Ida Avenue
Alexandria, Virginia

36) Jill,

7 years ago when my husband and I moved back to the Washington, DC area from California, we very specifically focused our sites on the DelRay neighborhood. We love the "anywhere USA" feel of our little community and the local businesses that serve the area. We are now in our second house in the DelRay, don't plan on leaving anytime soon, and are actively trying to talk friends looking at new homes into moving nearby.

One of the main attributes that we point to in our DelRay "sales pitch" is that we do not have to get in our car on the weekends. We can walk to the coffee shop, the Farmer's Market, the cheese store, our favorite Mexican restaurant, and even a little neighborhood bar, if the spirit moves us. We would love - love - love to have a BBQ and Asian restaurant to add to our list of favorites in the neighborhood, especially ones that are being run by local entrepreneurs that have specifically chosen to be in DelRay.

Furthermore, the recent economic downturn has shown that the City of Alexandria cannot rely on personal property taxes to run our local government, we need economic growth and we need jobs in Alexandria.

It is my sincere hope that negative comments of a few squeaky NIMBYs won't ruin the chances for the rest of us in the community that are really looking forward to a new delicious neighborhood food joint!

We really appreciate the efforts that have been taken to date to listen to folks in the area. Please let me know how we can support your process moving forward.

Sincerely,

Name Omitted for Privacy

37) Following up on last night's meeting at the rec. center, we just wanted to say that we think a "poll" about whether or not your proposed restaurants should be "allowed" to stay open until 2:00 am is a bad idea and, the idea of issuing you a permit based on that poll is even worse.

The big issue is that there is simply no way to give context to a poll and that's what this question deserves - context. We are not your 2am late night drinking customers (way past our bedtime) but why shouldn't other folks have the opportunity if they want it - and have it in the neighborhood. In fact, if we had gotten the poll without the benefit of last night's discussion we probably would have thought "why do they need to be open that late?" You explained it, it make perfect economic and demographic sense, and we support you.

Secondly, as much as we support and applaud the DRCA for their excellent work, not everyone in Del Ray belongs to the association, which means of course that not

everyone in Del Ray would have the chance to vote. Third, there are many residents of our larger community - Rosemont/Beverley Hills/Warwick Village/Arlandria - who would also not be a part of the poll. As special as Del Ray is, we are not an island and we need to look to the larger community that contributes to the economic vibrancy of the area.

Fourth, the community (large and small), is going to tell you by their presence whether or not they want a 2:00am closing time. You all are smart business guys, if folks aren;t showing up past midnight, we can't imagine that you will stay open just for spite.

And just for the record, we are behind you 100%

Name Omitted for Privacy

21 year residents of East Howell Ave.

38) Jill,

Thanks for your email on Pork Barrel barbeque. I have lived in Delray for over 20 years. For a long time the area struggled to move forward. It seemed that whenever one business opened, someone else had to shut his doors. Over the last decade however, the "Avenue" has begun a slow, but steady march forward and I would like to see that progress continue. I think the current state of development is more fragile than may be obvious. Especially in the current economy, it would be easy for the Avenue to start to slide backward. More restaurants would be a real plus, as it would increase the vibrancy and stability of the neighborhood, and bring new jobs.

I was unable to attend the Wednesday evening presentation, and will probably be out of town on April 8th. But I would like to support Mike Anderson's application to the city to open his new restaurant. What is the best way to do that? Write letters to the appropriate city agency?

I have one request for Mr. Anderson. My friends and I are mostly over 50, with no kids at home, and the frequent desire to eat out after work. But many of the newer restaurants in the area are so loud that we can't chat and leave feeling more tired than when we entered. La Strata has wonderful food but I have pretty much given up going there as it is so loud. Del Merie and Evening Star are the same. I went when they first opened, but stopped going because we couldn't talk. So my request is, "Please, invest some money in sound engineers and sound moderating materials and build a restaurant I can enjoy visiting."

Thanks ,

Name Omitted for Privacy

East Luray Avenue

Alexandria

39) Hi Jill,

We saw your email on the listserv. We would love to have a Pork Barrel BBQ in Del Ray. We look forward to new restaurants and businesses, and love being able to walk places close by. We are supporters without knowing many of the details either way. Our biggest impediment to getting more involved is a lack of time (just having had a baby). Thanks!

Name Omitted for Privacy

236

40) Jill:

I don't think we have met, but my American Express and your fabulous store are the best of friends. I am days away from having baby #2 and I am counting down until I can enjoy one of your fabulous varieties of blue cheese and a glass of wine!

Thank you also for your email below that was forwarded to me. My husband Chris is at the meeting right now and I wanted to make sure and email you our comments.

I hate to say I have been waiting for the immediate neighbors of this project to try and stop it and I do congratulate them on their creativity of claiming that BBQ causes more air pollution than a gas station with underground tanks that do not comply with today's standards. I am sure they are not complaining about what our own home owner's insurance company, Travelers, says would be a deduction in insurance as a result of no longer living next door to a gas station.

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I find it odd that the very same people who now claim the NY Times should be trusted on all things air pollution are the very same people who claimed the NY Times could not be trusted when it stated Alexandria schools were among the worst in the country.

As a taxpayer I hope the city truly thinks about the message it is sending to businesses choosing to relocate: if someone like Mike Alexander is told he is not welcomed in the neighborhood as a result of a few loud voices, will the city make those few people pay for the loss of revenue? One business, if successful will generate tens of thousands of dollars in tax revenue for the city. I hope these people who think they should determine what the rest of us want in a neighborhood are willing to pay the cost of lost revenue.

Mike Alexander is not just a business owner, but a great corporate citizen. There has NEVER been a time when I have asked him to support a Campagna Center event that he has not gone above and

beyond the request and done more. His participation did not require a threat, a city code, but merely his desire to not only be a businessman, but a good neighbor. At a time when the city is more dependent than ever before on non-profits like the Campagna Center to provide services to our most disadvantaged citizens, do we really want to send the message that less is more? I urge the committees considering this request to drive down Oxford and take a look at what vehicles these "concerned environmentalist neighbors" drive: sports cars with terrible gas mileage, huge SUV's and minivans. I can tell you what you won't find: hybrids, water reclamation barrels, full recycling bins on pick up days and I know first hand from speaking to some of these people anything green that costs more because "it is not required by law." It is too bad they don't live by the same standards they expect businesses to meet.

As a taxpayer, I am anxious to see how the city handles Mr. Alexander's request. We cannot expect for a few businesses to pay for the services everyone wants from their local government. I would hope that the decision makers realize that while a small group may be shrill and loud, it does not make them correct. I will not be able to attend the meeting in April as I will be having another baby. I do not want my absence to be taken as agreement with the opponents of this project. I wholeheartedly support ANY BUSINESS, even the ones I don't agree with, who are willing to come to Alexandria, pay taxes and risk their financial future to build something we all can enjoy.

Please know that we support Mike Alexander's two new restaurants and cannot wait to spend our money there and help the Alexandria economy. If they aren't able to open we will have no choice but to continue to drive to Arlington and Shirlington for BBQ and Asian fusion.

I hope common sense wins out of the Not In My Backyard Mentality.

Name omitted for privacy.

The following 18 emails were posted to the Del Ray Citizens Listserv. As such, I did not remove identifying information (these messages were posted to the entire community).

1) Hi Jill

Add me to the list of supporters. I love to see new businesses and life coming to the neighborhood. Thanks for taking the time to write such a thoughtful message to the list serv.

Best regards

Mary Denby

2) In the spirit of healthy debate and community involvement, I'd like to express my support for the addition of the Pork Barrel BBQ Restaurant to the Avenue.

Jill makes some excellent points regarding Mike and his dedication to the communities in which he invests. I think the same thing can be said about Brett who started Pork Barrel BBQ as a spice rub company right here in Del Ray. He's lived here for quite some time and has a genuine interest in ensuring our community is one of which people can be proud.

Pork Barrel BBQ is exactly the type of business we need to have here in our community - local,

responsible and involved.

Allison Anderson
Del Ray resident

3) I stand in enthusiastic support of the new restaurants.

I have known Mike since 1972. He is a responsible and caring friend, neighbor, husband, father, church-member. He has been recognized for his community involvement. He is a man of his word. Mike will do the right thing. He is sensitive to issues and is committed to being an active partner in Del Ray. I have no doubt he will actively comply with all regulations and will be involved in Del Ray community.

I agree folks have the right to ask questions about environmental issues and I support this right.

I tried the new BBQ at it's debut and can hardly wait for my next taste. Sure beats a gas station.

Wayne

40-yr resident of Alexandria and regular Del Ray patron.

4) I support the restaurants coming to the Avenue. No situation is perfect, but I've met folks from the BBQ place a couple of times. They're so excited to be coming to the area. Just the fact that they're going through the extra step of having the open house Wednesday night speaks volumes. Gives me the impression that they will try to be the best neighbors they possibly can.

Nikki

7 year Del Ray resident

5) Hi Jill, I would like to thank you for your work on this issue and for your eloquent and well-reasoned postings to the group. Please add my name to those in support of the new restaurants. We should be appreciative of local business owners that want to work with their neighbors. I have my doubts about whether the likes of Walgreen would (will?) do the same.

Jessie Kamens
25 W Uhler Ave.

6) I want to add my support for the barbeque restaurant in Del Ray. Del Ray has become a wonderful place to live and is attracting more and more families. However, there are not many places we can go out to eat as a family. We've been looking forward to a family restaurant in our own neighborhood that we can support. In addition, I know that several families on my street have been eagerly anticipating the opening of the barbeque restaurant as well. It will be nice to be able to keep it in the neighborhood when we go out to eat instead of having to drive over to Arlington.

Carol Lyons
W. Windsor Ave

7) Jill,

My family and I are also in support of Mike Anderson's new restaurants. We look forward to them opening.

Daniela Spigai, Chris Pfeifer, Jackie, Lily, Zane and Miller (our orange tabby cat who is well known in the hood).

8) We too support the new restaurants. This is why we love Del Ray and have stayed for 15 years...

Rebecca Underly
Duncan Ave.

9) Jill,

My husband and I also enthusiastically support all three new restaurants proposed! We love putting our kids in the stroller and going to the farmers market, Cheesetique, Evening Star and Dairy Godmother and are excited to try the new places when they open, especially the BBQ!

--Laura Hastert
Russell Road

10) I'm just waiting to make my own Pork BBQ (from Pork Barrell) on Fancy Cheese (from you) sandwich!

Thanks for being a rational voice.

Steve Mostow

11) i for one welcome our pork-based overloads

John Scott

12) Thank you to everyone who welcomes and mentors new business in Del Ray -- I appreciate it as a customer, property owner, and generally just a citizen who is gladdened to see signs of a healthy economy. Plus, I love food -- the more of it I can have near to me the better (even though I'm a vegetarian, I can still like the idea of the diversity that BBQ brings to the Del Ray scene).

Thank you to everyone who lets us know ahead of time about some of the pitfalls experienced by people who have opened BBQ restaurants. Mike Anderson likely has benefitted from this heads up as much as anyone!

I very much support these restaurants coming in. I very much support them having adequate control technology to not adversely affect the health and property enjoyment of my neighbors. Let's have both happen.

Please don't make the people raising the matter of control of particulate matter feel like they are being called unreasonable and alarmist. I am a generally healthy person who's never been under treatment for respiratory problems. At times when I have been exposed to an extra dose of fine particulate matter (working in a building that had a small kitchen fire 8 floors down over the weekend, living in West Philly, having the little accidental house flare up here and there, stoking up a fireplace or firepit, or when neighbors stoke up theirs) I've developed respiratory problems that sometimes last for weeks after exposure. [My co-workers wanted to sue the restaurant for imposing my five weeks of coughing on them (don't panic, there were joking).] We often think of the smoke that we produce when we are being cozy or making delicious food as good, positive, happy smoke; but smoke is smoke, folks. There are many Del Ray residents who are far more sensitive to respiratory irritations than am I. I don't know that we can say for sure that environmental and zoning laws always keep up with what we know about the impacts of certain things -- like fine particulate matter -- on the health of our environment.

Please remember: the law is the floor, not the ceiling, on our expectations for a healthy and enjoyable environment.

I'm feeling pretty confident that Mike Anderson, the Del Ray business community, the restaurant's neighbors, and the rest of us will ensure that we have three more delicious options and no adverse aesthetic or health effects. So, thanks again.

13) It'd be great to have a good BBQ restaurant on The Avenue, and most people I know (including me) won't mind the smoked part of it so long as it doesn't interfere with our ability to enjoy sitting in front of Dairy Godmother and slurping on our desserts. I can't imagine the city would allow an activity that would be polluting enough to actually disturb the neighborhood.

Verenda
113 E. Luray Ave.

14) looking forward to a new restaurant in Del Ray, about time we had a bar-b-que joint.

Also there has been some worries about air pollution, etc.

We receive much more pollution from being right next to route 1 and national airport, than any restaurant can ever produce (early AM you can smell the gas).

15) Hmmmm...

Pulled pork roll? Unagi and coleslaw sandwich?

The possibilities are endless!

16) I am in favor of the restaurants and feel that the owner Mike Anderson is doing all he can do to provide a stable business and environmentally safe environment. I vote YES

17) Jill -- Count us among the enthusiastic supporters of these new restaurants! My only concern is that now my husband will insist that we eat BBQ every night.

One of our favorite things to do with our family of five is to stroll/wagon down to the Avenue for a good meal. It is one of the primary reasons we moved to the neighborhood, and it is one of the things that will keep us here for the long haul. We are looking forward to seeing you all, our great neighbors, at Pork Barrel soon (or Los Tios, or Evening Star, or Dairy Godmother . . .)

Jennifer and Mike Semko
Alabama Ave.

18) My husband and I are in support of Pork Barrel BBQ.

Hillary & Robert Peak
215 E Oxford Ave

RE: Q (BBQ Restaurant Pork Barrel referred me too)

Lisa Donofrio

to:

Ashley Klick, Nathan Randall, Laura Eckel, erica.bannerman, Amy or David Fromm, elizabeth.ross

04/07/2010 09:40 AM

Show Details

Thanks, Ashley:

I did talk to Mr. Hall about wood and he stated they plan to use seasoned wood.

This makes me more concerned, not less.

1. They are in a commercial, not residential area;
2. Even the owner seems to acknowledge the smell could be considered a nuisance;
3. Do the applicants have enough experience with this machinery to operate it to meet demand and keep it clean as often as it needs to be cleaned for health, safety, and prevention of nuisance odors?
4. From this and my research, it seems as if this smoker will be utilized at least 15 hours a day, not the ten to twelve as proposed. What if that is not enough to keep up with demand?

Date: Tue, 6 Apr 2010 13:18:11 -0700

From: amkdc05@yahoo.com

Subject: Q (BBQ Restaurant Pork Barrel referred me too)

To: alsdmf@earthlink.net; Nathan.Randall@alexandriava.gov; barbara.ross@alexandriava.gov

CC: lisadonofrio@hotmail.com

At the suggestion of Hog Thaid (Mike, Brett and Heath specifically), I contacted David Butler of Q in Midlothian, VA (<http://www.qbarbeque.com/QRestaurants.html>). He operates 2 of the same Southern Pride systems (for 120 seats) that Pork Barrel proposes to use. Heath and Brett thought it would be a fair comparison to what they propose to operate.

I had a very nice conversation with David today and I would like to share my notes:

1. They are located in a commercial area between Sam's Club and Wal Mart. Open daily until 9pm.
2. They have 2 stacks in their chimney, 1 return air and 1 vent to pull the smoke. It is a hood system fabricated with a draw and return system. They use dry wood- green wood, approximately 1-2 years old that burns quickly and cleaner than wet wood (which is what I understand Pork Barrel proposes). They use their system for 12-15 hours daily overnight. They turn it on at 5pm and unload at 9am. They use it for quick burn items like ribs and chicken during the day for 3-4 hours.
3. They have it professionally cleaned 4x a year and clean the stack themselves weekly. He said that if you did not clean it regularly you will have really black smoke.
4. He said that until he spoke with them last week he had not given much thought to the smoke, etc. since they were in a commercial area. His thoughts were that if there is no ventilation you would definitely smell it before you saw the smoke. There is smoke, although in his opinion it was not dark smoke because they clean it, and he did state that they have had problems with intake back into the restaurant because no system is perfect.
5. He agreed that if he lived near this restaurant he would be asking these same questions and understood where we were coming from... but he also wanted to be cautious in his remarks because he likes these guys.
6. He suggested that I call a national chain like Famous Daves to see what they do with any restaurant in a residential area. I left a message with an operations VP today. He also referenced the story of Blue Smoke in NYC and what the city made those guys do as part of their clean air act which I believe Lisa McNichols has already shared with you. (<http://nymag.com/content/02/wk22/review.htm>). I have a message in for Danny Meyers

the owner of Blue Smoke.

From Mr. Butler's perspective he thought the odor would be more immediately bothersome to residents than the smoke. He did say that he has no information about health risks associated with wood smoke.

So, I am still left with many questions. One of my concerns remains that Mr. Anderson et al have never used this Southern Pride equipment. If this was their 2nd or 3rd restaurant and they said "trust us, we will do right by Del Ray" I would be more inclined to do so. The reality is that Hog Thaid is still vague as to how many hours the system will operate...what the odors will be (this man they said to call said there will be odors).... what the smoke will be like, especially for my family 30 feet away, and what they will do to "do right by Del Ray" if there are problems.

I will share with you my conversation with Famous Daves if and when they call me back.

Thank you for your time,

Ashley Klick
703-362-4204

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

The New Busy is not the too busy. Combine all your e-mail accounts with Hotmail. Get busy.

244

FW: Update on BBQ research and some questions
 Lisa Donofrio
 to:
 barbara.roaa, Nathan Randall, erica.bannerman
 04/06/2010 05:13 PM
 Show Details

I sent this to Mr. Gillespie of DEQ.

From: lisadonofrio@hotmail.com
 To: william.gillespie@deq.virginia.gov
 Subject: Update on BBQ research and some questions
 Date: Tue, 6 Apr 2010 14:14:37 -0400

Mr. Gillespie:

Good afternoon. I just thought I would check in and give you some more information and see if you could answer a few questions.

1. Was Mr. Anderson able to give you the technical information he requested?
2. You sent me some language about Best Available Control Technology. I was wondering where this is codified so that I could reference it in a letter to the City?
 Also, are there any federal regulations that control emissions and/or odors in the restaurant exhaust context. Someone told me to check OSHA. I also read that the federal government regulates all particulate matter less than 10 microns in diameter. I do not know what that size, nor do I know, despite being worried about my property and health, if the feds should be monitoring output of a local restaurant, but I remain curious.
3. I read with interest your referenced article regarding cooking at high heat. I found the following about a study performed by Tom Kuehn,, a colleague of Professor Gross's. His study revealed that high heat wok cooking is among the most dangerous regarding air quality and emissions. Needless to say, we are concerned about that as well and wonder how that will factor into your recommendations regarding ventilation/odor and emission control requirements. Here is a link:
<http://news.discovery.com/human/fatty-foods-cooking-health.html>
4. In addition, I would like to let you know that I spoke to a representative at Southern Pride. She said they have certain add-ons that filter. They do not contain any "impingement" devices or carbon filters for odors, or "electron collector cells" recommended by the expert (David Kuck) referenced in the document I sent to you. However, Mr. Kuck read the specs of the SPK-500 and stated that whatever exhaust system they sell, it will still produce straight, unfiltered exhaust. So I do not understand the discrepancy. He also said whatever they provide will have no effect whatsoever on odors. The rep acknowledged that. The SPK-500 can smoke up to 500 pounds of product and can be stopped mid-cycle for cooked meat to be taken out, refilled and started over. It is programmed for a full cooking cycle of 10 - 12 hours, but the cycle can be interrupted and uncooked meat can be refilled and the cycle can be reprogrammed. The gas keeps firing until the smoker reaches its set point. Depending on how often the door to the smoker is opened, the gas will have to be refired until the set point is again reached. Most places will use their smoker 15 -16 hours per day. The smoker will not smoke the whole cycle - more often in the first half, but I believe if the cooking cycle is restarted then new wood must be added, gas fired and the smoke begins again. This is my understanding. I may be wrong.

I

I also spoke to someone in the NY restaurant (Smokin' Al's), the neighbors of whom had such awful problems. I provided those articles in the document I sent to you. He confirmed that the smokers they use use about 5 or 6 3"x3" wood *chips*. They do have multiple smokers, but I do not know the size. I assumed they were small. So, even if you used 30 chips in five different smokers, that would not even add up to one log's worth of wood. If Mr. Anderson is arguing that an all-wood smoker produces less smoke because they use less wood then, then a handful of wood chips per smoker would produce way less smoke than wood logs. That turned out not to be the case in NY, despite the fact that the owner had a filtration system. I asked him about all the controversy and he said that if you catch a down draft of the wind, "of course the smoke is going to go into the houses" that were most near the restaurant. I neglected to ask the model, but assume they were smaller. Nor did he say how often they were operated. When I called back to ask about specifics, another gentleman was unwilling to give out any "proprietary" information. They use Cookshack smokers. I called Cookshack and they said their models make very little smoke. This, of course, flies in the face of the articles and actual hearing testimony from residents who described a pretty bad two years of smoke and odors and health problems, unrentable property and drycleaners' clothes smelling of barbecue. 'Needless to say I am confused about that.

We would like the City to require and adequate odor controlling system and particulate/smoke mitigating system.

While there are no regulations that speak specifically to adequately ventilating and cleaning exhaust in Alexandria, the Alexandria City Ordinance does state the following:

Section 11-504 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 broad 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.

There are the general requirements to control smoke and odors as well. Do you believe it is possible to have the City require more than exhaust fans directing smoke away from residences. After all, the wind takes this stuff where it wants? Maybe eve into the vents of businesses next door, one which sells clothing that could absorb smoke and odors, and one of which makes baked goods and delicious custard..... Are you familiar with any such particular provisions placed on businesses before opening, either in Alexandria or in another county close to here or in DC? I think you mentioned something about a Popeye's....

Sorry for the length.

I appreciate your help. Feel free to forward this on to whomever. I am finding things out every day but have had little time to absorb it all as I have three kids and they are my real job....

Sincerely,
Lisa McNichols

The New Busy think 9 to 5 is a cute idea. Combine multiple calendars with Hotmail. Get busy.

The New Busy think 9 to 5 is a cute idea. Combine multiple calendars with Hotmail. Get busy.

247

RE: Special Use Permit #2010-0011: Hog Thaid, LLC

Brian Shellum

to:

landuse, Barbara Ross, cicely.woodrow, graciela.moreno, elaine.scott, nathan.randall, gwen.wright

04/06/2010 08:44 PM

Show Details

I am a member of the Del Ray Citizens Association and have lived in Del Ray for over nine years. I have a son in high school and a daughter in college.

I have read SUP request 2010-0011 for Hog Thaid, LLC. I love BBQ and am anxious to have it available on the Avenue. I support the SUP as long as modifications are made to the open hours. I do not think hours until 2:00 am are consistent with the Del Ray neighborhood environment and am not aware of any other Del Ray restaurants open into the morning hours. I think these hours will disturb residential neighbors, including children, who need a good night's sleep particularly during the work-week and on school nights. I have a teen-aged son who attends high school at T.C. Williams.

I am also concerned that these extended hours may increase crime as statistics show that most crime occurs in the early morning hours. I ask that you consult the Alexandria police for input on this issue.

I think it would be best to approve hours that are consistent with other restaurants in operation on the Avenue.

I support Del Ray businesses and almost never leave the Avenue to dine. I wish this business great success, yet not at the expense of the character of our neighborhood.

Sincerely,

Brian Shellum
1410 Mount Vernon Avenue
Alexandria, VA

248

Special Use Permit Application #2010-0011

Michelle Vaughan

to:

To, alsdmf

04/06/2010 06:47 PM

Cc:

CC, erica bannerman, amkdc05, lisadonofrio, cpiereck, Bernardo Piereck, Linda Kelly

Show Details

Dear Nathan and Amy,

I sat down today to write to you a letter about the special use permit application referenced above. After reading my neighbor Mr. Piereck's comments, I have to say that he has said it all, and has said it beautifully. I fully endorse his comments without reservation.

I have lived in my house on 100 E. Oxford since 1998. Before that, I lived in a rowhouse on Leslie that I bought as a single girl in 1993. It was a nightmare of a little house - a former crack house that had been a rental for a million years -- but I loved it and like to think that I nurtured it back to health! Everyone thought I was crazy to move here (especially by myself), but I loved the small town feel and the community spirit. I got married while living in that house, had my first child while living in that house, and still own that house simply because I hated parting with it after we bought the single family home on Oxford. I have loved my 17 years in Del Ray.

I used to be much more active in the DRCA, even bringing my fussy toddler in a body cast to meetings (which I'm sure thrilled everyone!). I loved how the avenue development plan unfolded and the possibilities for the future. I believe in that plan and the positive effect it has had on our neighborhood.

Since living on Oxford, we've had several more young couples move in, which turned to young families. It's a lovely safe neighborhood street that truly does feel like "home". Please don't endanger that environment by approving the SUP as is. We are all very excited about new restaurants to frequent, but the owners need to be just as excited about keeping our residential environment in tact.

We approve the SUP with the concessions as listed in the attached document.

Thank you for all you do for Del Ray.

Sincerely,
Rock and Michelle Vaughan
100 E. Oxford Avenue
22301

Practice Administrator
Washington Center for Weight Management and Research
2300 Wilson Boulevard, Suite 230
Arlington, VA 22201
www.wtmgmt.com

249

Special Use Permit #2010-0011

Paula DeMuth

to:

landuse, barbara.ross, cicely.woodrow, graciela.moreno, elaine.scott, nathan.randall, gwen.wright

04/06/2010 05:39 PM

Show Details

History: This message has been replied to.

Date: April 6, 2010

SUBJECT: Special Use Permit #2010-0011

APPLICANT: Hog Thaid, LLC

LOCATION: 2312 Mount Vernon Avenue

ZONE: Commercial Low

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 thoroughly 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:

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

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.

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. 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 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 either been at the Applicant's restaurant drinking until 2:00 am or in nearby Old Town or Arlandria and 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 believe reasonable hours to address these concerns 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.

2. Off street loading hours beginning at 4:00 am.

I believe it would be more reasonable for the loading to be off Mount Vernon Avenue only and not begin before 7:00am to ensure residents/children are not disturbed at 4:00am.

I am concerned that these early morning hours 7 days a week will unreasonably disturb the immediate neighbors and negatively impact the neighborhood.

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
1410 Mount Vernon Avenue
Alexandria, VA

Hog Thaid SUP application

Astin, Rainey

to:

David Fromm or Amy Slack, Nathan.Randall, barbara.ross

04/06/2010 04:49 PM

Cc:

"Lisa Donofrio", "Mary Riley", "Sarah Row", mparks60, "McCabe Fangman", "Ashley Klick", "Heidi Dickens"

Show Details

Barbara and Nathan, the more I learn about this ventilation/health issue, the more questions I have as well especially since Mount Vernon Elementary School is only located one block away from the proposed restaurant.

Do we know how many children in the student body have asthma? What will their options be if this is a problem? Has anyone spoken with the school board?

I apologize for raising this issue after submitting my comments, but I did not fully understand the particles and pollutants which are going to be released into the air (absent a ventilation system which is not proposed by the applicant).

Mount Vernon Elementary School is only one block away, and I'm not sure the majority of the parents of the attending children have any idea about the proposed restaurant. Accordingly, on their behalf, I ask that Planning/Zoning/City of Alexandria thoroughly review/vet the issues/questions set forth in the email below.

Thank you for your time. Respectfully, Rainey Astin

From: Ashley Klick [mailto:amkdc05@yahoo.com]

Sent: Tuesday, April 06, 2010 4:18 PM

To: David Fromm or Amy Slack; Nathan.Randall@alexandriava.gov; barbara.ross@alexandriava.gov

Cc: Lisa Donofrio

Subject: Q (BBQ Restaurant Pork Barrel referred me too)

At the suggestion of Hog Thaid (Mike, Brett and Heath specifically), I contacted David Butler of Q in Midlothian, VA (<http://www.qbarbeque.com/QRestaurants.html>). He operates 2 of the same Southern Pride systems (for 120 seats) that Pork Barrel proposes to use. Heath and Brett thought it would be a fair comparison to what they propose to operate.

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1. They are located in a commercial area between Sam's Club and Wal Mart. Open daily until 9pm.
2. They have 2 stacks in their chimney, 1 return air and 1 vent to pull the smoke. It is a hood system fabricated with a draw and return system. They use dry wood- green wood, approximately 1-2 years old that burns quickly and cleaner than wet wood (which is what I understand Pork Barrel proposes). They use their system for 12-15 hours daily overnight. They turn it on at 5pm and unload at 9am. They use it for quick burn items like ribs and chicken during the day for 3-4 hours.
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Ashley Klick
703-362-4204

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

Q (BBQ Restaurant Pork Barrel referred me too)

Ashley Klick

to:

David Fromm or Amy Slack, Nathan.Randall, barbara.ross

04/06/2010 04:18 PM

Cc:

Lisa Donofrio

Show Details

History: This message has been replied to.

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I had a very nice conversation with David today and I would like to share my notes:

1. They are located in a commercial area between Sam's Club and Wal Mart. Open daily until 9pm.
2. They have 2 stacks in their chimney, 1 return air and 1 vent to pull the smoke. It is a hood system fabricated with a draw and return system. They use dry wood- green wood, approximately 1-2 years old that burns quickly and cleaner than wet wood (which is what I understand Pork Barrel proposes). They use their system for 12-15 hours daily overnight. They turn it on at 5pm and unload at 9am. They use it for quick burn items like ribs and chicken during the day for 3-4 hours.
3. They have it professionally cleaned 4x a year and clean the stack themselves weekly. He said that if you did not clean it regularly you will have really black smoke.
4. He said that until he spoke with them last week he had not given much thought to the smoke, etc. since they were in a commercial area. His thoughts were that if there is no ventilation you would definitely smell it before you saw the smoke. There is smoke, although in his opinion it was not dark smoke because they clean it, and he did state that they have had problems with intake back into the restaurant because no system is perfect.
5. He agreed that if he lived near this restaurant he would be asking these same questions and understood where we were coming from... but he also wanted to be cautious in his remarks because he likes these guys.
6. He suggested that I call a national chain like Famous Daves to see what they do with any restaurant in a residential area. I left a message with an operations VP today. He also referenced the story of Blue Smoke in NYC and what the city made those guys do as part of their clean air act which I believe Lisa McNichols has already shared with you. (<http://nymag.com/content/02/wk22/review.htm>). I have a message in for Danny Meyers the owner of Blue Smoke.

From Mr. Butler's perspective he thought the odor would be more immediately bothersome to residents than the smoke. He did say that he has no information about health risks associated with wood smoke.

So, I am still left with many questions. One of my concerns remains that Mr. Anderson et al have never used this Southern Pride equipment. If this was their 2nd or 3rd restaurant and they said "trust us, we will do right by Del Ray" I would be more inclined to do so. The reality is that Hog Thaid is still vague as to how many hours the system will operate...what the odors will be (this man they said to call said there will be odors).... what the smoke will be like, especially for my family 30 feet away, and what they will do to "do right by Del Ray" if there are problems.

I will share with you my conversation with Famous Daves if and when they call me back.

Thank you for your time,

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Fw: bbq restaurant
Ashley Klick
to:
Nathan.Randall, David Fromm or Amy Slack
04/06/2010 02:03 PM
Show Details

History: This message has been replied to and forwarded.
For your files...

----- Forwarded Message -----

From: Margaret Stanton <margaret@guryan.org>
To: amkdc05@yahoo.com
Sent: Tue, April 6, 2010 12:39:34 PM
Subject: bbq restaurant

Ashley,

Thanks for heading up the effort to inform residents about Hog Thaid. I will not be able to attend Thursday's hearing but after reading the information that was circulated, I would like to weigh in. I am mostly concerned about the woodsmoke and would like to ask the owner to consider the state-of-the-art system. I think city officials should know that many Alexandria residents support the city's efforts to be greener, and it seems like a step in the wrong direction to allow businesses to create more pollutants.

My husband and I have been looking forward to the opening of the restaurant and I certainly wouldn't want to deter new businesses from opening on Mount Vernon Avenue, but I would like them to be in keeping with the spirit of the community.

Thank you,
Margaret Guryan
221 E. Oxford Ave.

COMMENTS: Special Use Permit Application #2010-0011

Bernardo Piereck

to:

nathan.randall, David Fromm or Amy Slack

04/06/2010 02:41 AM

Cc:

barbara.ross, erica.bannerman, Ashley Klick, Lisa Donofrio, Clarissa Piereck

Show Details

History: This message has been replied to.

Dear Nathan and Amy,

Attached, please find my comments supporting with conditions the application by Hog Thaid LLC for Special Use Permit #2010-0011.

I understand that you are receiving several comments from residents and business owners concerning this application. I ask that you keep in mind that the Oxford Avenue neighbors will live with your decision every day and every night. Please remember that just like the Applicant, each Oxford Avenue resident has invested hundreds of thousands of dollars in our homes and our community. I patronize the businesses along Mt. Vernon Avenue and look forward to the additional choices the Applicant proposes to offer.

While Mt. Vernon Avenue provides the small-town "main street" feel, residential side streets like Oxford Avenue are what make a main street possible in the first place. I count on you to ensure that the Applicant operates its business in a way that preserves and protects the existing residential neighborhood and the character of Del Ray.

I thank you in advance for reading the attached comments. If you have any questions, please feel free to contact me via email or via phone at 202-213-2004.

Best regards,

Bernardo L. Piereck
2 E Oxford Ave
Alexandria, VA 22301

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SUP COMMENTS

TO: Nathan Randall, Urban Planner
Del Ray Citizens Association

CC: Barbara Ross, Deputy Director
Erica Bannerman, Environmental Safety

FROM: Bernardo L. Piereck
2 E Oxford Ave
Alexandria, VA 22301

DATE: April 6, 2010

SUBJECT: Special Use Permit Application #2010-0011

For the reasons and subject to the conditions set forth below, I support the Application by Hog Thaid, LLC, d/b/a Pork Barrel BBQ (the "Applicant") for Special Use Permit #2010-0011 (the "SUP").

The Applicant's proposed use of the space located at 2312 Mt. Vernon Avenue (the "Property"), zoned a Commercial Low ("CL"), as a restaurant serving barbecue, sushi and Asian fusion requires certain modifications to preserve and protect the existing residential areas abutting the Property, pursuant to the guiding principles of the Mount Vernon Avenue Business Area Plan approved by the City Council (the "Mt. Vernon Area Plan") and to conform with the CL classification. For the reasons set forth below, I support the approval of the SUP subject to the imposition of the following conditions on the Applicant's operations:

- Hours of operation must be limited to not later than 11:00pm Sunday through Thursday and 12am on Friday and Saturday.
- The 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 barbecuing and other cooking methods the Applicant proposes to use do not affect nearby residences.
- The Applicant shall require 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 Property's parking lot entrance)
- The Property's side door entrance on Oxford Avenue must be used as an emergency exit only (preferably alarmed) and the Applicant shall require all takeout orders to be picked up through the Property's main entrance on Mt. Vernon Ave.
- The off street loading hours (to be off Mt. Vernon Ave. only) shall be limited to Monday through Friday between 7AM and 5PM).

- Audible sounds at the commercial building line shall be limited to levels at or below 50 decibels at all times and no speakers or other amplified sounds shall be permitted outside the restaurant.

Given the special challenges posed by the type of cuisine to be offered by Applicant, I respectfully request that the application be approved subject to a 90-day review period commencing on the restaurant's date of initial operations to allow city staff to consider and address any unforeseen nuisance that may affect the existing residential areas. Subject to these conditions, I support the approval of the SUP as furthering the objectives of the Mt. Vernon Area Plan.

DISCUSSION

1. Hours of operation must be limited to not later than 11:00pm Sunday through Thursday and 12am on Friday and Saturday to conform with Commercial Low Zoning, existing uses and protect the existing residential areas

The Applicant's request to operate the restaurants until 2AM is inconsistent with neighboring uses, the city's zoning ordinances, and poses a significant threat to neighboring residences. To conform with the zoning ordinance and protect the existing residential area on Oxford Avenue, Del Ray Avenue and other nearby residential streets, the Applicant must be required to close its business to the public not later than 11:00pm on weeknights and 12am on weekends. This requirement is consistent with neighboring uses and the family-friendly character of Del Ray.

Section 4-101 of the Zoning Ordinance of Alexandria (the "Zoning Ordinance") requires that uses in CL zones "be conducted at a scale and intensity commensurate with nearby residential development . . . and be of such characteristics as not to be detrimental or a nuisance to nearby residential properties." See Zoning Ordinance § 4-101. The Applicant's proposed operation until 2AM is not commensurate with existing residential uses, threatens to cause a significant nuisance to nearby residential development and is out of scale with surrounding uses.

Extending closing hours to beyond 11pm on weekdays and midnight on weekends threatens the existing residential neighborhood because a 2AM closing time increases the likelihood of liquor-related nuisances to the community including: (i) drunk driving, (ii) loud patrons walking to their vehicles in early morning hours (and thus disrupting residents, many of them children, while they sleep), (iii) public urination, (iv) disorderly conduct, (v) property crime (including trespassing and vandalism), and (vi) littering.

The Property is located within a two block radius of dozens of existing residential homes that house a variety of professionals, stay at home parents, and children. The noise and public safety concerns posed by the operation of a restaurant until the early morning hours will be detrimental and constitute a significant nuisance to these households. This is especially problematic when combined with Applicant's proposal to accept deliveries commencing at 4AM and to cook meat for 12 hours per day. These characteristics of the SUP application combine to describe a 24-hour operation because employees will remain present on the premises to clean up

after closing and prepare the restaurants before opening. This excessive use does not conform with the requirements for CL zoning.

Additionally, the proposed use is inconsistent with existing commercial use along Mt. Vernon Avenue. Businesses along our main street reflect a variety of family-oriented uses ranging from coffee shops and family-style restaurants to yoga studios and specialty boutiques. All nearby businesses close by 11PM on the weekends and by 10PM on weekdays. Most close earlier. Approving a 2AM closing time is inconsistent with neighboring uses, threatens the existing residential uses, and amounts to a material change in the neighborhood's character.

The Applicant's proposal to operate the restaurants until 2AM does not conform with the requirements of the CL zoning applicable to the Property at 2312 Mt. Vernon Avenue. Therefore, hours of operation should be limited to not later than 11PM on weeknights and 12AM on weekends to ensure the business is conducted at a scale and intensity commensurate with nearby residential development.

2. The Applicant must install a ventilation system or make any other changes necessary to ensure that odors, smoke, emissions and other particulate matter generally associated with barbecuing and other cooking methods the Applicant proposes to use do not affect nearby residences

Applicant's request to operate the restaurants without installing a proper ventilation system to capture smoke, odors, and other particulate matter is inconsistent with CL Zoning and existing Virginia air quality regulations. The Zoning Ordinance prohibits any use in CL zoned parcels that are conducted in any manner which would such use noxious or offensive by reason of odors, smoke, emission or other particulate matter. *See* Zoning Ordinance § 4-107. Additionally, Virginia law prohibits any new businesses in the Commonwealth - including restaurants - from discharging into the atmosphere any odorous emission in excess of any emissions that would result if the business used the 'best available technology.' *See* 9 VAC 5-50-150 (defining the Virginia air pollution standard for odorous emissions); *see also* 9 VAC 5-50-240 (stating that the environmental standards apply to all new stationary sources of pollution in the Commonwealth). "Best Available Technology" does not require the absolute best technology available, but rather the best technology reasonably available accounting for the level of emission and odor control, energy and other costs associated with the mitigation measures. *See* 9 VAC 5-50-250(C).

The Applicant proposes to operate a barbecue restaurant smoking hundreds of pounds of swine, bovine and avian meat daily without the use of *any* technology to capture odors, smoke, or other particulate matter. Applicant's sole proposed mitigation measure - venting such emissions two and a half stories up into the atmosphere - is insufficient to protect existing residential uses from the nuisance associated the smoke and smells associated with this activity. While the *best available technology* standard does not require the Applicant to take all measures available to address the problem, it does require the Applicant to take *some* reasonable measure to capture the smoke, odors and particulate matter before they are expelled into the air.

While the applicant has claimed in public statements that the smoker it intends to use in the restaurant - a hybrid gas/wood smoker - will produce less smoke than a traditional all wood

smoker, the Applicant has failed to show that this claim is true even in the absence of a suitable ventilation and filtration system. Even assuming that Applicant's claims with respect to smoke are true, Applicant has not addressed how the switch from wood to hybrid smoking will reduce the odor and particulate matter associated with barbecuing hundreds of pounds of animal meat for 12 hours per day, seven days per week, year round. Unless the applicant installs a suitable filtration system, the smell of cooking flesh threatens to permeate the air and cause a significant nuisance to existing residences.

This condition is required not only to conform with the zoning ordinance and the laws of the Commonwealth of Virginia, but also to protect the general health and welfare of nearby citizens. Some of the residents living within one block of the restaurants suffer from asthma and other respiratory conditions that could be exacerbated by inhaling the emissions from the proposed restaurants. Additionally, Mt. Vernon Community School, which provides primary education services to 624 K-5 students (as of September 2009) on a year-long calendar, sits just 300 feet from the proposed restaurants. Any health risks posed by the restaurant's emissions will affect not only by nearby residents but also by these hundreds of young children.

For these reasons, approval of the SUP application must be conditioned on the Applicant's installation of a proper ventilation system to conform with the Zoning Ordinance, Virginia Law and to protect the health and welfare of dozens of residents and hundreds of schoolchildren.

3. The Applicant shall require that all deliveries to and from the restaurant use Mt. Vernon Avenue as the sole point of ingress and egress to minimize the noise and traffic impact on existing nearby residences

The Applicant proposes to offer food delivery services and has proposed to receive twenty weekly deliveries of food and supplies for the three restaurants. These proposed deliveries threaten to increase vehicular traffic on Oxford Avenue to levels that are inconsistent with the street's designation as a local street pursuant to the City of Alexandria Comprehensive Transportation Master Plan (the "Traffic Master Plan"). According to the Traffic Master Plan, "the primary purpose of local streets is to provide direct access to individual homes, mixed use shopping and business areas . . . *that do not have direct access from higher classified facilities.*" (emphasis added). The Applicant's restaurant is located on Mt. Vernon Avenue, a street classified by the Traffic Master Plan as a Primary Arterial, the highest classified street classification.

Because the Applicant's restaurant is located on a Primary Arterial road, and to minimize the traffic impact on nearby residences, the Applicant should be required to route all deliveries to and from the restaurant through Mt. Vernon Avenue, and limit the use of Oxford Avenue solely as an access from Mt. Vernon Avenue to the parking lot on the rear of the building.

4. The Property's side door entrance on Oxford Avenue must be used as an emergency exit only (preferably alarmed) and the Applicant must require all takeout orders to be picked up through the Property's main entrance on Mt. Vernon Ave.

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The Applicant does not describe in the narrative description attached to the SUP application how it intends to use the side door contained in the attached project drawings. To protect the existing residential area on Oxford Avenue, approval of the SUP should be conditioned on the use of this door solely as an emergency exit. Oxford Avenue is a small residential street. Permitting 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. For these reasons, the Applicant should not be permitted to conduct its business through Oxford Avenue.

CONCLUSION

For the reasons and subject to the conditions set forth above, I support the Applicant's Special Use Permit application. I respectfully request that the City include the restrictions enumerated above in any approval of the SUP to ensure compliance with the Zoning Ordinance, the Mt. Vernon Area Plan, and to protect the general health and welfare of nearby citizens.

BBQ in Del Ray
Nicole Knowles
to:
nathan.randall
04/06/2010 12:00 AM
Show Details

History: This message has been replied to and forwarded.
Dear Mr. Randall:

Although not a resident of Del Ray, I frequent the Del Ray restaurants and shops, and have friends in the neighborhood. I recently read on www.delraycitizen.org about the SUP request by the a BBQ establishment (SPECIAL USE PERMIT #2010-0011)

I am very concerned about the environmental/community impacts of approving their request as stated in their application. I question the submitter's notation of "typical" noise and odor levels in conjunction with a BBQ restaurant (with a wood smoker, I have been told) that is requesting hours of operation starting as early as 7:30am and remaining open until 2am (7 days p/wk).

I strongly urge you to recommend that the hours be based on an 11pm closing time, just like so many other restaurants operating in Del Ray. Additionally, please insist that these business owners do ALL that is necessary to mitigate the health risks associated with a smoker.

Thank you,
Nicole Knowles

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Fw: Letter regarding late night bar hours in DelRay
Mary Lou Collins to: nathan.randall

04/05/2010 09:18 PM

History: This message has been replied to and forwarded.

my previous message bounced --

Mary Lou Collins
104 E Oxford Ave

--- On Mon, 4/5/10, Mary Lou Collins <marylou238@yahoo.com> wrote:

> From: Mary Lou Collins <marylou238@yahoo.com>
> Subject: Letter regarding late night bar hours in DelRay
> To: alsdmf@earthlink.net, nathan.randall@alexandria.gov
> Cc: "Lisa Donofrio" <lisadonofrio@hotmail.com>, michellevaughan@comcast.net,
keithstaples@comcast.net, "Monica Sheehy" <mrreinert@hotmail.com>, "Linda
Jacobs" <lindajc3@gmail.com>, "Clarissa Piereck" <cpiereck@gmail.com>,
"Bernardo Piereck" <piereck@gmail.com>, "annie" <tetaannie@mac.com>, "Martha
Davis" <mdavis@nvcc.edu>, "Ashley Klick" <amkdc05@yahoo.com>,
marylou238@yahoo.com

> Date: Monday, April 5, 2010, 9:05 PM

> Dear Amy and Nathan,

>

> I am writing to express my opinion agaisnt late night bar
> hours in DelRay and submit this letter to the Land Use
> Committee and to the city of Alexandria.

>

> The SUP for the new restaurants at Mr. Vernon and Oxford
> Ave requests operating hours until 2 AM seven days a
> week. I am writing this letter to explain why I
> believe that request should be denied.

>

> If two bars in DelRay are authorized to operate until 2 AM,
> it will be very difficult to deny the opportunity to others
> who request the same. In time, it is likely that
> others, e.g., Los Tios, Evening Star, FireFlies, LaStrata,
> will expect to share in the commercial nightlife. If
> profitable, there will be new vendors. DelRay would
> become a destination for after the game, after the play, or
> after the at-home party. Therefore, the request for
> the Sushi Bar, and the Barbecue Bar, to be open until 2 is
> precedent setting for the community.

>

> At present, Mt. Vernon Ave is *somewhat* quiet after 11;
> restaurants and bars close down at 10 or 11, midnight on
> week-ends. With a new bar scene, it will not be the
> same. Patrons from each late venue would head for home
> - walking and/or driving - between 11 and 2

>

> Many people in DelRay work traditional hours, sleeping
> between 11 and 6, leaving for work in the morning.
> Children sleep between 9 and 6, wake up and go to school.
> Babies (hopefully) sleep at night. This decision would
> change the tone of the community between 11 and 2 and we on
> Oxford Ave would not be the only ones affected.

>

> I encourage those beyond the perimeter affected by the 2

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> bars making the request now, to consider how this decision
> will affect their neighborhoods and our community.
>
>
>
>

FW: Del Ray LUC meeting - Hog Thaid SUP application

Sarah Mehaffey

to:

barbara.ross, nathan.randall

04/05/2010 10:42 AM

Cc:

rastin, raineya

Show Details

Good morning Barabara & Nathan,

I wanted to copy you on an email I sent to the Del Ray Land Use Committee outlining my concerns with SUP application 2010-011, associated with a restaurant use on Mt. Vernon Avenue, currently zoned CL within the Mt. Vernon business overlay district. While I support the proposed restaurant uses associated with the tenant's application, I oppose granting the property the operational leeway requested in the application; namely, remaining open until 2 am 7 days a week with loading hours beginning at 4 am everyday except for Sunday. I also request more specific commitment on the part of the applicant to define the operational limits of the outdoor seating area referenced in the application. I hope that you will take these concerns under consideration when you review the application.

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.

In making its recommendation to the city on this SUP application, I strongly urge the Land Use Committee to suggest additional conditions limiting or modifying several of the applicant's requests:

- Proposed hours of operation of restaurant: 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."*
 - **As a resident close to restaurants with outdoor seating, I strongly urge the LUC to recommend limiting 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.**
- 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 the LUC 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 the LUC to consider suggesting 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.**
- 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 the LUC to recommend that the applicant limit loading times to weekdays between 6 am & 6 pm, including all deliveries and trash pick-up.**
- Parking Count: The applicant may want to double-check their proposed parking tabulation; based on the Zoning Ordinance, 27.2 parking spaces are required which rounds up to 28. The application & attached site plan indicates only 27 parking spaces. Additionally, the "loading" space is not indicated on the site plan - is it on the street, or is it one of the 27 parking spaces? This would further reduce the proposed number of spaces unless some sort of non-simultaneous use could be described, which given the proposed loading & operation hours seems unlikely.

Thank you for your consideration.

Sincerely,
Sarah Mehaffey
1408 Mt. Vernon Ave.

The New Busy is not the too busy. Combine all your e-mail accounts with Hotmail. [Get busy.](#)

Hotmail has tools for the New Busy. Search, chat and e-mail from your inbox. [Learn more.](#)

SUP BBQ

shaznms

to:

nathan.randall

04/05/2010 07:47 AM

Show Details

History: This message has been replied to.
Dear Mr. Randall,

As a former resident of Del Ray and frequent visitor to the restaurants and shops, I am deeply concerned about developments surrounding the operations of SUP BBQ. As a former professional chef, there are legitimate health issues that will arise from placing this establishment in a predominantly residentially zoned area. Furthermore while I support the growth of Del Ray through new business development, it concerns me that you would be considering allowing this business to stay open until 2:00 am. As a former resident in the mid 90's I can tell you that citizens have worked very hard to mediate all of the issues pertinent to crime and this includes extended hours for businesses. While I lived on Mount Vernon Ave, even the 7-11 did not stay open past midnight due to the unsavory clientele these hours tend to attract.

I urge you to recommend that the hours be altered to fit in with the other businesses operating in Del Ray in order to preserve the Avenue feel. I also strongly urge you to insist that these business owners do ALL that is necessary to mitigate the health risks associated with wood smoke. Your thoughtful attention to these issues is vital to the success of the neighborhood and I so appreciate your help. Taking the necessary steps now to safeguard the citizens will pay off exponentially with future generations.

Sincerely,
Shazalynn Cavin -Winfrey
703-549-2449

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Re: Fw: COA Contact Us : Special use Permit #2010-0011

04/02/2010 04:56 PM

Barbara Ross to: lindajc3
Cc: City Council, Faroll Hamer
Bcc: Nathan Randall
This message is digitally signed.

Dear Ms. Jacobs:

This responds to your email to Mayor Euille enumerating concerns about the application for a new restaurant at 2312 Mount Vernon Avenue. We too attended the open house hosted by Mike Anderson the other night and listened to the comments there. We thank you for the information you provided in your email and share with you the following:

First, the application for the new restaurant is currently before the city as a special use permit, which is required for any restaurant in the CL zone. The SUP process is designed to ask the very questions you have raised and to determine as an overall matter whether the proposed use will be compatible with its surroundings. We are in the middle of that process now. The matter is scheduled for hearing on May 4 at the Planning Commission, and on May 15 before City Council. You may participate in these public hearings, which are required precisely to allow all interested parties to speak and share their views with the decision makers.

In addition, prior to the public hearings, Planning and Zoning staff will provide a staff report with its recommendations and, if the recommendation is for approval, with those conditions staff feels are necessary. Almost all restaurants in the City operate under the authority of a special use permit, and under those conditions imposed by the City to ensure that the operation will be able to coexist with its neighbors and with the neighborhood as a whole. Staff is currently reviewing the 2312 Mount Vernon Avenue application and determining what impacts can be expected from the restaurant and whether there are conditions the City can require which will ameliorate those impacts. While it is too early in our work to determine precisely what any conditions for the restaurant may be recommended, I can assure you that we are looking at the issues of restaurant hours, smoke and odors, traffic and parking, lighting in the parking lot and delivery locations and hours. In addition, it is a standard part of the SUP process and building permit process that restaurants must comply with all aspects of the Building Code, the Fire Code, and Health Department regulations, including accessibility requirements. No restaurant may open that does not meet the requirements of those agencies, and they are reviewing the SUP application now.

We hope this information is helpful to you and encourage you to continue to participate in the SUP process by sharing your views in the form of letters and testimony. If we can provide additional information to you, or answer any questions, please do not hesitate to contact us.

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

Faroll Hamer

Faroll Hamer

04/02/2010 02:10:02 PM

--- Forwarded by Beth Temple/Alex on 04/02/2010 12:31 PM ---

COA Contact Us : Special use Permit #2010-0011

Linda Jacobs Bruce Condit to: william.euille

04/02/2010 09:19 AM

Please respond to Linda Jacobs Bruce Condit

Time: [Fri Apr 02, 2010 09:19:50] Message ID: [20502]

Issue Type: William D. Euille
First Name: Linda Jacobs
Last Name: Bruce Condit
Street Address: 106 E Oxford Avenue
City: Alexandria
State: VA
Zip: 22301
Phone: 703-529-2713
Email Address: lindajc3@gmail.com
Subject: Special use Permit #2010-0011
Comments: Dear Mayor Euille:

We've resided on E. Oxford Avenue in Del Ray for almost 30 years and have greatly appreciated and benefited from the improvements to Del Ray and Mt. Vernon Ave that have occurred over the years. We survived Mac's bar and finding drunks asleep on our front porch, and now enjoy a wide variety of amenities that make Del Ray one of the best neighborhoods in the metro-DC area! We're excited about having even more variety in restaurant options in our immediate Del Ray neighborhood. However, we're compelled to share with you our concerns about the special use permit (SUP) requested at 2312 Mt. Vernon Ave (tax map reference 034.02-08-08).

We took the opportunity to meet w/ Mr. Anderson and his business partners during an "open house" held at the Mt. Vernon Recreation Center on March 31, 2010. Unfortunately, we felt that the information provided did not sufficiently address our concerns, despite having asked very direct questions. We specifically asked about request for very late hours of operation, ventilation and filtration system to manage potential smoke/particulate pollution, the side-street entrance, restrooms and ADA

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compliance.

Mr. Anderson stated at the beginning of the meeting that he'd read all of the correspondence on the Del Ray Citizens Group list-serve, and used this information to prepare an agenda for the meeting. However, we felt that he otherwise came to the meeting "empty-handed". This was an ideal opportunity for him to acknowledge neighborhood concerns and provide documentation and evidence on how he would rectify or minimize the problems. Unfortunately, this was not the case and his comment was to "just trust us, we'll do right by Del Ray."

#1 Commercial service low
zone

Del Ray is designated as a CSL zone neighborhood (Sec. 4-300 CSL), allowing light service and businesses to operate in a manner that maintains the character of the neighborhood's residential areas and properties. However, it seems that many of the requests in the SUP may not be in compliance with that designation, potentially resulting in a nuisance factor or even detriment to the nearby residential properties.

#2 Hours
of operation:

This is a primarily residential neighborhood – the request of 2:00 am closing hours are not consistent with Mr. Anderson's description that this restaurant is a "family style" restaurant/bar. This request is also significantly later than the business hours for neighboring restaurants within a six-to-ten block radius.

Also, in reviewing the websites for Mr. Anderson's other restaurants, their closing times are 12:30 am Mon-Sat, 11:30 pm Sunday. It should be noted that all of the other establishments managed or owned by Mr. Anderson are in more commercial areas of Alexandria City. When asked why a later closing hour in a more residential neighborhood, the rationale given was to "capture a younger crowd that often enjoys late-night drinks in lounges/bars." One

partner stated this would "still be family-oriented – parents could go out for a drink after putting their children to bed for the night."

Our

concern is for excessive noise late at night as well as the potential for drunken drivers. Late-night restaurant/bar patrons are typically NOT families, and could potentially be more rowdy/noisier in the late night/early morning hours. In addition, bar patrons are also typically NOT families, and could also be noisier and driving with impaired judgement.

We request closing times of no later than 11:00 pm Mon-Sat and 10:00 pm Sunday, and outdoor dining ending by 10:00 pm nightly. This will maintain consistency w/ other restaurants in this neighborhood of Del Ray.

#3 Proposed food delivery times:

According to the SUP, Mr.

Anderson requests a 4:00 am food delivery time. He stated that the driver would turn off the truck engine. Mr. Anderson stated that this is based on a single driver being assigned to this location with one particular delivery company. Furthermore, the driver would have keys to the restaurant so that he could place all foods in the cooler – all without supervision.

We object to the 4:00 am delivery time, as it may violate Alexandria City noise ordinance, especially with the noise and exhaust pollution. It has been our experience that trucks making deliveries to other businesses in the area typically do keep the engines running during deliveries – this is noisy and increases air pollution.

We request

deliveries to occur no earlier than 7:00 am, with trucks parking ONLY on Mt. Vernon Avenue, engines off. If the requested 4:00 am delivery time was approved, and if the 2:00 am closing time were also approved (employees not leaving until 2:30 or 3:00 am), then activity would occur at the restaurant

for almost 24-hours daily. This is an unreasonable burden for the neighborhood.

#4 Health effects from pollution due to smoke, odor, particle and/or noise: related ventilation/filtration system, and/or roof-top hvac equipment

Mr. Anderson has stated that he intends to purchase a Southern Pride model SPK-500 combined gas/wood bbq smoker. The operation manual clearly states this requires daily cleaning of wood/ash debris and oil/grease as well as filters and ducts. Otherwise, proper filtration and function of the smoker could be compromised, and may result in fires.

When specifically asked about reducing undesired emissions from the smoker, Mr. Anderson's response was that "Southern Pride had no solutions, since (according to Southern Pride) this problem had not previously occurred." However, several residents of Del Ray have undertaken informal research into the problems as well as solutions of bbq smoker emissions. It has been found that the satisfactory solution to the problem is installation an extensive filtration system.

In addition, according to information obtained from Southern Pride website, if the floor plan included within the SUP is correct, the position of bbq smoker is not properly configured. The floor plan also does not provide any location for firewood storage.

Furthermore, despite asking the question, there was no information given regarding proper exhaust/filtration/ventilation of the asian fusion wok cooking equipment. This portion of the restaurant is immediately adjacent to the Dairy Godmother. It would be important to separate the exhaust from intake, and especially separating bbq exhaust from intake for neighboring businesses (Dairy Godmother, St. Elmo's, UPS store). The absence or improper placement of appropriate exhaust/filtration/ventilation system may result in a negative impact on



that adjacent business.

#5 Increased traffic/parking:

Again, this

is a primarily residential neighborhood and we question whether there is sufficient parking allocated for the expected number of patrons. Even now, patrons to the area often have trouble finding parking spots, and we often find our driveway partially or totally blocked because of this. This would further compound the problem of inadequate parking available to businesses currently established within the same block.

We also have concerns

for ongoing speeding as well as parking violations, especially if the side-entrance (possibly "take-out") door remains on the E. Oxford Ave side of the property. Patrons coming to pick up their order may find it easier to "sit" on E. Oxford Ave (currently designated as a "no parking" zone) while they dash in/out rather than park in the designated lot. This creates significant traffic and safety hazards.

In addition, the

take-out delivery driver (to be hired by the restaurant) often may have limited time to make appropriate delivery. Even w/ a stop sign at the intersection of E. Oxford and Clyde, we've seen numerous drivers run through that intersection even during Mt. Vernon Elementary School arrival and dismissal times. It's possible that this to-be-hired driver may perform in a similar fashion, and the consequences concern us greatly.

#6 Inadequate toilet stalls for the number of patrons:

In

discussing the number of toilet stalls proposed on the floor-plan included with the SUP, the architect indicated that that was not the latest, correct floor plan. Even with that information, the SUP lists the potential of about 170 seats for restaurant/bar patrons.

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From what we have seen, the outdated floor plan in the SUP shows only one water closet per sex, plus one "lavatory" with three water closets but no entry-door to the lavatory. We are totally confused as to the use of the three-person water closet – there is no door to protect the patrons from potential noise, odor or to provide privacy. This adjoins both the kitchen and one of the dining rooms. If this is to be a "unisex" lavatory, this is in violation of the code requirement of separate facilities for each sex (Chapter 29, Paragraph 2902.2 of the Alexandria City Building Code, 2006 Virginia Building Code), as well as in violation Chapter 4 of the 2006 Alexandria City Plumbing Code.

Further, it is our understanding that, per Chapter 29 of the Alexandria City Building Code (2006 Virginia Building Code) and Chapter 4 of the 2006 Alexandria City Plumbing Code, 1 water closet is required per sex for each 75 patrons in restaurants and for each 40 patrons in bars. This is a combination restaurant/bar, and even using the 75 patron requirement there seems to be an inadequate number of designated water closets per sex in the design.

In addition, there is no information on the outdated 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 Mr. Anderson's criteria was to maximize seating in the dining areas. This resulted in him designing restroom facilities that were not in conformance with ADA guidelines.

#7 Security and

lighting in the parking lot:

What security measures will be provided in the parking lot, to protect both patrons as well as neighbors in the

immediate area? Due to time restrictions, we were unable to ask this question.

We request that the exterior parking lot lighting be designed so that the parking lot is illuminated towards the back of the building, and not aimed into neighboring houses.

#8 Waste management/pest

control:

Although the SUP states that waste will be picked up four days each week (Monday, Wednesday, Friday, Saturday) the SUP does not state at what hours of the day this will occur.

We request that waste pick-up occur no earlier than 7:00 am weekdays and 9:00 am weekend, and no later than 7:00 pm each day.

Furthermore, there is no proposal for adequate management of pest control. While there is probably no neighborhood that is totally pest-free, we want to keep the pest problem at a minimum.

Again, we are looking forward to having these restaurants in Del Ray! We are in support of this new business venture but with the requested concessions. We hope these issues can be appropriately resolved before the occupancy permit is issued. We also specifically request that our concerns be addressed in the SUP, with an additional clause for re-evaluation in 90 days, as well as with a one-year review.

Thank you for giving our requests due consideration. We look forward to further discussing this SUP at the next Land Use Committee meeting on April 8, 2010.

--

Linda

Jacobs

Bruce D. Condit
106 E Oxford Avenue
Alexandria VA

RE: Invitation

Jill Erber - Cheesetique

to:

'David Fromm or Amy Slack', 'Tina Richardson', 'Maria Wasowski'

04/02/2010 02:25 PM

Cc:

""David Fromm"", ""Barbara Ross"", ""Nathan Randall""

Please respond to jill

Show Details

Dear Amy,

Thank you so much for the opportunity to present written comments regarding the SUP application by Hog Thaid, LLC. We will, of course, prepare more lengthy comments for the official Planning Commission and City Council Hearings, but for now allow us to submit this statement for your committee's review.

The Del Ray Business Association whole-heartedly supports SUP application #2010-0011 as filed.

Again, thanks for inviting us to comment. We'll see you at the Land Use meeting on the 8th.

Sincerely,

Jill Erber and the Del Ray Business Association Executive Committee

P.S. Barbara, Nathan, and David, I continued to copy you on this email in case you need our comment for your records.

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!

-----Original Message-----

From: David Fromm or Amy Slack [<mailto:alsdmf@earthlink.net>]

Sent: Friday, April 02, 2010 11:23 AM

To: Jill Erber; Tina Richardson; Maria Wasowski

Cc: David Fromm; Barbara Ross; Nathan Randall

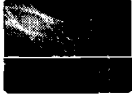
Subject: Invitation

Ms. Jill Erber, President
Del Ray Business Association
owner, Cheestique

Ms. Erber,

I invite you and DRBA Executive Board to provide written comment for consideration by the Del Ray Citizens Association Land Use committee concerning application SUP#2010-0011 by

276



Fw: From the Sierra Club regarding the BBQ SUP
Erica Bannerman to: Nathan Randall, Barbara Ross

04/01/2010 04:45 PM

Not sure if you received this email....

Erica Bannerman
Senior Environmental Specialist
City of Alexandria T&ES, Office of Environmental Quality
Phone: 703-746-4067 (NEW NUMBER)
Fax: 703-519-8354
email: erica.bannerman@alexandriava.gov

ECO-CITY ALEXANDRIA

In keeping with Eco-City Alexandria please consider the environment before printing this e-mail.

----- Forwarded by Erica Bannerman/Alex on 04/01/2010 04:49 PM -----

From: Ashley Klick <amkdc05@yahoo.com>
To: David Fromm or Amy Slack <alsdmf@earthlink.net>, Erica.Bannerman@alexandriava.gov
Cc: Lisa Donofrio <lisadonofrio@hotmail.com>
Date: 03/30/2010 07:48 AM
Subject: From the Sierra Club regarding the BBQ SUP

Good morning-

I thought you may take into consideration the links and comments from the Virginia Sierra Club. Thank you for your review-

Ashley Klick
109 E Oxford
703-362-4204

----- Forwarded Message -----

From: Mary Kadera <marykadera@gmail.com>
To: Ashley Klick <amkdc05@yahoo.com>
Sent: Tue, March 30, 2010 4:48:30 AM
Subject: Re: Woodsmoke in Alexandria, VA

Hi Ashley,

You've probably already come across these federal resources, but here they are again:

<http://www.epa.gov/burnwise/healtheffects.html>

and another page about the information on particulate matter that's emitted from wood smoke:

<http://www.epa.gov/air/particlepollution/index.html>

Beyond the health risks, I think you would also want to remind the city of the following:

- The City made a commitment in 2005 to be a "Cool City" (Mayor Euille signed an agreement with other mayors across the country to reduce carbon emissions). Permitting new establishments like this one are a step in the wrong direction to

- reducing emission of greenhouse gases in Alexandria.
- Doesn't seem to 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 just 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...

Hope this helps.

On Mon, Mar 29, 2010 at 8:51 PM, Ashley Klick <amkdc05@yahoo.com> wrote:

Thank you so much! We are working with Erica Bannerman in the City's Environmental Group. We have a Land Use Committee Meeting on April 8 with the city and residents so please let me know if you discover anything!

Best,

Ashley

Ashley Klick

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

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

From: Mary Kadera <marykadera@gmail.com>

To: Phillip Ellis <phillip.ellis@sierraclub.org>; amkdc05@yahoo.com

Sent: Mon, March 29, 2010 8:17:54 PM

Subject: Re: Woodsmoke in Alexandria, VA

Hi Ashley,

Thank you for contacting Sierra Club with your concerns. I'm the chair of the local Sierra Club group and I'll try to look into your question for you. I don't have the information you need right off the top of my head, but I'll see if there are others in our group who could help.

Best wishes,
Mary Kadera

On Fri, Mar 26, 2010 at 9:28 PM, Phillip Ellis <phillip.ellis@sierraclub.org> wrote:

Ashley,

Thank you for reaching out on this issue which is obviously of great importance to you. My area of expertise lies in Smart Growth/Transportation, so I am not much help in providing a specific answer to your question. However, I have bcced some other Sierra

Club volunteers who I hope can be of assistance. I will monitor the response you get, and make sure you get an answer to your question.

Thanks again for writing. I live in Old Town, and visit Del Ray quite frequently. Especially the Dairy Godmother with my two daughters.

Phillip

On Wed, Mar 24, 2010 at 8:41 PM, Ashley Klick <amkdc05@yahoo.com> wrote:
Hi Phillip-

I am writing for some advice and guidance. I live in Del Ray, a neighborhood in Alexandria, VA. It is a residential area with a main street feel. We live off the main avenue. A restaurant has recently filed a Special Use Permit to open a 170 seat BBQ/Asian Fusion/Sushi establishment. While we don't know much about the Asian Fusion smoke side of it, we have learned the following:

- * They are using a hybrid gas/smoker.
- * It will operate 10-12 hours a day, 7 days a week.
- * The ventilation system is non-descript and what a normal restaurant would have
- * The applicant describes it as being the quantity of smoke that a neighbors fireplace would emit (although in Alexandria rarely are chimneys operating 12 months a year for 12 hours at a time!)

Obviously, my neighbors and I have strong concerns about the pollution and health risks associated with wood smoke. We can find a lot of research about woodsmoke impact on the West Coast, but have not had much luck in finding cases or examples of squashing or regulating this in Virginia.

If you have any ideas or can direct me to materials that may help us educate more of our neighbors and the officials voting on this permit on the dangers of woodsmoke, I would be grateful. I can be reached via cell at 703-362-4204.

Thank you!
Ashley

Ashley Klick
Support Georgetown Pediatric Cancer Programs, <http://www.georgetownjingle.com/>
Have Fun Learning with Kobold Toys, <http://www.koboldsblog.com/>

SUP for Del Ray restaurant
sue setliff
to:
nathan.randall
04/01/2010 05:53 PM
Show Details

History: This message has been replied to and forwarded.
Dear Mr. Randall,

I have recently learned about the SUP for a BBQ establishment in Del Ray. While I have very real concerns about the environmental impact of this restaurant, I am also very concerned about discussion to have it open until 2am, 7 days a week.

I have owned a house in Rosemont for 10 years, but am a frequent visitor to Del Ray to see friends, shop, eat at restaurants, and play.

I believe that allowing the hours to increase past 11pm will be very detrimental to this neighborhood. It will change the face of the "Avenue" and have a real impact on the residents who live there.

I urge you to recommend that the hours be altered to fit in with the other businesses operating in Del Ray. I also strongly urge you to insist that these business owners do ALL that is necessary to mitigate the health risks associated with wood smoke.

Businesses should be a great addition to residential neighborhoods, and a restaurant that complies with current hours and does everything to mitigate health risks, is a welcome neighbor.

Thanks for your t

--
Sue Setliff
306 West Masonic View Avenue

280

FW: Pork BBQ- new neighbor comments

Astin, Rainey

to:

Barbara.Ross

04/01/2010 04:54 PM

Cc:

Cicely.Woodrow, Graciela.Moreno, Elaine.Scott, Nathan.Randall, Gwen.Wright, "Ashley Klick", "Lisa Donofrio"

Show Details

History: This message has been replied to.

Good afternoon. I wanted to send you a copy of the email I sent Mike Anderson earlier. I have learned more about the proposed use in the interim, and I want to also request that the City require that they install an appropriate ventilation system and not be allowed to simply vent from the roof without any air-cleaning system in place. Thank you.

Rainey Astin

1406 Mount Vernon Avenue

From: Astin, Rainey

Sent: Thursday, April 01, 2010 1:04 PM

To: 'mike@mangomikes.com'

Cc: 'Daniel Mehaffey'; 'Rainey Astin'; 'Paula DeMuth-Work'; 'Sarah Row'; 'Heidi Dickens'; 'Brian Shellum'; 'stephanie.cabell@prodigy.net'; 'jsecommunity@gmail.com'; 'hautsl@yahoo.com'; 'Ashley Klick'; 'Lisa Donofrio'; 'Parks, Matthew HQ02'

Subject: Pork BBQ- new neighbor comments

Hi Mike (and Bill and Heath and all of your other partners)! I attended the meeting last night, and I am excited about this new venture for you and your partners. As a commercial real estate attorney, I can very much appreciate the hurdles you may have faced to get this business plan off the ground, especially in the current financial climate. I know you have invested a great deal of time, money, and brainpower into this venture, and I very much want to support you and see you succeed.

As a resident of Del Ray (I have lived in the neighborhood for over 10 years now; and I live at the other end of the Avenue on Mount Vernon), I feel compelled to reach out to you personally to ask that you reconsider some of your SUP requests so that everyone can WIN from this venture.

Speaking for my immediate neighbors (which include another experienced real estate attorney for GSA, an architect, a hospital administrator, two Department of Defense strategists, and a Chief of Staff for a Congressman), we want you to be successful, we can't wait for BBQ and sushi and Asian Fusion, but as you might expect, we also want you to be respectful and mindful of our needs and the fact that you are choosing to do business in an established neighborhood with Commercial Low Zoning. We want the neighborhood to stay family-friendly (we don't want this to become Adams Morgan or Georgetown in 10 years). I'm sure you have already noticed all the strollers in the neighborhood and may have even performed a demographic study. I very much expect that your rush time from neighborhood business is going to be between 5pm and 7pm, and I know you will staff appropriately! Have lots of high chairs at the ready! Add booster seats!

Del Ray is what it is because of the symbiotic relationship between the residents and the business owners. For the most part, the relationship has always been good. When it tends to strain is when

businesses want to increase their hours of operation. This suggests to the residents that the businesses are ready, willing, and able to totally disregard the fact that children and their hardworking parents are sleeping and living in NEAR proximity. Hopefully as fathers, you can understand (and if you are married, your wives will also hopefully understand) our concerns for our children and for ourselves. We should, like you, be able to sleep in our own homes without unreasonable interruption. **I'm not sure you noticed but if you are open till 2am (and your employees don't leave until 2:30am) and you have deliveries starting at 4am, there is going to be almost 24 hours straight of potential noise, 7 days a week.**

I've reviewed your SUP application in depth, and set forth below are my requests for a reasonable compromise which I believe most neighbors may be willing to accept (and which I will raise with the Land Use Committee and the City Council Members):

- (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 to minimize the exposure to residents of smoke and cooking odors (you have already done this; and we thank you),
- (iii) off street loading hours (to be off Mount Vernon Avenue only) limited to morning only Monday through Friday and precautions put into place to ensure residents/children are not disturbed at 4:00am (first scheduled delivery), you are not planning to have employees present so who will monitor the deliverymen? It is unreasonable to put this burden on the neighbors. Would you want this beside your house every day at 4am?
- (iv) outdoor dining tables limited and hours of operation ceasing by 10:00pm daily.

Finally, I understand Ashley Glick and Lisa Donohue (your most immediate residential neighbors) have repeatedly asked to meet with you personally, but you have declined to meet with them. I find this very troubling, and expect my other neighbors will as well, as this is NOT how things have been done in Del Ray in the past. Most of the other business owners are not quite as experienced as you are, and I hope this is not demonstrative of a hands off approach you might take in the future when you do not need the neighbors' approval. I hope and trust there has been some sort of misunderstanding, and you and your partners will contact Ashley and Lisa to schedule this requested meeting. Again, every other owner has readily accommodated these requests in the past.

I, too, would love to speak with you in person, and hope to have that opportunity in the near future. I want to work with you to find reasonable compromises and reach a win/win outcome!

Finally, thank you for wanting to bring new business and life to Del Ray. We recognize that this opportunity brings jobs and business to the community, and again, I look forward to being a frequent customer! Being from NC, I hope you will offer a vinegar based sauce!

Sincerely,

Rainey Astin
1406 Mount Vernon Avenue

703-836-9699

NOTE: Please be advised any and all documents sent by email transmittal are, and remain, subject to senior management and third party approvals. This email may contain information that is confidential and may not be copied or distributed by anyone other than the intended recipient. If received in error, please immediately notify the undersigned.

282



Fw: Support for Pork Barrel Open House's SUP request
Nathan Randall to: Barbara Ross

04/01/2010 02:49 PM

----- Forwarded by Nathan Randall/Alex on 04/01/2010 02:49 PM -----

From: Kevin Curry <kcurry@gmail.com>
To: alsdmf@earthlink.net, nathan.randall@alexandriava.gov
Cc: amkdc05@yahoo.com, mangomike222@yahoo.com
Date: 04/01/2010 02:46 PM
Subject: Support for Pork Barrel Open House's SUP request

Amy and Nathan,

my name is Kevin Curry, and I have lived in Del Ray for 12 years.
I am writing to let you know that I support Mike Anderson's SUP request to have the Pork Barrel BBQ restaurant remain open past midnight 7 days a week.

Kevin S. Curry
703.307.8128

To: delrayparents@yahoogroups.com
From: amkdc05@yahoo.com
Date: Thu, 1 Apr 2010 07:59:25 -0700
Subject: [delrayparents] Fw: [delraycitizens] Re: Pork Barrel Open House

FYI for those of you not on the Del Ray Citizens List Serv and who were unable to attend the community meeting last night. We hope that all of you with an opinion on the smoke/carbon filters/ventilation system and with thoughts about staying open past midnight 7 days a week will share them (as well as any other thoughts you have on the SUP).

You may do so by reaching out to the following community members:

Amy Slack, Del Ray Land Use Committee: alsdmf@earthlink.net

Nathan Randall, Urban Planner: nathan.randall@alexandriava.gov

Thank you~

Ashley Klick
703-362-4204
Support Georgetown Pediatric Cancer Programs, <http://www.georgetowninngle.com/>
Have Fun Learning with Kobold Toys, <http://www.koboldsblog.com/>

----- Forwarded Message -----

From: mangomike222 <mangomike222@yahoo.com>
To: delraycitizens@yahoogroups.com

Sent: Thu, April 1, 2010 9:28:40 AM

Subject: [delraycitizens] Re: Pork Barrel Open House

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 a 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.

Sincerely,

Mike Anderson
Bill Blackburn
Brett Thompson
Heath Hall

--- In delraycitizens@yahoo.com, Suzanne Caldwell <suzanne.caldwell@ ...> wrote:

>

> 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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2312 Mount Vernon SUP
rjlooman
to:
nathan.randall, alsdmf
04/01/2010 12:14 PM
Show Details

History: This message has been replied to and forwarded.
To Whom It May Concern:

I am writing to share my concerns about the SUP for 2312 Mount Vernon Avenue. Although I am a DC resident (25 years on Cap Hill), I am a frequent visitor to Del Ray.

1. Two years ago, a BBQ restaurant opened 1.5 blocks from my home. Despite the District's enforcement of odor nuisance, we experience hickory and wood smoke Monday-Saturday. Fortunately it is closed on Sunday. Unless these types of restaurants are forced to address the particulate matter and odor they expose the neighborhood to, Del Ray residents and visitors will be exposed to the risks and odors this business absolutely will generate. A smokey Main Street is not the reason I support Del Ray businesses. The uniqueness and quality (i.e. Dairy Godmother, Cheesetique) are. This will not be the improvement to the Avenue the neighbors and visitors expect.

2. I also understand that this restaurant has requested to be open 7 days a week until 2 am. Is this business owner familiar with the term "quality of life" for the people who live nearby? Fortunately for me, the BBQ place closes at 9:30pm during the week and 10 on Friday and Saturday night. While they serve beer, it is not a bar, so we are not exposed to the behaviors that occur at a bar or drinking establishment after 10pm. We are also fortunate the with the exception of the 7/11 the other coffee shop respects the hours of the neighbors. The beauty of my neighborhood is if I am looking for a late night experience, I have the now exciting H Street Corridor as well as the entire city! I would think that Del Ray residents look to Old Town and DC for their late night experiences. In fact the friends I have in Del Ray moved from Georgetown, U Street and Adams Morgan to raise families with backyards and Main Street life. They did not have to give up good dining and shopping thanks to many Del Ray businesses, but they did trade the nuisances associated with late night experiences.

Please urge these business owners to do the right thing for their community by addressing the woodsmoke and by keeping their hours in line with the Main street lifestyle Del Ray is know for throughout the DC Metro area. It would be a shame to sacrifice the good reputation of Del Ray for a bar/BBQ joint.

Sincerely,

Richard J. Looman
528 8th Street, NE

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FW: Pork Barrel BBQ Hours
Davis, Martha E.
to:
nathan.randall
04/01/2010 11:20 AM
Show Details

History: This message has been replied to and forwarded.

From: Davis, Martha E.
Sent: Thu 4/1/2010 11:19 AM
To: alsdmf@earthlink.net; nathan.randall@alexandria.gov
Subject: Pork Barrel BBQ Hours

Dear Amy and Nathan:

I am a homeowner in Del Ray and I am writing to inform you of my opposition to Pork Barrel BBQ's request to close at 2 a.m. seven days a week. A closing this late will change the family-friendly atmosphere that drew my husband and me to Del Ray from Washington, D.C. two years ago. I strongly believe that the restaurant's closing time should be consistent with those of other restaurants on the Avenue that we enthusiastically patronize.

Thank you,

Martha Davis
Oxford Ave.

Martha E. Davis
Assistant Professor of Spanish
Northern Virginia Community College
Alexandria Campus
3001 North Beauregard Street
Alexandria, VA 22311-5097
(703) 845-6586
<http://www.nvcc.edu/home/mdavis/Welcome.html>

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Nathan Randall to: Barbara Ross

04/01/2010 01:24 PM

----- Forwarded by Nathan Randall/Alex on 04/01/2010 01:24 PM -----

From: Julia Chappell <julia_chappell@gensler.com>
To: "nathan.randall@alexandriava.gov" <nathan.randall@alexandriava.gov>
Date: 04/01/2010 01:01 PM
Subject:

Dear Mr. Randall,

I have recently learned about the SUP for a BBQ establishment in Del Ray. While I have very real concerns about the environmental impact of this restaurant, I am also very concerned about discussion to have it open until 2am, 7 days a week. I am a frequent visitor to Del Ray to see friends and experience special restaurants like Cheesetique, I believe that allowing the hours to increase past 11pm will be very detrimental to this great family neighborhood. It will change the face of the "Avenue" and have a real impact on the residents who live there. Furthermore, creating a "destination" restaurant will create further problems with public safety, parking, pedestrian travel, and the overall charm and appeal of this quiet area.

I urge you to recommend that the hours be altered to fit in with the other businesses operating in Del Ray. I also strongly urge you to insist that these business owners do ALL that is necessary to mitigate the health risks associated with wood smoke.

Thank you for your thoughtful consideration,

Julia Chappell
Director of Communications
+1 (202) 721.5341 Direct
+1 (202) 351.0541 Fax

Gensler
2020 K Street NW
Suite 200
Washington DC 20006



Fw: An Appeal to Pork Barrel BBQ Supporters
Barbara Ross to: Nathan Randall
This message is digitally signed.

03/31/2010 09:33 AM

fyi

— Forwarded by Barbara Ross/Alex on 03/31/2010 09:37 AM —

From: "Jill Erber - Cheesetique" <jill@cheesetique.com>
To: <Barbara.Ross@alexandriava.gov>
Date: 03/30/2010 04:58 PM
Subject: FW: An Appeal to Pork Barrel BBQ Supporters

Barbara,

Nice talking to you today. I am forwarding you a message that I posted to the Del Ray Citizens listserv today regarding Pork Barrel.

I look forward to seeing you at the meeting tomorrow night.

Best,
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!

-----Original Message-----

From: Jill Erber [mailto:pjerber@yahoo.com]
Sent: Tuesday, March 30, 2010 4:54 PM
To: delraycitizens@yahoogroups.com
Cc: jill@cheesetique.com
Subject: An Appeal to Pork Barrel BBQ Supporters

Hello again, Del Ray Citizens.

As you have probably seen, there is a lot of action surrounding the SUP application for Pork Barrel BBQ on the part of the citizens, mainly immediate neighbors of the restaurant property, who have concerns about particular aspects of the project. There are many of you who whole-heartedly support the project and want it to proceed smoothly and without worry on the part of the business owner as possible. *I implore that group to speak up. This is the time.*

Folks in opposition band together and they speak out loudly. That is their right and we should applaud their voice. Those in support often stand on the sidelines and say nothing, giving others the inaccurate impression of uniform support.

Whether you oppose or support – or whether you just need more information – please get involved and express your opinion.

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who make the decisions. You are welcome to post your thoughts to this group, though I know sometimes that you may email your comments directly to me (jill@cheesetique.com) and I will compile them. I will share them with the Planning Commission, and City Council, but I will also share them with the owner, Mike Anderson, because some supportive words right about now.

Please know that Mike is as local as they come, a multi-decade restaurant owner in Alexandria. He is a community member who has chosen to invest his heart, soul, and capital in our neighborhood. The restaurants that Mike is building will be a benefit to Del Ray. He wants to be a good neighbor - and let's be frank - it's in his best interest to make the neighborhood very long if it alienated the very folks who comprise the bulk of its customer base.

The DRCA Land Use Committee meets on April 8th and will form their consensus based on the response they hear from citizens they hear from are in opposition, Mr. Anderson will have a much harder row to hoe. Trust me - those

As with any new development, there are risks to this project. But I for one would rather take those risks in the status quo (or worse - stagnation) because we are afraid of unknown repercussions.

I encourage each of you to come to the Informational Session to be held by Mike at the Mt. Vernon Rec. Center (March 31st) at 7:00. Voice your support. Voice your opposition. Ask your questions. Either way, speak up!

Thank you for reading.

Warmly,
Jill Erber
Owner, Cheesetique
President, Del Ray Business Association
10-year Del Ray Resident

RE: FW: Hog Thaid - Bar B Que In Del Ray
 Cindy Clemmer
 to:
 Nathan.Randall
 03/30/2010 08:12 AM
 Show Details

History: This message has been replied to.

Mr. Randall,

Thanks for the additional information. My position, along with many of my Del Ray neighbors, still stands. After looking up the addresses of those on the "list" of concerned neighbors, I see that at least 2/3 of addresses are multi-residence type buildings (rentals). We appreciate your time and consideration toward this matter.

Enclosed is my original e-mail to neighbors, in order to bring them up to date. If those BCC'd want a copy of the "concerns", please e-mail me and I will send it along.

Hello All!

Here is the note that is going around about the new Bar B Que Restaurant being built on Mt. Vernon & Oxford. I am going to send a note to the parties at the city and throw my full support toward the new business, as it stands. Del Ray is rapidly gaining a reputation as "anti-business" and difficult to work with. It seems to me that if some folks had these misgivings then why didn't they just say so before this new business went to all of the time to do the research, develop a business plan, go through the arduous permit process that the city requires, etc. Throwing up road blocks at this late date will only delay, deter, and perhaps cause this new venture to locate elsewhere.

Del Ray is a vital and eclectic part of Alexandria and we should continue with diversity throughout the community, including the business community. Certainly this business has met and is meeting all necessary codes that are in place. I am certain the city is and was mindful of the requirements of this particular restaurant, before they granted the permits to move forward.

We don't need another Tarot card reader, massage or yoga institution in Del Ray. Please send this note to anyone you think that can support the new business as it is. Note the hearing and meeting date for the land use committee.

Cindy Clemmer,
 Cell: (703) 966-0403
 Office: (703)286-1180
 E-Mail: cindy@cindyclemmer.com

From: Nathan.Randall@alexandriava.gov [<mailto:Nathan.Randall@alexandriava.gov>]
Sent: Monday, March 29, 2010 7:14 PM
To: Cindy Clemmer
Subject: Re: FW: Hog Thaid - Bar B Que In Del Ray

Thank you for your email. It will be included in the file on this case. Just for point of information, although the building at 2312 Mt. Vernon did go through various permitting processes (and some of them are ongoing since the building is still going up), the proposed restaurant itself has not. It is currently seeking a Special Use Permit from the City of Alexandria, which is essentially the first major approval it needs.

RE: Control of Smoke and Odors from Restaurant Operations

Gillespie, William (DEQ)

to:

Erica.Bannerman

03/30/2010 02:28 PM

Cc:

"Lisa Donofrio", "Hartshorn, David (DEQ)", Nathan.Randall, "Ashley Klick"

Show Details

History: This message has been forwarded.

Hello Erica,

In the past, the Department of Environmental Quality (DEQ) has not issued air quality permits to restaurants. It is possible that in the future the Department may require air permits for certain types of restaurants or food operations, however. We are collecting emission data on restaurant operations at this time.

In the meantime, we have been asking local jurisdictions to do what they can to ensure new restaurants are equipped with the best exhaust and ventilation equipment the jurisdiction can require. This is especially important for restaurants that are likely to emit smoke and odors during cooking or smoking operations.

Since we are exploring estimating emissions from restaurants, please provide the following information about the new restaurant you are permitting.

Name and address of the restaurant

Owners name and contact information

Meat throughput information: type of meat cooked and pounds of meat cooked or smoked per hour.

Fuel throughput information: type of fuel and quantity of fuel consumed per hour

Fuel burning equipment specifications.

Air pollution control equipment specifications (if any)

Other data pertinent to air emission calculations.

This information may allow us to estimate emissions from the restaurant. I emphasize "may" because emission factors for restaurants are only now being developed.

You and others involved in this matter may find the following article of interest:

<http://www.mnn.com/food/healthy-eating-recipes/stories/secondhand-fast-food-smoke-produced-by-cooking-fatty-foods-at-hi>

Best Regards,

Bill

Bill Gillespie

Air Compliance Engineer

Virginia Department of Environmental Quality

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Northern Regional Office
13901 Crown Court
Woodbridge, VA 22193
Telephone: (703) 583-3828
William.Gillespie@deq.virginia.gov

From: Erica.Bannerman@alexandriava.gov [mailto:Erica.Bannerman@alexandriava.gov]
Sent: Tuesday, March 30, 2010 12:56 PM
To: Gillespie, William (DEQ)
Cc: Lisa Donofrio; Hartshorn, David (DEQ); Nathan.Randall@alexandriava.gov; Ashley Klick
Subject: RE: Control of Smoke and Odors from Restaurant Operations

Hi Bill,

I sent an email yesterday inquiring about the States regulatory requirements for this restaurant. Based on my previous experience with this type of operation, the State does not typically issue any type of air quality permits. However, since Ms. Donofrio has asked for your assistance with this matter, it would be greatly appreciated if you could let us know what if any permit(s) will be required from VADEQ by Friday, April 2nd.

Thanks,

Erica Bannerman
Senior Environmental Specialist
City of Alexandria T&ES, Office of Environmental Quality
Phone: 703-746-4067 (NEW NUMBER)
Fax: 703-519-8354
email: erica.bannerman@alexandriava.gov

ECO-CITY ALEXANDRIA

In keeping with Eco-City Alexandria please consider the environment before printing this e-mail.

From: "Gillespie, William (DEQ)" <William.Gillespie@deq.virginia.gov>
To: "Lisa Donofrio" <lisadonofrio@hotmail.com>
Cc: <Erica.Bannerman@alexandriava.gov>, "Hartshorn, David (DEQ)" <R.David.Hartshorn@deq.virginia.gov>
Date: 03/29/2010 04:19 PM
Subject: RE: Control of Smoke and Odors from Restaurant Operations

Hello Lisa,

I enjoyed talking with you this morning. Thank you for attachment. It contains a lot of good information.

I tried calling Mr. Snedden, but he is on vacation this week. I will follow up with him next week.

I am attaching the state regulations for visible emissions (smoke) and odors that apply to new

facilities. You will be interested to find that the odor regulations require:

“No owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility and odorous emissions in excess of that resultant from using best available control technology, as reflected in any condition that may be placed upon the permit approval for the facility.”

Best Available Control Technology (BACT) has special meaning in the field of air pollution control. What constitutes BACT (that is, what emission control level must be met by a facility), is determined by the permitting agency issuing the air permit. BACT considers the cost of controlling emissions and usually does not require the very best control of emissions. I know that seems to fly in the face of the plain English meaning of “best available control technology” but that is just the way the parlance of air pollution control has evolved.

This is probably more than you needed to know about air quality regulation, but what is important for you in this case is that state regulations require BACT on new facilities for odor control. I am not familiar with permitting processes of the City of Alexandria, I would think this would give the City an opportunity to require some type of air pollution control equipment on the new restaurant you are concerned about. Erica Bannerman or Bill Skrabak (703) 746-4073 with the City will be able to tell you what they can include in their Special Use Permit.

I am also enclosing a list of vendors of air pollution control for restaurants. It is not an exhaust list of vendors. Many companies work in the field. As a state agency, we cannot recommend particular companies. We supply the list only to give you some idea of the companies that make restaurant controls and what kind of equipment is available.

Best Regards,

Bill Gillespie
Air Compliance Engineer
Virginia Department of Environmental Quality
Northern Regional Office
13901 Crown Court
Woodbridge, VA 22193
Telephone: (703) 583-3828
William.Gillespie@deq.virginia.gov

From: Lisa Donofrio [mailto:lisadonofrio@hotmail.com]
Sent: Monday, March 29, 2010 11:50 AM
To: Gillespie, William (DEQ)
Subject: barbecue restaurant/ regulations

Mr. Gillespie,

Thanks so much for your interest and expertise. The attachment is the same thing that I sent to Erica Bannaerman at T & ES and to Nathan Randall at Planing and Zoning.

The number I have for Mr. Snedden at Rockland's is 202-337-1925. He mentioned at prices of b/w

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\$20 and \$30,000 dollars for hie ventilation systems, but a manager of one of his restaurants in Virginia stated that the ventilation system at her place was about \$100,000. I do not know where the discrepancy is, but the takeaway is that they are very cognizant of the problems bbq places can cause for the community. They do smoke only with wood and the owner planning to open uses a gas/wood hybrid. I am informed that will not cause as much smoke, but will still cause smoke, not to mention odors and other particulate matters. The number of the Alexandria Rockland's is 703-778-9663.

There is also an email from an expert whose brain I have picked. He stated he would be happy to talk about what he knows with any official to answer general questions.

I also want to stress that Ms. Bannerman and Mr. Randall have been very willing to listen to the concerns voiced by me and my neighbors. I will also email a correspondence for the owner and Ms. Bannerman, which show why I am concerned that the ventilation system planned will not be adequate in a residential area.

Thanks again!

Lisa McNichols

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2916

Dear Neighbor,

We hope that you have heard about the new restaurant coming to Del Ray at the corner of Oxford and Mt. Vernon. We welcome new restaurants coming to the Main Street and the ongoing development of the neighborhood. *The Dairy Godmother* as well as your neighbors on East Oxford Ave encourage you to take a closer inspection of the Special Use Permit (SUP) submitted by the business owners (d/b/a *Hog Thaid*) of this planned BBQ/Sushi/Asian Fusion restaurant. Our review has alerted us to some issues that we fear will **impact the environmental quality of your life in Del Ray** as well as the face of the Avenue.

If you have not had a chance to review the SUP, here is a general overview:

1. 166 (16 outdoors) seat restaurant offering 3 dining experiences utilizing the same kitchen area and prep: BBQ, Asian Fusion and Sushi. There are 2 large bars in the design.
2. They will utilize the parking lot behind the restaurant for 27 parking spaces.
3. The proposed hours of operation are daily from **11am to 2am**.
4. They anticipate producing 400# of trash a day
5. They plan to operate smoking equipment that will run **10-12 hours a day, 7 days a week**.

Top 3 Concerns:

1. **Hours of operation.** There is not one restaurant between Uhler and Del Ray (the area referred to as the Historical Core per the Mt. Vernon Overlay plan) open past 10pm. Outside of the historical core the only restaurants open past 10pm are Evening Star, Los Tios and Fireflies (and none of these later than 10pm during the week or 12am on weekends). While other restaurants like Taqueria and Cheesetique have the option per their SUP to stay open later, they choose not to do so. While the owner has suggested to the City that he does not plan to stay open late, the model for his other restaurants has closing times from 12:30am - 2am and even as late as 11:30pm on Sundays. We plan to request he operate until 10pm Su-Th, and 11pm F and Sat.
2. **Woodsmoke.** The owner plans to use a hybrid gas/woodsmoke apparatus that will generate smoke 10-12 hours a day, 7 days a week. Wood smoke and BBQ smoke specifically produce both a hazardous clean air health risk and an odor nuisance. The owner also plans to have smoke exhaust associated with the Asian Fusion menu. At present, special ventilation equipment often used by local restaurants such as Rocklands is not planned. This ventilation equipment is necessary to help mitigate both hazardous smoke issues as well as potentially harmful and unpleasant odors.

Per William Gillespie with Department of Environmental Quality, (bbq) is a "classic air pollution problem in an urban setting." He said it is very important to get conditions placed on restaurants in the SUP that will address odors, smoke and other matter. He said barbecue restaurants "are the worst" in regard to odors and smoke. Mr. Gillespie is doing further research on Rocklands system in comparison to what Mr. Anderson proposes and plans to provide a list of suggestions for appropriate exhaust/ventilation system.

We plan to recommend that Hog Thaid install a state-of-the art carbon filter/exhaust ventilation style system similar to BBQ restaurants in residential urban areas.

3. **Take Out Window on Oxford Avenue.** We are already concerned about the reduction in parking requirement Hog Thaid received, and believe that a take-out window on a side street will be dangerous and cause an increase in both illegal parking and hazardous driving situations on the street. We would like them to have all take outs through the main doors of the restaurant.

Why Your Neighbors are Concerned:

1. **Health Risks.**

Wood smoke is a complex mixture of gases and particles. The gases and particles are air pollutants. The main air pollutants in wood smoke include carbon monoxide, nitrogen oxides, air toxics and particulate matter. Several studies have shown that exposure to wood-smoke reduces lung function, **especially in children**, and increases coughs and other respiratory diseases. Your neighbors have done substantial research on the very real health risks associated with wood smoke and the odor nuisances associated with BBQ in a dense residential area IF the owner does not ensure the necessary ventilation system. We have also spoken with BBQ chefs/managers of restaurants, like Rocklands in Arlington (which installed a state of the art ventilation system to avoid conflict with the neighbors) and restaurants in Georgetown and throughout DC. Many have installed substantial ventilation systems that absorb odors and capture harmful smoke and particulate matter from the cooking process such as grease, gas, and other chemical compounds and byproducts.

(Some of this research is included below). Currently, Alexandria's regulations do not appear to be as stringent as other urban areas and it is necessary for the residents to address it on a per instance basis.

Alexandria does not have any guidelines similar to those you might find in NY or even DC. So under the current plan, if Hog Thaid vents their Asian/Fusion smoke towards the Avenue and the BBQ smoke 12 hours a day into the air without any carbon cleaning or strict filtering to reduce odor and small particle pollutants there will be a real environmental impact on air quality.

This is not a new concern for Del Ray residents. Many neighbors challenged Vocelli's Pizza regarding hours of operation and odor concerns. In response to their concerns, conditions were added to the SUP requiring the owner to install a venting system to help eliminate odors as well as a special fencing to help eliminate noise from exhaust fans operating on the roof. Our hope is that Hog Thaid will install a ventilation system with carbon filtering that addresses BBQ smoke.

In order to help educate those who are not familiar with the risks of wood smoke we encourage you to visit the website Burning Issues. Burning Issues – Is a not for profit organization providing public education about the medical hazards of exposure to wood smoke and other fine particulate pollution
<http://burningissues.org/health-effects.html>

Their Project Statement:

Smoke from residential burning of wood, wood burning restaurants and outdoor burning of wood, crops and debris is permeating our neighborhoods. This burning results in high ground level concentrations of toxic air pollution. Awareness and education are the key elements to the abatement of this source of deadly fine particulate pollution in our communities.

2. Odor Nuisance - a result of Inadequate Ventilation

The process of cooking the BBQ expels more than smoke through the smokestack. Grease and other condensables are expelled into the air as well. A quick web search will reveal to you many municipalities having issues with the odor and smoke a BBQ restaurant produces in an urban environment. To better understand these issues we have included a specific article reference/case study as well as notes from a conversation between Dave Kuck and a concerned Del Ray neighbor. Mr. Kuck is an Industrial Air Purification Specialist with Breathe Pure Air. <http://www.breathepureair.com>

Mr. Kuck said there are any number of products and configurations of "kitchen emissions control systems." Systems are designed according to many variables: size of space, type of cooking, or "application," (barbecue requires a more what he called "heavy" intervention). A properly sized and designed system can efficiently remove grease and smoke particulates. A separate component of a system removes odors. Carbon filters are generally necessary for odor removal. The amount of carbon required depends on the amount of exhaust generated and the speed with which the vents expel it.

Mr. Kuck said that **barbecue exhaust demands one of the more "robust" systems and is one of the "nastier applications."** By applications, he meant cooking process. He stated that when you are cooking with meat and liquid, the "application" is messy. **Adding solid wood to the combination makes it way more problematic. The smoke will be opaque. It takes more to burn and the byproducts are actually more harmful.** The required filtration system with wood added to the mix is more involved. Greater demands will be placed upon the system.

The issue of whether a smoker that uses gas and just a few wood "chips," would generate much smoke was specifically addressed. **He said they "absolutely can" generate a lot of smoke.** The use of gas means there will just be one more chemical byproduct of the cooking/ smoking process that needs to be filtered out. Of course, he said, the severity of emissions would depend on how much the smoker would be used. This type of system needs to be cleaned well and often.

Excerpts from articles about Smokin' Al's BBQ restaurant in Massapequa Park, NJ, a residential community similar to Del Ray. The owner of the restaurant used inadequate filtering and ventilation.

"Since Smokin' Al's opened in November 2008, complaints have piled up at the restaurant with nearby residents complaining about high volumes of traffic, illegal parking by patrons and an ever-present smell of southern cooking in the air from morning to night. "You can't even open the windows because the smell is there," said Bill Ferro, a resident of the Village of Massapequa Park for 41 years. Every day, Ferro documents the odor and reports it to the Village."

"I am coughing all the time ... there are clouds of smoke coming into my house." She also said that the smell aggravates her granddaughter's asthma; and her clothes and furniture smell like barbecue."

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"Yunbae Kim, the owner of Park Valet Cleaners, told the board that his dry cleaning shop smells like southern cooking, and that his customers are angry. Since their opening, Smokin' Al's Famous BBQ has served thousands of customers. The side effects of this successful business have hit local merchants and residents hard."

Smoking Al's is one example. The odor and smoke issues have caused problems in many other urban settings such as Brookline MA, San Diego, CA, Scottsdale, AZ.

If you share concerns about the impact the proposed SUP may have on air quality and general quality of life in Del Ray, please make plans to attend the Del Ray Land Use Committee on Thursday, April 8 at 7pm at the Mt. Vernon Recreation Center. Nathan Randall, Urban Planner, and Barbara Ross, Deputy Director, will be attendance to hear the pros and cons from the perspectives of the residents.

If you are unable to attend, please email your concerns to Amy Slack, Land Use Committee, and Nathan Randall, Urban Planner prior to the meeting. You may also email your concerns to Ashley Klick, who is compiling all of our concerns for the various boards and the City Council who approve the SUP. If you have any questions or want clarifications on your neighbors top issues, please feel free to contact Ashley as well.

If you want to be added to a list serv keeping concerned neighbors up to date on this SUP, please email Ashley Klick.

Ashley Klick: amkdc05@yahoo.com, 703-838-0575

Amy Slack: aidsmf@earthlink.net

Nathan Randall: Nathan.Randall@alexandriava.gov

Thank you for your consideration of these issues.

Your neighbors at:

112 E. Oxford Avenue
109 E. Oxford Avenue
108 E. Oxford Avenue
107 E. Oxford Avenue
106 E. Oxford Avenue
105 E. Oxford Avenue
104 E. Oxford Avenue
101 E. Oxford Avenue
100 E. Oxford Avenue
2 E. Oxford Avenue
The Dairy Godmother (Liz Davis), Mt. Vernon Avenue

Hog Thaid SUP
 Ashley Klick
 to:
 Erica.Bannerman
 03/29/2010 07:03 PM
 Cc:
 Nathan.Randall
 Show Details

History: This message has been forwarded.
 Hi Erica-

I know that you have been speaking with my neighbor, Lisa Donofrio McNichols, regarding our concerns specific to the wood smoke. I would like you to know that once we determined the system from Southern Pride I have been emailing and trying to call the various owners of BBQ restaurants who use Southern Pride. Many of these, especially one near a school and residences, have installed more sophisticated exhaust and filtering systems to mitigate the smoke and odor. I spoke to the owner of Dixie Bones this morning from Woodbridge (who has been using Southern Pride equipment for many years), and he told me the following:

- * Typically these units run 10-12 hours over night.
- * There will be smoke. It will smell like chimney smoke.
- * He has a different model than the hybrid but was familiar. He actually runs 4 large Southern Pride pit like systems to accommodate his 60 seat restaurant and he has venting, but is located in a residential area. He was surprised the owner was going to have this system for a 70 seat restaurant.

From Chris Bastian of Bastians Bar B Q & Catering (not in a residential area):
 "Ashley, 1st the smoke MUST be extracted by the the smoke extractor(extra purchase). 2nd the smoke by fire code and other codes must by sent above the roof(example: a bbq restaurant in N Y city had to extend the chimney 30 stories to the roof). 3rd the restaurant we have is 55 seats but our catering has been for the largest 15000, took a long to prepare for that, the unit I use is the SPK280SL series but is no longer in production the new modle SBK500SL series is the next best thing little larger, I have been using southern pride for 17 years and they are great,4th CLEANING MOST IMPORTANT!!! keep the fire chamber free of after burn(ashes) and the the grease froor drained after every cooking (or you could have fire) I have known of fires but I have never had one (knock on hickory). GOOD COOK!" <http://www.city-data.com/va-restaurants/Bastian-s-Bar-B-Q-Catering.html>

I am so grateful that you are reviewing this information. As the parent of a child with asthma, I have very real concerns about woodsmoke and its health risks. As you may know it is a very dirty energy source and has been identified as a lung irritant. I know that Liz Davis, owner of The Dairy Godmother, and Sheila of the Hat boutique are very concerned about the smoke and odors from both the BBQ and Asian Fusion stoves.

We have 12 homeowners working together to provide suggestions on the venting, as well as our other concerns (specifically hours; take out service on Oxford; traffic calming solutions; noise abatement) which we will forward for your consideration prior to the Land Use Committee.

I have had to learn a lot about SUPs and the Mount Vernon Overlay Document in the past few weeks. Section 4.2 Guiding Principle of the Mount Vernon Overlay Document resonates with me as I try to figure out why a business owner would not want to install a carbon filter/exhaust system that would not impact the neighborhood: *Preserve and protect existing residential areas, specifically "Protect nearby residences from impacts associated with commercial activity" and to " Ensure new development is compatible with neighboring residential uses."*

I feel confident that we will be able to address our main concerns with Mike and his team, and our hope is that he will endeavor to open a business that will not impact the environmental air quality of the neighborhood or the quality of life on the Avenue and the surrounding properties. Del Ray is an incredible neighborhood. We have invested in our home and community since moving in 8 years ago. I don't think it is unreasonable to ask a business to invest now in his business so as not to endanger the residents he hopes to attract.

300

Fwd: Pork Barrel

Amy Slack

to:

Barbara Ross, Nathan Randall, Bill Skrabak, Erica.Bannerman

03/29/2010 04:48 PM

Show Details

Barbara, Bill, et al

The message below was posted to the delraycitizens@yahoogroups listserve. Because David Fromm is DRCA President and the listserve moderator, already I've seen responses which show:

a) a lack of understanding of the City Ordinance, the Zoning Ordinance, Environmental regulations, and
b) the rights of citizens to voice their opinions and do so in a respectful, civil manner.

I would appreciate if you would send observers from your respective offices to attend this meeting as well.

The Del Ray Citizens Association Land Use committee will discuss the application by Mr. Anderson on April 8, 7:00 PM at the Mt. Vernon Recreation Center, I invite you to attend.

Mr. Anderson will be out of town that evening but Mr. Bill Blackburn, his partner, will be with us.

Much appreciated,

Amy

Amy Slack, Land Use committee Co-chair

Del Ray Citizens Association

703.549.3412

landuse@delraycitizen.net

Honoring our past, Celebrating our present, Envisioning our future!
1908 - The Town of Potomac, Alexandria VA - 2008

Begin forwarded message:

From: Michael Anderson <mike@mangomikes.com>

Date: March 25, 2010 12:28:08 PM EDT

To: David or Amy <alsdmf@earthlink.net>

Subject: Pork Barrel

Pork Barrel BBQ invites the neighborhood to an Open House this Wednesday, March 31st at 7:00 pm to share some exciting updates about the Del Ray BBQ company, discuss plans for the upcoming Pork Barrel BBQ restaurant, The Sushi Bar & Asian Fusion restaurant, and hold a listening and answer session.

The Open House will be held at the Mt. Vernon Recreation Center at 2701 Commonwealth Avenue, Alexandria, VA 22301 and we invite anyone in the community interested to attend!

Mike Anderson

301

FW: Hog Thaid - Bar B Que In Del Ray
Cindy Clemmer
to:
Nathan.Randall
03/29/2010 02:58 PM
Show Details

History: This message has been replied to.
Re-Sending, I made an error in your e-mail address on the prior attempt.

Cindy Clemmer 3/29/10

From: Cindy Clemmer [mailto:clemmer@comcast.net]
Sent: Monday, March 29, 2010 2:46 PM
To: 'David Fromm or Amy Slack'; 'Nathan.Randall@alexandria.gov'
Subject: Hog Thaid - Bar B Que In Del Ray

Hello!

I fully support the new restaurant that is proposed, as is.

Del Ray is rapidly gaining a reputation as "anti-business" and difficult to work with. It seems to me that if some folks had these misgivings then why didn't they just say so before this new business went to all of the time to do the research, develop a business plan, go through the arduous permit process that the city requires, etc. Throwing up road blocks at this late date will only delay, deter, and perhaps cause this new venture to locate elsewhere.

Del Ray is a vital and eclectic part of Alexandria and we should continue with diversity throughout the community, including the business community. Certainly this business has met and is meeting all necessary codes that are in place. I am certain the city is and was mindful of the requirements of this particular restaurant, before they granted the permits to move forward.

We don't need another Tarot card reader, massage, yoga institution or gift shop in Del Ray.

Respectfully,

Cindy Clemmer
2303 Commonwealth Avenue
Alexandria, VA 22301
March 29, 2010

302

New restaurants in Del Ray
Monica Sheehy
to:
nathan.randall, barbara.ross
03/28/2010 09:50 PM
Show Details

History: This message has been replied to.
Hello Mr. Randall and Ms. Ross-

We live at 108 E. Oxford Avenue and have some concerns about the 3 new restaurants soon to open on the corner of Oxford and Mt Vernon in Del Ray.

Our concerns are based on the impact on our neighborhood and family. They are: operating hours; potential odor; take out window; deliveries; and parking.

Solutions. We feel that 11pm is a sufficient closing time. Anything past that becomes a bar, not a restaurant. We understand that a proper ventilation system would greatly reduce any food odors. We prefer the take out door to face Mt. Vernon, not Oxford. We don't want any deliveries on Oxford, or in the back of the restaurant. This will interrupt our, and our children's, sleep. Parking is a neighborhood concern and the restaurants add to it.

THanks so much for your time.
Respectfully,

The Sheehy Family

303

The following document represents concerns I have about the possibility that harmful emissions and nuisance odors could be produced by the restaurant seeking an SUP at 2312 Mount Vernon Avenue (SUP Permit Request number 2010-00011). As I kept finding more instances of nuisance barbecue restaurants, I just kept saying – what is it about some of them that have made various neighborhood communities across the country sick (literally) of living near them. Some of the variables are the smoker used, the frequency of use, the configuration of the neighborhood, and most of all, and the ventilation system. The air is the air. Smoke and odors will be traveling through it the same way here that it did in NY, MA, CO, CA, and Texas. I know these are anecdotal, but they could be cautionary tales. The document consists of the following:

1. NY Times article about problems with barbecue restaurants and a new one in NYC
2. Conversations with Dave Kuck (pronounced “Cook”), representative from *Breathe Pure Air* – a business that consults on and designs air quality systems, including ventilation systems for restaurants
3. Cautionary tales from around the country

1. NY Times Article:

Here is an article from the **NY Times** about what it took to open a barbecue restaurant in New York City. Note the type of smoker: gas with wood, a similar type Mr. Anderson plans to use. I included this because it makes you realize how other jurisdictions deal very stringently with the odors and fumes generated by barbecue restaurants

Where the Smoke Rises (and Rises)

Some excerpts: Here, to the great frustration of barbecue aficionados, **stringent environmental codes protect the public from the saturating power of barbecue smoke**. While a handful of restaurants have made good-faith efforts to create real barbecue in Manhattan, none have overcome the **compromises necessary to avoid offending the neighbors and authorities**.

Three years ago, (Danny Meyer) and his partners decided they would find a way to bring authentic, smoky barbecue to Manhattan with nary a gasp or a cough. Finally, last week, after yards of red tape, miles of research and many, many feet of chimneys and ductwork, their barbecue restaurant, Blue Smoke, opened.

Every day I'm learning why you don't see more barbecue restaurants in New York," Mr. Meyer said. "What you have to do is spend an enormous amount of time for permits and for getting the proper type of smoker approved and permitted and custom-built, and an **enormous amount of money to create the requisite amount of ventilation**."

Creating the smokers was not nearly as difficult as getting rid of the smoke and other barbecuing waste.

The pits use gas flames to ignite apple logs, which smolder and smoke meats that rotate through the smoker on metal shelves. A thermostat monitors the logs, with the gas flame ready to reignite them.

While he would not provide exact figures, Mr. Meyer said that all told, **Blue Smoke was more costly to open** than Gramercy Tavern.

2. Conversation with Dave Kuck (like Cook), from Breathe Pure Air

His company provides products that address air quality. I have included his link. He was very informative, spent much time explaining things to me, and is willing to speak to any person representing the City of Alexandria. Since his time is short, he asks that any person interested email a list of questions before any conversation for his review so as to save time.

Breathe Pure Air

He said there is any number of products and configurations of “kitchen emissions control systems.” They consult and design each system according to many variables: size of space, type of cooking, or “application,” (barbecue requires a more what he called “heavy” intervention). A properly sized and designed system can efficiently remove grease and smoke particulates and odors. Please forgive me if I do not get this all correct. He was doing his best to educate me but I could only write and absorb so much information. Any mistakes are my fault.

What he recommends depends on space, legal requirements, type of “application,” or cooking process, and how serious someone is about getting the cleanest air possible. A separate component of a system removes odors. Carbon filters are generally necessary for odor removal. The amount of carbon required depends on the amount of exhaust generated and the speed with which the vents expel it.

Regarding smoke/grease/other condensables: The first stage involves a prefilter “impingement” device which collects larger contaminants. The next stage involves an “electrostatic precipitator,” the size and intricacy of which depends how much air is moving through the vents. It is the primary filtration component that contains ‘electron collector cells’ and catches the smaller particulates that cannot be seen.

He said that barbecue exhaust demands one of the more “robust” systems and is one of the “nastier applications.” By applications, he meant cooking process. He stated that when you are cooking with meat and liquid, the “application” is messy. **Adding solid wood to the combination makes it way more problematic. The smoke will be opaque. It takes more to burn and the byproducts are actually more harmful.** The required filtration system with wood added to the mix is more involved. Greater demands will be placed upon the system.

I asked specifically whether a smoker that uses gas and just a few wood “chips,” would generate much smoke. **He said they “absolutely can” generate a lot of smoke.** The use of gas means there will just be one more chemical byproduct of the cooking/ smoking process that needs to be filtered out. Of course, he said, the severity of emissions would depend on how much the smoker would be used. This type of system needs to be cleaned well and often.

A system designed to accommodate filtration of barbecue –generated byproducts, smoke and odor should be custom-made. A quality system would ensure never having to do it again.

I asked Mr. Kuch specifically about the Southern Pride SK-500. He stated that even if a smoker produces less smoke, that aspect of it will not necessarily mitigate odors or other particulates expelled. To be sure, no smoker is smokeless.

Regarding the language comparing amount of wood to a fireplace: That is not quite an accurate comparison as many people in this area do not use their fireplaces at a minimum of 10-12 hours a day every day, including during the hot summer or spring when people are more apt to be outside or have their windows open. We still do not know what times the smoker will be going. Nor does anyone in Del Ray burn a wood fire whilst smoking mounds of pounds of pig flesh all day. Wood emissions will not be the only components in the smoke. There will be fat from the meat and gas from the ignition (even if they claim not). Also, will they use wet or dry wood? For some reason, I seem to remember one makes for more smoke, but is more harmful as a lung irritant.

Addressing the gas element of the smoker. I found this from a barbecue website: "For safety, gas contains smelly sulfur chemicals called mercaptans* to make it noticeable when there is a leak. In these ovens, the products of the gas burner combustion, including the odorous components pass through the cooking chamber and come in direct contact with the meat. **They will tell you that the gas is just there to ignite the wood, but don't fall for that line...the gas burners in these ovens fire every time the temperature drops, tainting the meat with each firing**". If that is true, it is worth thinking about, because the ventilation expert with whom I spoke stated that gas is another byproduct of such a cooking process that should be properly vented.

I am also wondering what happens if the restaurant gets so busy that the owners feel they need more than one smoker OR need to operate it all day to accommodate demand. Some popular barbecue restaurants have been known to use their smokers 24 hours per day. He does catering at Mango Mike's. Will he be doing catering here? Will that require more smoking than 10-12 hours per day? Also, we have not even addressed what type of cooking "Asian fusion" consists of. Will it be wok cooking/ Korean barbecue/ heavily spiced/ fishy? What type of smoke/emissions do these types of cooking methods expel?

After receiving some information from Mr. Anderson and speaking with Ms. Bannerman I spoke to Mr. Kuch again. He said whatever exhaust system the SK-500 provides, the

product will still not clean the air or remove odors. For that you need some combination of filtration devices and carbon filters mentioned previously.

Regarding the smoke, he said that unless the exhaust system is "pristinely" cleaned and maintained after each use, the more smoke and emissions will be expelled as time goes on. He also said that, depending on wind conditions, the smoke and odor vapors could get into the vents of adjoining businesses.

Here is a copy of portions of an email sent to me by Mr. Kuch:

Hi Lisa

I got your voicemail, and felt I may be able to more accurately convey my feedback after having the opportunity to review the cooker and put an appropriate amount of thought into it rather than attempting to think out loud or manufacture "on-the-fly" suggestions over the phone. Per your message, I looked into this SPK-500 unit... Please see below for a link to the spec-sheet:

<http://www.southern-pride.com/m/catalogs/Spec%20Sheet%20SPK-500.pdf> .

On page (2) of the spec sheet, you'll see a diagram of how Southern Pride suggests an exhaust vent/hood system is incorporated. Now, that's not filtered exhaust, just straight exhaust. Regardless of how little smoke this BBQ restaurant owner claims he'll be producing, there will be cooking odors and vapors that exhaust through that ventilator. Your concern of the neighborhood smelling like a perpetual "pig-pickin'" (I think that's the term people use), would be more attributed to the cooking odors and vapors, rather than the cooking smoke itself.

I've attached a photo as a visual example of what a system might look like...the unit in the photo is actually a production snapshot of a larger unit I used on a previous kitchen exhaust project. This is for your visual reference only, and in no way reflects the exact system configuration that would be applied to this BBQ restaurant location. I've also attached an illustrative example of a self-washing filtration system with carbon modules (odor control) and an integrated fan package - used on another kitchen project with different requirements... essentially this resembles what a complete system would look like without a weather-rated system enclosure, and other considerations...again, for your visual reference only, as every kitchen exhaust filtration job is unique, therefore it will have its own unique equipment configuration.

Dave Kuck
Commercial / Industrial Consulting & Sales
Direct: 843-628-4952

Toll Free: 877-688-2703

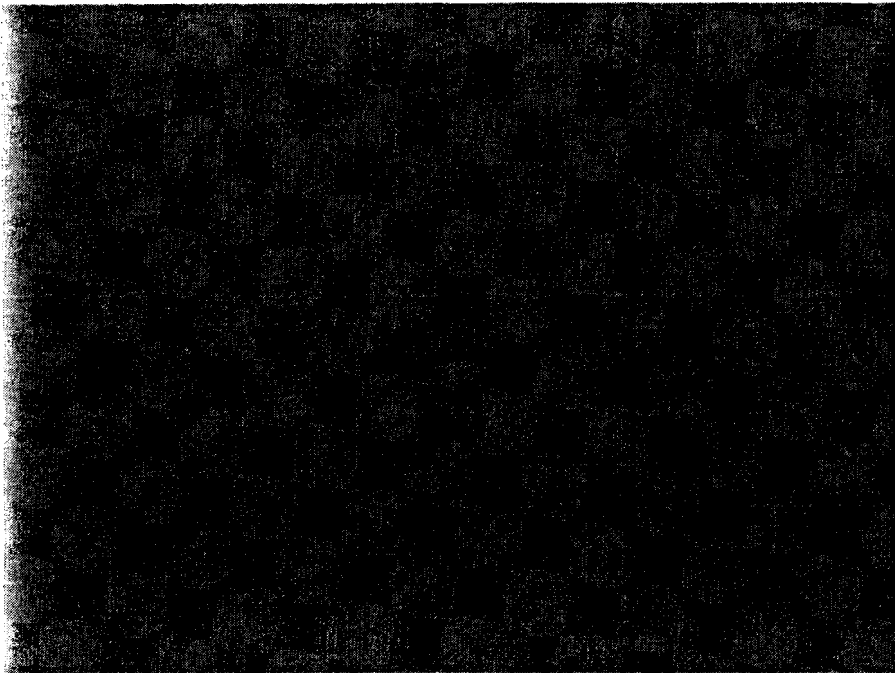
Fax: 843-795-5892
<mailto:dave@smokeeaters.org>

307

BPA Air Quality Solutions
1236 Folly Road
Charleston, SC 29412

www.smokeeaters.org

He stated that he would be happy to speak, to some extent, to any official regarding the matter.



[Double-Pass-with-carbon.jpg](#)

3. Cautionary Tales: The case that I found the most information about involves a restaurant called *Smokin' Al's* in Massapequa Park, Long Island, NY. This restaurant is located on a busy road and abuts a residential area. The nearest house is just 30 feet away. No neighborhood is a carbon copy of another, but Del Ray has the same components: busy main road with businesses abutting residences. The owner told the officials and residents that the smoker model he intended to use (and ventilation systems) would produce minimal smoke and odor. Neighbors were skeptical. He was given his Certificate of Occupancy (like our SUP) and the problems and complaints started immediately. He spent tens of thousands of dollars to improve it, but it still

caused odors and smoke to permeate the air, even the air inside people's homes. Finally, his Certificate of Occupancy (CO) was revoked and he succumbed to the reality that he would have to install a more expensive system in order to control the smoke and odor.

At one meeting, the owner's attorney stated the following: "The word Smokin' unfortunately refers to the way the food is prepared. It does not refer to smoke billowing out of smoke stacks in any way shape or form. ""He does not want to be in a shopping mall, he doesn't want to be in an area on Sunrise Highway or somewhere like that. He would prefer to be in a neighborhood area. "

The owner described the smoker he used thus: "...you might have an image of charcoal and thick pieces of wood and logs...there is none of that here. It is little pieces of hickory wood like this and there is no flame. They come from Oklahoma, they are not from here and **they are electric, they are not gas**, and there is no flame. What it is is coils in the machine that just warm the wood. There is no pollution. There is some steam that comes out in the air. As you have seen in many restaurants, it's called an ancil system that filters out all the steam ...and as I discussed with the Board. I'm going to put in a secondary system to even mitigate that steam even further. There is absolutely no... There is no pollution before that but just a backup system on it. "

To compare, Mr. Anderson seems to be planning on no ventilation system any more sophisticated than that used in other restaurants that do not barbecue. I am not claiming that he is not planning to ventilate this restaurant. He did tell Nathan Randall at Planning and Zoning that there would be one ventilation system with two different vents – one would expel the "Asian fusion" matter near the Dairy Godmother side, and the other vent would expel the cooking matter from the barbecue restaurant. I am just concerned that a "typical" ventilation system will not be sufficient for such "robust" and "nasty" "applications" such as described by Mr. Kuck.

Back to *Smokin' Al's*: Things did not exactly go as promised. Numerous residents testified at hearings **after *Smokin' Al's* was operating.** He offered to put in a new system and brought its inventor to a hearing, the minutes of which I have read. Some of it is highlighted in the articles. The articles follow, with a few lines pulled out of them. In one is the following: "In an interview at *Smokin' Al's*, Horowitz noted his restaurant is not as smoky as many presume. **He holds up six small wood chips. Those chips will be the only wood used to cook one oven filled with meat.** The chips are placed against hot metal which causes the wood to smolder. This does not create a lot of smoke, Horowitz said, opening the oven doors to prove it. Smoke that is produced is absorbed through the first filtration system. Any smoke left, is absorbed through the second filtration system."

Please note that if six small wood chips created the problems complained about in Long Island, what will two to five firewood-sized logs produce? To be fair, I think this owner had more than one smoker at his restaurant. But six woodchips in multiple smokers is still far less wood than in even one log of firewood. The rest of the articles follow.

Massapequa Park approves Smokin' Al's restaurant

"How can you even consider this application? I can't imagine the problems that will cause," said resident Jim McGuire at the first hearing.

New Smokin' Al's restaurant in MPK stirs up heated debate

One, Yunbae Kim, the owner of Park Valet Cleaners, told the board that his dry cleaning shop smells like southern cooking, and that his customers are angry. Since their opening, Smokin' Al's Famous BBQ on the corner of Park Boulevard and Merrick Road has served up ribs, pulled pork with sides of slaw to thousands of customers. The side effects of this successful business have hit local merchants and residents hard, however, while the owners of the new restaurant said that they have done whatever possible to alleviate some of the complaints and be a good neighbor.

Al's taking some heat from Massapequa Park Village over odors

Since Smokin' Al's opened in November 2008, complaints have piled up at the restaurant with nearby residents complaining about high volumes of traffic, illegal parking by patrons and an ever-present smell of southern cooking in the air from morning to night. "You can't even open the windows because the smell is there," said Bill Ferro, a resident of the Village of Massapequa Park for 41 years. Every day, Ferro documents the odor and reports it to the Village.

But when complaints continued from nearby residents, the Village suggested that Smokin' Al's install a Smog-Hog which has a \$200,000 price tag attached.

Owner of Smokin' Al's serves up solution; Village, residents wary

"I go to take a shower and my towels smell like Smokin' Al's, thank you very much," shouted a woman dressed in a green blazer at the most recent Massapequa Park Village board meeting.

At a board meeting July 7, Mayor James Altadonna granted the restaurant eight weeks to install a new system to eliminate the barbecue smell that has caused a media melee that made news vans and TV crews a common sight on Merrick Road.

"The problem is that the ventilators (on the roof of Smokin' Al's) are not just spewing out smoke but particulates: pieces of meat, spices, oil and all the regular splatter that occurs over a cooking stove," said Alemao.

MPK Village should never have given permission to open Smokin Al's restaurant

A new CO would require the proposed restaurant to have sufficient amount of parking for both its employees and patrons. Additionally, the restaurant would be required to comply with all of the life safety and health provisions of the Building Code of New York State with regard to its kitchen exhaust system. **A CO is issued only after all the conditions are met. The conditions are not negotiated after the CO is issued.**

More concerns on Smokin' Al's and questions about proposed solutions

The stink coming from his establishment is obnoxious, nauseating and sickening. The stink is from morning 'till night. The smell enters our homes and gets on our clothes. We can't open our windows for fresh air. It is impossible to even sit outside and enjoy our back or front yards.

At that Village hearing I resented the Chamber of Commerce's president's comments that the homeowners in the immediate vicinity should have to accept any and all conditions these stores project because we should have known better than to buy homes so close to the stores. Also, a Century 21 agent told us that our homes were "doomed" in the resale market.

MPK Village should consider stronger planning reviews

Perhaps the board would have even picked up the fact that the filtration system was inadequate and that parking would become a problem. **At that point, before the applicant had made a major investment, the plans could have been altered,**

Village revokes Smokin' Al's occupancy certificate; restaurateur promises to come into compliance

After almost a year of neighbor complaints about a smoky barbecue smell from the restaurant in Massapequa Park, the owner is making arrangements to install a Smog- Hog to alleviate the conditions,

the building inspector testified about his on-going documentation of the smoke-nuisance; and a video was submitted showing cooking-smoke billowing from the building.

"I am coughing all the time ...there are clouds of smoke coming into my house." She also said that the smell aggravates her granddaughter's asthma; and her clothes and furniture smell like barbecue.

Massachusetts The takeaway from this article is that the neighbors met with the owner *before* he opened. He promised to address the issue. Whatever he did was not sufficient. Rather than spend the tens of thousands of dollars to fix it, he changed his entire menu. Notice also reference to a restaurant in the neighborhood that made it reek of garlic (hello Asian fusion).

Brookline barbecue joint agrees to ditch smoker after neighbors complain of odor

But when Joe Ranft began coming home several times a week to find his apartment filled with the smoky odor, he quickly grew tired of it.

Though Ranft said he was never bothered enough to complain about the smell, enough neighbors voiced concerns that the owners of the grill have opted to shut the grill down, according to town officials.

"People said they basically had to keep their windows closed," she said. "Sometimes it was worse than others."

But when Ciccolo showed up, he told officials he was already planning to shut the smoker down **rather than pay for the equipment that would block the smoky smell.**

"The smoker uses wood, so it's a different type of cooking element that requires more technical cooking controls," Maloney said.

The Washington Square neighborhood is no stranger to unwanted odors. **The neighborhood used to reek of garlic until Vinny T's agreed to put a special filter in place.**

San Francisco – this was a Korean barbecue and involved some charcoal. But bottom line was the ventilation and filtration system was not good enough

Residents Fuming Over Odors from Hahn's Hibachi

Noe Valley residents living within a two-block radius of Hahn's Hibachi, the Korean barbecue at the corner of Castro and 24th streets, have been plugging their noses since the cafe opened just over a year ago. Now after months of complaining about the restaurant's aroma, and not sensing much relief, the neighbors are starting to steam.

They claim the barbecue smoke, emitted from the restaurant's exterior exhaust system, wafts into nearby back yards and through open windows, causing itchy eyes, irritated asthma, shortened tempers, and a general degradation of lifestyle.

"I've lived here for 25 years, and once in a while we get a little whiff of garlic from Little Italy," says Jersey Street resident Lawrence Kulig. "But this stuff from Hahn's is overwhelming."

Lorraine Sherrill, who lives two blocks away at the corner of Castro and 26th streets, says that Hahn's smoke has triggered asthma attacks and driven her indoors on many occasions.

"Mr. Bass better quit messing around and go for the big guns," she said. "I've lived here for 67 years now. This is a good neighborhood, and I want it to stay a good neighborhood. As it is, people can't work in their back yards or sit out on their porches.

Texas Isn't this the barbecue capital? Even they don't like the smell...

Company: Buck's Barbecue, Location: Sweetwater, Nolan County, Type of Facility: barbecue restaurant, **Rule Violated: TNRCC Rule 30 TAC sec.101.4, nuisance level smoke and odor emissions.** Penalty: \$1,500, Staff Attorney: Walter Ehresman, (512) 239-0573, Regional Office: 209 South Danville, Suite B-200, Abilene, Texas 79605, (915) 698-9674 or 1700 South Lamar Boulevard, Building 1, Number 101, Austin, Texas 78704-3360, (512) 463-7803.

Colorado Wood burning oven, not smoker. But please note some of the language regarding smoke generated from wood

Boulder's Dirty Little Secret---Up in Wood Smoke

We rented a downtown apartment in February, on the top floor of an office building. It was removed enough from the main street to be quiet, a bonus in a college town.

Our dream apartment turned into a nightmare. Every day, beginning in early morning, smoke from the ovens rises in steady plumes above the chimneys. This goes on, with the occasional break, for nearly twelve hours, seven days a week. The smell is so obnoxious that we cannot open windows or use our balcony, and it is so strong that it often permeates our living quarters. Our noses are runny; our throats are sore and scratchy; and we have a hard time breathing.

While restaurant wood smoke has damaged our quality of life, it is doing much more than this. It is, in fact, a definite and well-established danger to the public's health. A few examples will suffice. First, wood smoke contains numerous toxic substances, many of which are also found in tobacco smoke.

Wood smoke "should be actively avoided" by such persons, according to the American Lung Association. Fourth, exposure to wood smoke can weaken the immune system, making us more susceptible to disease and weakening our ability to recover from both diseases and treatments such as cancer therapies.

San Diego Eventually, this guy changed locations and He doesn't use a smoker anymore

Phil's BBQ

At Phil's BBQ, though, "smoke" is a dirty word.

In March 2001, complaints about odors and smoke billowing from Phil's BBQ led a judge to fine co-owners Pace and Jeffrey Loya \$158,000. The Mission Hills restaurant closed for almost 10 months. Down to his last \$50, Pace filed for bankruptcy.

June 1998: The owner of The Huddle, a restaurant across from Phil's, tells a reporter that the new place drives away customers "who don't want to sit here and smell that." Other merchants add

their complaints, but the Air Pollution Control District insists that Phil's is complying with clean-air ordinances.

July 1998: The Air Pollution Control District changes its mind, cites Phil's. Pace orders a fan to dissipate smoke.

August 1999: On the roof of Phil's, Pace installs a "smog hog," a \$31,000 smoke-capturing device. "End of saga – we hope," Pace tells a reporter.

May 2000: After seven citations from the county, a judge orders Phil's to close if it is hit with one more violation. Pace argues that he is spending hundreds of hours and \$1,500 each month cleaning the "smog hog," vents and other restaurant equipment.

March 2001: Phil's closes, hit with the aforementioned \$158,000 fine.